

Title: Outlaws and the November 1st, 1954 Revolution: The Principle of the Free and the Testimony of the Revolutionaries

Ouldahmed Abdelkader

Lecturer (A), Ibn Khaldoun University of Tiaret-Annex of Ksar Chellala, (Algeria),

ouldahmedake@yahoo.fr

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Abstract

The blessed Liberation Revolution is one of the most significant revolutions of the 20th century, as it represents the struggle of a free people seeking to reclaim their lost rights and stolen freedom from European colonialism, represented by France during this period. The Algerian Revolution, from its inception, exposed the reality of French colonialism. However, the French authorities labeled the revolutionaries as mere outlaws who had to be punished. The truth, however, was different. As the revolution spread, international positions including some within France shifted, recognizing the legitimacy of the Algerian cause. Global legal frameworks began to acknowledge this historical reality, necessitating a solution.

Keywords: Human rights, Liberation revolution, Outlaws, Revolution initiators.

Introduction

The colonial phenomenon, in its general concept and its various ideological implications since the 18th century, evolved in its strategic objectives during the 19th century and the early 20th century, particularly with the outbreak of the First World War (1914-1919). This evolution reflects the true nature of colonial powers, whose primary goal was to dominate weaker nations, exploit their resources, plunder their wealth, and enslave their people all under the pretense of civilization on one hand and the spread of Christianity on the other.

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French colonialism, in particular, exemplified this pattern through its occupation of Algeria, a land that raised the banner of resistance and jihad through its people across the entire nation since 1830. The popular uprisings were the strongest evidence of Algerian resistance and the people's unwavering response to the French occupation. The struggle continued over time, adapting in methods and objectives, culminating in the Great Jihad with the outbreak of the Glorious November 1st, 1954 Revolution one of the greatest revolutions of the 20th century, as recognized by nations worldwide.

Faced with this heroic struggle of the Algerian people, we pose the following key questions:

- How did international law perceive the national cause and the November 1st, 1954 Revolution?
- How did the French occupation legally classify the revolutionaries of November 1954, and who were considered outlaws from their perspective?

The importance of this topic lies in unveiling the true nature of the Algerian Revolution—both globally and particularly for France, which sought to distort its image. France deliberately misrepresented the revolutionaries and ignored the truth, hoping to mislead international public opinion, including its own citizens.

To analyze this topic, we have adopted various methodologies relevant to the subject, particularly the descriptive method, by examining and historically analyzing key events to uncover historical truth.

1 .The Algerian Revolution of 1954

1.1 General Causes:

The reasons and circumstances that led to the outbreak of the glorious Liberation Revolution were numerous, and they can be summarized as follows (Bouaziz, 2009, p. 26):

These general causes contributed to deepening the idea of armed revolution in the minds of militants against French colonialism. They also clarified the national cause for the general public, preparing them psychologically to embrace it and endure its hardships when the time came.

- The internal division within the Movement for the Triumph of Democratic Liberties (MTLD): The party's internal conflicts and fierce struggles led to the frustration of Algerians, as their hopes for freedom and independence were shattered. This situation prompted the emergence of the Revolutionary Committee for Unity and Action (CRUA), which decisively took charge of the armed struggle, putting an end to futile party disputes.
- The failure of the reforms introduced by the French government for the Muslim Algerian population, such as the 1947 and 1948 reforms. According to Jean-Paul Choin, this failure was due to the incompetence of those responsible for implementing these measures (Ould Ahmed, 2016, p. 232).
- The massacres of May 8, 1945, convinced the national elite and the Algerian people that the French occupation would never recognize their right to freedom and independence except through force and violence (Bouaziz, 2009, p. 425).
- Additional factors (Mangour, 2006, p. 54):
 - The unity of the people with the national cause.
 - International political shifts favoring decolonization.
 - The outbreak of revolutionary movements in Tunisia and Morocco.
 - The emergence of the Revolutionary Committee for Unity and Action (CRUA), which endorsed armed struggle and sought to break the deadlock within the national movement.

