Social transformations in the city of Constantine at the beginning of the French colonialism (1830-1845): An approach of marriage and divorce contracts according to Maliki court records

Les transformations sociales dans la ville de Constantine au début du colonialisme français (1830-1845): Une approche des contrats de mariage et de divorce selon les dossiers judiciaires de Maliki

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Abstract

This study aims to explore a range of issues that permeate various aspects of daily life, with a particular focus on social and living conditions within Constantine. By examining the shifts engendered by political and economic influences under two distinct regimes—the Ottoman rule and the French occupation—the research utilizes marriage and divorce contracts as key indicators of social stratification. These documents, which detail individual incomes, property holdings, financial statuses, and class disparities, are sourced from the Maliki court records of Constantine, housed in the provincial archives. Through these historical records, this study aims to vividly reconstruct and portray the lived experiences of that era. In this study, we relied on the historical descriptive curriculum as well as the analytical and statistical curriculum for what the nature of the topic required. Entry into the city. This is confirmed by the documents of divorce contracts, especially in the transitional period, whether they relate to marriage conditions or to changes in social structure through the movement of families from within the city to outside, whether definitively or temporarily.

Key words: Social transformations, marriage, early French occupation, Constantine

Résumé

Par cette étude, nous avons voulu soulever diverses questions, notamment des aspects de la vie publique de la région, en particulier la vie sociale et la vie en surveillant les transformations résultant des répercussions politiques et économiques pour ceux qui ont vécu deux jugements différents. Les contrats de mariage et de divorce sont considérés comme un élément particulier de la classification sociale, des revenus, des biens individuels, du niveau matériel et de la différence de classe. Le document entre nos mains et le Code des Archives de la Cour Royale de Constantin dans les archives d'état Il nous permettra de déposer le contenu de son contenu sur la réalité ouvrant droit à pension à l'époque. Dans cette étude, nous avons utilisé le curriculum descriptif historique ainsi que le curriculum analytique et statistique pour déterminer ce que la nature du sujet exigeait. l'entrée dans la ville. Ceci est confirmé par les documents des contrats de divorce, surtout en période transitoire, qu'ils concernent les conditions du mariage ou les changements dans la structure sociale par le déplacement des familles de l'intérieur de la ville vers l'extérieur, soit définitivement soit temporairement.

Mots-clés : Transformations sociales, mariage, début de l'occupation française, Constantine

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Introduction

Understanding the history of the region we inhabit and identify with is crucial for comprehending present social dynamics. This research delves into a pivotal era in the history of Constantine, the capital of the Eastern Beylik, celebrated for its rich historical and cultural heritage. The focus of this study is to delineate and track the most pronounced social changes that transpired following the French occupation from 1837 to 1845. By comparing societal practices before and after this occupation. where this type of study in the social field is especially important with relying on documents that enable us to confirm this reality and bring us closer to it and give us a clear picture of what Constantine's society was then. On this basis, we put forward the following main forms: has the French occupation of Constantine had a clear and profound impact on society's structural and living characteristics? To clarify the problem, we ask the following questions: What was the social and living reality of Constantine's inhabitants before the occupation of the city? How were the marriage specifications? And then did it change?

A relevant study on this topic is Fatima Zahra Qashi's doctoral thesis entitled "Constantine City and Society", in which the researcher spoke about the city of Constantine during the 18 century, highlighting the characteristics of Constantinian society in relation to the family by relying on the basic source of marriage and divorce contracts written in the records of the Royal Court of Constantine, which enabled it to know the names of families and their affiliation on the basis of the names of the Ottoman in the decades and then illustrated by Ahmed in this period 18. The city witnessed the events of French entry and occupation of the city and highlighted the most significant social transformations due to the new circumstance through the same source, marriage contracts and divorce, but in another period, we monitored these transformations. The second study is Abdelkader Jagloul: "Algeria's modern history, a psychological study" which explained the structure of Constantinian society based on a family structure shared economically, socially, and culturally and highlighted the movement of people from the city to the countryside for fear and dismay of French soldiers, In this period, migration has become both reverse and circumstantial, especially since Constantine has witnessed long periods of rural displacement. Through our study, we have been able to highlight the process of population movements from within and outside the city due to the French occupation and the registration of the names of the families we extracted from the contracts, whether disappeared or left. migration from the city to the countryside was a non-generalized phenomenon.

In this study, we also relied on the historical and descriptive approach of giving a picture of the social and living realities of the inhabitants of Constantine in late Ottoman rule, as well as describing what is stated in the marriage and divorce contracts by focusing on the elements of the contract. The parties to this contract are husband, wife, friendship and its kind and value. The comparative approach was used to compare the two periods - the end of Ottoman rule and the beginning of the French occupation of the city until 1845, according to the contracts obtained, which are the basic documents of the study.

1 .The Social and living reality of the inhabitants of Constantine late in Ottoman rule

Throughout the Ottoman era, Constantine, akin to other cities, maintained distinct social strata without any attempts by the Ottoman authorities to dissolve the preexisting societal layers. The administrative policies of the Ottomans sought to centralize governance and foster unity. . These included tribal structures, community systems, feudal relations, and urban centers.

Predominantly driven by a cautious approach towards the Algerian populace, these policies restricted local access to administrative and governing roles, hindering societal integration despite

the unifying force of religion during and after this period (Abdellah Chreit, Mubarak El Mili, 1985: 174).

