

**Dying to Survive: Construction Workers in
French Algeria (1950-1960)**

الموت من أجل البقاء: عمال البناء في الجزائر الفرنسية
(1960 -1950)

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Abstract: When construction workers fell from scaffolding, when tools malfunctioned, when parts of their work site collapsed, did workers' civil status matter? The chosen research strategy relies on records groups within the National Archives of Algeria. These include administrative records of the *Direction du travail et de la securité sociale*, as well as the office of *Travail et affaires sociales*, and administrative collection of *Statistiques des accidents du travail*, during the *Plan de Constantine* (1955-1960). These files' contents are analyzed with Douglas Baynton's recognition of discourses regarding disability as a privilege of citizenship in mind. Between the preamble of the Constitution of the Fifth Republic, and its fourth title, where there is a contradiction; While the preamble recognizes "the right to self-determination of peoples", Article 24 grants "French citizens living abroad" the right to representation in the National Assembly and in the Senate, and Article 34 allows laws (arising from the legislature) to define rules relating to "nationality, status and capacity of persons ". As James Genova observed, colonialism presented a special problem with this model of the relationship between citizenship and nationality. Unlike women and ethnic minorities; Colonial issues were introduced into the national framework by force from abroad and the denial of membership in his society while at the same time depriving him of an alternative group to which he belongs

Keywords: Accidents; Citizenship; "Constantine Plan"; Construction; disability Labour; Law; Urban development; Workers; Workmen's compensation.

الملخص بالعربية: عندما سقط عمال البناء من السقالات، عندما تعطلت الأدوات، عندما
انهارت أجزاء من موقع عملهم، هل يهم الوضع المدني للعمال؟ تعتمد منهجية البحث
المختارة على مجموعة السجلات الموجودة في الأرشيف الوطني الجزائري، وتشمل هذه

السجلات الإدارية بمديرية العمل والضمان الاجتماعي، وكذلك مكتب العمل والشؤون الاجتماعية، والمجموعة الإدارية لإحصاءات حوادث العمل خلال مشروع قسنطينة (1955-1960).

يتم تحليل محتويات هذه الملفات مع اعتراف دوغلاس بينتون بالخطابات المتعلقة بالإعاقة كامتياز للمواطنة مع الأخذ بعين الاعتبار بين ديباجة دستور الجمهورية الخامسة، وعنوانه الرابع، حيث يوجد هناك تناقض؛ فبينما تقرّ الديباجة "حق تقرير المصير للشعوب"، تمنح المادة 24 "المواطنين الفرنسيين الذين يعيشون في الخارج" حق التمثيل في الجمعية الوطنية وفي مجلس الشيوخ، وتسمح المادة 34 للقوانين (الناشئة عن السلطة التشريعية) بتحديد القواعد المتعلقة بـ"الجنسية، ومركز الأشخاص وقدرتهم". وكما لاحظ جيمس جينوفا قدم الاستعمار مشكلة خاصة لهذا النموذج من العلاقة بين المواطنة والجنسية. على عكس النساء والأقليات العرقية؛ تم إدخال الموضوعات الاستعمارية في الإطار الوطني بالقوة من الخارج وحرمانه من العضوية في مجتمعه مع حرمانه في نفس الوقت من مجموعة بديلة ينتهي إليها.

الكلمات المفتاحية: الحوادث؛ المواطنة؛ مشروع قسنطينة؛ البناء؛ عمل الإعاقة؛ القانون؛ التنمية الحضرية؛ العمال؛ تعويض العمال.

