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*Pupilles de l'Empire: Debating the Provision for Child Victims of the Great War in the French Empire*

**Abstract:**

In July 1917 French legislators conferred a special legal status on those children whose parent(s) had died or been brutally mutilated while defending the *Patrie: pupille de la Nation*. In metropolitan France, the state, working closely with pre-existing philanthropic organizations, would develop a system of provision for these children based on a legal right to full compensation for the loss they had endured. In the colonies, however, the application of the program would prove far more problematic. This article uses the correspondence between the Ministry of the Colonies and colonial administrators across the empire to trace the debate surrounding a possible colonial version of the program. It contends that colonial administrators mobilized racial prejudice and cultural particularism, to different extents in different colonies, in order to water down the state's duty of care to its child victims of war, the *pupilles de l'empire*.

**Keywords:**

Empire, Colonies, Great War, Children, Postwar Provision.

In July 27, 1917, the French National Assembly created a new legal category, unparalleled in other belligerent countries, to compensate those children who had lost a parent to the horrors of war or whose father had been brutally mutilated on the battlefields: the *pupille de la Nation*.<sup>1</sup> The legislative architecture and social infrastructure that developed to define and to cater for the *pupilles* centred on the notion that the state had contracted a “sacred debt” toward the sons and daughters of the citizen-soldiers who had fallen or been seriously wounded in defence of the *Patrie*. This “social duty born of the war” obliged the state to provide to these children a “double reparation,” both “material” and “moral.” Crucially, these children “were not *assistés*,” the objects of state charity, but rather rights holders to whom the state owed compensation.<sup>2</sup> But where then did the children of the war dead and *mutilés* from the colonies fit in this schema? The varying political and civil statuses of their fathers, ranging from full citizenship to the most limited political rights, meant that the application of the *pupilles de la Nation* program in the empire was a slow, complex, and revealing process.

Touching on issues as central to systems of colonial rule as citizenship rights, race, military service, the politics of the family, and the ideological underpinnings of empire, the debates surrounding the program's application in the empire offer a fascinating insight into how colonial administrators and their counterparts in Paris conceived of the relationship between the republic and the colonials who had defended her. While scholarship around the Great War has increasingly focused on the participation of colonial peoples in this global conflict and the political implications of this contribution in the interwar period, little attention has been paid to the practicalities of post-war provision in the imperial context.<sup>3</sup> In this article I hope to go a little way toward filling this lacuna, using the story of the *pupilles de l'empire* to underline the complexities and contradictions that shaped French imperial policy in the wake of the Great War.

Perhaps the greatest of these contradictions was the long-standing tension between the rival imperial ideals of “association” and “assimilation.” As Martin Thomas has pointed out, “Assimilationism and associationism threw up too many paradoxes to be articulated as distinct ideologies of colonialism” but, rather, should be imagined as distinct and by no means immutable guiding principles for colonial rule.<sup>4</sup> The policy of “association” envisaged a colonial system in which French officials governed in alliance with existing traditional elites, themselves often deeply intertwined with the colonial regime, to foster development in the colonies while also supposedly respecting indigenous culture and tradition. It was a vision in which the cultural particularism of subject peoples trumped French aspirations to universalism. In contrast, “assimilation” was predicated on the extension of metropolitan institutions and education to the colonies with a view to eventually integrating indigenous peoples into the French nation and thus granting them the universal rights that were key to French republican ideology.<sup>5</sup> While these two ideologies seem to directly contradict each other, they would, in fact, be applied in various complex combinations throughout the history of the French Empire, simultaneously working in tandem and struggling against each other. A blend of ideological flexibility and political expediency meant that a commitment to universalism and cultural particularism often coexisted in colonial policy, both as professed in Paris and as practiced in the colonies.

In particular, the interwar period saw the emergence of a specific form of “association” that was not defined by its opposition to assimilation or by the rejection of the notion that colonial subjects might one day be “fit” for assimilation but, rather, saw progress toward this goal as best

achieved by involving indigenous chiefs and respecting their customs.<sup>6</sup> This “assimilationist” end goal may have distinguished French policy theoretically from similar colonial technologies of rule, such as “indirect rule” in the British Empire or even “institutional segregation” in Jan Smuts's South Africa, but its practice was fundamentally the same.<sup>7</sup> The “associationist turn” was grounded in a practical reassessment of the best way to rule the colony, drawing heavily on the influence of ethnological “sciences,” which constituted specific visions of how indigenous societies and families should be ideally organized.<sup>8</sup> When colonial administrators sought to apply the *pupilles de la nation* program to their territories, these visions would feature prominently in their discourse.