The societal framework during the Ottoman presence, compounded by the region's challenging geography, fostered a dichotomous society:

- The rural domain, primarily engaged in agriculture (Addi El-Houari, 1985: 174).
- The urban domain, centered on craft and trade activities. Notably, this dualism was also present in other regions (Abdelkader Jeghloul,1982: 26).

Algerian society was generally composed of kinship groups and tribes within a fluid geographical context, each characterized by shared familial structures, economies, and cultural backdrops. The social hierarchy was marked by disparities in privileges and social status, which varied from region to region and were notably fluid, especially in rural locales where Ottoman administrative presence was minimal. At the hierarchy's apex were the privileged few Turks, followed by the Kouloughlis in mid-level positions.

The urban stratum comprised Andalusians, nobles, and notables who occupied religious and educational roles and participated in various crafts at the bottom were the Amazigh people (Berbers), who, despite their hard labor, were deprived of privileges. Two principal factors influenced social mobility: Military prowess, a direct route to ascendancy.

- Financial acumen, a means to acquire substantial privileges.

The latter part of Ottoman rule witnessed a surge in nomadism, with many inhabitants transitioning from settled agricultural lifestyles to nomadic ones centered on livestock breeding. This shift was gradual in the high plateau regions of Constantine and led to a disparity between economic capabilities and the needs of the populace. The local nomadic activities were primarily aimed at meeting local consumption needs, while the Beylik required substantial agricultural outputs to satisfy urban and market demands (Nasreddine Saedouni, 1984: 112-113).

This social hierarchy led to fluctuations in social life and the emergence of conflicts between different population groups at times, and between the populace and the ruling authorities at others (Hmida Amiraoui, 1982-1983: 118-119). Additionally, the populace was burdened with a set of taxes, collected to meet the needs of the general treasury specific to the Beylik, as well as the province, and even the Bey himself paid the "Dennush," a tax collected for the Sublime Porte, from the residents. Here are the other types:

A. **Agricultural crop tax:** This tax encompassed all types of properties, throne lands, Beylik lands, and private holdings, typically demanding 12 and a half "sa" of wheat, 12 and a half "sa" of barley, and ten "shibākāt" of straw. Ahmed Bey later modified this to a tithe system, collecting one-tenth of the wheat or barley harvest. (Ahmed Sisaoui, , 1987-1988: 118-119)
B. **Government tax:** A property and land rent tax specific to the Eastern province, this was a mandatory levy introduced by ṣāleh Bey.
C. **The mandatory fee:** In-kind and monetary fees were exacted from desert and mountain tribes frequenting the markets of the plains, with Nushi setting the fee at 30,000 francs.
D. **The fine:** This penalty was imposed on rebellious and nomadic tribes such as the Hānānchā Nāmāmchā Hārāktā Oulād Sidi Yāhiā Bū Tāleb, and those in the Kabylie region (encompassing Skikdā Zerdāzā , Ferjiwā Bābour, and the Chāwiā of the Aurès). The Qaid, with the assistance of the village Sheikh, assessed the wealth and allocated the fine based on the number of tents. Nushi notes that the Dennush annually sent to Algeria by Hājj Āhmed

Bey was estimated at 3,000 sheep, with the Nāmāmchā tribes alone contributing this amount, implying a total fine of 60,000 francs, indicating that the fines imposed often exceeded this figure (Andre Nouchit, 1955:107-108).

2. Marriage characteristics before and after 1830

Through the lens of marriage and divorce contracts, this study aims to illuminate the role of marriage as a fundamental social institution. By analyzing the elements represented by both parties in these contracts—the husband and the wife—we scrutinize various names and titles prevalent in Constantine and the broader Eastern Beylik, alongside any notable lineage changes.

Marriage holds a paramount place in all societies, particularly within Islamic society, where it is revered not only as a means to forge family ties and preserve lineages but also as a crucial element in strengthening social bonds. It constitutes a lawful bond, predicated on the pillars of proposal and acceptance, guardian's consent, dowry, and the presence of a fair witness.

Islam extols marriage as it embodies half of one's faith, promoting the facilitation of its processes. Particularly concerning the dowry, and fostering a mutual understanding of the responsibilities inherent in this sacred union and its profound implications.

Historical accounts indicate that the customs surrounding marriage in Constantine were largely consistent with those observed in other cities. albeit with subtle variations between rural and urban settings influenced by the unique norms and environmental conditions of each area. Familial connections were strong, and since most families were well-acquainted, arranging marriages either within or outside the family was relatively straightforward.

The process typically began with a man expressing his desire to marry to his parents, who would then seek an appropriate match, initially within their own relatives. If the prospective groom preferred to marry outside his immediate family, his parents would honor his wishes and initiate formal and informal communications between the two families. The women of the families usually met informally first, which led to a formal introduction of the bride to the groom.

Once both parties consented to all terms and conditions, the marriage proceedings would commence. This included the negotiation of the "dowry," which the groom intended to offer, and was formally presented through the bride's father. On a specified day, the father accompanied his daughter and the groom to officially register their union, for which a fee of one real was paid.

