

Conflict and Community in the Trenches: Military Justice Archives and Interactions between Soldiers in France's Armée d'Afrique, 1914–18

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On 28 November 1918, after the Armistice had been declared, the 11th Company of the 1st Régiment de marche de tirailleurs algériens (RMTA) found themselves billeted in Auclaine, a hamlet in the Aisne region of northern France. That evening, Corporal Senac instructed the *tirailleur* [indigenous light infantryman] Saadoune Khettabi from El Khroub in the Constantine region of Algeria to go and fetch the company's meal, known as *la soupe*. According to the official report of events, penned by the commander of the company and preserved as part of the French military justice archives, Khettabi refused 'for no reason' and was accordingly punished with two days' confinement to quarters. So as not to make the rest of the men wait for their food, another *tirailleur* was sent. When *la soupe* arrived, Corporal Senac testified, Khettabi wanted to be served first, but he did not oblige saying: 'If you want food, go get it from the kitchen yourself'. In response, Khettabi reportedly struck his superior with his mess tin saying: 'I am a soldier like you'. As a result, Khettabi was sent before a *conseil de guerre* or military tribunal.¹ Recounting his own version of the events under questioning and through an interpreter, Khettabi, who had been conscripted in 1917 when the colonial authorities in Algeria estimated that he turned twenty, denied striking the corporal. Challenging the official assessment that there was 'no reason' for his behaviour, Khettabi justified his refusal to fetch *la soupe* on the grounds that it was not his turn; it was the turn of a 'French [i.e. white] *tirailleur*'. However, Corporal Senac declined to send a Frenchman, instead designating another colonized North African soldier in Khettabi's place. After this unfair treatment, not only did the corporal then refuse to serve food to Khettabi, he forcibly prevented the *tirailleur* from entering the building where the rest of the company were eating and, according to Khettabi, 'wanted to beat me, but he was stopped by his comrades'.² Found guilty by a three to two majority of the *conseil de guerre*'s five military judges of 'refusing to obey' and 'insulting a superior while on duty', Khettabi was sentenced to six months' prison.

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This episode, I argue, was more than a commonplace example of tempers flaring among tired and hungry men operating under conditions of sustained stress. When placed alongside other similar cases, it demonstrates the methodological value of using military justice archives to retrieve an experiential history centred on how individuals from different social, cultural, economic, regional and religious but above all racial backgrounds navigated the forced proximity of the French army during the First World War. Focusing on units with high proportions of the 437,653 French colonial subjects who fought on the European fronts between 1914 and 1918, where 70,800 of them perished,³ this study uses crime as a lens through which to examine the implications of that unprecedented level of diversity within the French military. This approach requires selecting from and exploiting in new ways the 140,000 records of soldiers brought before a *conseil de guerre* during the conflict.⁴ The ‘crimes’ these men were accused of committing ranged from the relatively minor, such as ‘causing a scandal’ in quarters or in the street while drunk, to more serious offences like assaulting a superior officer, refusing to obey an order, abandoning a post in the presence of the enemy, inciting rebellion, all the way up to rape and murder. An under-tilled field, especially in relation to the First World War, the studies of military justice that do exist, while not insensitive to the experiences of individual soldiers, have generally adopted top-down, quantitatively driven approaches.⁵ Taken together, these works provide a highly valuable picture of military justice as an institution and its evolution between 1914 and 1918, alongside overviews of the quantity and type of offences committed by soldiers. This quantitative information is used to underpin theories about how units of men behaved under particular circumstances or at specific moments in the conflict, often concentrating on questions of authority and obedience.⁶ The intention here is to complement such work by showing the potential of military justice archives to facilitate ‘bottom-up’ histories that allow us to reconstruct the interactions and relationships shaping daily life in the multi-ethnic French army. In so doing, the article responds to Guy Pedroncini who first highlighted this potential in 1973.⁷ It also takes its cue from the British historian Clive Emsley, who argued that histories of military offending are invaluable as a way to appreciate the ‘complex make-up’ of the armed forces and the ‘pressures and temptations’ facing the men who serve in them.⁸

The archives that track cases of military offending contain a wealth of personal and socioeconomic information about individual soldiers and their military trajectories. Although his date of birth is listed only as ‘presumed in 1897’, we know the names of Khettabi’s parents, his place of birth, that he was a peasant [*cultivateur*] prior to being conscripted, that he was 1.65m tall with dark hair and brown eyes, a ‘converse’ nose, an ‘oval’ face and two scars: one star-shaped on the left-hand side of the base of his forehead and another, of irregular shape, in the middle of his chest.⁹ We know that he had been punished twice previously by his unit for the minor infractions of hanging a washing line from a window (11 September 1917) and being drunk

at evening roll-call (18 November 1917). This history does not quite tally with his commanding officer's claim that Khettabi had a 'violent character' and was 'very undisciplined', operating 'constantly on the fringes of the rules' and with little respect for the established hierarchy.¹⁰ Perhaps most importantly, thanks to transcripts of interviews with the accused, victims and witnesses, we have access to Khettabi's version of events and can thus see and reflect on the ways in which this differed significantly from the accounts provided by Corporal Senac and Khettabi's commanding officer.¹¹ Given that the overwhelming majority of men who came before a *conseil de guerre* were from the rank and file, military justice is one of the few places that we find in significant quantities the voices of colonized combatants and of socio-economically marginalized white soldiers.¹² Despite providing significant elements of the French army, both groups are poorly represented in the memoirs, diaries, letters and autobiographical novels that continue to form the primary source backbone of social and cultural histories of the First World War.

Obviously, there are important caveats relating to power imbalances and the mediated nature of these testimonies. Although much emphasis was placed on accurate documentation, military justice investigative procedures were formulaic and inflexible in format, shaping what could and could not be said. Not all soldiers were equally literate, affecting their ability to check the veracity of their recorded statements, while the regular use of court-appointed interpreters for colonized soldiers, like Khettabi, who possessed only very limited French, added a further layer of mediation. We also need to recognize that soldiers may have said what they thought was most likely to ensure lenient treatment or acquittal from the judges, evident in the frequency of certain stock phrases. Nonetheless, these records provide access to a substantial collection of voices that are otherwise scarce in the historical record. As scholars of empire have shown,¹³ rich histories 'from below' can be extracted from judicial records through careful reading that remains alert to the ways in which conceptions of 'crime' and the archives themselves were structured by notions of race and racial difference.¹⁴ Continuing in this tradition, military justice archives are used here to foreground the voices of marginalized soldiers like Khettabi and, through these, to reconstruct how different combatants navigated the intense, forced intercommunal relations of the multi-ethnic French army.

THE 45TH DIVISION AND FRANCE'S MULTI-ETHNIC ARMY

The significance of the contribution made by the hundreds of thousands of colonial subjects mobilized by France over the course of the First World War was, as Richard Fogarty has noted, more than just numerical. Engrained in the 'civilizing mission' was the idea that colonized peoples shared French interests and thus the obligation to defend them, making military service one of the male colonial subject's many expected duties. Hence the 'long tradition' in France of 'risking what other powers would

not, namely making soldiers of conquered peoples and deploying them against white enemies'.¹⁵ This ethos, combined with the nation's desperate need for manpower between 1914 and 1918, explains why France, in contrast to the other European powers, was willing to arm and deploy colonial troops not only in theatres of war in the empire, but extensively across the European fronts. Historians' efforts to uncover and centre colonized voices and experiences, which began in the late 1970s, have accelerated in recent decades.¹⁶ These works share with the wider 'imperial turn' in First World War Studies the view that 'the histories of metropole and colony are not separate, but part of a whole whose parts are inextricably intertwined'.¹⁷

Epitomizing this entanglement is the 45th Infantry Division, from which the military justice case studies presented here are taken. Normally garrisoned in North Africa, the 45th, along with the 37th and 38th Infantry Divisions, formed the so-called Armée d'Afrique.¹⁸ Mobilized and sent to fight in Europe, Armée d'Afrique soldiers were present at all the conflict's major battles: they first saw action in September 1914 at the First Battle of the Marne; they were present when Germans used poison gas for the first time, at the Battle of Ypres on 22 April 1915; in 1916 they were heavily involved in the iconic Battles of Verdun and the Somme; while the closing stages of the conflict saw them deployed in the Second Battle of the Marne (June to August 1918). The only infamous event of the First World War in which Armée d'Afrique units did not participate was the 1917 'mutinies', although some units were used to guard men who had taken part in the unrest.