1.2 The General French Positions on the Algerian Revolution

In reality, French positions on the Algerian Revolution were largely shaped by prevailing domestic and foreign policies. Researcher Ahmed Mangour explained this by identifying three main trends:

The First Trend:

This group viewed the events in Algeria as nothing more than an attack orchestrated by Soviet materialist communists against the Christian West. They believed that these forces used elements like Islam to destabilize Algeria, accusing the religion itself and claiming that those who launched the armed struggle did so in response to a call for jihad. To them, the armed operations had the characteristics of a holy war. This current strongly supported Algeria's continued attachment to France and defended the colonial policies implemented in the country.

The Second Trend:

This group attributed the causes of the revolution to Algeria's social and economic conditions, acknowledging that widespread poverty was a major issue. However, they framed the problem within the context of the 1947 Algerian Statute, ignoring the deeper political and colonial injustices that led to the crisis. This perspective was primarily held by the new colonialist elements of that period.

The Third Trend:

This group argued that the Algerian people were deprived of their fundamental rights, including freedom of expression and voting rights, which are basic human rights. They pointed out that since 1945, Algerians had endured oppression and injustice, and that widespread social injustice, extreme poverty, deprivation, and insecurity had ultimately triggered the revolution. This view was notably shared by Catholic Church figures who took a sympathetic stance toward the Algerian Liberation Movement in 1954. (Mangour, 2006, pp. 102-103).

2. The Revolutionaries and the "Outlaws" in the Eyes of French Politicians

French politicians, such as Mendès France and his minister François Mitterrand, described the revolutionary operations as acts of terrorism carried out by outlaws, bandits, and "Fellagha" (Mangour, 2006, p. 130).

French Prime Minister Pierre Mendès France further emphasized that the French nation would not allow anyone to jeopardize its unity, meaning that Algerian independence was not even open for discussion. He sought assistance from NATO to place the alliance in a *fait accompli* situation, mobilizing it against what he perceived as communist-backed Algerian rebels or as he called them, "outlaws" (Al-Malhama Al-Jazā'iriyya, 2022, p. 119).

Meanwhile, the French press echoed the narratives of government officials and political party leaders, using the same terminology to describe the revolutionaries as outlaws, bandits, and Fellagha. Many publications also promoted conspiracy theories, claiming that foreign hands and internal plots were behind the revolution (Mangour, 2006, p. 138).

The Mendès France government responded by increasing military forces in Algeria from 56,500 to 83,400 troops in February 1955. This escalation was widely justified as a measure to maintain security and defend Algeria against violence, rebellion, and lawlessness (Mangour, 2006, p. 140).

The State of Emergency in Algeria

The state of emergency imposed in Algeria was effectively a state of total siege, as it included measures that eliminated public and individual freedoms, such as:

- Full censorship of the press and all forms of publication.
- Strict control over radio broadcasts.
- Banning the screening of revolutionary films.

- Ordering the temporary closure of meeting places and gathering sites.
- Confiscating weapons from civilians and handing them over to French authorities.
- Imposing curfews, sometimes for an entire night or day.
- Authorizing home raids and searches at any time.
- Trying civilians in military courts.
- Exiling individuals deemed a threat to public security and order. (Al-Malḥama Al-Jazā'iriyya, 2022, pp. 123-124).

3. Definition of Law

3.1 Etymology of the Word "Law":

Some have argued that the term is not originally Arabic and is, in fact, foreign to our language. Others have maintained that it is inherently Arabic in both substance and form despite its absence from compilations of Arab authors on borrowed words given its widespread use at the time. In terms of substance, its origin is traced to the word "قن," which means to follow up on the news of something in order to fully comprehend it. Regarding its form, it follows the Arabic verbal pattern "فاعول," which conveys perfection and the exertion of effort (Al-Bakri, p. 19). There are also those who attribute it to a foreign origin, specifically the word (kanon), meaning rule or organization a Latin term (Al-Bakri, p. 19).

3.2 Law in Terminology:

Law is defined as a set of rules that regulate social bonds and that the state compels people to follow, even if it requires force when necessary (Ahmed, 1936, p. 4). In other words, it refers to the collection of legal rules enacted by the competent legislative authority in a given state to regulate a specific matter. This is what is meant by a codified law established by the legislative power for example, an expropriation law, a traffic law, or an income tax law (Al-Bakri, p. 19).