Subsequently, the bride would acquire clothing and household essentials for her new home, which she brought to her groom on their wedding day. In a traditional ceremony, the groom's relatives would escort the bride from her home at nightfall, illuminated by lanterns. Adorned in a rented golden gown, a distinguished piece owned by the city, and draped with a red 'izar', the bride would ride a mule to her new home amidst festive music, culminating the celebration with a grand feast. From that day forward, the wife would join her husband's household. (Fendelin Schlosser,2016: 86-87).

2.1 Elements of the marriage contract:

- For a marriage contract to be valid, several criteria need to be satisfied, including the presence of the groom, the bride, the dowry, the guardian, and witnesses.
- **The Groom:** He is identified at the beginning of the contract by his full name and lineage, which are crucial for the record. Names might include geographical markers, tribal affiliations, or professions, indicating a deep-seated connection to one's roots. For instance,

names like Si Āl- Ārbi ben Mohāmmed ben shāabān or Khālil ben Āl-Eid Āl-Mili often indicated familial lineage or tribal connections. reflecting the societal structure of Constantine's inhabitants. Names might also denote professions, such as Mohammed ben Ali the carpenter or builder, which sometimes supplemented familial surnames., adding another layer of social identity.

Tribal affiliations, often derived from the founder of the tribe or a prominent branch, were particularly significant. Such lineage was not just a record of ancestry but also a badge of identity, as seen with names like Hānānchā (tribe of Hānānchā) or Dārāji (Oulād Dārāji).

The instability in rural areas or the pursuit of employment in urban centers often brought these tribal affiliations into prominence. Geographical names like Āl-Ānnābi or Āl-Biskri highlighted connections to specific locales, while professional titles sometimes added distinctiveness to an individual's identity.

The bride's consent and the presence of a guardian (usually a close male relative) were essential for the contract's validity, according to Maliki jurisprudence. e guardian's role was to ensure that the marriage agreement respected the bride's rights and the family's expectations.

Each marriage contract was meticulously recorded, detailing the groom's commitments, the agreed dowry, and any additional stipulations set forth by the bride's family. (Fatima Al-Zahra Kachi, 1999: 190, 194, 196).

These conditions were publicly declared before a judge, ensuring legal and social acknowledgment of the union. The groom's obligations extended beyond the marriage to include support for his wife and any children in the event of a divorce, underscoring the enduring responsibilities embedded within the marriage contract.

- **The bride:** The bride, as the second crucial party in the marriage contract, is introduced in the contract documentation through the title " Āmātullāh," followed by her personal name and her father's lineage. The contract also specifies her marital status, categorizing her as either a virgin of age, a coerced virgin, a divorcee who has completed the mandated waiting period, a widow, or an orphan, often indicated by the phrase "daughter of the late [father's name]." This initial presentation is vital as it sets the formal recognition of her role and status within the contract.

A survey of names listed in the studied contracts provides a fascinating glimpse into the naming conventions of the time. The table below represents a sample of these names, noting the variety and the historical resonance of each:

Table 1: Names of Brides Extracted from the Records

Ẓrifā	Khadijā	Bātā	**Āl-Jaziy ā**
Āichā	Khārfiyā	Bāṭoutā	Al –Shamkhā
Āljiā	Rāhilā	Bāhijā	Al-Safiyā
Mbārkā	Rāhmā	Biyā	Al- ḍāwiya
Māsoudā	Rouqāyā	Tāsāadit	Al- ṭāwos

Meriem	Zāyneb	Trāki	Al-M ā zouziyā
Mhāniyā	Sāadā	Jālbiyā	Oum Āl-Khir
Nounā	Sāidā	Hāddā	Oum Āl-Sāad
Hindā	ṭoumā	Hafṣiyā	Oum Āl-Hāni
Hāniyā	ṭiṭoum	Hālimā	Al-Wāhmā

Table prepared by the researcher

Some names, such as Aminā and Fātimā Al-Zāhra, recur with notable frequency. These names are historically significant, tracing back to revered figures in Islamic history: Āminā the mother of the Prophet Mohāmmed (peace be upon him), and his daughter, Fātimā. Their frequent use in naming demonstrates their enduring popularity and the cultural importance attributed to these figures, reflecting prevalent naming trends from as early as the 13th century.

Additionally, an analysis of the contracts from the years 1251 AH (1835 AD) to 1256 AH (1840 AD) reveals the marital status categories of brides at the time of their marriage, resulting in the following:

Table 2: Statistics of brides - coerced virgins, adult virgins, and divorced/widowed women (1835-1840) extracted from records

Year	Number of Coerced Virgins	Number of Virgins of Age	Number of Widows from Divorce
1251 AH / 1835 AD	29	49	268
1256 AH / 1840 AD	3	24	77

Table prepared by the researcher

The statistical analysis derived from the marriage contracts before and after the occupation of Constantine reveals a notable decline in the number of marriages recorded. This downturn is accompanied by an increase in the proportion of widowed or divorced women relative to adult virgins and coerced virgins, underscoring a significant shift in societal norms and personal choices.

The rise in the number of divorced women, alongside a growing tendency among men to marry them, suggests a cultural shift toward accepting divorced women as suitable marriage partners, recognizing the experience and maturity they bring to a marriage... which are seen as advantageous traits derived from their prior marital experiences.

Moreover, the analysis of marriage contracts for freedwomen and freedmen sheds light on the social dynamics of manumission and its influence on marital practices. Before the occupation,

there was a higher frequency of such contracts, ranging from 5-10 per month, which decreased to 2-4 contracts per month post-occupation.