Containing an average of 16,000 men, including 400 officers, the composition of each division of the Armée d'Afrique was complex. In addition to 211,300 North African colonial subjects, these divisions contained a very high proportion of the 73,000 French citizens from colonial Algeria who served during the war. The majority of these men were settlers whose parents or grandparents had migrated to Algeria from across Europe during the nineteenth century and subsequently acquired French citizenship. They also included some 13,000 Jews from a community that had been present in Algeria for many centuries before they were naturalized *en masse* in 1870 by the Crémieux Decree.¹⁹ Settlers and Jews from Algeria fought alongside metropolitan-born Frenchmen in regiments that, in theory, were only open to 'white' soldiers, namely the *chasseurs d'Afrique* and the *zouaves*, while colonized subjects were confined to *spahi* or cavalry units and the light infantry or *tirailleurs*.²⁰ The 45th Division also contained the 1st and 3rd Bataillons de marche d'infanterie légère d'Afrique (BMILA) which is where the army placed men with prior civilian convictions for petty crimes. Soldiers who committed offences while in uniform were normally released into BMILA units at the end of their sentences.²¹ The presence of these two BMILA units within the Division help account for the unusually high number of men from the 45th who were brought before a *conseil de guerre*: 3,148

final judgements were rendered over the course of the war, not including cases that were dismissed following preliminary investigations.²²

Such an extensive source base provides rich pickings.²³ Constituting ‘a basic building block’ of the French army, a division, Leonard Smith explains, is ‘large enough to make possible meaningful generalizations but small enough to study intensively’.²⁴ Yet even more than the sheer number of records, it is the mixture of metropolitan French, European settler and North African combatants across the various regiments of the 45th Division that make it ideal for investigating inter-communal relations in the French army. Although clear lines of separation were produced by the combination of military and racial hierarchies, there were also multiple points of contact and zones of sociability. At least some of the men in the Armée d’Afrique would have served together prior to 1914, either because they were career soldiers or because they were still completing their mandatory military service in North Africa when the war broke out.²⁵ Being based in a settler society where interracial interactions, though limited, were still more frequent than in other French colonies, meant that Armée d’Afrique soldiers brought particular attitudes, experiences and familiarities with them to Europe that were not present, or less present, in other sections of the military. Once in Europe, this degree of contact expanded and intensified as *zouave* regiments regularly went into battle side by side with *tirailleur* units. Regiments composed of colonized soldiers furthermore possessed a centrally mandated proportion of twenty to thirty percent white officers – drawn from the metropole and French Algeria – to ensure their ‘effectiveness’ in battle.²⁶ From the spring of 1915 onwards, the creation of ‘mixed’ regiments of *zouaves* and *tirailleurs* (RMZTs) brought diverse rank-and-file soldiers together in new formations both on and off the battlefield.

By facilitating interactions on a sizeable scale, the deployment in Europe of Armée d’Afrique divisions like the 45th posed unique challenges for military authorities as they sought to foster integration and tolerance within these heterogeneous units while maintaining discipline, cohesion and thus combat performance. At the same time, the soldiers themselves had to adapt to radically different conditions and comrades.²⁷ The nature of relationships forged among the broad spectrum of men from across metropolitan France who were brought together in the Great War has been examined in considerable detail in the well-established body of literature on daily life in the trenches. Many of the themes highlighted in these works also recur here, including the complex mix of tension and camaraderie within units and the ever-shifting balance between difference and commonality that shaped how soldiers saw each other and themselves.²⁸ But the historical particularities of the 45th Division, specifically its racial diversity, combined with the nature of the material in military justice archives enables us to expand conceptions of ‘the soldier’ – more often than not still implicitly assumed to be a white, metropolitan-born Frenchman – to study more intensive cross-racial

interactions in the French army while also uncovering the experiences and voices of combatants hitherto marginalized in histories of the war.

THE STRUCTURE AND OPERATION OF MILITARY JUSTICE

All the major powers possessed their own military justice systems, which predated the First World War and were regarded as central to maintaining discipline and thus cohesion under fire. In the French case, what constituted a crime in the eyes of the armed forces and how it should be punished had first been outlined in the Military Justice Code of 1857. The guiding principle of the code, whose core elements remained fundamentally unchanged from its creation until 1916, was to apply justice ‘with an energetic briskness’ without ‘violating in any way the rights of the accused’.²⁹ Each soldier carried a full list of possible violations and their accompanying penalties in his military *livret*, serving as a constant reminder of the behaviour that was and was not expected. Conduct warranting an appearance before a tribunal included acts that were crimes in civilian life like theft, assault, rape and murder, as well as offences specific to military life such as refusing to obey an order, abandoning a post, and desertion, which encompassed a range of scenarios.³⁰ Infractions and petty offences were dealt with internally by the unit and only ‘serious’ crimes were brought before a *conseil de guerre*.

In peacetime the application of military justice was organized along geographical lines: each military territorial district had a permanent *conseil de guerre* which dealt with soldiers in training and while in garrison. During the First World War each division in the field was required to attach to their headquarters a *conseil de guerre* that essentially operated along the same lines as the permanent peacetime ones, only with some slightly simplified procedures and a doubling up of certain administrative roles.³¹ What did change, however, was that the courts became mobile alongside the divisions. Yet even amidst the chaos of war and their location in a wide variety of improvised settings including town halls and school rooms, *conseil de guerre* sessions retained all their formal rituals, paraphernalia and sense of ceremony. These were designed to intimidate and humiliate the accused, especially as the sessions and their verdicts were public.³² Men found guilty by a *conseil de guerre*, which required a majority vote of at least three of the five judges, were mostly given custodial sentences ranging from a few weeks to many years. These were to be served either in military prison or an *atelier de travaux publics* – carceral sites for compulsory labour on projects of benefit to the military or the local population. Military prisons existed in metropolitan France and across the empire, but all *ateliers* were located in North Africa and were deemed the harsher punishment. Men convicted of particularly egregious crimes could be subjected to military degradation and/or the death penalty.³³ To be brought before a *conseil de guerre* was thus a serious matter, and the prospect instilled considerable fear in soldiers, precisely as the military intended. *Conseil de guerre* convictions carried significant stigma, rendering the condemned man a ‘suspect comrade’ in the eyes of

his fellow *poilus* [the French equivalent of the 'Tommy'], who furthermore resented the tarnishing of their unit's reputation. There were also consequences for the accused's family, who not only had to endure the shame of a conviction, but often suffered financial penalties as allowances were suspended or stopped altogether.³⁴

The major evolution in military justice during the First World War came with the law of 27 April 1916 that, counter-intuitively, made the system more flexible and therefore lenient. Among its various measures, the law allowed 'extenuating circumstances' to be taken into consideration and for soldiers to be convicted but not imprisoned through the application of *sursis* [reprieve/suspension]. Not long before, on 15 April 1916, the Minister for War had decreed that punishments should be suspended for all wounded soldiers, including those injured after their conviction. As a result of these changes only some ten per cent of condemned men completed all or part of their sentence.³⁵ These evolutions encapsulate the tension within military justice between the need to 'set an example' through swift and firm decisions that acted as a deterrent, and the acute need for manpower. They also reflect concerns among military authorities that some soldiers actively sought to obtain *conseil de guerre* convictions to escape frontline combat.