Introduction: In her call for contributions to a *journée d'études*,¹ Leslie Barnes (Australian National University) asks a provocative question: "What constitutes 'work' and how is it valued?" As her example, she cites construction workers as a "regime of labour". Similarly, in their call for contributions to a *journée d'études*, Annick Lacroix (IDHES, Paris Nanterre) and Antonin Plarier (IREMAM, Aix-Marseille University) observe: "far from repressing conflicts at work, it is now a question of understanding the economic and social roots of conflict; decipher how articles of association and hierarchies of all kinds are articulated with wage inequalities and forms of arduous work". By consulting records groups within the National Archives of Algeria, I test a key hypothesis others use to conceptualize workers' experience of danger on construction sites. In total, the current project asks: what can archival documents tell us about work, how it is valued, the economic and social roots of conflict, inequalities in forms of dangerous work, and the complicated legacy of modern architecture?

a- Case Study: Documents in the National Archives of Algeria dating

1- French: "study day".

from January 1960, inform us that Mr. Nicholas Fote reported that a laborer, unmarried, hired on August 16, 1959, had been sent to work at a site of a 50-meter building (four floors, with seven apartments on each floor), a practically-finished building in which workers were in the midst of finish plasterwork. On this construction site, balconies between apartments (a meter wide) were separated by a wall (25cm thick) the plasterer was required “to cross one of these separations and reach the opposite side to the one where he was, the maneuver undertook to go over the void; in this movement, his hands which he had affixed strongly on the lateral faces of the wall had to slide along the walls, which besides offered only little grip (wall coated with cement)”.

After exterior plastering of the building’s façade was completed, the twenty-year old was asked to deliver a meter-long piece of wood to a plasterer elsewhere on the construction site. Rather than go down the staircase in that section of the building to the ground floor, then up a second staircase leading to the adjoining apartments, he took a short cut. The labor inspectorate report detailed: “Thinking perhaps to save time, he thought he could go through the outside using the front balconies of the building, on the 4th floor, which are on one level with the rooms of the building”.

On that January day in Constantine, 20-year-old Lakdar Benmarmar fell 12 meters. Fracturing his back and skull, he died a few hours later. The labor inspector attributed his death in the hospital “to a serious recklessness of the victim, rather than a lack of security measure, because in fact, the work that this maneuver involved (plastering) was necessarily carried out within the building. and no worker was called to work at the exterior and at the precise moment when the accident occurred”.¹ From this and similar documents, can generalizations be hazarded from this one incident, to the city of Constantine, and the “Constantine Plan” which permit us to text a key hypothesis regarding citizenship and labor?

b- Citizenship: As historian James Genova observes, “one of the enduring legacies of the French Revolution was to dissociate citizenship from nationality while positing an organic link between them in the ideal of the nation state” (Genova “Constructing Identity” 62), and the city of Constantine had served Allied forces as an operational base during World War II (1942–43). During the German occupation of France, the CNR program--the national resistance council-- envisioned universal social

1- National Archives of Algeria, DZ/AN/17 E 2/596/02, *Direction du Travail et de la Securite Sociale*, p. 41.

security. This *régime general*¹ was designed to exclude miners, sailors, farmers, and government employees, all of whom were covered by *régimes particuliers*² responding to the needs of their professions. Like citizenship, during the years considered in this analysis the unified program of social security extended to include additional categories of eligible persons.

Adopted by referendum in 1946, the Constitution of the IV Republic extended French citizenship to North Africans, granting them the right to enter the Hexagon and seek employment (Pons 97). The 1946 Constitution also extended financial assistance to those deemed most socially vulnerable, most notably women, children, and retired workers a state obligation. Payments from employers *and* employees financed this *Sécurité Sociale*³ program, and employee unions and/or companies administered it; in the case of workplace accidents, the burden of proof was on the claimant.

All this meant that when workers lost their lives, their heirs were prevented from presenting claims. The law of 22 May 1946, limited coverage under its protections to employees of the industrial and commercial sectors (excluding non-salaried workers), the law of 9 April 1947 extended *Sécurité Sociale* to civil servants, and the law of 17 January 1948 established retiree insurance programs for non-salaried, non-farm employees (artisans, industrial and commercial workers, and members of the liberal professions). What, though, of the heirs of Lakdar Benmarmar?

c- Constantine Plan: After French Premier Guy Mollet's disastrous visit to Algiers, Robert Lacoste, a socialist Member of Parliament for the Dordogne,⁴ became Governor General during February 1956. This socialist sponsored the *Maspétiol* report, bearing with it a premise that if family incomes increased by 6.3% a year, then gaps between incomes on both sides of the Mediterranean would decrease (Gilmer 421). When French president Charles de Gaulle established the V Republic, he unveiled the extension of *Maspétiol* at a speech in Constantine (therefore, "Constantine Plan").

