
An Aspect of Muslim-Jewish Relations in Late Nineteenth-Century Morocco: A European Diplomatic View

Author(s): Leland Bowie

Source: *International Journal of Middle East Studies*, Vol. 7, No. 1 (Jan., 1976), pp. 3-19

Published by: [Cambridge University Press](#)

Stable URL: <http://www.jstor.org/stable/162548>

Accessed: 04/12/2013 16:38

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at
<http://www.jstor.org/page/info/about/policies/terms.jsp>

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.



Cambridge University Press is collaborating with JSTOR to digitize, preserve and extend access to *International Journal of Middle East Studies*.

<http://www.jstor.org>

Leland Bowie

AN ASPECT OF MUSLIM-JEWISH RELATIONS IN LATE NINETEENTH-CENTURY MOROCCO: A EUROPEAN DIPLOMATIC VIEW

The question of the relations between Muslims and Jews in late nineteenth-century Morocco is a fascinating and complex subject. Much has been written about the discrimination which most members of the Jewish community in Morocco experienced at the hands of the Muslims.¹ That the Muslim majority regarded the Jewish minority as inferiors cannot be denied. Historically, Islamic governments have relegated Christians and Jews to a lower status as *ahl 'l-kitâb* or 'People of the Book', who possessed a religious book, although not *the* religious book.² In the case of Morocco the Jews found their freedom of action circumscribed by certain regulations. First of all, in return for the payment of a poll tax, the *jizya*, the sultan guaranteed Jewish life and property. In areas which were beyond government control, Jews fell under the patronage of powerful figures in their regions. Secondly, their testimony was considered invalid in Muslim courts. Thirdly, they were compelled, quite frequently, to wear special clothing and to remove their shoes when passing in front of mosques. Fourthly, Jews were often not permitted to carry arms or ride horses. And lastly, the display of a properly respectful attitude toward Muslims was expected.³

Moroccan Jews resided in a designated quarter (*mallâh*) of a town or city. In the larger urban areas the *mallâh* often appeared near a palace of the sultan or governor, to symbolize Jewish dependence on the Moroccan government. Serious overcrowding was a salient characteristic of the Jewish quarters. Moreover, the Jews could not possess any land outside the *mallâh*, at least officially.⁴

¹ *Le Bulletin de l'Alliance Israélite Universelle* (Janvier, 1880), pp. 32-33 and Moïse Nahon, 'Les Israélites du Maroc', *Revue des Études Ethnographiques et Sociologiques*, vol. II (1909), pp. 270-4, are just two examples of accounts detailing the difficult existence of most Moroccan Jews.

² See Majid Khadduri and Herbert J. Liebesny (eds.), *Law in the Middle East* (Washington D.C., 1955), vol. I, pp. 362-4.

³ André Chouraqui, *La Condition juridique de l'Israélite marocain* (Paris, 1950), pp. 48-49; Doris Bensimon-Donath, *Evolution du Judaïsme marocain* (Paris, 1968), pp. 15-16; Nahum Slouschz, *Travels in North Africa* (Philadelphia, 1927), pp. 374-5; Dr F. Weisgerber, *Au seuil du Maroc moderne* (Rabat, 1947), pp. 29-30.

⁴ Leon Eugène Aubin [pseud. Descos], trans., *Morocco of Today* (London, 1906), pp. 285-92; Bensimon-Donath, *Evolution*, p. 16; I. D. Abbou, *Musulmans andalous et judeo-espagnols* (Casablanca, 1953), pp. 385-6. Unofficially, some Jews did own land outside the *mallâh*.

In the nineteenth century most Moroccan Jews lived in unbelievable squalor and misery. Furthermore, unprovoked attacks on the *mallâhs* occurred from time to time, especially during periods of tribal unrest. In an attempt to place the matter in perspective, a respected Jewish writer has emphasized that the assaults which the Jewish community experienced were not based on the 'unrelenting hate' of the Muslim population. Rather 'taking into consideration the animosity of rival tribes whose victims were the entire population, Jewish and Arab alike, one may safely say that the lot of the Jews in North Africa was no worse than that of the lowest classes in the Moslem society who were exploited with equal harshness by the dominating feudal system'.¹

The upper-class Jews in Morocco numbered perhaps 1 per cent of the Jewish community. They were generally *protégés* of western powers or foreign naturalized Jews. Needless to say, many of the Muslims greatly resented their special status.² The activities of these *protégés* and the foreign naturalized Jews will be closely scrutinized in this article, since they significantly influenced the evolution of Muslim-Jewish relations in late nineteenth-century Morocco. Fortunately, the British and French archives provide us with a good deal of material for a discussion of this sensitive question.

The *protégés* evolved from the extension of extraterritorial rights by Morocco to western legations resident in Tangier. Extraterritoriality included the authority to designate Moroccans either as officials in the legations and consulates or as employees of foreign businessmen. These Moroccans or *protégés* received a number of much coveted privileges: exemption from Moroccan taxation, conscription, and juridical control. In other words, the *protégés* exercised the rights of an alien without, strictly speaking, possessing foreign citizenship. The foreign naturalized Jews, on the other hand, were native-born Moroccans who had traveled abroad, usually for the sole purpose of obtaining

¹ André Chouraqui, *Between East and West: A History of the Jews of North Africa*, trans. Michael M. Bernet (Philadelphia, 1968), pp. 54–5. The author makes a clear distinction between the manner in which Muslim North Africa viewed the Jews and the manner in which Christian Europe regarded the Jews. He points out that there 'was never at any time in the Moslem Maghreb a philosophy and tradition of anti-Semitism such as existed in Europe from the Middle Ages down to modern times. Accounts of such innate traditions among the Moslems of North Africa that have been published by European writers reflect on the whole the anti-Semitic prejudices of the writers, and show a lack of understanding of the realities of North African attitudes. During most periods of history, the Jews of North Africa were happier than those in most parts of Europe, where they were the objects of unrelenting hate; such extreme sentiments did not exist in the Maghreb. The scorn that the adherents of the different faiths expressed for each other could not obliterate the strong bonds of a common source of inspiration and a way of life intimately shared.'