Using the correspondence between colonial administrators and the Ministry of the Colonies, I argue that, while the program's projected application varied widely across the empire, its dominant feature was the undermining, if not total denial, of the right to provision in favour of a limited concession of assistance to those in need. Furthermore, I contend that this dilution of the universal right of the *pupille* is symptomatic of the triumph of “association” over French universalism in the interwar empire. As we shall see, colonial officials across the vast and complex administrative network that was the French Empire would employ arguments based on the cultural particularism of the populations they governed to minimize the state's duty to indigenous war orphans. Administrators mobilized racialized conceptions of family structure and indigenous systems of provision that were strikingly similar across the length and breadth of the empire in order to justify the colonial state's failure to apply a supposedly universal right to the *pupilles de l'empire*.

While the focus on the correspondence between colonial officials undoubtedly obscures the already near silent voices of colonial *ayants droits*, often the most marginal figures in colonial society (children and widows), it does illuminate the contrasts and commonalities that defined administrative attitudes toward colonial populations across the empire.<sup>9</sup> Although the number of children involved was relatively small and the interest of most colonial administrators extremely limited, the *pupilles de l'empire* lay at the intersection of a whole complex of issues, both metropolitan and colonial, that emerged in the wake of the French experience of the Great War.<sup>10</sup> The administrators' attempts to shape a policy on the *pupilles*, by juggling the various interests of colonial authorities, their competing understandings of the familial and societal structures of their indigenous subjects, and the acknowledgment of a need to recognize some

form of “reciprocal national obligation” born of participation in the war, retain a crucial interest for the historian of the interwar empire.<sup>11</sup>

If we are to consider the imperial dimension of the *pupilles* program, we must first look to its origins in the metropole. One of the defining features of the complex legislation and institutions that emerged to cater for victims of the Great War in France was the notion of a “right to provision.” The philosophy of *solidarisme* advocated by the Radical deputy and sociologist Léon Bourgeois had a key influence on the development of post-war provision in general and the *pupilles de la nation* in particular.<sup>12</sup> In line with Bourgeois's theories, legislators were clear in their emphasis that the state's engagement with the *pupilles de la nation* was to be rights based and not a form of charity.<sup>13</sup> In this regard, the distinction between the *pupille de la Nation* and the older category of the *pupille de l'assistance publique* was crucial. Throughout the nineteenth century, the various regimes that held power in France began to organize, in both legal and practical terms, the increasing state intervention in the lives of needy children, culminating in the creation, in June 1904, of the category *pupille de l'assistance publique*.<sup>14</sup> Where these wards of the state were subjects of charity to be disciplined and formed by the state, the *pupilles de la Nation*, by virtue of Article 1 of the 1917 law, enjoyed “a right to the state's moral and material support.”<sup>15</sup> However, when the Ministry of the Colonies called on the colonial administrators to identify how the republic could meet its duty to its colonial subjects and citizens, the solutions they offered evoked cultural and racial difference to blur the boundaries between these categories. In many cases “moral and material support” would morph into assistance or even non-interference.

The distinction drawn between *pupilles de la nation* and wards of the state had implications for more than the quantity and quality of services offered to the beneficiaries of state intervention. In sharp contrast to both the spirit and the practice that shaped state interaction with *pupilles de l'assistance publique*, the law governing *pupilles de la nation* asserted that the state's involvement was to be complementary and not contrary to parental authority. The sanctity of the family, shaken by the experience of the war, could not be further undermined by the action of the state. The families themselves would initiate the proceedings (free of charge) to ensure the child's adoption by the state as a *pupille de la Nation*.<sup>16</sup> Here the term adoption had no bearing on the guardianship of the child but, rather, was a symbolic expression of the French nation's commitment to care for the child it had “adopted.”<sup>17</sup> The family would play a key role in the stewardship of the child through the institution of the *conseil de famille* that directed each *pupille*, and even in those cases

where the appointed *tuteur* for the child came from outside the family, he or she could not act against the wishes of the family.<sup>18</sup> In cases where the child was left without any living parent, the French state was charged with organizing a form of family-based fostering, known as placement familial, which rejected institutionalizing war orphans in favour of maintaining the sanctity of the family, whether adoptive or biological.<sup>19</sup> The state's intervention was not to compromise the legal and moral priority of the family.

Nevertheless, the program did constitute an attempt by the state to adopt a form of parental role. At its heart lay the notion that the state had a duty not only to compensate the financial consequences of loss through a pension but also to “fill the gap” left by the figure of the incapacitated or deceased father.<sup>20</sup> This desire to offset the devastation caused by the loss or mutilation of the father, the key difference between the program of the *pupilles* and other forms of provision for war orphans, implied a particular understanding of the role of a father and his importance in the life of a child.<sup>21</sup> When the task of adjusting the program for application in the empire fell to colonial administrators, their conceptions of indigenous familial structure, especially the place of the father in indigenous families and societies, would play a key role in undermining the commitment to the universal right of the *pupille*.