A case in point is that of the *zouave* René Zermati from Sétif (Algeria). Offering his opinion whether the *zouave* should go before a *conseil de guerre* after trailing behind his unit throughout a six-kilometre march and repeatedly refusing to obey orders to take up his assigned place in the ranks, General Codet argued that although Zermati should 'absolutely' face a tribunal, his sentence should be suspended since 'departure from the front – no matter what the destination – would realise the soldier's desires'.³⁶ Similar motives were thought to underpin the case of the *zouave* Grégoire Siddi, also from Algeria, who was accused a few months later of 'insulting his superiors while on duty'. Assigned to a work detail tasked with transferring bags of cement to the front line, Siddi stopped frequently, claiming to be unwell. During one such halt, Siddi flung some choice words at the corporal who had repeatedly instructed him to speed up so as to rejoin the unit. 'Ah Siddi', mused the corporal, 'I know what you are looking for'. 'Yes', Siddi reportedly replied, 'I want to go before a *conseil de guerre* to get five years and have my life saved'.³⁷ Military authorities were highly concerned about the impact on morale of sending men like Siddi and Zermati to prison since this essentially rewarded bad behaviour by removing them from the front, while 'good' soldiers had to stay and continue to risk their lives. Suspended sentences attempted to square this circle: soldiers were subjected to the stressful and unpleasant *conseil de guerre* process and obtained an official condemnation which stayed on their record, ensuring that an example was still being made of them. But these men could equally be put back into service – often presented as a chance for them to 'make amends' – so the army did not lose valuable manpower and crime did not come to be seen as an easy way to escape frontline combat. Besides illuminating how the anxieties of the High

Command played out on the ground, these cases also illustrate the ability of military justice to provide an archival glimpse into the motives of soldiers. The ambiguity surrounding the intentions of men like Zermati and Siddi, and the fear that they might knowingly and wilfully be trying to manipulate military justice structures to their own ends, furthermore reveals the scope, albeit limited, for soldiers to exert agency within these processes.

QUESTIONS OF CONFLICT AND COMMUNITY

It can be as instructive to focus on the types of offences committed as on how those crimes were addressed. Although the *conseils de guerre* of the 45th Division dealt with a broad spectrum of cases, certain trends stand out.³⁸ Desertion was by far the most common ‘crime’ that came before these tribunals, especially as the conflict wore on and the military became progressively more fixated on this issue. Less dominant but still statistically significant was ‘abandoning a post in the presence of the enemy’, an offence that was particularly prevalent at the start of the conflict as soldiers grappled with new and terrifying forms of warfare. A smaller but nonetheless steady stream of refusals to obey, insults, threats and assaults runs alongside these two categories, punctuated by occasional instances of theft, illegally trying to sell medals, and four cases of murder.³⁹ Location was also important: the vast majority of incidents occurred outside of combat and behind the front lines in *cantonnements* where soldiers were billeted during training and rest periods, or while they were on the move from one place to another, especially if their destination was the trenches.⁴⁰ In terms of the profile of the men committing these acts, this shifted from older career soldiers with already long rap sheets for minor infractions and even some previous *conseil de guerre* convictions in the first two years of the war to younger conscripts, often considered ‘good soldiers’ and with otherwise clean records who appeared to reach a point where, unable to carry on as normal, they snapped and engaged in some form of uncharacteristic behaviour. Often this involved lashing out at their fellow soldiers or superiors. Indeed, *conseils de guerre* were required to adjudicate on a very large number of cases which centred on tensions between soldiers. This is not surprising: friction was inevitable when large numbers of men from different social, cultural, economic, religious and political backgrounds were brought into forced proximity for an extended period of time in conditions that were deeply unpleasant and highly pressured. Yet more than simply confirming what we already know, military justice sources allow us to explore the contours of these conflicts in greater depth and from the perspective of the men involved.

One way to illustrate this potential is by examining alcohol, a constant in conflicts between soldiers, and indeed in military crimes more broadly. The link between *poilus* and *pinard*, the lower strength wine that French soldiers drank, is firmly established both in the popular imagination and academic scholarship.⁴¹ Supporting the belief, held above all by the men themselves, that ‘a good soldier, in order to do his duty, should never lack wine’, the

French army progressively increased the daily ration of *pinard* from one quart in 1914 to a litre by 1917 in recognition of the multiple functions it served, from compensating for the relative absence of clean drinking water, to bolstering morale, to combating fear and the cold.⁴² According to Rémy Cazals and André Loez this was not an excessive ration for a nation that, prior to 1914, had an average annual consumption of 250 litres of wine per person (all ages and sexes included).⁴³ Yet the army also struggled to contain the consequences of excessive drinking, particularly when it resulted in behaviour that challenged established military hierarchies and disciplinary norms. Described by his commanding officer as ‘terrifying his comrades’ who ‘tremble before him’, the ‘inveterate drunk’ François Lenhard, like many soldiers who appear in military justice records, became ‘even more dangerous’ when he had been drinking. Charged in this particular instance with insulting his superiors and committing violence against a fellow *zouave* in March 1915 while in a state of ‘complete drunkenness’, Lenhard’s service record revealed a litany of previous minor infractions, mostly alcohol-fuelled, which had already cost him 260 days of unit-based punishments since he first entered the military in 1906.⁴⁴ Lenhard, a settler from Oran in north-west Algeria, admitted that he had been drinking and that under the influence ‘it was possible’ that he had said ‘a few stupid things’, but he sought to pass this off as part of normal banter between comrades and firmly denied any acts of violence.⁴⁵ Unconvinced by his testimony, the *conseil de guerre* judges found him guilty by four to one, and sentenced him to two years in prison.

Not only did alcohol produce problematic behaviour, it regularly provided a convenient defence after the fact. On 1 December 1914, the *spahi* [cavalry soldier] Abdallah ben Hadj Kedadra from the Constantine region of Eastern Algeria was brought before a *conseil de guerre* accused of ‘causing a scandal’ in quarters on 20 November while in a state of ‘complete drunkenness’. In particular, he had threatened to strike Sergeant Jaouli, whom he clearly knew from Algeria, given the words he was reported to have used to insult the man: ‘You, I’ll break your face, you pimp – I know you Jaouli. . . I know your family well, it is a whorehouse’. Using the informal ‘tu’ when addressing his superior, Kedadra continued to menace the sergeant even as he was writing up the incident. When questioned during the *conseil de guerre* about what had transpired, Kedadra simply repeated ‘I don’t recall, I was drunk’.⁴⁶ In this case, it is not possible to know whether Kedadra’s amnesia was genuine. But in other instances, the surprise feigned by accused soldiers when confronted with litanies of things they did and said while under the influence raises some suspicions, especially when they initially admitted to the offences when questioned within their unit only to later claim not to remember when brought before the *conseil de guerre*.