² Hay to Salisbury, no. 13, 2 February 1880, Great Britain, Public Record Office, Foreign Office Series 99, vol. 191 (hereafter cited as F.O. –/–). All dispatches are from the British minister in Tangier to the foreign minister in London unless otherwise indicated. Weisgerber, *Au seuil*, pp. 27–8; Auguste Moulières, *Fèz* (Paris, 1902), p. 220; Jean Louis Miège, *Le Maroc et l'Europe 1830–1894* (Paris, 1961), vol. II, p. 561.

another nationality. They would subsequently return to Morocco, where they enjoyed all the prerogatives of foreigners.¹

This affluent élite – both *protégés* and naturalized Jews – could sometimes escape the teeming *mallāḥ* and live in the European quarter of the city. In particular this happened along the coast, where the presence of Europeans and western-oriented Jews exerted a moderating influence on traditional Muslim practices. The wealthy Jews of the port cities could afford to drop their servile manner *vis-à-vis* the Muslims because of the proximity of their European benefactors. The prosperous Jewish families, however, would still frequently make generous donations on Muslim religious holidays in lieu of payment of taxes.²

The sensitive issue of the prerogatives of the *protégés* and naturalized Jews, as well as Muslim–Jewish relations in general, surfaced at European diplomatic discussions about Morocco. At the international conference of Madrid, which was convened in order to discuss the modification of extraterritorial rights granted to foreign powers, the matter of religious liberty in Morocco arose. This was a scarcely veiled reference to the status of the vast majority of the Jews in Morocco; that is, the poor and disadvantaged. The Moroccan representative at the conference, Bârqâsh, vehemently objected but finally signed a document which included a statement about religious liberty.³ He asserted that such a declaration would serve no useful purpose, since freedom of religion already existed in Morocco. Obviously, the European representatives held a contrary view.

More to the point, the thorny question of naturalization also appeared at the conference of Madrid. The Muslims resented the ease with which Jews could obtain foreign naturalization, and the sultan hoped to tighten the regulations governing it. The final clause as adopted by the Madrid conference was the following:

Every Moroccan subject naturalized abroad who shall return to Morocco must after a period of residence equal in time to that which was legally necessary to obtain naturalization, choose between his complete submission to the laws of the Empire and the obligation to leave Morocco, unless it be proven that the foreign naturalization was obtained with the consent of the Moroccan government.⁴

This stipulation, like so many other articles of the Madrid treaty, was supposed to terminate abuses and to provide a clear understanding of future responsi-

¹ For a discussion of the question of Muslim *protégés* of foreign powers, see my 'The Impact of the Protégé System in Morocco', *Ohio University Center for International Studies. Papers in International Studies*, Africa Series, no. 11 (1970).

² Aubin, *Morocco*, p. 293; José Bénech, *Essai d'explication d'un mellah (Ghetto marocain)* (Paris, 1940), p. 66; Slouschz, *Travels*, pp. 380–1.

³ *Documents diplomatiques, Conférences de Madrid*, 1880. *Droit de protection au Maroc* (Madrid, 1880), protocol 16, meeting of 3 July 1880, pp. 105–6 (hereafter cited as *Docs. Dip.: Conf. de Madrid*); Ḥasan Muḥammad Ṣubḥī, *al-Tanâfus al-Isti'mâri al-Urubî fî 'l-Maghrib* (European Imperialist Rivalry in Morocco) (Cairo, 1965), pp. 22–4.

⁴ *Docs. Dip.: Conf. de Madrid*, p. 76.

bilities and procedures. Unfortunately, this did not take place. Instead, many protracted and bitter arguments arose over the interpretation of the article.

The naturalization clause, it should be noted, introduced a new juridical concept into Morocco – that of Moroccan nationality. Heretofore, the idea of a nationality, to which both Jews and Muslims could adhere, was a foreign notion. In Muslim jurisprudence, the faithful were bound to the Muslim community by religious ties, and, as a corollary, all non-Muslims were consigned to an inferior status. Thus, the sultan possessed Jewish and Muslim subjects but not ‘Moroccan’ subjects. Now, for the first time, the western concept of allegiance based on geographic rather than religious factors appeared in a public document signed by the sultan who probably did not realize the full import of the clause.¹

The idea of quasi-inalienable citizenship was also inserted into the Madrid treaty. In other words, any Moroccan who had been naturalized abroad and who had returned to Morocco would be considered, after a certain period of time, a Moroccan subject. This interpretation of inalienable citizenship died slowly in Morocco and lingered on well into the twentieth century.²

France faced the most complex and difficult naturalization problem, because a high percentage of native-born Moroccan Jews obtained their foreign citizenship in Algeria. Shortly after the Madrid conference Ordega, French minister in Tangier usually noted for his insensitivity to Muslim feelings, spoke disapprovingly of the ease with which a Moroccan Jew could procure Algerian nationality. French law stipulated that the applicant needed to produce a document from a notary stating Algeria as the place of birth. But notaries, like other Moroccan officials, could often be bribed. As a result, the French regulations dealing with this question did not stem the rising tide of fraudulent requests for citizenship.

Some of the applicants spent only a few weeks in Oran or Algiers, after which they would return to Morocco with their certificates of foreign nationality. At that point they would be exempt from Moroccan taxation, conscription, and arrest.

¹ Chouraqui, *La Condition*, pp. 61–2; *idem*, *History*, pp. 177–9; Bensimon-Donath, *Evolution*, pp. 103–4.