### *Post-war Provision in the Empire: Universal Rights versus Colonial Exceptionalism*

Before we explore the debates surrounding the application of the July 1917 law across the empire, we must consider more generally the systems, structures, and political understandings that would shape post-war provision across France's colonies. The prospective *pupilles de la nation* were just a small element in a much wider group of colonial subjects and citizens who could claim special rights in light of their participation in the war. The mass mobilization of society in the metropole had given rise to a new language of claims making, focused principally, but not exclusively, on social and economic claims.<sup>22</sup> In the colonial context political claims, specifically those seeking to redefine the relationship between colony and metropole, drew new strength from the colonial contribution to national defence.<sup>23</sup> Political actors such as Blaise Diagne in French West Africa, the Emir Khaled in Algeria, and the *Ligue Française pour l'Accession des Indigènes de Madagascar aux Droits de Citoyen* evoked the republican tradition of the *impôt du sang*, tying military service to citizenship, to advocate the extension of political and civil rights to

colonial subjects.<sup>24</sup> Alongside these openly political and potentially divisive campaigns, the *monde ancien combattant* in the empire also made its stand for the financial rights of colonial *ayants droits*.<sup>25</sup>

The impact of the war had varied widely across the empire, with the quantity of indigenous men having served in the French army, the conditions in which they were recruited/conscripted, and the capacities in which they served differing radically by colony. The colonies of North Africa and West Africa led the way in terms of recruitment, with well over a hundred thousand troops from each serving in Europe, largely as frontline soldiers.<sup>26</sup> The next largest contribution came from Indochina and Madagascar, with each territory mobilizing over forty thousand men during the conflict.<sup>27</sup> Judged by French military authorities to be less racially inclined to warfare than North and West Africans, troops from Madagascar and Indochina often fulfilled auxiliary roles, rarely seeing frontline combat.<sup>28</sup> The number of troops raised in the rest of the empire was extremely limited.<sup>29</sup> The uneven participation in the war by indigenous peoples across the empire would impact both the distribution of colonial rights among the different colonies and the systems of provision developed to cater for them.

Both the legislation governing and the organizations representing veterans and the victims of war across the empire reflected this variety of experience. The indigenous subjects of the Maghreb were relatively privileged compared with their counterparts elsewhere; the pension law of March 1919 guaranteed equal pensions for the *mutilés* of North Africa, regardless of race, religion, or political status.<sup>30</sup> This equality was not extended to other *ayants droits*, with the French government citing polygamy and other particularisms of the indigenous family structure to justify inferior pensions for the dependents of the war dead.<sup>31</sup> Nevertheless, the presence of large numbers of veterans of European origin who were full French citizens ensured a certain level of quality to services, while indigenous participation in cross-community veterans' organizations granted them a platform to pursue equal rights.<sup>32</sup> The legislation governing the rest of the empire made a clear distinction between the rights of colonial citizens, which were assimilated to those of metropolitan veterans, and indigenous *ayants droits*, who were to be paid less in accordance with their supposedly reduced needs.<sup>33</sup> Across the empire, the relationship between *ayants droits*, particularly indigenous subjects but also to a certain extent colonial citizens, and the colonial administration can be defined by what Gregory Mann has called “idioms of mutual if uneven obligation.”<sup>34</sup> All sides recognized the transformative nature of the war, which forged a new relationship that more closely approached the form of social contract (theoretically) in place in

the metropole. New rights were born of participation in the war, though what exactly these rights were was very much contested. A form of dialogue was opened between the colonial administration and veterans. This dialogue did not imply dissolution of the colonial hierarchy. As Mann points out: “The language of mutual obligation and interdependence is and has always been fraught with misunderstandings, *malentendus* and moments of false confidence in which one group or another believes that it is finally being heard and understood.”<sup>35</sup> Nonetheless, the authorities did acknowledge, even if only theoretically, that the colonial soldier who had participated in the war, and to a lesser extent his dependents, had a special claim on the colonial state. Throughout the interwar period, the various colonial administrations would seek to balance the need to recognize this claim with the restriction of rights and financial constraints necessary for the smooth operation of a strictly hierarchical colonial society.

