

The Field of In Between

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In the spring of 1902, Miryam bint Lalu Partush appealed to military representatives in Ghardaïa, in the Mزاب Valley (a valley of five fortified oasis cities in the northern Algerian Sahara, six hundred kilometers south of Algiers), for the paperwork that would allow her to undertake a six-month pilgrimage to Jerusalem with her husband, the wealthy merchant Musa (Moshe) bin Ibrahim Partush. Miryam Partush was unusual in possessing the means for such a rare, costly voyage; but notwithstanding her class, Partush's legal status was typical of most Muslims and southern Algerian Jews in Algeria. She was not a citizen, nor did she hold official papers of any kind. When Miryam Partush appealed to the military authorities in Ghardaïa, then, she was appealing for many things: for the right to leave her native valley and travel to the port of Algiers; for the papers that would allow her to cross colonial boundaries; and for the documentation that would register her liminal legal identity. Authorizing her travel, Algeria's governor-general named Partush a "non-naturalized Jew from the Mزاب."¹ Thus did Partush embark on her six-month journey with a negative legal identity: this Jewish woman was definable, in the eyes of the law, only by what she did not possess.

With the passage of the Crémieux Decree in 1870, forty years after the colonization of Algeria began, the French state granted Jews in the northern departments of Algeria French citizenship. But in the military-ruled Southern Territories, which existed as an administrative entity from 1902 to 1957, Jews, like Muslims throughout Algeria, were categorized as *indigènes* (indigenous subjects) and were subject to "local civil status" laws, with their political rights radically curtailed. With the application of Mosaic personal status laws in Algeria's Southern Territories, the several thousand Jews who lived in this region became, over eighty years of French colonial rule, the only Jews in Algeria, France, or North Africa to live for an extended period under military rule rather than civilian rule or protectorate status, simultaneously beholden to rabbinical law and military authority. This Jewish community was also the only Jewish community across the colonial world systematically constrained in its access to a culture of legal pluralism—that is, to a culture of multiple, decentralized legal orders. Jews in the Mزاب, unlike Jews elsewhere in North Africa and the Middle East, had no opportunity to earn the protection of foreign powers, to acquire standing as foreign nationals or extraterritorial subjects, or to serve the colonial administration, even if they did have access to both Muslim and colonial courts for civil matters. When France granted southern Algerian Jews French citizenship with common civil status in June 1961 (through the French National Assembly's Law 61–805), it was meant to undo these constraints, but it could not undermine the historic trend of legal differentiation.

Scholars have all but neglected this community of several thousand Saharan Jews in favor of the demographically far larger population of Jews in Algeria's north.² This oversight is hazardous in ways that numbers do not reveal. In neglecting Algeria's southern Jews, existing scholarship has inadvertently reiterated the French republican

premise that an affiliation with France afforded rights and opportunities to Algerian Jewry—even arguing, in certain instances, that Algerian Jews were subject to a “soft” form of colonialism.

In *Saharan Jews and the Fate of French Algeria*, I infuse the study of Algerian Jewish history with a regional dimension by considering Saharan experiences of colonialism, the building and maintenance of a social and legal system of inequity in colonial Algeria, and the fractious relationships that unfolded between individual Jews and French military and colonial representatives. To this end, I ask how, over roughly eighty years of colonialism and decolonization in the Algerian Sahara, a community of Jews was imagined and configured (by the French state and military, by social scientists, by northern Algerian Jews, and by international Jewish philanthropies based in France, Israel, Britain, and the United States) as anachronistic, as indigenous, as subjects of Mosaic Personal Law, as a lost tribe, as a “human isolate,” as a swarm of “synagogue bugs,” as the only shtetl dwellers in a post-Holocaust world, as a cause célèbre, as French citizens, and as *pieds-noirs*. I explore how members of the southern Algerian Jewish community experienced and negotiated the categories imposed upon them, particularly in dialogue with the military regime that oversaw Algeria’s Southern Territories. And I tell the story of a group of Jews whose difference from Jews elsewhere and from their non-Jewish neighbors was legislated into reality by the French military regime in southern Algeria and was subsequently mistaken for innate by generations of social scientists, whose writing in turn legitimated policy shifts that dictated the legal fate of Mzabi Jewry. I argue, finally, that the so-called indigeneity of Mzabi Jewry, which was essentially colonial and juridical in formulation, has continued to haunt France, Mzabi Jewish émigrés, and scholarship on modern Jewry long after Algeria became a sovereign nation and France entered the postcolonial world.³