Particularly noteworthy in the records of the 45th Division is the prevalence of alcohol consumption among Muslim soldiers from North Africa. Not all Muslim soldiers drank, of course: there are instances of men

invoking their Islamic faith to refute claims that they were drunk as part of wider denials of the crimes of which they were accused, while others used their witness statements to express disapproval of their co-religionists who imbibed. For example, in seeking to unravel what had transpired on the evening of Sunday 19 January 1919 in the *grande salle* of the Café Balvo in Rémering (Lorraine) where the Algerian *tirailleur* Salah ben Hadj Abdallah was accused of assaulting a superior officer, one Corporal Desvages, the *conseil de guerre* interviewed several other *tirailleurs*. Each *tirailleur* testified that they had seen Abdallah drinking and even been invited to join him, but had refused in favour of coffee with other soldiers.⁴⁷ Disputing these accounts and the testimonies of the various white officers involved, Abdallah, while being questioned as part of the preliminary investigation and speaking through an interpreter, asserted that he 'never drank a drop of the wine' that was on the table where he was sitting.⁴⁸ During the subsequent *conseil de guerre* itself, he expanded his denial by stating 'I never drink wine or alcohol'. The tribunal found him guilty of assault but with extenuating circumstances and the General of the Division suspended the execution of his two-year prison sentence.⁴⁹

Drinking among Muslims did not stem solely from military service. Although alcohol consumption was socially frowned upon in North Africa, it was also widespread among young men in urban environments, especially the lower classes. Furthermore, despite the arguments of some Muslim clerics that drinking was a symptom of colonial degeneracy, the practice pre-dated the arrival of the French.⁵⁰ It is hardly a surprise, therefore, that young men accustomed to alcohol consumption continued to drink after entering the army, especially given that wine was a staple of the soldier's diet. The significance of this trend lies therefore, not in any supposed lapse of religious observance, but in the support it lends to recent arguments, advanced notably by Richard Fogarty, about the need to decouple strict adherence to religious practices from judgements about the faith of Muslim soldiers. Whereas military authorities perceived Islam as an all-encompassing faith that defined the identity of Muslim combatants from North Africa, in fact the meaning and importance of religious practice varied among Muslim troops, forming one component of 'a multifaceted set of identifications, interests and allegiances'.⁵¹ The choices made by Muslim soldiers regarding the consumption of alcohol were thus part of the wider set of decisions they made as they 'responded to the pressures around them by attempting to build, maintain and present their own mosaics of self-understanding'.⁵² Being able to demonstrate this diversity of responses through military justice enables historians to push back against the tendency of contemporaries, especially military and colonial officials, to reduce such men to a homogenous block defined by external notions of what their religious observance 'should' look like and to provide a more nuanced empirical picture that resists easy categorization.

Of course, not all encounters between soldiers centred on conflict. Military justice archives equally capture instances of collective action and solidarity that speak to the complex camaraderie which prevailed in units. For example, it probably took considerable co-ordination and co-operation to steal ninety-nine bottles of wine, spirits and liqueur, as the Algeria-born settler Louis Martin-Brachet and five metropolitan Frenchmen of the 1st BMILA did on 17 February 1917 in Neuville-en-Hez. Not only did the men share the booty – purloined from the cellar of the bar owner Madame Debeaupuy with whom their unit was quartered – with their fellow soldiers, leading to a night of revelry so raucous that the resident officers were unable to re-establish control, but the men also appear to have co-ordinated their defence. Despite being immediately separated the following morning, the alleged ringleaders all gave virtually identical statements. Making use of the tactic of formulaic responses to deny any part in the events, the men claimed they had slept soundly through the night. The frustration of the investigating officer when faced with this apparent complicity is evident in the following exchange with Martin-Brachet:

Question: Do you acknowledge the facts of which you are accused?

Response [Martin-Brachet]: I have nothing to say.

Question: Were you not awoken by the noise produced in your quarters during the night?

Response: I heard nothing.

...

Question: Do you persist in declaring that you heard nothing even though your whole section was up and the men in a state of complete drunkenness?

Response: No, I stand by my previous declaration; that is to say to having heard nothing.⁵³

In a further act of solidarity, Martin-Brachet took the place of his co-conspirator Lucien Caruel during roll-call next day as the military authorities searched for the culprits.⁵⁴ Yet camaraderie stretched only so far: the accused were ultimately betrayed by a fellow soldier, Auguste Juvry, who ‘spontaneously’ came forward to identify Martin-Brachet and two others as the main instigators. Demonstrating an alternative understanding of community and comradeship while providing an insight into the moral economy of his unit, Juvry defended his actions on the ground that he felt it was ‘bad that people other than the guilty parties would be punished’.⁵⁵

A similar pattern of solidarity but with clear limits can be seen in the rarer example of collaboration across racial lines provided by a case of military theft committed by four men from the 2nd Engineering Regiment: Dominique Paraliou, a settler from Oran in Algeria; metropolitan Frenchmen Paul Mégret and Jules Roussel; and Saïd Ben Mohamed Boulkoroum, a colonized subject from Ouled Itchir, near Tizi Ouzou in

Algeria. Profiting from the absence of the guard and heavy bombardments by the Germans, the four men were accused of breaking into a military store in the village of Coullemelle (Somme) several times between the nights of 22 and 24 April 1918 in order to steal foodstuffs with a combined value of 1,349 francs. The men immediately began selling these items to their comrades, netting 260 francs profit. Initially this money appeared to be unequally divided with seventy francs going to each of the white soldiers, and Boulkoroum receiving only fifty. However, it transpired this was because Boulkoroum had already earned twenty francs by selling twenty bars of the stolen chocolate separately. The men all admitted selling the items, but claimed they came by them honestly. Boulkoroum declared that he had purchased the chocolate from an unknown soldier bearing the number seventeen on his collar. Having been caught red-handed in the store itself on 24 April, Paraliou, Mégret and Roussel faced more of a challenge in asserting their innocence. As a defensive strategy they argued that they thought the store was abandoned and therefore they were not stealing, but simply collecting discarded items.⁵⁶

Although none of the four men had any previous *conseil de guerre* convictions, the commander of their company asserted that they were ‘all of dubious morality’, an assessment that undoubtedly contributed to their severe sentences: five years in prison for Boulkoroum, six years for the rest, and military degradation for all.⁵⁷ There were many differences between the men, including their age, background and previous military conduct, and it is not clear from the files what brought the four together beyond being in the same unit. While these differences did not outweigh the perceived value of collaborating, as with the case of Martin-Brachet and co., solidarity stretched only so far. When it became clear that the authorities were not inclined to believe their version of events, the four men turned on each other in a bid to mitigate their own sentences. Yet this did not play out along racial lines: Paraliou was identified by the other three as the instigator, whereas he singled out Boulkoroum as the one who initially told him about the ‘abandoned’ warehouse.⁵⁸

Equally interesting from the perspective of inter-racial interaction is the case of Braham Slamani of the 1st RMTA who was found guilty of assaulting a superior, one Corporal Ventre, and sentenced to five years in an *atelier de travaux publics*. According to the official report summarizing the affair, on 15 March 1916 the unit were at rest in Béthisy-Saint-Martin (Oise). At 21h 30, Corporal Ventre entered the unit’s sleeping quarters to collect a *tirailleur* named Mozaï and take him to the nearby police post. As the two men left the quarters, Ventre was struck violently on the back of the head by an unknown assailant who then escaped into the night leaving behind only his *chéchia*, the distinctive red cap worn by Armée d’Afrique soldiers. Ventre immediately ordered a roll-call to identify the culprit and it seems that Slamani might have got away with his crime had Mozaï not been seen passing his own *chéchia* to Slamani to disguise his guilt. Mozaï’s solidarity

continued when, under questioning, he backed up Slamani's claim that he did not intend to hit the corporal, but rather Mozaï, who owed him money. As the penalties for striking a fellow *tirailleur* would have been less than for hitting a European superior, this claim could have helped Slamani escape more serious punishment. Slamani's defence was supported by three other *tirailleurs* who gave evidence to the tribunal.⁵⁹

During the *conseil de guerre* it emerged that there was already bad feeling between Mozaï and Corporal Ventre stemming from a card game that afternoon. As often happened, a dispute broke out over the winnings, during which Ventre struck another *tirailleur*. A passing lieutenant intervened and punished the *tirailleur* who had been hit, but not Ventre. Mozaï appears to have spoken up in support of the *tirailleur*, earning him the wrath of Ventre who then invented a pretext to punish Mozaï, giving him fifteen days in the unit's disciplinary locale for having left quarters to play cards. Ventre was taking Mozaï to this 'prison' when Slamani attacked him. Although Ventre vehemently denied this backstory, the documents strongly suggest that Slamani and Mozaï conspired to take revenge on Ventre for his unjust treatment of Mozaï and the other *tirailleur* earlier in the day.⁶⁰ Also noteworthy is the fact that Ventre, a white French settler born in the Algerian town of Guelma, appears to have been playing cards not only with his subordinates – which although technically not allowed seems to have happened quite often – but also crossing racial lines by playing with colonized North Africans.⁶¹ This is not the only evidence of recreational interaction between soldiers of different races behind the lines, indicating that although European and colonized soldiers as a general rule kept to themselves, social mixing was not unheard of.