This change indicates a broader social and economic shift influenced by the occupation. For instance, in Dhū āl-Hijjā 1253 AH /1837 AD, a marriage contract was recorded where Māsoud, a freedman of Mūstāfā ben Mohāmmed Āl-Tunisi, wed Zāhrā a freedwoman of the late Si Otman ben shaoush. The dowry stipulated was sixty riyals, with thirty paid immediately and the remainder over three years. The contract was conducted with the full consent of the bride, represented by Sāad a freedman of ben Mihoub, highlighting the agency and consent involved in such unions.

The practice of manumission as reflected in marital arrangements continued prominently until at least the year 1259 AH /1843 AD, as seen in another contract where Ahmed ben Khowja ben Mūstāfā Ismail married Fāṭimā bint Mohāmmed ben Khowjā, offe ring a dowry that included various garments and a maidservant for service, emphasizing the diverse elements included in marital transactions of the time.

Furthermore, the contracts occasionally document marriages involving individuals of different religious backgrounds, such as the 1258 AH /1843 AD marriage of a Muslim man to Maria, a Spanish Christian convert to Islam. This illustrates the sporadic but present intercultural exchanges through marriage, though such cases were not prevalent. The phenomenon of sponsorship in marriage contracts also arose during this period, as evidenced in a contract from Jūmadā āl-Thāni 1258 AH where "Hājj ben Abdullāh" married Āmātullāh Fātimā under the sponsorship of "Mohāmmād Mūstāfā ben Āli Khowjā." This contract highlights the role of sponsorship in facilitating marriages, especially in cases where a bride's father was deceased or absent, suggesting adaptive social mechanisms to uphold marital traditions.

Guardianship in marriage contracts is another crucial element, with the bride's guardian often[1] being a close male relative such as a father[2], brother[3], uncle,[4] or cousin, and in the absence of such relatives, sometimes the judge. The prominence of fathers and brothers as guardians underscores their pivotal role in the familial and social structure, ensuring the continuation of established customs and legal norms within the matrimonial process.

3. Marriage conditions and the new circumstances:

In the context of marriage, the groom possesses the authority to stipulate specific conditions in addition to the dowry outlined in the marriage contract. These conditions, while varying from one contract to another, often exhibit commonalities across various agreements. A notable recurring condition observed in about 47% of the contracts (47 out of 100) recorded after the occupation was the bride's request to relocate to the countryside post-marriage.

3.1 Conditions concerning marital life:

The conditions regarding marital life often emphasize ethical conduct and the maintenance of harmonious domestic relations:

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[1] Marriage Contract No. 5, Shawwal 1259 AH.
[2] Marriage Contract No. 1, Shawwal 1255 AH.
[3] Marriage Contract No. 3, Shawwal 1259 AH.
[4] Marriage Contract No. 6, Shawwal 1256 AH.

- The groom must demonstrate good conduct throughout the marriage. This includes respectful behavior towards the wife's mother, especially if she resides with them, and towards any children the wife may have from a previous marriage, ensuring their proper care and maintenance.

- In specific instances, such as one detailed in a contract from Shāwwāl 1256 AH /1840 AD, the groom pledged not to enter the house while under the influence of alcohol. This contract involved Ismail ben Khowjā marrying Fātimā bint Hussein, a widow post-divorce. The dowry stipulated was one hundred riyals, a cloak, a shirt, a caftan, and a belt, with half of the dowry and the shirt paid upfront and an additional twenty riyals allocated for the wedding. The remaining amount was to be paid by the groom, who also committed to respectful conduct towards her mother, Aisha.

3.2 Conditions regarding residence:

Residential arrangements are a critical aspect of the marriage contract, with specific requirements set to accommodate the wife's preferences:

- The husband must provide housing according to the wife's wishes and must not relocate her from the specified location in the contract without her explicit consent. This condition is crucial if the wife desires to reside with her mother or near her relatives.

- If the wife agrees to live in the countryside, her preferences regarding the timing of such relocation should be honored, typically allowing for seasonal moves—living in the countryside during spring and summer and returning in autumn, as per her choice.

- An example from Safar 1240 AH /1825 AD highlights these conditions: Āli Sālem married Zāhrā , daughter of Hājj Hussein, a widow. He provided a dowry of 80 riyals, a silk cloak, and a shirt, paying half of the dowry upfront with the remainder spread over four years. He committed to supporting her mother and agreed to provide housing within the city limits, respecting her wish not to be moved to the countryside without her consent, thus leaving the final decision to her.

3.3 Conditions regarding the wife's financial precautions:

If the wife inherited properties or money from her deceased father or previous husband, such as livestock like sheep or cattle, the husband must commit to not handling any of it without her order or consent.

3.4 Conditions during the French occupation:

The desire to move to the countryside increased due to fear and panic during the French entry into Constantine. However, the wife in this case would require a return to the city after the departure of the French (due to the belief in the temporary nature of the French presence in the area), especially after the failure of the first campaign on the city in 1836, expecting another failure. Some contracts contradict this idea.

Examples: Contract recorded in Dhū āl-Qi'dah, 1253 AH / February 1837 AD

Praise be to Āllāh. In this month, Mohāmmed ben Āli Āl-Telghāmti reconciled with his wife, Ā matullah Zāhrā bint Ābdullāh, after the first divorce, giving her a dowry of 80 riyals, with 50 paid immediately and the remainder over three years. Her father married her off with her consent, and the groom accepted the marriage, committing to move to the countryside as long as the Christians

remained in the land. If the Christians left, he would return her to the city, with the decision in her hands, fully understood by both parties.