When in July 1917 the National Assembly established the status of the *pupille de la Nation*, the tension between the principles of universalism and association were evident in its projected application to the empire. On the one hand, legislators were in no doubt that the new program should apply wherever the tricolour flew, embracing all the peoples who had fought for France. Article 30 stated: “The benefits of this law are extended to the children of French subjects and inhabitants of the protectorates as well as the children of foreigners who participated for the duration of the war in the armies of France.”<sup>36</sup> On the other hand, it was acknowledged that the cultural and, in particular, the legal specificities of each colony would require adapted legislation, especially regarding the process of “adoption” that accompanied the granting of the status of *pupille de la Nation*. The second paragraph of Article 30 was clear in this respect: “However, the dispositions concerning the organization of the *tutelle* would be applied to them only within the limits of their personal status.”<sup>37</sup> Nevertheless, both the spirit and the provisions of the law seemed to be overwhelmingly universalist in character. It seemed that the children of colonial subjects would enjoy all the same privileges and advantages offered to those of French citizens in the metropole. Could this be another victory for the indigénophiles who, working closely with indigenous actors such as Blaise Diagne, had been using the colonial wartime contribution to push a creeping equality into the French legislative framework?<sup>38</sup> On the surface, at least, the legislative application of the *pupille de la Nation* in the colonies seemed to fit into this agenda.

However, the authorities in both Paris and the colonies soon realized the implications—financial, political, and social—that the implementation of an unaltered version of the *pupille* program



would have in the empire. The *conseil d'état* moved to amend the law in November 1917, inserting a paragraph stipulating that the conditions of the program in the colonies would be subject to further legislation at a later date, which, in effect, invalidated any attempt to apply the legislation as it stood to the colonies.<sup>39</sup> The Ministry of the Colonies issued instructions to administrators across the empire drawing their attention to this amendment and justifying the limitation of the program by claiming the original law had initially been misinterpreted:

As a result of the generous terms in which the text was framed, it seemed applicable to the colonies, but a deeper examination of the new law has revealed that this interpretation was inexact; indeed, the legislator did not expressly stipulate that this act was applicable to our overseas possessions, and in these conditions, Article 30 concerns only the children of French subjects who are in the Metropole. Moreover, it appears that numerous elements of the law were elaborated with an exclusively metropolitan point of view and that they could be realized in the colonies only once adapted to the administrative organization of these territories and local necessities.<sup>40</sup>

The amendment had two serious implications for implementation of the program in the colonies. First, the principle of the universal rights of the *pupilles* was undermined by the fact that the regimes that would be applied in each colony would differ both from one another and from that in place in the metropole. While this was to a certain extent the product of a cynical move to row back on a universal principle that was financially costly, administratively complex, and ideologically dangerous, it also reflected a recognition that the needs of the prospective *pupilles* in the colonies were quite different from those of their metropolitan counterparts. In principle, an adapted regime did not inevitably mean a less advantageous program for indigenous *pupilles* (even if this was almost always the case in practice). Neither did it necessarily mean that the automatic rights of the *pupilles* were compromised by their inferior political and legal statuses. In fact, an adapted regime could, in theory, successfully fulfil the brief of the program, “to provide moral and material support,” without encroaching on the essential structures of indigenous family and society (as imagined by French administrators).

Second, the task of adapting the program fell to colonial administrators. Where certain politicians in Paris, particularly in the dying years of the war and in its immediate aftermath, were inclined toward the application of universal republican principles to colonial subjects, especially those who participated in the war, administrators in many parts of the empire had come to adopt policies focused on the cultivation of traditional elites. The particular understanding individual colonial administrators had of the structures of power, on both a societal and a familial level, that

should rule over indigenous subjects would play a major role in shaping their application of the program.

In a structure as complex and varied as the French Empire, it was inevitable that diverse administrative bodies would govern the extension of the program of the *pupilles de la Nation* to different territories. Even the earliest attempts to organize the program's application to the empire would bear testament to a plurality of administrative approaches across the colonies. While the task of coordinating the rollout of the program in most of the French Empire fell to the Ministry of the Colonies, which organized a consultation with colonial administrators in February 1918, French possessions in the Maghreb did not come under the remit of the ministry.<sup>41</sup> Algeria, home to a significant population of both European and indigenous *ayants droits*, was officially integrated fully into the republic and thus would closely follow metropolitan models in its application of the program. Similarly, the protectorates of Morocco and Tunisia would pursue a policy deeply marked by metropolitan practices. The case of Indochina also stands apart from the rest of the French Empire. The administration in Indochina under Governor-General Albert Sarraut offered in late 1918 to assume the role of coordinating, organizing, and financing the application of the program throughout its territories.<sup>42</sup> This offer was happily accepted by the Ministry of the Colonies, and thus responsibility was devolved to Hanoi, where the administration had already called for submissions from local officials on how best to realize the program.<sup>43</sup> These different administrative approaches served in themselves to undermine any prospect of the application of a universal program across the French Empire, with the structures of colonial rule themselves militating against the establishment of a common colonial policy for the *pupilles de la Nation*.