As, Governor General Lacoste signed Decree no. 57,245 (24 February 1957) and no. 57,829 (23 July 1957), introducing a new form of compensation for workplace accidents and occupational diseases. These

1- French: "general scheme"

2- French: "special regimes"

3- French: "social security"

4- Minister of Industry until 1950, Minister for Finance and the Economy during 1956.

two new decrees--replacing the previous system in which the onus of proof was placed upon the worker who suffered injuries—placed the costs of settlements arising from workplace accidents on employers; that such costs would include all medical, pharmaceutical, and subsidiary expenses (including rehabilitation). Rules in Overseas Territories were analogous to those in force in the Hexagon (Devernois 601-602).

From such a legal basis, *Le plan de développement économique et social en Algérie*¹ (May 1958-1961) was ambitious in its vision to increase wages, housing, and public infrastructure on both sides of the Mediterranean. In addition, De Gaulle's Plan promised to level salaries among all citizens within five years, and that homes would be built to accommodate a million people, and that space would be made for two-thirds of Muslim children (1,125,000 extra pupils) in schools promising mobility from "blue collar" to "white collar" employment (Barbour 360). Twinned with a Social Action Fund for Algerian Workers and Their Families (*Fonds d'action sociale pour les travailleurs algériens en métropole et leurs familles*)², de Gaulle's Plan exemplified the state benevolence that fulfilled Lacoste's vision (Lyons 141).

1- METHODOLOGY: With regard to Lakdar Benmarmar in Constantine, acknowledging the mutable nature of legal status³, the chosen research methodology is that of positivistic historiography, consulting published materials in Algeria's National Library and files in Algeria's National Archives. These documents include operational records from the Constantine Plan, with its call for 20,000 new housing units each year (Elsenhans 707).

What kinds of information should be collected on these forms was a highly political matter in post-World War II Algeria. New buildings—in particular, residential blocks—bridged the civilian and military worlds of both law and architecture. Conceptual methods come from James Genova's work and that of Douglas Baynton. Baynton's work leads to a counter-intuitive turn. The protected designation of "disabled" becomes an attribute of citizenship, with this status gaining dignity through affiliation with a state granting racialized citizenship.

a- Law: The anonymous, collective authors of *Patrons, emploi et salariés: guide pratique du travail social, juridique, administratif rédigé*

1- French: "The economic and social development plan in Algeria"

2- French: "Social action fund for Algerian workers in mainland France and their families"

3- Dulout 1950, Estoublon 1930, 1955, Lambert 1952, Larcher 1911, 1923.

*et édité*¹ (1956) points to the significance of the law of 22 May 1946. “Until relatively recently, only [white collar workers enjoyed access] to social insurance”. Exceptions to the general principle “all French is now subject to Social Security, except “people under a special regime (officials, staff of some nationalized companies, etc.)” as acknowledged previously, and “loafers which are also liable to pay a compensatory fee” (*Patrons, emploi et salaries* 207). While the anonymous authors of *Patrons, emploi et salaries* (1956) permitted oral contracts (*Ibid.* 198), they justified exclusion of “loafers” with the requirement: “the representative shall exercise his profession exclusively and consistently,” “therefore persons not engaged in the representation only incidentally are excluded” (*Ibid.* 198).