Contract recorded in shawwal, 1253 AH / December 1835 AD

The contract included a statement: "She committed to moving to the countryside but stipulated that if peace returned to the city and the fear was gone, he would return her to the city and live with her there." Another phrase states: "She committed to moving to the countryside as long as the Christians remained in the city. If the Christians left, he would return her to the city, and he also committed to visiting her mother even if the Christians were in the city." These phrases appearing in the contracts of 1253 AH - 1837 AD was not present before and started to appear in this specific year, which was between the first French campaign on the city in 1836 and the second in 1837. These contracts highlight the transformations in the city due to movement between urban and rural areas caused by the French presence. They also emphasize the impact of foreign occupation on marital relations and conditions.

The dowry:

The dowry is what the husband offers to his wife upon establishing the marital relationship, known in Islam as the "māhr." It may have a specified value based on the husband's wealth, representing the financial amount with which the husband honors his wife and is considered a fundamental condition for building and completing the marriage (Chafika Dide Marouf, 1984: 33, 38).

There are two types of dowries: the first is specified at the time of the contract, agreed upon by both parties, and the second is called the equivalent in case of unspecified dowries, considering beauty, age, virginity, widowhood, absence of children, intelligence, piety, and wealth. It must consider the time and place, and the conditions of marriage and divorce and their judgments.

The dowry is an essential element of the marriage contract, reflecting the social status of individuals and families at that time. It can take various forms, generally being a monetary value, which varies from contract to contract, ranging between 20 and 100 riyals, with the most common value being 100 riyals. The dowry can also be in-kind, such as a quantity of wheat or barley, reflecting the husband's social status and the type of activity he engages in, often agricultural. This indicates that the husband might be a simple farmer or a poor man, and the bride's acceptance of such a dowry suggests she is either of the same social level or lower.

The monetary dowry is often accompanied by other necessities (clothes: like a cloak, shirt, caftan, belt, veil, or jewelry: earrings, necklaces, or livestock: sheep, cattle, goats, etc., or a maid for the wife's service). Professor qāshi's dissertation provides more details on these elements. The monetary or in-kind dowry reflects the social and economic status of families during that period. The higher the value, the wealthier the husband, indicating his belonging to a wealthy family, a city notable, or a rich merchant. Conversely, the bride might be wealthy and from a distinguished family, thus demanding an expensive dowry to match her social standing.

The dowry is not always given entirely to the bride; in most contracts we studied, it is divided into a prompt part and a deferred part, paid over a specified period, which could range from months to years (the minimum being one year and the maximum five years) from the date of the marriage contract.

Additionally, the husband is sometimes required to provide specific items for the wife, which could be clothes or other essentials, as mentioned earlier, detailing their type and value, such

as silk or certain textiles like "stāmbouli" or "yāqoubi," and even specifying colors, such as white. This highlights the distinction in clothing quality and type, despite the French occupation and the new political and economic developments that affected the social sphere.

However, the dowry still retained its elements, except its value, which relatively changed due to the currency shift from the riyal to the franc starting in 1258 AH / 1843 AD. It was also noted that in-kind dowries diminished compared to previous years (before the French occupation), with monetary dowries becoming more common from 1256 AH / 1840 AD onwards, as confirmed by the contracts recorded from that time.

4. Structural and living changes of the population after the occupation:

4.1 Population structure and social classes:

Constantine's societal fabric comprised ethnic cells within a dynamic geographical setting, each characterized by shared family, economic, social, and cultural structures. Prior to the colonial era, farmers-maintained ownership of their lands (Abd-el-Kader Jeghloul, 1982: 26).

However, this changed with the onset of land confiscation policies under colonial rule. Colonialism, inherently exploitative, gradually shifted towards a policy of integration, aimed at serving the interests of the colonizers, including French and other European settlers. This strategy, however, met resistance from the established social fabric of the city.

Since the French occupation of Constantine in 1837, the city's original societal structures faced threats of both destruction and reconstruction, reshaped according to the cultural and social paradigms of the colonizing elite who wielded legislative power. The French presence catalyzed population movements, notably from the urban centers to rural areas, driven by fear of French soldiers and uncertainty about the city's future. This period marked a reverse migration pattern, which was both reactionary and circumstantial, contrasting with the traditional rural-to-urban migrations from surrounding areas up to 100 kilometers away, as evidenced in the genealogies of the city's settled inhabitants.

These inhabitants often had tribal affiliations with groups such as the Omrāni (Ben Omrān), Dārāji (Oulād Dārāj), and Ābd al-Nouri (Oulād Ābd āl-Nour), indicating a historical pattern of mobility and instability, with cities like Constantine attracting these groups due to its role as a political and   economic hub. The challenging living conditions in rural areas, where competition for resources was fierce and economic activities were limited, exacerbated this mobility.

The impact of these migrations is reflected in the family names within the city, with some tribal or geographical origins persisting within the city walls, while ancient families waned over time if not bolstered by external factors (Ānnābi, qouli, Mili, Jijli, etc.). However, migration from the city to the countryside was not prevalent.