² Ordega to Challemlacour, no. 3, 1 August 1883, France, *Ministère des Affaires étrangères, Correspondance politique, Le Maroc*, vol. 47 (hereafter cited as CP/M –). All dispatches are from the French minister in Tangier to the foreign minister in Paris unless otherwise indicated. There is considerable evidence which suggests that Ordega attempted to foment a rebellion against the sultan of Morocco. On this consult Miège, *Le Maroc*, vol. iv, pp. 47–66. For a discussion of the naturalization of Jews in Algeria, see Michel Ansky, *Les juifs d’Algérie du décret Crémieux à la libération* (Paris, 1950), pp. 38–44, and Chouraqui, *History*, pp. 146–50. According to the Crémieux decree of 1870, Algerian Jews were naturalized *en masse* and became French citizens. Muslim Algerians remained French subjects, not citizens – a subtle but important distinction – as they fell under the jurisdiction of Muslim law rather than French civil law. Moroccan Jews desirous of naturalization had little problem bribing officials to grant them papers stating they had been born in Algeria, when in fact they had not. Interestingly enough, Adolphe Crémieux, after whom the decree was named, was president of the Alliance Israélite Universelle.

Moreover, although after a certain period of time the foreign naturalized Jews were supposed to choose between reverting to Moroccan nationality and leaving the country, the government rarely remonstrated with the European legations on individual cases. It is true the sultan, on several different occasions, declared that all naturalized persons residing in the country would have to obey Moroccan law. But this general announcement seldom reached the implementation stage in specific instances. The most efficacious way of extirpating the abuses of naturalization would have been to undertake an exhaustive investigation of the background of all applicants. This would have required a high degree of cooperation on the part of Moroccan officials, as well as French officials in Algeria, many of whom were openly sympathetic to the requests for citizenship. What is more, the Moroccans would have needed to keep a detailed record of the time logged in Morocco and abroad by the naturalized persons. That kind of precise accounting, however, never materialized in the Moroccan bureaucracy.¹

Nevertheless, the Moroccans always tried to place the brunt of the responsibility for tightening naturalization procedures on the shoulders of the European powers. At the close of the century, the sultan was still pleading for stricter enforcement of the laws governing the granting of foreign citizenship. The sultan suggested, once again, that when any newly naturalized person left Algeria or anywhere else for Morocco, the state concerned should notify the Moroccan government. In this way, a time equivalent to that which the applicant had spent abroad could be calculated after his return to Morocco. When that time expired, then Morocco would require the individual in question either to follow Moroccan law or to leave the country. No exceptions could be made. However, the sultan evinced his usually indifferent attitude toward strict implementation of the decree, and it soon became a dead letter.²

Let us turn now and examine some of those activities of the naturalized Jews which had a negative effect on Muslim–Jewish relations. Naturalized Jews wielded considerable economic influence in and around the city of Fez.³ An important group of Jews there tended to specialize in the much-despised occupation of moneylending. Muslim law forbade the levying of interest on any commercial transaction, as a result of which the profession of moneylending evolved into a virtual Jewish monopoly. Those dealing in usury advanced money to a

¹ Ordega to Challemlacour, no. 3, 1 August 1883, CP/M 47.

² Abū Saʿīd to the diplomatic corps in Tangier, enclosed in Nicolson to Salisbury, no. 126, 16 November 1899, F.O. 99/361. The sultan may well have been reluctant to single out individual cases for expulsion because of the diplomatic entanglements which this might have created with the foreign power granting naturalization. Yet the French legation, which was the one most frequently involved, would probably have been sympathetic to the announcement of the expulsion of naturalized persons who refused to revert to Moroccan citizenship after the stipulated time.

³ Aubin, *Morocco*, p. 298; Roger Le Tourneau, *Fès avant le protectorat: étude économique et sociale d'une ville de l'occident musulman* (Casablanca, 1949), pp. 185, 350–2, says disappointingly little about the role of this influential group of Jews. See also Slouschz, *Travels*, pp. 376–7.

broad cross-section of the Muslim population, ranging from subsistence farmers to powerful government officials. It appears that the *qā'id*s (tribal governors) especially found the moneylenders indispensable in carrying out their responsibilities.¹ The reason was simple: the former could always obtain cash on short notice from the latter. This close working relationship also had some negative repercussions, particularly for the poor tribesmen or agriculturalists who borrowed at high rates of interest and then defaulted. Many were beaten and incarcerated for long periods of time in the hope of extracting the amount in question from them or a kinsman. The moneylender and *qā'id* would often share any profit which accrued from these sordid practices. The *protégé* system and naturalization, tragically enough, encouraged the continuation of these abuses.² This is not to suggest, however, that all injustices would have disappeared, if naturalization and the *protégé* system had been declared null and void. Yet this action would certainly have eased the problem.

As mentioned above, Islamic law forbade the taking of interest on loans. But this was largely observed in the breach. Usurious loans proliferated during the famine years of 1878–83, when so many Moroccan farmers hovered on the brink or fell into the abyss of financial ruin. These years brought devastating droughts coupled with an invasion of locusts which wreaked havoc on most parts of Morocco.

The poverty-stricken agriculturalists had only one aim: survival. For this reason, they would pay almost any rate of interest to ensure sufficient working capital to continue their operations. In some areas the rates of interest on loans varied from 5 to 25 per cent a month. One can easily understand how the interest could dwarf the principal in a very short time. Moreover, these loans were often pyramided, so that desperate subsistence farmers would keep doubling the principal in order to be able to plant their crops for another year. When they finally reached the end of their always tenuous rope, they frequently would be evicted from their farms, thrown in jail, or both. It is quite clear that the *qā'id*s cooperated closely with the moneylenders in the foreclosures and imprisonments. This symbiotic relationship resulted in a deplorable state of affairs, which was probably the worst in the agricultural areas around Fez.³

¹ Joseph Goulven, *Les Mellahs de Rabat-Salé* (Paris, 1927), pp. 141–2. He points out that many Jews, having suffered humiliation and discrimination in the past, could not resist the opportunity to strike back at the Muslims via usury; Bénech, *Essai*, p. 39.

² Charles de Foucauld, *Reconnaissance au Maroc en 1883–1884* (Paris, 1888). This brilliant French explorer-missionary delivered some very harsh strictures against the Jews of Morocco, not all of which were deserved. His denunciation of the abuses of the moneylenders, however, finds an echo in the European diplomatic archives of the time. See also Hay to Salisbury, no. 13, 2 February 1880, F.O. 99/191 and Feraud to Freycinet, no. 138, 5 June 1886, CP/M 51.