The various consultations and projects that would be organized by the different administrative structures across the empire would reveal a range of opinions among colonial administrators around the central aim of the program: rights-based provision for the *pupilles*. Certain territories seemed committed to this principle for all of their prospective *pupilles*, regardless of race or political status. The law instituting the program in Algeria directly replicated the provisions of Article 30 of the Law of July 1917, differentiating for the indigenous population only when it came to the procedure of adoption, which would be carried out by a *qadi* or traditional judge in accordance with Islamic law or Berber custom.<sup>44</sup> In Morocco, the Dahir of November 1, 1920, regulating the application of the *pupilles de la Nation* made no specific differentiation between

European and indigenous *pupilles*.<sup>45</sup> The beylical decree of February 25, 1919, applied much the same model to the Protectorate of Tunisia.<sup>46</sup> While there is no direct evidence as to why the law did not concretely differentiate between the advantages to be granted to indigenous *pupilles* and their European counterparts, we may suggest that the egalitarian spirit of the Pension Law of March 1919 influenced the application of the program across North Africa. Furthermore, the existence of large European populations across the Maghreb meant that the colonial administration would have been obliged to construct an infrastructure for the European *pupilles* in any case, and thus the inclusion of indigenous *pupilles* in the general program was less onerous than may have been the case elsewhere. The regime adopted, in all its varieties, across North Africa sought to adapt but not radically reconstitute the law as originally formulated in July 1917. Local customary law was to be respected, but this would not compromise the universal commitment to the rights of the *pupilles*.

The same spirit was found in the reports submitted by the resident superior in Cambodia and the governor of the neighboring colony, Cochinchina. For the administration in Phnom Penh, the indigenous population had acquired “incontestable rights” through their fathers' participation in the war, and thus “the general measures proposed would apply fully to indigenous *pupilles*.”<sup>47</sup> Across the border in Cochinchina, the project presented sought to “preserve the directing principles followed in the metropole” and did not specifically distinguish between citizens and subjects.<sup>48</sup> In important territories at different ends of the empire, therefore, the commitment to a universal and equal right to special provision for all prospective *pupilles* was supported by colonial administrations in theory (if not always in practice).

### *Challenging the Universal Right to Provision*

Elsewhere in the empire, reports submitted by colonial administrators evoked a whole range of justifications for fundamentally limiting the application of the program in their colonies. Four principal arguments were mobilized by colonial administrators to counter the extension of a wider rights-based form of intervention by the state on the behalf of prospective *pupilles*. First, certain colonial administrators sought to minimize the “sacred debt” owed by the state to the indigenous by diminishing the communal contribution of these populations during the war. Second, colonial administrators invoked the poor infrastructure, both bureaucratic and social, in place in certain colonies to defend the impossibility of extending the program to their territories.

The final two tropes that constantly crop up in the reports of colonial administrators hostile to the program are deeply intertwined, reflecting the interwar colonial officials' very particular views on indigenous familial and social structures: communal culture and the role of the father in the indigenous family. We now turn to examples of these arguments proffered by administrations across the empire.

The strategy of minimizing indigenous losses to protect the power of entrenched colonial elites was a consistent feature of the rhetoric of the anticolonial reform lobby after the Great War. In Algeria, certain leaders of the antireform press called into question the indigenous contribution to the war, in terms of both the number of indigenous losses and the conditions under which indigenous troops had been recruited, in their campaign against political reform in the colony.<sup>49</sup> The opponents of political reform in Senegal also sought to undermine the contribution of that colony's indigenous troops to the war effort.<sup>50</sup> In May 1918 Martial Henri Merlin, then serving as governor-general of Madagascar (one of many postings in a long colonial career), echoed these arguments in a letter to the minister of the colonies, declaring the institution of the *pupilles de la Nation* to be “neither necessary nor desirable” in his territory.<sup>51</sup> He claimed that while the law should clearly be applicable to French “nationals” and “foreigners” who had volunteered for France, this was not the case for indigenous troops who had received a prime or enrolment payment from the fokonolona (traditional communal administration) in accordance with “an ancestral tradition.”<sup>52</sup> By evoking the prime, he sought to differentiate the citizen soldier who had fought and died for love of the *Patrie* from the indigenous soldier, who was essentially a mercenary and thus not entitled to the compensation of the state. Furthermore, he highlighted the “small numbers of Malagasies killed in the line of fire or behind the lines,” suggesting that indigenous losses were limited to 616, the vast majority of whom had not died at the front (Jacques Frémeaux offers a figure closer to 2,500).<sup>53</sup> However, such opinions ran counter to the official narrative promoted across the empire that celebrated the loyalty of colonial troops as proof of the unity and strength of French rule.<sup>54</sup> The governor-general of Madagascar would be more or less alone in his use of the denigration of the indigenous contribution to the war to undermine the extension of rights to his indigenous subjects. There were plenty of other means of justifying the limitation of the program in the colonies.