Contracts from this era, such as Contract No. 6 from Shawwal 1253 AH /December 1837 ADand Contract No. 43 from Dhu āl-Qi'dah 1253 AH (February 1837 AD), support this observation but also indicate that such cases were exceptions rather than the rule. A review of family names recorded in the marriage and divorce registers from 1251 AH and 1258 AH reveals continuity in certain family names such as Al-Omrani, Al-Ajami, Mohammed Al-Sā ghir, Al-Khowja, Al-Turki, Ahmād Al-Chā rif, Al-Dārāji, Al-Zāmouli, and Al-Zāytoun.

These findings, consistent with statistics from Professor Fatima Zahra Kachi's doctoral research on Constantine, suggest that the French occupation did not substantially disrupt the

stability of local families. Despite political upheavals and the transition to French governance, these families demonstrated resilience and a sustained commitment to their urban livelihoods, with many returning to the city after temporary relocations to rural areas once political and military conditions stabilized and the city was declared a French protectorate.

Here are some lists of families residing in Constantine and its surroundings extracted from the marriage and divorce contract register for 1251 AH and 1258 AH, showing a clear continuation of their attachment to stay despite the political changes with the transition of power to the French:

Table 3: Names of Some Constantine Families during the Years 1835-1840

No.	Groom's Name 1835	Groom's Name 1840	Father's Name 1835	Father's Name 1840	Grandfather's Name 1835	Grandfather's Name 1840
01	Sāleh	Mohāmmed Al-Majdoub	Ibrāhim	Ben Si Suleimān	Al-Inkshari	Ben Azrag
02	Mūstafā	Āmmār	Ābdullah	Ben Al-Sāleh	Al-Inkishari	Ben Al-Hājj Āmmār
03	Rābāh	Mohāmmed	Hussein	Al-Msili	Al-Bchichi	Ben Sghir
04	Mūstafā	Sāleh	Si Āmmār	Ben Mūstafā	Al-Bachtarzi	Ben Āli Pāshā
05	Othmān	Belkācem	Mohāmmed	Ben Mihoub	Al-Turki	Bourogaâ
06	Ibrāhim	Mustāfā	Āli	Ben Amin	Al-Jāws	Al-Turki
07	Mohāmmed	Ahmed	Khojā	Ben Rābāh	Al-Haj Ahmed	Al-Dahmchi
08	Ābdāllah	Ahmed	Mohāmmed	Ben Ahmed	Al-Hāj Brāhimi	Al-Righi
09	Hajj Āmmar	Omār	Hajj Ahmed	Benkācem	Hajj Ābdullāh	Al-Zāmouli
10	Mohāmmed	Mohāmmed	Hajj Āli	Belkācem	Al-Dābbāgh	Al-Zāytoun
11	Ahmed	Ahmed	Mohāmmed	Ben Āli	Al-Righi	Al-Noussi
12	Al-Hāssān	Āli	Ābdullāh	Ben Māsoud	Al-Zmirli	Al-Sāghir
13	Hāssān	Moussā	Māsoud	Ben Mohāmmed	ṭālhā	Al- Ābbās

14	Jāb Allāh	Omār	Mohāmmed	Ben Al-Arābi	Al-Msili	Al- Ābdi
15	Mūstāfā	Mohāmmed	Mohāmmed	Ben Mubārāk	Al- Ājāmi	Al- Ājami
16	Ahmed	Mohāmmed	Hāssān	Ben Ismāil	Al-Ajami	Al- Ākoun
17	Belkacem	Sāad	Mohāmmed	Ben Ā mm ā r	Al-Omrani	Al-Omrāni
18	Mohāmmed	Mohāmmed	Al-Zāwāwi	Ben Mohāmmed	Āli	Al-Omrāni
19	Ahmed	Māsoud	Ahmed	Ben Belkācem	Chārif	Al-Omrāni
20	Belqācem	Māsoud	Mohāmmed	Ben Mubārāk	Chārif	Al-Fergāni

Table prepared by the researcher

From a detailed examination of family names listed in historical records, we observe a notable recurrence of specific family names, underlining the resilience and enduring presence of these families in Constantine. For instance, the Al-Omrāni family appears in over 10% of the recorded cases. Other frequently mentioned names include Al-Ajami, Mohāmmed Al-Sāghir, Al-Khowjā Al-Turki, Ahmed Al-Sharif, Al-Dārāji, Al-Zāmouli, and Al-Zāytouni.

These names are consistent with those identified at the close of the 18th century and the onset of the 19th century, as detailed in the research conducted by Professor Fātimā Al-Zāhrā Qāshi titled "Constantine: The City and Society." This continuity strongly suggests that the French occupation had a limited impact on the fundamental stability of family structures in Constantine, with many families opting to remain in the city due to their established livelihoods and the centrality of their urban activities.

Despite the transformative pressures of the French occupation, the enduring presence of these families indicates that the new political circumstances did not precipitate immediate or drastic changes to family stability. Indeed, some contracts from this period reference families temporarily relocating to the countryside with the intention of returning should the French vacate the region, reflecting a belief in the transient nature of the occupation.

As political and military conditions in Constantine stabilized and the city was declared a French protectorate, numerous factors motivated these families to return to the city. Their motivations were largely centered around economic opportunities, housing, and the familiar social environment, which collectively outweighed the uncertainties brought about by the occupation.