Juan Rivero and Jean Savatier’s *Droit de Travail*² (1956) point to the continuity of legal regimes governing labor throughout World War II: for them, “the War of 1939” was associated with “state intervention in the labor market”, and a war-time law (11 October 1940), “motivated by the importance of the subsequent armistice unemployment, gave the control of investment organizations directly dependent on the state; Reorganized by order of 24 May 1945, the departmental services of the workforce received a monopoly on placement” and labor recruitment remained exclusively in the hands of the National Immigration Office (Code de Travail, Loi 1, 82a art, 353). So, too, did laws requiring employers to support “war invalids, war widows who have not remarried, some prisoners of war, pensioners, and some war orphans” continued through World War II (law of 26 April 1924, modified 20 May 1955).

The objective of the bill was to “place the disabled worker and reintegrate him into the economy”, with procedures of registration and documentation proposed (France, *Parlement. Assemblée nationale, Annales: Documents parlementaires* 92). Local leaders integrated these responsibilities, as members of the Lyons Chamber of Commerce, “examined all the provisions tending to establish a priority of employment for disabled workers” (*Compte rendu des travaux de la Chambre de commerce de Lyon* 22). Specifically to benefit *travailleurs handicapés*³, the Act of 23 November 1957 organized the protection of “these workers, the decline in their physical or mental abilities frustrating the ease with which they acquire jobs, has sought both to provide training

1- French: “Employers, employment and employees: practical guide to social, legal and administrative work written and edited”

2- French: “Employment law”

3- French: “handicapped workers”

or professional rehabilitation and placement” (supra, 333).

b- Administration: In the archive, the record group *Direction du Travail et de la Securite Sociale*¹ is a stack of printed forms on behalf of forty-one individual workers who were presenting their claims to the state. The form, “1B”, required specific information be officially recorded on behalf of each injured worker. The fields on the form in the archives are: “No.--; Exercices--; Section/Chapitre: 110; “Ordonnateur Secondaire: --a; “Objet: --s. “Article; “Montant; “Observations; “Cadre réservé au Service de la Comptabilité Generale; “Total de la délégation; “Arrêté à la somme de: “Copie notifiée à M. le Chef du Service de la Comptabilité Générale; “Monsieur le; “Monsieur; “Alger” the date, and the signature of the reporting officer.²

In the national archives, the records group *Direction du Travail* (DZ/AN/17 E 2/385/02) includes a disproportionate number of accident reports from Constantine. Of seven files (a representative sample), four were from *M. le préfet de Constantine*; Algiers, Oran, and Ghardaïa (each) submitted one file (exceptionally, Oran’s single file contained records of multiple accidents in Bedeau, Mostaghanem, Oran, Oued Imbert, and Sidi Bel Abbes). The nationality of workers differed, from one jurisdiction to another; so, too, did the value of cash settlements after accidents: Algiers (82,808), Oran (from the five cities, total 149,649), and Ghardaïa (157.810 francs). Those of Constantine varied, 5,705, 6,358, 8,240, 157,810 francs.

The Governor General’s technical committee *Prévention des accidents du travail et des maladies professionnelles instituée par le décret du 25 février 1954*, met 11 January 1956³. The stenographic report of the meeting includes a proposal from Professor Pierre Michaux of the University of Algiers’ faculty of medicine, for an administrative structure to gather knowledge about workers’ accidents: “The standard form should indeed allow knowledge the causes of the accident, which depend on technical factors and human factors; should, following establish an

1- National Archives of Algeria, DZ/AN/17 E 2/385/02.

2- Exercices: -; Section / Chapter: 110; “Secondary Authorizing Officer: --a; "Objects. “Article; "Amount; “Observations; “Frame reserved for the General Accounting Department; “Total of the delegation; “Stopped at the sum of:“ Copy notified to the Head of the General Accounting Department; "Mr.-- ; “Mr.--; "Algiers.