Though colonial law segmented southern Algerian Jewry off from northern Algerian Jewry, the Jews of the Mzab were not alone in the difference colonial jurisprudence ascribed to them. Indeed, the case of southern Algerian Jewry provides evidence of yet another variation on colonial rule that was produced as the French authorities sought—sometimes methodically, sometimes with frantic desperation—to achieve mastery over and control of their diverse subject populations in North Africa. As a scholar of Jewish history, I could not have reached this conclusion were I not acutely aware of the hazards of approaching Jewish history as a discrete, homogenous, or “natural” field, and were I not willing to explore a rich array of communal and extracommunal sources, from municipal archives in Algeria to missionary archives in Italy, from the Central Zionist Archive to the archives of the French Ministry of Defense and the colonial administration (with many stops in between).

Saharan Jews and the Fate of French Algeria joins a new and robust body of scholarship that seeks to reexamine Sephardi, North African, and Middle Eastern Jewish identities as they were shaped centrifugally—that is, in direct and close engagement with non-Jews, local and regional cultures, imperial and national contexts, and global flows of ideas, people, and objects. Much of this scholarship has been written by those trained outside of Jewish studies who (I would hazard) consider themselves at least as strongly identified with Middle East studies as with Jewish studies, if not more so. It has emerged despite the fact that the field of Jewish studies continues to prove unable—and perhaps in certain respects unwilling—to actively nurture Sephardi, North African, and

Middle Eastern Jewish studies on an ambitious scale. Mentors are too few; existing doctoral programs emphasize a European canon; and the study of Middle Eastern and North African Jewish culture continues to be interpreted by practitioners of Jewish studies as at once tangential and tendentious. Nor can this new body of scholarship be said to have emerged with the unequivocal sanction of Middle East studies. That field is arguably too skeptical of what has recently been called an “ethnoscape perspective,”⁴ for fear that a narrow ethnic perspective could revive the outdated civilizational model (situating religion as the monocausal pulse of Middle Eastern or North African cultures and conflicts) or give credence to the Zionist telos (according to which crisis is the enduring leitmotif and departure the enduring endpoint of Middle Eastern or North African Jewish history).

The most recent English-language scholarship on modern North African, Sephardi, and Middle East Jewries offers a way out of such binaries. This expansive body of work is anything but narrowly ethnoscopic in its focus—nor is it by any measure insular or Zionist in methodological orientation. It rests on a complex (and linguistically plural) source base that reaches well beyond intracommunal sources, and it is self-consciously engaged with scholarly conversations that emanate from Middle East studies and Jewish studies (as well as with various other scholarly dialogues, including those that are disciplinarily, geographically, or thematically moored). Even if we limit our explorations to work produced in the last five years alone, the results are dizzying.⁵

Complementing this flurry of new scholarship, a new generation of pedagogic material allows instructors to introduce into the classroom comparative, regionally engaged, and rooted histories of Middle Eastern, North African, and Sephardi Jews. With Julia Phillips Cohen, I am co-editor of one of these works: *Sephardi Lives: A Documentary History, 1700–1950*.⁶ This source book, inclusive of over 150 sources translated from 15 languages, documents the modern Judeo-Spanish heartland and the Sephardi culture it produced in dialogue with a variety of Ottoman and post-Ottoman societies in the Balkans and the Levant, with non-Jewish cultures, with global Jewry, and with Sephardi émigré centers athwart the world.