Conversely, some family names, such as Al-Tuwati and Al-Zuwayqi, vanished from subsequent records post-occupation, possibly due to their permanent settlement in rural areas, departure from the region, or a lack of formal marriage registration that would have preserved their names in the legal records.

Simultaneously, the period witnessed the emergence of new family names like Al-Dāhmshi, Al-Rā bhi, and Ben Rāmdān. These names were previously unrecorded, suggesting either a lack of earlier registration in Sharia court records or a migration of these families into the city from surrounding areas. This influx, likely due to relatively improved conditions or the city's growing appeal, indicates a dynamic shift in the city's demographic composition, signaling an increase in population and potentially a diversification of its social fabric.

5. Structural transformation of families after the French occupation of Constantine:

The onset of colonialism in Constantine, primarily driven by exploitation, marked a shift towards policies of integration tailored to benefit the colonizers, including French and European settlers. However, this approach was met with resistance due to its incongruity with the established social fabric of the city. Since the French occupation in 1837, the foundational structures of Constantine faced potential erosion and reconstitution according to the cultural and social paradigms imposed by the colonizing authorities, who wielded the power to reshape laws and societal norms. This new governance influenced significant demographic shifts, prompting migrations from the urban center to the countryside, primarily motivated by fear of French military presence and the overarching uncertainty about the city's future.

During this turbulent period, the pattern of migration reversed from its traditional route, which had historically seen movements from rural areas up to 100 kilometers away into the city(.Abdelkāder Jeghloul, ibid: 26.) This reversal was a direct response to the new socio-political landscape. The genealogical records of the city's inhabitants reveal enduring ties to tribes such as the Omrāni (Ben Omrān), Dārāji (Oulād Dārāj), and Abd āl-Nūri (Oulād Abd āl-Nūr), highlighting the tribal dynamics and their historical lack of stability but also underscoring Constantine's role as a regional attractor due to its political and economic significance.

The intense competition for resources and stability in rural areas, where economic activities were often limited to a singular focus, exacerbated the challenges faced by these communities, prompting a migration towards urban centers, particularly Constantine. This migration was evidenced by the continuous presence of families within the city walls, identified by their tribal or geographical origins, while ancient family lines that lacked external support (such as the Annābi, Qili, Mili, Jijli, etc.) gradually diminished over time.

Despite these challenges, records such as Contract No. 6 from Shawwal 1253 AH (December 1837 AD) and Contract No. 43 from Dhū āl-Qi'dā h 1253 AH (February 1837 AD) indicate that the shift from the city to the countryside was not prevalent. An inventory of family names from this era shows a persistence of certain names, the disappearance of others, and the emergence of new ones, suggesting a dynamic reshaping of the city's demographic composition.

Among the families that maintained their presence were the Al-Omrāni , Al- Ājāmi, Mohāmmed Al-Sāghir, Al-Khowjā , Al-Turki, Ahmed Al-Chārif Al-Dāraji, Al-Zāmouli, and Al-Zāytouni whose recurrence mirrors records from the early 19th century as studied by Professor Fatima Al-Zahra Qashi in "Constantine: The City and Society." This continuity confirms that despite the French occupation, the structural integrity and stability of Constantine's families remained largely intact. These families were resolute in their decision to stay, driven by their need for stability and their established livelihoods within the urban environment. Their long-term integration into the fabric of the city meant that even those who initially moved to the countryside returned once political and military conditions stabilized under the French protectorate. This enduring attachment to the city, as documented in marriage and divorce contracts from 1251 AH to

1258 AH, reflects a clear commitment to remain despite the profound political transformations following the shift of power to the French.

Table 4: Names of Some Constantine Families during the Years 1835-1840

No.	Groom's name 1835	Groom's name 1840	Father's name 1835	Father's name 1840	Grandfather's name 1835	Grandfather's name 1840
01	Sāleh	Mohāmmed Al-Majdoub	Brrāhim	Ben Si Sūleimān	Al-Inkishāri	Ben Azrāg
02	Mūstāfā	Āmmār	Ābdūllāh	Ben Al-Sāleh	Al-Inkishāri	Ben Hājj Āmmar
03	Rābāh	Mohāmmed	Hūssein	Al-Msili	Al-Beshishi	Ben Sghir
04	Mūstāfā	Sāleh	Si Āmmar	Ben Mūstāfā	Al-Bashtārzi	Ben Āli Pāshā
05	Othmān	Belkācem	Mohāmmed	Ben Mihoub	Al-Tūrki	Bourogāâ
06	Ibrāhim	Mūstāfā	Āli	Ben Amin	Al-Jāws	Al-Tūrki
07	Mohāmmed	Ahmed	Khojā	Ben Rābāh	Al-Hāj Ahmed	Al-Dāhmshi
08	Abdellah	Ahmed	Mohāmmed	Ben Ahmed	Al-Hāj Brāhāmi	Al-Righi
09	Hajj Āmmār	Omār	Hājj Ahmed	Ben qācem	Hājj Ābdellāh	Al-Zāmouli
10	Mohāmmed	Mohāmmed	Hājj Āli	Belqācem	Al-D ābbāgh	Al-Zāytoun

Table prepared by the researcher

From an analytical review of recorded family names, notable recurrences emerge, underscoring the enduring nature of certain familial lineages within Constantine. Prominently, the Al-Omrāni family appears in over 10% of documented instances. Similarly, names such as Al-Ājāmi, Mohāmmed Al-Sāghir, Al-Khowjā , Al-Turki, Ahmed Al-Chārif Al-Dāraji, Al-Zāmouli, and Al-Zāytouni recur frequently.