³ Khadduri and Liebesny (eds.), *Law*, vol. 1, pp. 199–200; Bénech, *Essai*, p. 37; Le Tourneau, *Fès*, p. 379; Pierre Flamand, *Les Communautés Israélites du Sud marocain* (Casablanca, n.d.), pp. 87–8; Abbou, *Musulmans*, p. 429; Miege, *Le Maroc*, vol. III, pp. 441–6.

A cursory glance at several representative cases reveals the kinds of endemic abuses spawned by the foreign naturalized Jews returning to Morocco – abuses which heightened the resentment between Muslims and Jews. David Medina, a French naturalized Jew residing in Fez, exemplifies one type of unsavory activity. By rather dubious means he had acquired naturalization, after which he engaged in commercial and financial pursuits in Morocco. Over a period of years Medina had twenty-four Muslims imprisoned for defaulting on various transactions which involved astronomical interest rates. A detailed investigation by the French minister Feraud revealed that Medina had received his naturalization via bribery. Feraud then stripped him of his naturalization and ordered the prisoners released.¹

At that time, if a creditor wished to obtain payment from a debtor legally, the former would first use the good offices of his consul to try to arrange a settlement. If the man possessed property, it would be sold to raise the necessary money. If he was bankrupt, he would so swear and be released. Assuming the latter occurred, the matter could be submitted by the appropriate European legation to the sultan for his consideration. The sultan usually honored legitimate commercial and theft claims.

The following year after hearing of the imprisonment of some bankrupt Muslims by various naturalized Jewish moneylenders, Feraud moved immediately to obtain their freedom. About eighty insolvent debtors made their way from dingy jails in Fez to the French legation in Tangier, where they were asked to swear bankruptcy and then set at liberty. Many had been in prison for several years due to their inability to pay usurious loans.²

David Darmon, an imaginative merchant who had been naturalized in Algeria, provides a flagrant but amusing example of fraud. He was trafficking in contraband arms along the Moroccan–Algerian border when his entrepreneurial activities registered a sharp setback: someone stole his entire shipment of rifles. Unperturbed, he calmly submitted a claim to the sultan Mûlây Ḥasan for reimbursement of his losses. The sultan was outraged since, at the time, he was attempting to suppress tribal dissidence in that area of the frontier. Mûlây Ḥasan often reimbursed merchants for losses resulting from theft, although this particular theft hardly fell into the category of legitimate merchandise. The French minister of the time, Feraud, remarked about the Darmon affair that ‘the pretensions which are found expressed there give an exact idea of the degree of morality and patriotism of most of our Algerian Jews’.³

Patenôtre, the French minister who succeeded Feraud, likewise encountered difficulty in curbing the abuses of the naturalized Jews in Morocco. The sobering case of Makhhlouf Amsellem, in part, demonstrates why. This moneylender had

¹ Feraud to Freycinet, no. 75, 6 January 1886, CP/M 50; Feraud to Flourens, no. 268, 19 December 1887, CP/M 54; Patenôtre to Spuller, no. 69, 9 August 1889, CP/M 59.

² Feraud to Flourens, no. 268, 19 December 1887, CP/M 54.

³ Feraud to Freycinet, no. 120, 22 April 1886, CP/M 50.

advanced 4,000 francs to a Muslim who, when he could not repay the debt, was thrown into prison along with his brother. In the meantime the property of the arrested Muslim was seized and auctioned for more than the original loan. The sale, however, did not cover the 100 per cent interest, for which reason the brothers remained incarcerated. One died and the other was subsequently freed by Patenôtre after thirteen years in jail.¹

The French minister deplored what he called the 'monstrous abuses' which naturalization and the *protégé* system had generated. He spoke movingly of a visit to Fez during which time his residence had been besieged by families of imprisoned debtors pleading that he assist in obtaining their release. He considered the support of financial claims which fostered such cruelties to be a degrading exercise. Because of this, he wanted to disassociate the legation completely from any contact with the insensitive moneylenders who, along with the acquiescence of key Muslim officials, created so much human misery.²

His legation soon ordered that all imprisoned and insolvent debtors of French naturalized Jews be sent to Tangier. Some sixty-two men arrived in that city in varying states of disease and malnutrition. Patenôtre learned that most of them had been forced to provide their own food while in prison or they would have starved. Moreover, two-thirds of the prisoners had been jailed, not for their own debts but for those of their fathers. This sobering statistic bears silent witness to the numerous injustices which had occurred.

Patenôtre also discovered that many of the claims for which the prisoners had been incarcerated were not even registered with the legation, a requirement which had been evaded. Obviously, the creditors had received either overt or covert cooperation from various *qâ'ids*, who were frequently bribed to imprison a debtor. Patenôtre strongly urged the French foreign office once again to withdraw support for any commercial claims, so that French prestige would no longer be tainted by these shoddy operations.³

Upset by the enormity of the excesses associated with the commercial and theft claims, Patenôtre decided to undertake his own investigation of the accumulated debts to determine their validity or, more likely, the lack thereof. He compiled some very interesting and disturbing figures relative to the proliferation of inflated claims during the tenure of Ordega, the controversial French minister who had been recalled for indiscreet conduct. In 1884 Ordega gave his *imprimatur* to 2,600 claims which originated from a total of thirty-two naturalized Jews resident at Fez. That same year he requested and obtained naturalization for nine Jews who alone accounted for 641 claims. The dramatic increase in claims – about fivefold in a few years – contrasts sharply with the period which

¹ Patenôtre to Spuller, no. 69, 9 August 1889, CP/M 59.