QUESTIONS OF RACE AND RANK

Slamani's case raises the question of how race factored into relationships between soldiers and into their treatment by the military justice system. Richard Fogarty has argued that while certainly 'no paradise of racial equality', the French army nonetheless offered colonized soldiers 'a relatively egalitarian social order', certainly in comparison to what they had previously experienced as civilians.⁶² At the level of procedure this may well have been true. There was, for example, no separate list of offences for colonized soldiers comparable to the Code de l'indigénat [indigenous code], which enshrined a parallel set of crimes, punishments and legal procedures that applied only to colonial subjects and not French citizens across the empire. Race is, however, ubiquitous in the *conseil de guerre* files for the 45th Division, appearing in a number of guises including, as we have seen previously, the use of religion as a proxy for articulating notions of racial difference. Collectively these references underline the ways in which discriminatory behaviours shaped everyday experiences and interactions, forming a quotidian backdrop to the lives of troops of colour.

Racialized insults, for instance, feature regularly in testimonies from colonized soldiers. In the case already mentioned of the *tirailleur* Salah ben Hadj Abdallah, accused of assaulting Corporal Desvages in the Café Balvo, Abdallah asserted that *he* was the one who had been attacked. According to Abdallah, upon entering the café, the white officer said to him ‘Get out you dirty *bicot*, what are you doing here?’ *Bicot*, meaning goat, was one of a range of derogatory slang terms commonly used to refer to Arab men. Abdallah claimed that despite his apologizing deferentially – ‘I’m sorry, I made a mistake’ – the corporal and an unnamed sergeant then hit him.⁶³ It is noticeable that the official summary report produced at the end of the *conseil de guerre* makes no reference to this aspect of the altercation between Abdallah and Desvages, stating only that since Abdallah’s ‘agitated’ conduct in the café was ‘causing a scandal’, the corporal stood up and ‘invited’ Abdallah to be quiet or leave.⁶⁴ A similar pattern is apparent in the account by the *tirailleur* Abdelaziz of a fight between himself and a white soldier as they left a café. According to Abdelaziz, the white soldier called out to him ‘Hey dirty *bicot*. Dirty Bedouin’ then punched him violently in the neck. After saying to his assailant, ‘What is this? Me, I’m not a Boche, I am a soldier like you’, Abdelaziz returned the blow. To his surprise, he was the one taken to the police post, while the white soldier walked free.⁶⁵ In this case, the commanding officer’s report did at least mention the discrepancies raised by Abdelaziz’s testimony. However, the contextual details provided by Lieutenant Sorret in his report, which stressed how drunk Abdelaziz was, made it clear which of the two versions of events he deemed more credible, as did the unanimous guilty verdict rendered against Abdelaziz by the five *conseil de guerre* judges.⁶⁶

These examples demonstrate both the manifestations of racism in the everyday lives of soldiers of colour that are recorded in the archives and the role that race played in the functioning of the supposedly egalitarian military justice system. They also confirm the hollowness of the assertion made above by Abdelaziz, and by Khettabi whose case opened this article, that they were soldiers just like any other. This is equally visible in the treatment of the 3rd RMZT *tirailleurs* Amor and Belgacem, both from the same small village in Tunisia. In April 1916, they were each sentenced to three years in prison for insulting a superior officer; this included Ben Amor shouting ‘Fuck all the French’ at his white *zouave* comrades. In his testimony, Belgacem cast himself as the victim, arguing that he was provoked after some *zouaves* ‘put a morsel of pork in my mess tin; a *zouave* mocked me and called me a dirty *bicot*. Then the lieutenant hit me with his baton on the left hand telling me “yes, you are a *bicot*”’. Summarizing the affair, as he understood it, the commanding officer tellingly noted: ‘It is highly probable that some *zouaves* teased their comrade who didn’t respond well to the joke and, worked up by drink, got over-excited by the teasing’.⁶⁷ The fact that the disrespectful violation of Muslim dietary rules symbolized by placing pork in the *tirailleurs*’ food was dismissed as a ‘joke’ which Belgacem simply failed to

take in good spirit is suggestive of the discriminatory environment that colonized troops faced on a daily basis, but which rarely leaves an archival trace. Such a reading is supported by the High Command's decision to increase the number of captains in these units in part to protect colonized soldiers from being bullied by native French soldiers, although this measure was only introduced in May 1918, too late to be of use to Ben Amor, Belgacem and countless others.⁶⁸

Taken collectively, what these cases also demonstrate is that colonized soldiers did not simply passively accept racism and discrimination; they actively struck back against it, sometimes quite literally. The recurrence of the phrase 'I am a soldier like you' in such scenarios is particularly telling as colonized combatants appropriated the egalitarian rhetoric of the military for their own purposes, much as anticolonial activists – many of whom were veterans – would do in the interwar years.⁶⁹ And although centred predominantly around conflicts, these examples also attest to a spirit of solidarity and community as colonized soldiers stood up for each other. In some cases, like that of Slamani and Mozaï exacting revenge on Corporal Ventre, the collaboration seems conscious and premeditated. But solidarity could also be spontaneous. Confined to his unit's disciplinary locale near Plivot (Marne) on 28 June 1918 for an undisclosed infraction, Abdallah Adda felt unable to stand by while another *tirailleur*, Abdelaziz, was tied up after he drunkenly refused to enter the police post. Adda thus took up Abdelaziz's cause, even though he claimed not to know him, by seizing a rifle and declaring that no one would be allowed to leave the building while Abdelaziz remained bound, a gesture of solidarity that earned him five years in prison.⁷⁰

TENSIONS BETWEEN COLONIZED SOLDIERS

Interactions between colonized soldiers cannot, however, be reduced to expressions of racial solidarity. Tensions rarely manifested as extremely as in the case of the *tirailleur* Maoui who attempted to murder one Sergeant Smizzi on the evening of 30 December 1916, shooting him in the left shoulder apparently in retaliation for a card game that Smizzi had broken up earlier in the day.⁷¹ But the *conseil de guerre* archives nonetheless indicate that turbulent relationships between colonized soldiers were far from unusual, especially between the rank and file and what the military termed 'indigenous *gradés*' (non-commissioned officers or NCOs, also known as *sous-officiers*). The widespread existence of similar frictions between white soldiers does not negate the value of exploring conflict between colonized soldiers.⁷² Rather it reinforces the argument that race was not always the animating factor when it came to the choices and actions of combatants, while affording an opportunity to see what the men themselves considered the most salient elements.