These names, which persist from the end of the 18th century through the beginning of the 19th century, reflect the findings of Professor Fāṭimā Al-Zāhrā qāshi's research in "Constantine:

The City and Society." This continuity suggests that the French occupation had a limited direct impact on the structural stability of Constantine's families, who remained anchored in the city due to their deep-rooted livelihoods and social commitments.

Despite the challenging new circumstances introduced by the French occupation, the city's familial structures exhibited remarkable resilience. While some families did relocate to the countryside, motivated by a belief in the temporary nature of French control and a desire to return upon the occupation's end, this movement was not indicative of a permanent demographic shift. Indeed, once political and military conditions stabilized and Constantine was declared a French protectorate, the driving forces of livelihood, home, and community cohesion lured many families back to the urban center.

However, the transitional period saw the disappearance of some family names from legal documents, such as Al-Twāti and Al-Zuwāghi, potentially due to their permanent relocation, final departure from the region, or an absence of registered marriages. Concurrently, new familial designations like Al-D āhmshi, Al-Rābhi, and Ben Rāmdān emerged, reflecting either previously unregistered families or new migrations to the city spurred by the evolving socio-economic conditions.

Conclusion:

Our comprehensive analysis has illuminated the depth and nature of transformations in Constantine during and following the French occupation. Initially, these changes were primarily political and administrative, characterized by a shift to new governing powers. Although these alterations were only partial, they significantly influenced the social landscape of the city.The societal impact of these administrative changes was profound. Concerns over potential repercussions on their personal safety and living conditions led some families to relocate from the city to the countryside.

Despite the French occupation of the city, there has been no direct and rapid impact on families, except for some decades that some families are moving out of the city towards the countryside - with the idea of returning in the event of the evacuation of the Nazarenes from the country. This indicates the population's conviction of the temporary existence of the occupation. They have to go back to the city. Especially because there are so many things imposed like their livelihoods, their homes, their social surroundings. The inability of the French occupation to significantly and prominently affect the stability of Constantinople's families, because they were committed to survival as a result of their inevitable livelihoods and stability, and concentrate their activities in the city.

On the other hand, there has been a political transformation and difficulty in living and competing for stability in rural areas, especially since these areas are based on a single economic activity on which their population depends as the main and sole source of livelihood. This has increased the prevalence of this phenomenon, as evidenced by families living within the city walls of descent and tribal origin, or geographical, especially since old families are few and diminish over time if they are not supported by external elements.

Bibliography :

Archives :

Records of the Royal Court of Constantine - Marriage and Divorce Contracts 1830-

1845 - Archive of the State of Constantine.

- _ Marriage Contract No. 1, Shāwwāl 1255 AH.
- _ Marriage Contract No. 6, Shāwwāl 1256 AH.
- _ Marriage Contract No. 3, Shāwwāl 1259 AH.
- _ Marriage Contract No. 5, Shāawwāl 1259 AH.

Studies:

1-Addi, H. (1983),*el istiamār el fāransi fi eldjāzair siyāset etāfakok el Iqtisadi ẁā el idjtimāai 1830-1860(French Colonialism in Algeria: The Policy of Economic and Social Disintegration (1830-1860)*) tr. Joseph Abdullah, 1st edition, Dar Al-Hādathā. Beirut.

2- Amiraoui .H , (1983*), daẁre Hamden khodjā fi tatawer el kadia el djazairia1827-1840 (The Role of Hamdan Khodja in the Development of the Algerian Cause 1827-1840)* Magister thesis, supervised by Dr. Tawfiq Barwa,

3-Chreit, A , El mili .M , *mokhtāsār tārikh el djāzair el siāsi ẁā etāqāfi ẁā el idjtimāi (A Brief History of Algerian Politics, Culture, and Society)* National Book Foundation

4-Dide Marouf : Ch , (1984), *fonctions de la dot dans la cite algérienne le cas d'une ville moyenne, Tlemcen et sont «HAWZ», (Functions of the Dowry in the Algerian City: The Case of a Medium-Sized City, Tlemcen and its 'HAWZ'*) Office of University Publications, Algier

5- Kachi , F . (1999), *qāsāntina el mādina ẁa el modjtāma (Constantine: The City and Society)* Doctoral dissertation, Modern and Contemporary History, University of Tunis

6- Jeghloul, A. (1982*). tārikh el djazair el hādith (Modern History of Algeria: A Sociological Study* , tr. Faisal Abbas, 2nd edition, Dar Al-Hadatha. Beirut.

7-Nouschi: A , (1955), :*Constantine a la veille de la coquette française (Constantine on the Eve of the French Conquest*,) Cahiers de Tunisie, No. 11.

8- Saedouni, N , Bouabdelli .Sh, (1984), *el Āāhd el otmāni (The Ottoman Era)* National Book Foundation,

9- Schlosser .W , (2016), *qāsantinā Ayem Ahmed bāy 1832-1837 (Constantine During the Days of Ahmed Bey (1832-1837)*," translated by Taki Abu Al-Eid Dudu

10- Sisaoui: A , (1988) *, el nidām el idāri libāylik el sharq (The Administrative System of the Eastern Beylik*,) Magister thesis in Modern History, University of Constantine