3- National Archives of Algeria, Fonds Travail et Action Sociale, Rubrique Travail; SR: Inspection; Comité Technique algérienne de la prevention des accidents du travail et des maladies professionnelles, 1955-1960; BT 526, item 6. French: “Prevention of accidents at work and occupational diseases instituted by the decree of February 25, 1954.”

individual record. Hitherto, various [p. 7] trials have been made, none ERA friends formed as a standard form to be mechanically reproduced. In response, a query addressed the scale of the issue: "Mr. [R.] Basselin wonders if insurance companies could not provide information to determine the nature of workplace accidents and provide basic statistical information (Basselin 1952). Finally, the discussion returned to the point of information architecture: "Mr. Lacaze indicates that each Insurance Company shall classify accidents according to their nature, but also that these classifications are not complete and for that reason a common system of classification [is needed]."¹

c- Embodiment: This research uses a case study methodology to test a hypothesis derived from Douglas Baynton's research. His "Slaves, Immigrants, and Suffragists: The Uses of Disability in Citizenship Debates" follows historian Joan Scott to argue that, like gender, "disability is likewise a constitutive element of social relationships; that is to say, not only are disabled people significant actors in history, but the concept of disability has functioned rhetorically to structure thought about social hierarchies in general". Baynton advances three parallel arguments.

First, Baynton addresses African-Americans' freedom and civil rights. What Baynton considers to be "a second line of disability argument" was that "African-Americans, because of their inherent physical and mental weakness, were prone to become disabled under conditions of freedom and equality; because African-Americans experienced disability under circumstances of freedom (this argument ran) then greater oversight would protect these people from deafness, blindness, and insanity. While slavery was legal, arguments about disability were used to justify it; and after slavery became illegal, disability arguments were used to justify other forms of unequal relations between people.

Second, Baynton pays attention to restrictions on immigration into the United States after the Civil War. The "Act to Regulate Immigration" (1882) prohibited entry to any "lunatic, idiot, or any person unable to take care of himself or herself without becoming a public charge". The 1891 Immigration Act replaced the phrase "unable to take care of himself or herself without becoming a public charge" with "likely to become a public charge". The 1907 Immigration act denied entry to anyone judged

1- Lacaze La Barre, Representing The Technical Accident Commission Set Up By Algeria By The General Association Of Insurance Companies Against Accidents.

“mentally or physically defective”. Medical inspectors of 1917 were instructed to exclude individuals with “any mental abnormality whatsoever”.

Third, Baynton considers disability in the United within the context of discussions about women’s suffrage and women’s education. To grant women the vote would simply “throw into the electorate a mass of voters of delicate nervous stability”. Parallel with the argument about African-American laborers’ and immigrants’ embodiment, Edward Clarke linked *mens sana* with *corpore sano*, in that, “an appropriate education designed for women’s frail constitutions would ensure ‘a future secure from neuralgia, uterine disease, hysteria, and other derangements of the nervous system.’ Education incapacitated women for motherhood, women’s education left them “sick and suffering before marriage and ... physically disabled from performing physiological functions in a normal manner”.

3. Results and Discussion: Together, Baynton’s concepts make “disability” is a constitutive element of social relationships, and that the concept of “disability” functions rhetorically to structure thought about social hierarchies in general. In this way, Baynton tracks a series of overlapping developments (the concept that citizens were able-bodied, that those who did not enjoy the protections, privileges, and luxuries of citizenship would render members of marginalized communities both medically and/or socially defective members) which characterized the nineteenth century *zeitgeist*. While his research is firmly based in the nineteenth century, and concerns itself with North American developments exclusively, some of these ideas will be helpful to addressing the place of laboring North African bodies under colonialism after World War II (56).