² *Ibid.*

³ Patenôtre to Spuller, no. 15, 22 February 1890, CP/M 60. He pointed out that the British did not support commercial claims and suggested that the French government follow suit. The latter vacillated and ultimately decided to continue the policy of pressing commercial claims.

just preceded and followed his residence at Tangier. Relatively few claims were recorded at the French legation after Ordega's departure. But most of the 1884 claims remained uncollected, although the debtors had sometimes been imprisoned.¹

Patenôtre arrived at some startling conclusions from his study of the number and types of claims submitted to the legation during the previous six years. They emanated from thirty-two creditors, all of whom were foreign naturalized Jews living at Fez. Gravely, Patenôtre made the following observation: 'My First Dragoman estimates at 6,000 as a minimum the number of Muslims who have been prosecuted by the 32 Jews, *so-called Algerians*. . . . Several hundred of these unfortunate souls have already died in prison. . . .'² There may be some exaggeration in this statement, but the point is clear. A significant number of Muslims had suffered greatly due to the activities of just a few unscrupulous money-lenders and Muslim officials.

The French minister expressed apprehension that the plight of the debtors would worsen before it improved. For he suspected the sultan and the *qâ'ids* would use strong-arm tactics to obtain the amounts owed. His fears, unfortunately, proved to be well founded. Since the *qâ'ids* were ordered by the sultan to pay a claim if they could not extract the money from those defaulting, the governors often employed any and all means necessary to procure the money. Articles in the European press deplored the wave of threats, beatings, and imprisonment which accompanied the collection from many of the hapless debtors and their relatives.³ By early 1891 the entire balance of the French claims had been paid. But much misery had occurred in the process.⁴

A short time later, Patenôtre decided to scrutinize the papers of the thirty-two naturalized *Fâsî* Jews who had accounted for the several thousand claims mentioned earlier. He discovered that twenty-one of the thirty-two naturalized Jews had acquired their naturalization papers illegally! He therefore requested and received permission from Paris to strip those fraudulently naturalized of their French nationality.⁵

A few years later the problem of usurious loans granted by naturalized Jews became acute again. The new French minister, D'Aubigny, commented that 'the usury which they [the moneylenders] carry on with the Muslim farmers is calculated, on the contrary, to lessen still the interest which Moulay Hassan could have for them'. D'Aubigny unilaterally discontinued any assistance to Jewish moneylenders in recovering their commercial debts, as he felt that such actions seriously compromised the reputation of the French legation in the eyes of the Muslims.⁶

¹ *Ibid.* and Patenôtre to Ribot, no. 63, 31 August 1890, CP/M 60. The most detailed account of claims is found in the latter dispatch.

² *Ibid.* His italics, not mine.

³ *The Globe*, London, 27 August 1890.

⁴ Patenôtre to Ribot, no. 2, 11 January 1891, CP/M 61.

⁵ Patenôtre to Ribot, no. 66, 1890, CP/M 60, and no. 7, 4 February 1891, CP/M 61.

⁶ D'Aubigny to Develle, no. 32, 6 March 1893, CP/M 66.

The British archival materials which discuss financial claims and usury rarely deal with the question of naturalized Jews, since most of the individuals in that category preferred to obtain naturalization in Algeria due to geographic proximity and ease of acquisition. Rather, the British documents focus on the problem of inflated claims submitted by consular employees at the ports, many of whom were Jewish *protégés* of Great Britain. Indeed, Jewish consular officials lodged about half of the total British claims registered at the legation.¹

In a lengthy analysis of British claims in 1893 the British minister referred to the unfortunate repercussions which followed from appointing Moroccan Jews to positions in the British consulates. Since many educated Jews were bilingual and trilingual – a characteristic rarely found among Moroccan Muslims – it seemed natural to nominate for the posts those individuals with the necessary language facility. These positions did not carry a salary, but rather granted *protégé* status to the employee, a much-coveted privilege. As unpaid officials of the consulates, these clerks and translators would usually continue their other professions of commerce and moneylending as well. In contrast, the French and Spanish utilized a salaried consular service. According to the British minister, this explained why France and Spain encountered fewer problems than did Britain in regard to claims emanating from their own consulates.

The British minister pointed out that, by being appointed to the consulate, the Jewish employee ‘consequently gains the assistance of the protecting Government in collecting whatever he chooses to describe as debts due to him. It is obvious why the trader accepts the honorary office. . .’. Just a few years earlier the British had been embarrassed by the disclosure that one of their interpreters at Casablanca had been caught making usurious loans. He was dismissed.²

The British minister, in his detailed study of claims, stressed their complex nature and offered several observations about them. First of all, most of the individuals filing the claims were not British nationals, but rather *protégés* of the British legation. Secondly, if the Moroccan government had demonstrated any desire to settle the claims quickly – many were ten to fifteen years old – then it would have been much easier to evaluate the merits of the claims. Thirdly, a foundation existed for nearly all the claims ‘though the superstructure raised on that foundation is often huge and even grotesque’. Usurious loans tended to be the rule rather than the exception, and many of the documents had been altered to increase the amount owed. Fourthly, many of the legations were guilty of tolerating inflated claims. And a British subject or *protégé* felt entitled to every privilege exercised by other legations under a rather dubious interpretation of the most-favored-nation principle. To help eliminate the worst abuses, the

¹ Ridgeway to Rosebery Memo on Claims, no. 109, 10 July 1893, FC 413/20.

² *Ibid.* In an economy measure the British had abolished the paid consular service in 1872. All British ministers in Tangier felt that this decision had been unwise, given the subsequent decline in efficiency and honesty of the consulates. Numerous pleas were made for the restoration of the paid consular service, but they fell on deaf ears in London.

British government strictly forbade claimants to imprison debtors for defaulted transactions. If debtors possessed any property, it was to be sold to cover the amount owed. In the event of bankruptcy, the debtor would so swear and be released.¹ These were the guidelines to be followed. But not even the most conscientious British minister knew, for a long time, what transpired at some of the remote consular posts.