Tensions manifested between colonized soldiers for multiple reasons. At the most basic level, as Christoph Jahr notes, '[p]ower relationships always

provoke resistance, and even social systems as obviously hierarchical as armies are never without friction'.⁷³ Further exacerbating this general trend was the fact that indigenous *gradés* were the immediate superiors with whom colonized troops had most contact, creating more opportunities for tension. This was especially true of indigenous corporals whose role primarily involved ensuring that orders from above were executed, rather than giving orders themselves. Corporals were thus placed in the often uncomfortable position of exercising authority over first and second-class soldiers while simultaneously being subject to the same imperatives of obedience as these men, whose daily lives they also shared much more closely than the senior ranks did; hence their status as 'without a doubt, the "chief" that one refuses to obey the most'.⁷⁴ The racial hierarchies of the military created additional complications for colonized combatants – who, in any case, could only rise to the lowest *grade* positions – by further restricting the already limited authority their rank conferred. Furthermore, although colonized soldiers from North Africa shared many things, including a religion, there were equally plenty of ethnic, linguistic, and regional differences between them. Seeking to explain the attempt on Sergeant Smizzi's life by the *tirailleur* Maoui, one French officer opined that due to his 'Kabyle nationality', Smizzi 'did not like Tunisians' (Maoui was Tunisian) and in return was not well liked by his predominantly Tunisian subordinates. Obviously, we have to be attentive to the fact that the officer might simply have been projecting colonial ideas about the supposed 'Arab-Kabyle divide' onto North African soldiers, especially as neither Smizzi nor Maoui made any reference to ethnicity as a motivating factor in their own statements.⁷⁵ Nonetheless, the broader point stands: colonized soldiers, even when from a clearly defined geographical area, were not a homogenous block. They were just as diverse as their white counterparts, with the same implications in terms of the challenges this posed for cohesion and harmony among them.

Another possible reason for tension between colonized soldiers was that the stakes were lower than when challenging a European superior. This is implicit in the apparent conspiracy between Slamani and Mozaï to assault Corporal Ventre, where both men claimed in their defence that the real target was Mozaï. But it was made explicit by Lieutenant-Colonel Pidaut, commanding officer of the 1st RMTA, in his report of the following assault:

It is certain that the *tirailleur* Saadi violently struck the first-class indigenous *tirailleur* Meghraoui who had commanded his squadron for several days. This is evidently less serious than if he had struck his [white] corporal in person. Nonetheless, such things are not tolerable from the point of view of general discipline.⁷⁶

Such attitudes likely also contributed to the lengthy sentence of eight years in an *atelier de travaux publics* received by Bouzira ould Mohamed Bouhaka after he, in his version of events, accidentally struck Corporal Mariano who

was trying to break up a fight between Bouhaka and another *tirailleur* in barracks one evening after Bouhaka had been out drinking.⁷⁷

There were also cases suggesting that while habituated to obeying Europeans – in both a civilian and a military context – colonized soldiers resented taking orders from men they viewed as ‘like them’, or undeserving of their superior rank. Speculating on the reasons behind the aforementioned fight between Saadi and Meghraoui – described as ‘good comrades’ prior to the incident – Corporal Louis Detay ventured ‘I suppose that Saadi quite simply did not want to be given orders by a first-class *tirailleur*’.⁷⁸ These issues were more explicitly articulated in the case of Ali ben Hamadi who was ordered by one Corporal Bounoua to get coffee for the company on 22 June 1918. Hamadi refused, stating that it was not his turn. The two men then exchanged some heated words in Arabic before, according to the official report, Hamadi launched himself at the corporal.⁷⁹ Born in 1887, Hamadi was thirty years old when this incident took place. He had ten years of military service under his belt and had been at the front since 1914, but remained only a second-class *tirailleur*. Corporal Bounoua, in contrast, was just twenty-three and, given his age, probably arrived at the front in 1916 at the earliest. During questioning, Hamadi was asked if, prior to this incident, he had any complaints against Bounoua, to which he replied: ‘No, we were on very good terms, particularly several days earlier when he was still second-class like me, in the same section’. As the interview concluded, Hamadi was asked if he had anything to add, at which point he declared:

Finally, I will say that I regret what I did; however I don’t accept that this officer, who has served for hardly any time, can assume the right to brutalize me, to provoke me in this way; me who already has ten years of service, three citations and three wounds, who has consequently always done my duty, never having lacked respect for my superiors.⁸⁰

Offering a revealing insight into Hamadi’s understanding of the moral economy of his unit, his insubordination seems to have lain in his perception of unfair treatment: it was unfair that he was asked to undertake a task when it was not his turn, and especially unfair that the order came from someone he clearly thought did not deserve to outrank him. Although the *conseil de guerre* accepted that there were ‘extenuating circumstances’, the judges nonetheless found Hamadi guilty by a majority of three-to-two and sentenced him to ten months imprisonment.

CONCLUSION

By focusing attention on interactions between combatants in some of the most diverse units of the multi-ethnic French army, this article has sought to demonstrate the potential of military justice archives to enhance our understanding of how this diversity was navigated on a daily basis. It has shown the value, both methodological and historical, in using these sources to

evidence what interaction looked like at a quotidian level and, in the process, to help retrieve the experiential histories and voices of some of the most marginalized groups of combatants. Conceptualizing *conseils de guerre* as spaces of colonial encounter which were shaped by and reproduced colonial social divisions and hierarchies, even as they provide evidence of the ways in which these systems were also being challenged and/or transgressed, affords a new avenue through which to consider the imperial dimensions of the First World War.

By exposing conflicts or instances of collaboration and solidarity, and the extent to which these mapped onto racial, religious and rank-based identities, the case studies presented here have illuminated the moral economies of units, including what were and were not considered acceptable codes of behaviour, under what circumstances, and from whose perspective. This allows a fuller appreciation of the multifaceted ways soldiers were able to exercise agency, in spite of the many constraints imposed by military structures and the wider war. Collectively these cases deepen our understanding of how inequality functioned within the supposedly egalitarian French military and foreground the complex ways in which race intersected with other markers of identity to shape combatant experiences. In turn this enables us to refine our analysis of the discrimination and racism that we know existed, and to think in more subtle ways about how these affected soldiers of colour. Clearly race mattered, in terms of both fuelling and adjudicating conflicts. But it was not the only factor that affected colonized soldiers. Nor did racial differences negate other forms of commonality between combatants in the 45th Division. Finally, but perhaps most importantly, although interpellated, or compelled to speak in a particular arrangement of power, military justice archives give us access to the perspectives of men, particularly but not exclusively colonized soldiers, who are otherwise scarce in the historical record and who remain under-represented in histories of the First World War. Excavating and foregrounding their voices allows us to disaggregate conceptions of 'the soldier' so as to better recognize the heterogeneity of combatants and their experiences. This extends both the extensive body of work that acknowledges the multifaceted identities of metropolitan French soldiers and the vibrant scholarship being done on colonized soldiers as part of the 'imperial turn', while bringing these hitherto quite separate historiographies into closer conversation.

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NOTES AND REFERENCES

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2 SHD 11 J 1621, Khettabi, ‘Procès-verbal: Khettabi, Saadoune’, 7 Dec. 1918.

3 If we include soldiers deployed outside of Europe, the total number of colonial subjects mobilized by France from across its empire rises to 545,240. Jacques Frémeaux, *Les colonies dans la Grande guerre: combats et épreuves des peuples d’outre-mer*, Saint-Cloud, 2006, pp. 63, 202.

4 A 1919 government estimate put the total number of tribunals closer to 200,000. This is in keeping with academic assessments that approximately twenty per cent of records were destroyed during the war. André Bach, *Justice militaire 1915–1916*, Paris, 2013, p. 155.