The two key terms in Le Corbusier’s “Algiers is the French capital of Africa”, “*French*” and “*Africa*” were redefined after World War II, when delegates from France and the overseas territories assembled after the defeat of Nazism to “undo the damage to France’s prestige, self-image, and social harmony caused by the war and the actions of the collaborationist Vichy regime” (Baynton 56). The stenographic report of the 11 January 1956 meeting includes the following: Mr. ANGONIN, *Représentant le Comité Exécutif de l’Union Générale des Syndicats Algériens-CGTA*,¹ told the group that, “after the intervention of our

1- French: “Representing the Executive Committee of the General Union of Algerian Trade Unions-CGTA”

colleague Dr. Rossano¹ I would say that there is already a possibility to assist the Occupational Health indirect form; we practiced with [*l'organisme de prévention du bâtiment, des travaux publics et des industries connexes (OPREBAT)*]² with a grant of 6,000,000. There is a case where the channel of Health and Social Action Fund can help an organization. If steps were taken, there would still be opportunities to do something. "So / I'm surprised that we in Algeria hesitate in application of Occupational Medicine".

Dr. Rossano continued, "a newsletter in December 1955 tells us that this legislation concerning occupational health services are not only in France but also in the *Métropolitaine France d'Outre-Mer*³ and local ordinances have been made for the application of this legislation Sudan, Madagascar, Dahomey, etc. It is difficult to understand how, if we could get [p. 23] this application in less-industrialized countries, we can[not] do so here". Indeed--Article 34 of the V Republic's Constitution (4 October 1958) established the basis for citizens' "civil rights and fundamental guarantees... for the exercise of public freedoms; freedom, pluralism and independence of the media; the subjugations imposed by national defense on citizens in their person and in their goods".

Conclusion: In her call for contributions to a *journée d'études*,⁴ Leslie Barnes (Australian National University) asks a provocative question: "What constitutes 'work' and how is it valued?" As her example, she cites construction workers as a "regime of labour". Similarly, in their call for contributions to a *journée d'études*, Annick Lacroix (IDHES, Paris Nanterre) and Antonin Plarier (IREMAM, Aix-Marseille University) observe: "far from repressing conflicts at work, it is now a question of understanding the economic and social roots of conflict; decipher how articles of association and hierarchies of all kinds are articulated with wage inequalities and forms of arduous work". What can archival documents tell us about work, how it is valued, the economic and social roots of conflict, inequalities in forms of dangerous work, and the complicated legacy of modern architecture?

Contrasting with the contemporaneity of the IV Republic, and the grand vision of de Gaulle's "Constantine Plan", construction of popular housing in the Municipalities of Algiers, Constantine, and Oran were "similar" for contemporaries (Gilmer 430) Architects Maïssa Acheuk-

1- Chief Physician Of the Ergasiology Center, *Algérie médicale*, 1950, vol. 54, p. 178.

2- [the prevention body for building, public works and related industries (OPREBAT)]

3- French: "Metropolitan France Overseas"

4- French: "study day"

Youcef, Bernard Gauthiez and Badia Belabed Sahraoui draw attention to Constantine's "new city" and its "diminutive" footprint, covering only a dozen hectares. In Constantine, architectural modernism's diminutive scale reflects multiple, overlapping regimes which prioritized property's institutional memory over the embodied imminence of citizenship.

In the municipal archives of Constantine, maps and other documents indicate how construction of a single building "involved a complex set of institutional actors at local, central, and metropolitan levels", by means of explicit arguments regarding hygiene, sanitation, and aesthetics of buildings; and implicit arguments, regarding security. In these, Architects Maïssa Acheuk-Youcef, Bernard Gauthiez and Badia Belabed Sahraoui found "similarities in the arguments regarding safety and health issues with what was happening in mainland France at the same time in relation to the working class" (Youcef, Gauthiez, and Sahraoui).

Between the preamble to the constitution of the V Republic, and its Title IV, lies a contradiction: acknowledging "the self-determination of peoples", Article 24 granted "French nationals living abroad" representation in the National Assembly and on the Senate. Article 34 permits statutes (arising from the legislature) to determine the rules concerning: "nationality [and] the status and capacity of persons". "Colonialism," as James Genova observes, "presented a particular problem for this model of the relationship between citizenship and nationality; unlike women and ethnic minorities, colonial subjects were brought into the national framework by force from outside; to be refused membership in their own community while simultaneously deprived of an alternative group to which to belong" (63).

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