For many colonial administrators, the weakness of colonial structures in their territories was in itself a justification for the abdication of their duties to prospective *pupilles*. In French Equatorial

Africa, Governor-General Gabriel Louis Angoulvant pointed to the “extremely rudimentary civil register” in existence for the indigenous population as a factor militating against the full adoption of the program in his territory.<sup>55</sup> The governor of New Caledonia also evoked the lack of a civil register to justify the application of a special regime to the Kanak population.<sup>56</sup> His equivalent in the French Somali Coast (Djibouti) used his administration's lack of authority to completely exclude his subjects from the program. He claimed it was impossible to establish if any of the war dead had left children behind, and even if this could be clarified, most of the troops had come from Abyssinia or Italian Eritrea, and thus their children could not practicably benefit from state intervention in the territory. Therefore, the program was “not applicable” in the colony.<sup>57</sup> In these territories the past failings of the colonial regime were mobilized to ensure its future failure to provide rights-based provision to indigenous populations.

In most colonies, however, arguments predicated on the particularities of indigenous societal and familial structures would be most persistently and most effectively mobilized by colonial administrators. Citing their expertise in local cultures, these administrators evoked deeply racialized and essentialised visions of cultural practices among the populations they ruled, mostly subjects but even citizens, to dilute their duty of care to prospective *pupilles*.

Chief among these visions was the notion that the “communal” nature of indigenous society made the program's provisions unnecessary in the colonial territories. Governor-General Merlin of Madagascar claimed that “above all . . . it is the social and familial organization of the indigenous that renders the institution of the *pupilles* in Madagascar pointless.” He affirmed that the situation of a war orphan in an indigenous community was not comparable to that of his or her French counterpart:

While in the metropole, the orphan is abandoned without resources and can most often survive only thanks to public assistance, in Madagascar the orphan is always taken in by his close relatives or by the community [the *fokonolona*], and in both cases he is raised with as much care as by his parents. The need for assistance does not present itself in the same way for Malagasy orphans as it does for French orphans in France.<sup>58</sup>

The sentiments expressed by the administration in Madagascar were echoed across the empire. In August 1918 the governor of New Caledonia wrote to the minister insisting that the program should distinguish between “French victims of war and the children of the indigenous.”<sup>59</sup> Once more, it was claimed that the “tribe” was best placed “to offer resources and moral protection”

to the child. Furthermore, the kind of “natural solidarity” evoked by Merlin in Madagascar was also supposedly present among the indigenous of New Caledonia, where “individual property does not exist” and the “child enjoys the fruits of collective property.”<sup>60</sup> In 1919 Merlin, by then promoted to the position of governor-general of French West Africa, asserted that the child victims of war among the population he now governed were “not orphans in the ‘French sense’ of the word” because the community would always assume the burden of providing for them.<sup>61</sup> For his part, the resident superior of Annam affirmed that “in practical terms, the question of the *pupilles de la Nation* is not relevant in Annam,” as “it can be presumed that familial assistance will never be lacking for the child.”<sup>62</sup> This attitude was not confined to the subject populations of the empire. In the “old colonies” of the Antilles, Guyana, and Réunion, the local citizens, largely of African and *métis*, or mixed, origins, were said to exhibit a form of “natural hospitality” that would ensure the program's application would remain limited in these territories.<sup>63</sup>

Colonial administrators ruling over populations of diverse religious, cultural, and geographic backgrounds and even with different legal positions within the imperial framework mobilized ethnographic stereotypes of communal living to disregard the universal right of the *pupille* to provision. Undoubtedly, societal and familial structures across the empire differed significantly from the idealized European model on which the program was based, but they also differed radically among one another. It is most striking that colonial administrators, from one end of the empire to the other, presented the same image of an “indigenous” family and society where communal practices rendered the application of the rights-based provision enshrined in the law irrelevant, if not pernicious. Instead, the indigenous should be left to look after themselves.