Responsibility for abuses in the presentation and prosecution of claims is clearly spread among many parties. Certainly, the sultan and his advisors can be faulted for the dilatory manner in which they processed the various claims, thus prolonging their settlement. Moreover, those Moroccan notaries and judges who falsified documents or the *qā'id*s who cooperated by imprisoning debtors – all for a price – deserve censure for their deplorable actions. Furthermore, British consuls who evinced laxness in investigating and approving questionable claims are culpable. And lastly, the Jewish *protégés* who utilized their privileged positions as consular officials to offer usurious loans and who then submitted inflated claims cannot escape their share of blame.²

There were several external indications of growing tensions between Muslims and Jews in the last quarter of the nineteenth century – tensions arising from the smoldering economic grievances. Just prior to the opening of the conference of Madrid, an event occurred which thrust the issue of Muslim–Jewish relations to the forefront. A Jew in Fez claiming French naturalization became involved in a dispute with a Muslim, and blows were exchanged. The former managed to escape. But an angry crowd of Muslims which had gathered during the altercation then attacked a group of passing Jews, one of whom was brutally killed. The Moroccan government was very dilatory in responding to the situation, a fact which visibly disturbed the diplomatic community in Tangier. Finally, the sultan belatedly agreed to compensate the family of the victim; however, it appears that the perpetrators of the deed eluded punishment.³

There were two reactions to this tragic incident in the foreign diplomatic community. Some of the European ministers felt that the event demonstrated clearly the need for adopting further measures to safeguard the life and property of the Jews of Morocco. If this meant extending to them extraterritorial rights on an illegal basis, so be it.⁴ Other ministers concluded that, on the contrary, if the Jew involved in the original argument had not been able to claim naturalization, he never would have dared to act in such a provocative manner. Sir John Hay, the British minister who had served in Morocco over thirty years, reflected this point of view. He made the following poignant observation:

¹ *Ibid.*

² *Ibid.*

³ Hay to Salisbury, no. 10, 24 January 1880, F.O. 99/191; de Vernouillet to Waddington, telegram, 26 January 1880, CP/M 44. Hay stressed that in recent years it had been increasingly rare for a Muslim to be imprisoned for the murder of another Muslim. The payment of blood money had often been practised.

⁴ de Vernouillet to Waddington, telegram, 26 January 1880, CP/M 44.

the irregular protection afforded to 1500 Jews... is not of the slightest benefit to the two hundred thousand souls who compose the Hebrew population of Morocco, but on the contrary the arrogant conduct of these protected Jews, and the presentation of false claims has aroused the strongest feelings of animosity on the part of the Mohammedan population of Fez to the Jews in general.¹

The situation at Fez continued to be explosive for the next few years as increasing numbers of Muslim farmers defaulted on their transactions with Jewish moneylenders. The latter, working closely with corrupt Moroccan officials, ordered the imprisonment of many of these debtors. And it was to this volatile mixture that a new element was added.²

The sultan disclosed a proposal for a commercial treaty which Britain, France, and Germany were urging upon him. Among other things, the treaty envisaged a decrease in export duties. Moreover, the sultan indicated that, as a result of an anticipated drop in revenue from the export duties, new taxes would have to be levied. Lastly, he implied that the treaty would lead to an influx of foreigners and a further proliferation of *protégés* and naturalization.

In this highly charged atmosphere, an altercation started between a Jew and a Muslim in Fez. An ugly crowd soon gathered, and began moving toward the Jewish quarter of the city. The repercussions of such an action could have been grave indeed. But fortunately the sultan and the governor of Fez acted quickly to seal off the Jewish *mallâh* from attack. Thus thwarted, the mob eventually dispersed.³

In discussing the underlying reasons for the trouble at Fez, both the British and French legations stressed the twin elements of Muslim xenophobia and Jewish abuses. The British *chargé d'affaires* spoke of the 'suffering they [the Muslims] have been made to endure to satisfy the usurious and frequently unfounded claims of Jews...'.⁴

The French legation also harshly condemned the 'usurious practices and inflated claims' of some of the *Fâsî* moneylenders. The French minister Feraud

¹ *Ministère des Affaires étrangères, Documents diplomatiques, Question de la protection diplomatique et consulaire au Maroc*, Paris, 1880, pp. 12-15 (hereafter cited as *Docs. Dip.: Quest. de Pro.*). Erckman, the head of the French military mission in Fez, was concerned that Hay's argument would be used very effectively in an effort to restrict naturalization. Both Erckman and the French minister in Tangier de Vernouillet had serious doubts about the validity of the naturalization of the Jew in question. These points are found in a dispatch from de Vernouillet to Freycinet, no. 2, 13 January 1880. The quotation from Sir John Hay is found in Hay to Salisbury, no. 13, 2 February 1880, F.O. 99/191.

² White to Rosebery, no. 45, 17 July 1886, F.O. 99/228; Feraud to Freycinet, no. 138, 5 June 1886, CP/M 51.

³ Aḥmad ibn al-Nāṣirī, *Kitâb 'l-Istiṣâ' li-akhbâr duwal al-Maghrib al'Aqsâ* (Casa-blanca, 1956), vol. ix, pp. 182-4, or trans. E. Fumey, 'Chronique de la dynastie alaouie du Maroc', *Archives marocaines*, vol. x (1907), pp. 339-42; Nahon, 'Les Israélites', p. 271; Chouraqui, *L'Alliance*, p. 116; Feraud to Freycinet, no. 134, 27 May 1886, CP/M 50. The sultan Mûlây Ḥasan was commended both by Jewish groups and European diplomats for taking prompt and effective action to protect the *mallâh*.

⁴ White (ch. d'aff.) to Rosebery, no. 45, 17 July 1886, F.O. 99/228.

asserted that the chief cause of the incident could not be attributed to unprovoked Muslim fanaticism. Rather, the legacy of genuine economic grievances, coupled with inhumane prosecution of debtors, had triggered the reaction. And unless and until the abuses were removed, the potential for serious communal unrest would remain, according to Feraud.¹

Among other things, this incident raises the question of the extent to which the Jewish population was exposed to physical danger in the late nineteenth century. Some have maintained that assaults on Jews rarely occurred during this period.² Others, such as the Alliance Israélite Universelle, have asserted that Jews were frequently the target of attacks in the nineteenth century.³ A definitive conclusion on this subject must be left in abeyance until all the pertinent source material is available.⁴ However, it appears that the AIU is probably closer to the truth.