5 This approach was at least partly determined by the restricted conditions of access to military justice archives during the twentieth century. When conducting research in the late 1980s and early 1990s, for example, Leonard Smith needed written permission from the Ministry of Defence, in the form of a *dérogation*. Documents could furthermore only be used for statistical studies and the use of individual names was not permitted. Conseil de guerre records only became consultable without restrictions with the law of 15 July 2008 which opened archives after a period of seventy-five years had passed. Leonard V. Smith, ‘The Disciplinary Dilemma of French Military Justice, September 1914–April 1917: the Case of the 5e Division d’Infanterie’, *Journal of Military History* 55: 1, 1991, p. 48; ‘Loi no. 2008-696 du 15 juillet 2008 relative aux archives’, *Journal officiel de la République Française*, available at <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000019198529/>, last consulted 10 May 2021; Bach, *Justice militaire*, p. 574.

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26 Fogarty, *Race and War*, p. 64.

27 The home front also experienced unprecedented levels of diversity as 200,000 colonial subjects and 37,000 Chinese workers were brought to France to aid the war effort. The impact of the new, more extensive and sustained interactions this created and their implications for intersections of race and class are analysed in Tyler Stovall, 'The Color Line behind the Lines', *American Historical Review* 103: 3, June 1998, pp. 737–69.

28 This branch of First World War history began with Jacques Meyer, *La vie quotidienne des soldats pendant la Grande Guerre*, Paris, 1966. Recent notable examples within this now sizeable literature include Alexandre Lafon, *La Camaraderie au front 1914–1918*, Paris, 2014; Rémy Cazals and André Loez, *Dans les tranchées de 1914–1918*, Pau, 2008, republished as *14–18, Vivre et mourir dans les tranchées*, Paris, 2012; Thierry Hardier and Jean-François Jagielski, *Oublier l'apocalypse. Loisirs et distractions des combattants pendant la Grande Guerre*, Paris, 2014; Emmanuelle Cronier, *Permissionnaires dans la Grande Guerre* (2013), Paris, 2017. For examples of work tackling regional identities among French soldiers see *Minorités, identités régionales et nationales; Identités troublées 1914–1918. Les appartenances sociales et nationales à l'épreuve de la guerre*, ed. François Bouloc, Rémy Cazals and André Loez, Paris, 2011; *Petites patries dans la Grande Guerre*, ed. Michaël Bourlet, Yann Lagadec, Erwan Le Gall, Rennes, 2013.

29 Bach, *Justice militaire*, p. 43.

30 'Desertion' ranged from deserting to the enemy (as opposed to deserting behind your own lines), to returning late from leave. Self-mutilation was occasionally counted as desertion, in the sense that men were deemed to be deliberately seeking to avoid doing their duty, but it was more usually classed under 'abandoning a post' or 'refusing to obey an order'. Self-mutilation was not included as a specific crime in the Code of Military Justice because, prior to the First World War, it was thought to apply only to men seeking to avoid being deemed 'fit to serve' by recruiters. Since the act was committed before the man had officially enlisted, it was a matter for civilian authorities. When faced with a spate of suspected cases of self-mutilation by serving soldiers in the autumn and winter of 1914, military authorities had to improvise, which they did by classing self-mutilation under existing offences: Saint-Fuscien, 'Entre guerre et paix', p. 25.

31 Military tribunals also existed at the level of the Corps and the Army during the war: 'Le fonctionnement de la justice militaire', *Mémoire des Hommes* website, Ministère des Armées, <https://www.memoiredeshommes.sga.defense.gouv.fr/fr/article.php?laref=599&titre=le-fonctionnement-de-la-justice-militaire>, last consulted 10 Feb. 2021.

32 Emmanuel Saint-Fuscien, 'La justice militaire française au cours de la Première Guerre mondiale. Apports et limites d'une approche quantitative', in *Justices militaires et guerres mondiales (Europe 1914–1950)*, ed. Jean-Marc Berlière, Xavier Rousseaux, Jonas Campion, Luigi Lacchè, Louvain, Belgium, 2013, p. 116; Vincent Suard, 'La justice militaire française et la peine de mort au début de la première guerre mondiale', *Revue d'histoire moderne et contemporaine* 41, January–March 1994, p. 149.

33 *Conseils de guerre* must be distinguished from the less regulated and more controversial *Conseils de guerre spéciaux* [special military tribunals] which provided 'expedited justice'. Following immediate summons before three officers from the same unit as the accused, special tribunals could render only one of two verdicts: acquittal or the death penalty. There was no option of appeal and no delay between the accusation, the tribunal and the carrying out of the sentence. Responsible for the majority of death sentences carried out during the initial months of the war, when by far the greatest number of such punishments were registered, special tribunals were suppressed by the law of 27 April 1916. These bodies have been the central focus of long-running campaigns that have criticized the operation of military justice and demanded the reputational rehabilitation of the men put to death. Bach, *Justice militaire*, pp. 43–44, 129; Smith, 'The Disciplinary Dilemma', pp. 47–68, 49.

34 Saint-Fuscien, 'La justice militaire française', pp. 116–119; Saint-Fuscien, *À vos ordres*, pp. 196–200; Bach, *Justice militaire*, p. 142.

35 Saint-Fuscien, *À vos ordres*, pp. 189, 227; Saint-Fuscien, 'Entre guerre et paix', pp. 15–31, 28; Smith, 'The Disciplinary Dilemma', p. 50.

36 SHD 11 J 1548, Zermati, René Reuben (3e bis Zouaves), 'Avis du Général Codet', 4 April 1915.

37 In his own testimony, Siddi denied saying these words, claiming instead that, frustrated at being obliged to carry a heavy sack when he was tired, he said 'Because you have corporal's stripes you think you're a general' and then swore at the corporal. SHD 11 J 1552, Siddi, Grégoire Joseph (2e bis Zouaves), 'Rapport du Capitaine Bontey', 17 September 1915 and 'Procès-Verbal d'interrogatoire ou de confrontation: Siddi, Grégoire Joseph', 25 septembre 1915.

38 These trends largely echo patterns observed by Emmanuel Saint-Fuscien in his statistical breakdown of the 3rd Infantry Division. See, 'Les prévenus des conseils de guerre: "mauvais soldats" ou "combattants ordinaires"', *14–18 Mission Centenaire* website, published online 25 June 2013. Available at: <https://www.centenaire.org/fr/societe/les-prevenus-des-conseils-de-guerre-mauvais-soldats-ou-combattants-ordinaires#6>, last consulted 10 Feb. 2021.

39 The four cases of murder were SHD 11 J 1596, Boukacène, Mahmoud ben Ahmed (1er RMTA); SHD 11 J 1574, Maoui, ben Ali Zirda (3e RMZT); SHD 11 J 1624, Boubeker, Ahmed ben (3e RMTA) Non Lieu; SHD 11 J 1605, Debabi, Mohammed Roubia ben Aisfa (3e RMTA).

40 For further discussion of space, authority and obedience see Saint-Fuscien, *À vos ordres*, pp. 99–107.

41 See, for example, Adam Derek Zientek, 'Wine and Blood: Alcohol, Morale and Discipline in the French army on the Western Front, 1914–1918', Ph.D. Thesis, University of Stanford, 2012.

42 Hardier and Jagielski, *Oublier l'apocalypse*, p. 233; Saint-Fuscien, *À vos ordres*, p. 101.

43 Cazals and Loez, *Dans les tranchées*, p. 101.

44 SHD 11 J 1548, Lenhard, François Jean (2e bis RMZ), 'Rapport du Capitaine Guyader', 3 March 1915.

45 SHD 11 J 1548, Lenhard, 'Procès-verbal d'interrogatoire: Lenhard, François', 29 March 1915.

46 SHE 11 J 1547 Kedadra, Abdallah ben Hadj (Régiment de Marche de Spahis), 'Rapport du Capitaine Denis', 5 Dec. 1914.

47 SHD 11 J 1622, Abdallah, Salah ben Hadj (1er RMTA), 'Procès-verbal: Ali-Turqui, Mustapha', 7 March 1919, and 'Procès-verbal: Haïdjer, Mohamed Amziane', 7 March 1919.