This valorisation of indigenous societal structures of provision was doubly useful to colonial administrations. On the one hand, it sat comfortably with the prevailing policy of “civilization through association,” devolving responsibility to pre-existing, conservative power structures that would preserve, if not enhance, French prestige.<sup>64</sup> On the other hand, it allowed colonial administrations to abdicate most of their responsibilities toward indigenous *pupilles*, not only significantly reducing a potential financial burden but also preventing the emergence of another potentially disruptive class of *évolués*, “evolved” educated elites, with a particularly potent claim for political rights. The defence of indigenous institutions permitted colonial administrations to argue that, in Merlin's words, any intervention by the state would “go against the natural order of things” and be resented by the indigenous population.<sup>65</sup> His counterpart in French Equatorial

Africa, Governor-General Angoulvant, would go even farther, claiming that, with the exception of access to education, all other interventions would constitute an affront to the “freedom of life” that was the rule among the indigenous and would be perceived as a punishment, not a form of assistance.<sup>66</sup> Thus the authorities' abdication of their duty of care was portrayed as a policy that protected indigenous culture by not imposing the ideals of “European organization” in the place of the “natural solidarity” of the indigenous populations.<sup>67</sup> Indeed, the application (or lack thereof) of the program for the *pupilles de la Nation* in these colonies can, in many ways, be seen as a microcosm for the wider policy of association in the interwar empire. What was billed as a means of preserving local culture, respecting indigenous power structures, and enhancing the lives of the most marginal figures in colonial society was little more than an escape clause from a universal right imposed by a distant and (in colonial administrations' thinking) overly idealistic parliament in Paris.

In the argumentation of those colonial administrators hostile to the program, an idealized version of indigenous society where legal rights were unnecessary to guarantee provision was contrasted with a negative view of an individualized metropole where only the state could ensure the care of society's most worthy marginalized figures: the war orphans. A fetishized vision of indigenous societies suggested that they possessed a “natural solidarity” far greater than that present in metropolitan society. One gets the impression from reading the correspondence surrounding the program in the colonies that French families in the metropole simply abandoned child victims of war, something that not only was patently untrue but also contradicted the spirit, the letter, and the practice of the law of the *pupilles de la Nation* itself.<sup>68</sup> It was in the interest of certain colonial administrators to draw the sharpest contrast possible between an individualized society where a rights-based approach is necessary for war orphans faced with abandonment and neglect without the intervention of the state and a communal society where customs replace rights and state intervention would do more harm than good. This approach betrays a key aspect of colonial administrators' (mis)understanding of the program as a whole and of its application in the colonies. For most of the colonial cadres who participated in the ministry's consultation, the program of the *pupille de la nation* was about providing assistance to war orphans. The concept of a rights-based provision had largely disappeared in the journey between metropole and colony, replaced by a weak commitment to assistance and an enthusiastic devolvement of responsibility to indigenous community structures.

The communal understanding would also have major implications for one of the minor features of the program of the *pupilles de la Nation*, placement familial, a form of fostering or adoption for war orphans left without any parent. In his *circulaire* establishing an empire-wide consultation on the program, the minister of the colonies had specifically called for clarification of the implementation of placement familial in each territory.<sup>69</sup> In most of those territories where the colonial administrators evoked the important role of the community in the care of orphans, placement familial was considered incompatible with indigenous culture.<sup>70</sup> Nevertheless, in Cambodia, where the resident superior seemed largely committed to equal rights for indigenous *pupilles* and made no mention of communal culture, placement familial was approved “as within the social mores of the inhabitants.”<sup>71</sup> His colleague in Annam, a strong proponent of the communal vision of indigenous society and an advocate of a very restricted application of the program, pursued a policy somewhere between the two extremes, favouring an inclusion of placement familial in the legislative framework of the program but asserting that it would be used sparingly.<sup>72</sup> The issue of placement familial is crucial as a link between colonial administrators' understandings of indigenous families and the societal structures in which they lived. In the metropole, the policy sought to reinforce the importance of the nuclear family as the site for child rearing. Its rejection in much of the empire bears testament to a strongly held belief that communal forms of rule supplanted the family as the basic structure in indigenous societies, a belief that had serious implications for another, more central aspect of the program: “filling the gap” left by the father.<sup>73</sup>

Colonial administrators who were hostile to the application of the *pupilles de la nation* were quick to undermine its central justification, the reparation for the loss or incapacitation of the father, by arguing his role, and indeed the role of biological parents, was nowhere near as important in the indigenous family as in its European equivalent. As governor-general in Madagascar, Merlin was harshly critical of the father in his assessment of indigenous familial structures. If the *pupilles'* right to compensation originated in the loss of the father, this was, Merlin claimed, not applicable in the Malagasy context because “contrary to what happens in the metropole, the death of the father almost never deprives the family of its usual resources.”<sup>74</sup> Furthermore, if the program was viewed as a means of reconstructing and reinforcing the nuclear family unit in the metropole, in Madagascar it would only perpetuate an undesirable model of family that shunned monogamy and often saw women take another man in the absence of their husband (thus also providing a new father for the orphan).<sup>75</sup> His colleague Angoulvant in French Equatorial Africa argued that the father was a marginal figure in the life of an indigenous child, given that in