4. Branches of Law

Law is divided into various branches, each comprising a set of legal rules that govern a specific field of social life and regulate relationships of a similar nature. Examples include civil law, commercial law, and constitutional law. Traditionally, law is classified into public law and private law (Al-Bakri, p. 189).

4.1 Public Law

Public law consists of legal rules that regulate relationships in which the state as a sovereign authority is a party (Al-Bakri, p. 189).

4.2 Private Law

Private law encompasses legal rules that govern relationships between individuals or between individuals and the state when it acts as a legal entity, rather than exercising sovereign authority (Al-Bakri, p. 189).

Public law is divided into:

- External public law, which includes international public law (established in 1625). It covers:
 - Laws of war and peace
 - Laws governing international organizations
- Internal public law, which includes:

- Constitutional law
- Administrative law
- Financial law
- Criminal law

Private law includes:

- Civil law
- Commercial law
- Procedural law
- Private international law (*Al-Bakri, p. 190 and beyond*).

5. Human Rights and the Reality of the Algerian Revolution

5.1 Human Rights:

International law defines human rights as the rights guaranteed by the United Nations Charter for humanity, holding universal, equal, and inalienable value. Additionally, human rights are a set of rules derived from reason and human conscience, recognized as just and humane, and rooted in natural law (*Abu Zaid, 2015, p. 50*).

According to the modern concept, the term human rights refers to the rights that all human beings should enjoy simply because they are human. These rights are not granted by any authority, nor do they require permission from any power, as no authority can either grant or deny them. Therefore, they are universal rights, protected by international law through treaties, international customs, and general principles (*Abu Zaid, 2015, pp. 50-51*).

5.2 International Humanitarian Law:

International humanitarian law is a set of rules aimed at minimizing the impact of armed conflicts for humanitarian reasons. This law protects individuals who do not participate in combat or have ceased participation and restricts the means and methods used in warfare. It is also known as the "Law of War" or the "Law of Armed Conflicts", and it constitutes a key component of public international law (*Nidar, 2014, p. 37*).

Furthermore, international human rights law consists of treaty-based or customary international rules that allow individuals and groups to expect specific conduct from governments or claim certain rights from them. In principle, international human rights law applies at all times, both in times of peace and during armed conflicts (*Nidar, 2014, p. 44*).

5.3 The Reality of the Algerian Revolution:

By understanding the concepts of law in general, international humanitarian law, and human rights, it becomes evident that France implemented a regime of oppression, persecution, and deprivation in Algeria. As a result, the Algerian people had the legitimate right to self-determination, as recognized by the United Nations Charter, which advocates for the right of peoples to self-determination. Later, the Non-Aligned Movement also supported the national cause until independence.

However, NATO and its member states, which were also part of the United Nations, initially did not support the Algerian cause. Their stance only shifted due to global pressure and the strength of the Algerian War of Liberation, which forced France into negotiations, ultimately leading to independence, despite NATO's power and the initial reluctance of the United Nations.

Nevertheless, the resilience of the Algerian Revolution and the unity of the Algerian people compelled France to negotiate, resulting in the restoration of national sovereignty. Given the major events of the Algerian War (1954-1962), coupled with international developments and the wave of decolonization movements, global institutions came to acknowledge the reality of the revolution. The Algerian Revolution subsequently became one of the greatest revolutions in history and of the 20th century.

Conclusion:

From the above, it is evident that France's policies in Algeria since the occupation in 1830 had clear objectives—to eliminate the Algerian people and eradicate their cultural identity, language, customs, and traditions. The ultimate goal was to spread Christianity, suppress Islam, and make Algeria an inseparable part of France.

However, the steadfastness of the Algerian people and their diverse methods of resistance until 1954, culminating in the Great War of Liberation (1954-1962), delivered a harsh lesson to France and to all those who doubted the determination of the Algerian people. The Algerian people's resilience, refusal to submit, and struggle against French colonial *rule* became a living example for all nations fighting for liberation worldwide.

Moreover, the term "outlaws" was nothing more than a colonial label imposed on a free people whose independence had been stolen. The Algerians fought to reclaim their sovereignty from an oppressive occupier—France. All international laws and customs affirm the reality of French colonialism and, more broadly, European imperialism.

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