48 SHD 11 J 1622, Abdallah, 'Procès-verbal: Abdallah, Salah ben Hadj', 28 Feb. 1919.

49 SHD 11 J 1622, Abdallah, 'Procès-verbal: Bouvant, Gaston Camille', 7 March 1919. Abdallah was brought in to 'confront' Bouvant and his testimony as part of the *conseil de guerre* proceedings.

50 Wine was produced fairly widely near towns during the Ottoman period, while the trope of the drunk janissary appears regularly in Ottoman-era poetry. Nonetheless, there was a strong feeling that alcohol use/abuse increased significantly as a consequence of the First World War, including among labourers who migrated to France looking for work. For further reading on the subject see Nessim Znaïen, 'Les territoires de l'alcool à Tunis et à Casablanca sous la période des Protectorats (1912–1956): Des destins parallèles?', *Année du Maghreb* 12, 2015, pp. 197–210; Pierre Pinaud, *L'alcoolisme chez les Arabes en Algérie*, Bordeaux, 1933. I am grateful to Mustapha Sheikh, James McDougall, Arthur Asseraf, and Owen White for their helpful suggestions on this subject.

51 Ethan Katz, *The Burdens of Brotherhood: Jews and Muslims from North Africa to France*, Cambridge MA, 2015, p. 31.

52 Richard S. Fogarty, 'Out of North Africa: Contested Visions of French Muslim Soldiers during World War I', in *Empires in World War I: Shifting Frontiers and Imperial Dynamics in a Global Conflict*, ed. Andrew Tait Jarboe and Richard S. Fogarty, p. 141. As he acknowledges, Fogarty's work builds on ideas put forward by Amin Maalouf in *Identités meurtrières*, Paris, 1996.

53 SHD 11 J 1576, Brachet, Louis Martin et al. (3e BMILA), 'Déclaration de Louis Martin-Brachet', 18 Feb. 1917.

54 SHD 11 J 1576, Brachet et al., 'Rapport du Lieutenant Castay', 20 Feb. 1917.

55 SHD 11 J 1576, Brachet et al., 'Procès-verbal d'interrogatoire: Juvry, Auguste', 10 March 1917.

56 SHD 11 J 1609, Paraliou, Dominique et al. (2e Régiment de Génie).

57 SHD 11 J 1609, Paraliou et al., 'Rapport du Capitaine Patras', 28 April 1918.

58 SHD 11 J 1609, Paraliou et al. Boulkoroum's slightly reduced sentence may reflect the fact that he was not caught in the store, in contrast to the other three. Post-war amnesties resulted in the men being released between June and August 1920.

59 SHD 11 J 1559, Slamani, Braham ben Ahmed (1er RMTA).

60 SHD 11 J 1559, Slamani.

61 That gambling, like drinking alcohol, is *haram* for Muslims was not commented upon in this case, but it further supports my point that the behaviours exhibited by soldiers were more varied and complex than externally imposed definitions might allow for.

62 Fogarty, *Race and War*, p. 8. A similar point was made by Jean-Charles Jauffret in 'La Grande Guerre et l'Afrique Française du Nord', in *Les Troupes coloniales dans la Grande Guerre*, ed. Claude Carlier and Guy Pedroncini, Paris, 1997, p. 106.

63 SHD 11 J 1622, Abdallah, 'Procès-verbal d'interrogatoire', 28 Feb. 1919.

64 SHD 11 J 1622, Abdallah, 'Rapport sur l'affaire', 11 March 1919.

65 SHD 11 J 1615, Abdelaziz, Ben Reigh (1er RMTA), 'Procès-verbal: Abdelaziz, Ben Reigh', 5 July 1918.

66 SHD 11 J 1615, Abdelaziz, 'Rapport du Lieutenant Sorret', 28 June 1918. Abdelaziz was sentenced to two months in prison, but execution of his sentence was suspended.

67 SHD 11 J 1559, Amor, ben Larbi ben Hamouda (3e RMTA); SHD 11 J 1559, Belgacem, ben el Hadj (3e RMTA). Given that they were from the same relatively small place (Ouled-el-Hadj) and born only a year apart, it is very possible that Amor and Belgacem knew each other prior to enlisting.

68 Fogarty, *Race and War*, p. 102. Further testifying to this quotidian hostile environment, Fogarty references (p. 107) a letter written in May 1917 by the Minister of the Colonies to General Foch relaying complaints made by colonized soldiers about officers and warning of the potential significance of this for future recruitment. The most famous denunciation of the behaviour of white officers and soldiers was written by the indigenous Lieutenant Rabah Boukabouya of the 7th RMTA after he defected to the Germans in the spring of 1915. See *Les Soldats Musulmans au Service de la France*, Lausanne, 1917.

69 For further discussion of the role of veterans in Algeria after 1918 see Hassett, *Mobilising Memory*.

70 SHD 11 J 1615, Adda, Abdallah (1er RMTA).

71 SHD 11 J 1574, Maoui, ben Ali Zirda (3e RMZT). A similar scenario, with a less violent dénouement, played out in SHD 11 J 1585, Mazari, Ahmed ben Mohamed (1er RMTA).

72 Examples from the 45th Division include SHD 11 J 1558, Mélis, Jean Michel (3e bis RMZ); SHD 11 J 1559, Valence, Paul (38e Régiment d'Artillerie); SHD 11 J 1561, Oncina, José (1er RMTA); SHD 11 J 1567, Bottari, Joseph (1er BMILA); SHD 11 J 1563, Debonne, Paul René et al. (1er BMILA); SHD 11 J 1589 Martinez, François (3e RMZT); SHD 11 J 1602 Bernard, Pierre Vincent (1er BMILA). On tensions between metropolitan French soldiers attested to in other sources see Cazals and Loez, *Dans les tranchées*, pp. 226–8.

73 Christoph Jahr, 'War, Discipline, and Politics: Desertion and Military Justice in the German and British Armies 1914–1918', in *Justice militaires et guerres mondiales*, p. 74.

74 Saint-Fuscien, *À vos ordres*, p. 158.

75 SHD 11 J 1574, Maoui, 'Procès-verbal: Sergent Georges Dormoy', 1 Jan. 1917. For further information on colonial constructions of Arabs and Kabyles see Patricia M. E. Lorcin, *Imperial Identities: Stereotyping, Prejudice and Race in Colonial Algeria*, London, 1995.

76 SHD 11 J 1612, Saadi, ben Saoud (1er RMTA), 'Avis de Lieutenant-Colonel Pidaut', 8 May 1918.

77 SHD 11 J 1550, Bouhaka, Bouziraould Mohamed (1er Tirailleurs), 'Procès-verbal interrogatoire: Bouhaka, Bouziraould Mohamed', 23 June 1915.

78 SHD 11 J 1612, Saadi, 'Procès-verbal d'information au corps: Meghraoui', 8 May 1918 and 'Procès-verbal d'information au corps: Corporal Louis Detay', 8 May 1918.

79 SHD 11 J 1618, Hamadi, Ali ben (1er RMTA), 'Rapport sur l'affaire', 27 Sept. 1918 and 'Procès-verbal: Hamadi, Ali ben', 9 July 1918.

80 SHD 11 J 1618, Hamadi, 'Procès-verbal: Hamadi, Ali ben', 9 July 1918.