About this same time a *cause célèbre* which had its origins in Muslim–Jewish tensions occurred in the small town of Demnate in southern Morocco. The Demnate affair demonstrates, if nothing else, the complexity of Muslim–Jewish relations. The Jewish population of the town, which included a number of naturalized Jews and *protégés*, was attacked and beaten. After hearing of this, the British and French ministers asked for the removal of the *qā'id* in the area who apparently had acquiesced in the assaults. The sultan, taking the side of his subordinate, equivocated and stated in response that the Jews had provoked the situation by using insulting language and by throwing stones at the Muslims.⁵ This latter accusation was precisely the one frequently leveled at the Muslims by Jewish leaders.

The British minister, Hay, vigorously denounced the actions of the cruel *qā'id*. In fact, Hay had frequently expressed despair over the arbitrariness of Moroccan officials. Just a short time before, he had referred to the government of Morocco as ‘an Aegean Stable which it is far beyond my power to cleanse’.⁶ Yet he also harshly criticized the practices of some of the wealthy Jewish moneylenders. In discussing the troubled situation at Demnate, Hay observed that

¹ Feraud to Freycinet, no. 138, 5 June 1886, CP/M 51.

² Stuart Schaar, ‘Conflict and Change in Nineteenth Century Morocco’ (unpublished Ph.D. dissertation, Princeton University, 1965), p. 166, feels that Jews were rarely harmed in nineteenth-century Morocco.

³ *Le Bulletin*, pp. 32–3, gives the figure of 249 Jews killed in Morocco between 1864 and 1880. Miège, *Le Maroc*, vol. III, p. 279, n. 8, and Nahon, ‘Les Israélites’, provide the figure of 307.

⁴ The Royal Palace Archives in Rabat are in the process of being catalogued under the direction of the respected historian Muḥammad Dâ'ud. However, it may be several years before all the materials are open to foreign researchers. The Turrís correspondence available at the National Library in Tetouan sheds little light on the subject under discussion.

⁵ Hay to Granville, no. 6, 10 January 1885, F.O. 99/221; Feraud to Ferry, no. 8, 26 March 1885, CP/M 48; *The Times of Morocco*, 18 December 1884; Bénech, *Essai*, p. 26; Pierre Flamand, *Un mellah en pays berbère: Demnate* (Paris, 1952), pp. 18–19.

⁶ Hay to Granville, no. 94, 7 December 1883, F.O. 99/207.

the Jews in this country especially those who dwell at the capitals of Fez and Mequinez who receive protection from the French and other Representatives have by their usurious and fraudulent practices produced the most intense feeling of hatred on the part of the Mohamedan population towards their race.¹

The British minister dispatched Abû Bakr, his Moroccan assistant, to Demnate in order to compile a report on the problems of the strife-torn town. The British *protégé* subsequently substantiated the accounts of mistreatment which the Jewish community had suffered at the hands of the *qā'id*. But Abû Bakr also asserted that some of the Jews had refused to offer the usual gifts on Muslim religious holidays. For this reason, he argued, they had contributed to the tense situation in the town. In the final analysis, it was decided that during any future difficulties, the head of the Jewish community in Demnate would notify the diplomatic corps in Tangier directly.²

Several Jewish residents of Demnate informed the French minister that, at the height of the recent unrest, six Jews had been murdered by the Muslims. Clearly upset at this news, Feraud sent a legation official to the town to examine the grave accusations. He discovered, rather surprisingly, that the six Jews, alleged to have been killed during the previous few months, had in fact been dead of natural causes for over eight years! This deception on the part of some of the Jewish community at Demnate angered the French minister, who had always striven to protect the Jews from any miscarriage of justice.³

In the meantime a new series of attacks ensued. But the sultan still adamantly refused to dismiss the *qā'id*, as the latter had friends in influential positions at the court. Finally, under intense pressure from the diplomatic community, the sultan reluctantly imprisoned the callous *qā'id* who had ordered or acquiesced in the assaults. Moreover, the Moroccan sovereign agreed to transfer the Jews from the jurisdiction of the new *qā'id* of Demnate to that of the *qā'id* of Marrakesh.⁴

Following these events, a number of prominent Jews in the town filed claims totaling 150,000 dollars. This involved money and property allegedly stolen during the troubles. The British minister, Hay, stressed that the claimants needed to produce documentary evidence to prove that such property and cash had been in their possession when the disturbances occurred. During his detailed investigation Hay learned that several of the largest claimants had only modest

¹ Hay to Granville, no. 6, 10 January 1885, F.O. 99/221. The tone of this differs somewhat from the view of Chouraqui, who held that Muslims did not generally feel an intense hatred toward the Jews.

² Hay to Granville, no. 23, 26 March 1885, F.O. 99/221; Flamand, *Demnate*, 19; Chouraqui, *L'Alliance*, pp. 115–16; Nahon, 'Les Israélites', p. 272.

³ Feraud to Ferry, no. 10, 4 April 1885, CP/M 48. Both Hay and Feraud were frequently criticized by the European and Tangier press for being too sympathetic to the Muslims. In fact, the ministers merely tried to be even-handed in their approach to problems involving Muslims and Jews.

⁴ Flamand, *Demnate*, 19; Hay to Salisbury, no. 58, 17 July 1885, F.O. 99/222.

incomes. In fact, for some time they had been compelled to borrow considerable sums of money from friends at Casablanca. What is more, most of those pressing claims had never possessed the amount of property for which they desired compensation. In the final analysis, Hay ignored their claims.¹

Feraud, the French minister, likewise expressed unconcealed irritation at the manner in which some *protégés* and naturalized Jews from Demnate presented claims which had no foundation. He observed that a number of unscrupulous persons merely waited for periods of unrest, after which they submitted their exaggerated requests for reimbursement. Feraud commented that ‘the examples of fortunes made by means of these frauds are frequent in Morocco’. He suggested that in the future the Alliance Israélite Universelle of Paris investigate the allegations of tyranny and theft brought by the Jewish community of Demnate. This, he thought, might lessen the incidence of dissembling.²