Pedagogical tools such as this are crucial to the success of Middle Eastern Jewish studies, for they allow scholars of the Middle East to weave Jewish voices (and scholars of Jewish studies to weave Middle Eastern voices) into courses they already teach, thereby allowing for a critical reconsideration of the inherited chronologies, typologies, and geographies that have long shaped these fields. Without accessible, English-language sources, it is difficult to convey to students that Salonica was as vibrant a cultural center of the modern Jewish world as Vilna, or that Ladino was as dynamic a language of Middle Eastern modernity as Arabic. And yet the success of our endeavors shall ultimately be judged by the extent to which such insights spread beyond our haphazardly defined subfield, influencing how the larger fields with which we are engaged think, and teach, about Jewish and Middle Eastern (and Middle Eastern Jewish) cultures. All this is to suggest that when it comes to the study of North African, Sephardi, and Middle Eastern Jewries, the field of in between is a very fertile one indeed.

NOTES

¹ ANOM 22H/16, Letter from General Servièrre to the governor-general of Algeria (GGA) (Réviol), 26 March 1902 and GGA (Réviol) to Ministère des Affaires étrangères, 28 March 1902.

²An important exception is Todd Shepard, *The Invention of Decolonization: The Algerian War and the Remaking of France* (Ithaca, N.Y.: Cornell University Press, 2008).

³Sarah Abrevaya Stein, *Saharan Jews and the Fate of French Algeria* (Chicago: University of Chicago Press, 2014).

⁴Julia Clancy-Smith, *Mediterraneans: North Africa and Europe in an Age of Migration, c. 1800–1900* (Berkeley, Calif.: University of California Press, 2011).

⁵Julia Phillips Cohen, *Becoming Ottomans: Sephardi Jews and Imperial Citizenship in the Modern Era* (Oxford: Oxford University Press, 2014); Mary Dewhurst Lewis, *Divided Rule: Sovereignty and Empire in French Tunisia, 1881–1938* (Berkeley, Calif.: University of California Press, 2014); Susan Slymowics, *How to Accept German Reparations* (Philadelphia, Pa.: University of Pennsylvania Press, 2014); Aomar Boum, *Memories of Absence: How Muslims Remember Jews in Morocco* (Stanford, Calif.: Stanford University Press, 2013); Maureen Jackson, *Mixing Musics: Turkish Jewry and the Urban Landscape of a Sacred Song* (Stanford, Calif.: Stanford University Press, 2013); Orit Bashkin, *New Babylonians: A History of Jews in Modern Iraq* (Stanford, Calif.: Stanford University Press, 2012); Jessica Marglin, “In the Courts of the Nations: Jews, Muslims, and Legal Pluralism in Nineteenth-Century Morocco” (PhD diss., Princeton University, 2012); Michelle Campos, *Ottoman Brothers: Muslims, Christians, and Jews in Early Twentieth-Century Palestine* (Stanford, Calif.: Stanford University Press, 2011); Abigail Jacobson, *From Empire to Empire: Jerusalem between Ottoman and British Rule* (Syracuse, N.Y.: Syracuse University Press, 2011); Emily Gottreich and Daniel Schroeter, *Jewish Culture and Society in North Africa* (Bloomington, Ind.: Indiana University Press, 2011); Joshua Schreier, *Arabs of the Jewish Faith: The Civilizing Mission in Colonial Algeria* (New Brunswick, N.J.: University of Rutgers Press, 2010). Ongoing projects by Paris Papamichos Chronakis, Bedross Der Matossian, Jonathan Gribetz, and Lital Levy also fit squarely within this oeuvre.

⁶These works include two documentary histories and two encyclopedic works: Julia Phillips Cohen and Sarah Abrevaya Stein, eds., *Sephardi Lives: A Documentary History 1700–1950* (Stanford, Calif.: Stanford University Press, 2014); Moshe Behar and Zvi Ben-Dor Benite, eds., *Modern Middle Eastern Jewish Thought: Writings on Identity, Politics, and Culture, 1893–1958* (Waltham, Mass.: Brandeis University Press, 2013); Abdelwahab Meddeb and Benjamin Stora, eds., *A History of Jewish–Muslim Relations: From the Origins to the Present Day* (Princeton, N.J.: Princeton University Press, 2013); and Norman Stillman, Phillip I. Ackerman-Lieberman, Yaron Ayalon, and Avigdor Levy, eds., *Encyclopedia of Jews in the Islamic World* (Leiden/Boston: Brill Academic Publishing, 2010).