Several years later, a Palestinian rabbi complained to the Alliance Israélite Universelle that the Demnate Jews were once again being mistreated by Moroccan officials. Mûlây Ḥasan resolved the matter to the satisfaction of all concerned. He then decided to construct a *mallâh* in Demnate – there had been no distinct quarter for the Jews there in the past – so that the Jewish community could live in greater safety. The *mallâh* was completed just shortly before the sultan’s death. During the interregnum following his passing, however, some of the rebellious tribesmen in the area invaded the *mallâh*, killing two Jews and carrying off many of the women. Some were eventually returned after a ransom had been paid. The diplomatic community intervened on behalf of the Jews and persuaded the new sultan to defray the cost of replacing the synagogues which had been destroyed during the unrest. This unfortunate town then remained relatively quiet until the protectorate.³

It would be inaccurate and unfair, as some have done, to accuse the British and French legations of being insensitive to the indignities and attacks experienced by Moroccan Jewry. Their actions on behalf of the Jewish community in Morocco belie any charge which might be leveled at them. These two legations exerted every effort to eliminate cruelties and injustices, whatever the source. Sir John Hay, who on numerous occasions intervened on the side of mistreated Jews, received a profuse letter of thanks from the Jewish elders of Tangier when he retired. Nevertheless, he, as well as other British ministers, often felt constrained to criticize the abuses of the *protégés* and naturalized Jews. French ministers – except perhaps for the controversial Ordega – likewise attempted to be as fair and impartial as possible.⁴

¹ Hay to Rabbi Amar of Demnate, 17 March 1886 enclosed in Hay to Rosebery, no. 9, 23 March 1886, F.O. 99/228.

² Feraud to Freycinet, no. 44, 30 September 1885, CP/M 49.

³ Flamand, *Demnate*, pp. 19–20; Chouraqui, *L’Alliance*, p. 117; Nahon, ‘Les Israélites’, p. 271.

⁴ The Jewish elders of Tangier to Hay, 22 June 1886, enclosed in White (ch. d’aff.) to Rosebery, no. 42, 1 July 1886, FC 99/228; Chouraqui, *L’Alliance*, pp. 115–17; Fla-

Hay, while deploring the humiliation and physical harm which were visited upon the lower class Jews of Morocco from time to time, never forgot the plight of the Muslim masses who suffered from the arbitrary actions of Moroccan officials. He noted approvingly that various associations and publications in Europe played an active role in championing the cause of the Jews in Morocco. These groups, he felt, provided real assistance to the Moroccan Jewish community. But then he continued: '...no humanitarian has yet raised his voice in behalf of the Mohammedan rural population who are even more cruelly oppressed and ill-treated by the governors and sheiks than their fellow Jewish subjects...'.¹

A European who had resided for many years in Morocco echoed Hay's assessment of the relative condition of Jews and rural Muslims. This observer commented that the urban Jews 'were less pressured by the makhzen in normal times than the fellah...'.² All of this is not to suggest that Moroccan Jews led an easy life, for it was far from that. Most of them eked out a precarious existence from day to day. What should be kept in perspective is that, in terms of their economic conditions, the bulk of Moroccan Jews experienced very nearly the same squalor and grinding poverty as the Muslim masses.

Several thoughts emerge from an examination of the interaction between a privileged Jewish élite and Moroccan Muslims at large. It is clear, for example, that the prominence of naturalized Jews and *protégés* in financial circles tended to undermine any slim hope of amicable relations between most Muslims and Jews. Economic trends in nineteenth-century Morocco only intensified the suspicions which historically the two religious communities harbored toward each other. More specifically, the famines in the 1870s and 1880s compelled many Muslim villagers and farmers to contract extensive loans, the interest for which often verged on the outrageous. Since Jewish moneylenders provided the financing, the traditional resentment between moneylender and debtor was heightened. In addition, the harsh methods utilized to collect the outstanding sums further poisoned the atmosphere between Muslims and Jews.

Quite obviously, without active cooperation between Moroccan officialdom and the moneylenders, many of the abuses could not have occurred. That applies especially to the incarceration of Muslims, until relatives could raise the often inflated amount owed. The Muslim debtors, interestingly enough, tended to focus their resentment more on the Jewish moneylenders or, more accurately, mand, *Demnate*, pp. 19–20. The French newspaper in Tangier, *La Réveil du Maroc*, and the English newspaper in Tangier, *The Times of Morocco*, both criticized their respective legations for a lack of forcefulness in supporting the Jewish point of view in any dispute with the Moroccan government.

¹ Hay to Salisbury, no. 44, 16 March 1880, F.O. 99/256. The relative misery of the Muslims *vis-à-vis* the Jews was also observed by Chouraqui, who had the following to say: 'There are degrees of poverty just as there are degrees of affluence, and if life in the *mallâh* appeared at first glance as a drama of destitution, it was prosperous by comparison with the utter penury of the Moslem milieu.' (See Chouraqui, *History*, p. 137.)

² Weisgerber, *Au seuil*, p. 32.

Jews in general, than on the Muslim accomplice. The aggrieved Muslim could sometimes take revenge on a less privileged Jew who, while not the money-lender who had originally contracted the usurious loan, was a more vulnerable target and a representative of the same minority group. Moreover, it is just possible that most Muslims had become so accustomed to the arbitrary decisions of government officials that such conduct hardly came as a surprise. And abuses committed by Muslim officials could be overlooked, while similar abuses on the part of Jews would be considered intolerable.

Thus, in viewing Muslim–Jewish relations from the perspective of the British and French archives, one is struck by this genuine paradox: a small privileged minority enjoyed relative comfort as *protégés* or naturalized citizens, exercising great economic influence over the lives of many Muslims, whereas the vast majority of the Jews lived in subservience to and on the sufferance of the Muslims. And the abuses which the Jewish élite propagated did not bide well for the less-privileged Jews, who bore the brunt of the growing bitterness and frustration evinced by the Muslims at the close of the nineteenth century.

TEMPLE UNIVERSITY
PHILADELPHIA, PENNSYLVANIA