animist culture “the child does not belong to the father, and marriage is only a rental of the wife by the husband.”<sup>76</sup> Shortly after, writing in his capacity as governor-general of French West Africa, Merlin invoked the communal nature of African society to assert that the war dead “were simple members of a group, with the same status as their own children, and their death has not deprived the children of their natural support.”<sup>77</sup> These arguments hint at the wider rationale behind the evacuation of the role of the father. This was not purely a strategy aimed at undermining the central justification of the program. It was also deeply entwined with the structures of power of the associationist system of rule. It was contended that paternal authority was shared collectively, with a particular emphasis on the paternal rights of chiefs, who just so happened to be the pillars of the policy of “association.” Here the whole of indigenous society was conceived of as a family, in which the paternal authority that rested with the chiefs applied not just to minors but to all of the community. Thus the loss of a biological father was largely irrelevant, as the role equivalent to a father in the metropole was supposedly played by the leaders of the community, in close cooperation with the colonial authorities. There was no gap to fill.

*Imperial “Inbetweeners”: Colonial Citizens, the Métis, and the Program of the Pupilles de la Nation*

The empire was not only home to indigenous populations; it also governed various groups of French citizens and people of mixed race. While the clarification of the rules governing indigenous populations would be a lengthy and complex process, the principle governing French citizen *pupilles de la nation* was at least theoretically quite simple. Appearing in various forms in the decrees instituting the program across the empire, French citizen *pupilles* were to be entitled to the same treatment as their counterparts in the metropole.<sup>78</sup> In practical terms, however, they already suffered a disadvantage given how long it took to organize the institutions and services in the colonies. When the program was up and running in the empire, the governing authorities advocated different approaches to provision for the citizen *pupille*.

The ever-reticent Merlin pointed to the small numbers and relative wealth of the European population in French West Africa, arguing that the colonial administration would always intervene in cases of great need and thus that this particular law was largely irrelevant. The government should limit its provision to scholarships.<sup>79</sup> Even for prospective *pupilles* of European origin, Merlin conceived of the program in terms of assistance and not rights. In

Indochina, administrators stressed the importance of a form of repatriation to the metropole for citizen *pupilles*, given that, as the resident superior in Cambodia put it, “the son of a European would never be able to live permanently in Indochina” (note here the assumption that the *pupille* was male—the female *pupille* is almost completely absent from the official correspondence).<sup>80</sup> For his counterpart in Tonkin, any citizen (or indeed *métis*) *pupille* who “was not susceptible to form part of the elite” should be sent back to France.<sup>81</sup> In contrast, this same policy was not pursued in North Africa, where the large European population and extensive education infrastructure rendered repatriation unnecessary. A young European *pupille* of working-class background, such as perhaps the most famous *pupille* of them all, Albert Camus, could receive the education and provision necessary to compensate the loss of his father without ever leaving his local area.

Not all citizens in the empire were of European origin, and the application of the program to the diverse groups of colonial citizens was the source of much confusion. Senegal stood apart from the rest of Africa due to the special legal regime governing the Four Communes of Dakar, Rufisque, Gorée, and Saint-Louis, France's oldest African settlements. In contrast to the majority of Senegal's population living outside these cities, the indigenous inhabitants of the Four Communes, known as the *originaires*, had benefited from the extension of a limited form of citizenship under the Second Republic. It was only in 1916, following a lengthy campaign by their champion Blaise Diagne, that the full citizenship of this group was recognized in legislation. When it came to the application of the program of the *pupilles de la nation*, Diagne raised concerns with Governor-General Merlin that the legislation seemed to prioritize foreigners of European origin over the citizens of the Four Communes, something he was assured was not the case. The *originaires* were legally entitled to the same treatment as citizens of European origin, unlike the indigenous subject population in the rest of Senegal.<sup>82</sup> However, as Merlin envisaged only the most minor form of provision for European *pupilles*, this was hardly a significant bonus for the *originaires*.

We have already seen how, in the case of the children of French colonial citizens in the “old colonies,” administrators echoed the opinions expressed by their counterparts across the empire by evoking the “natural hospitality” of local populations. According to the ministry, the program would have a limited application in these territories due both to the small numbers of war orphans and to the fact that “all the families know each other and come to each other's aid, with tradition ensuring that the most privileged take on those whom the vagaries of life have

especially disadvantaged.”<sup>83</sup> Where state intervention was envisaged, it usually involved sending war orphans to orphanages, whether these were pre-existing philanthropic institutions or institutions specifically founded for this purpose.<sup>84</sup> The equality of all French citizens before the law did not seem to apply to the *pupilles de la nation*.

Even more problematic was the case of the *métis* or mixed-race population found in varying numbers across the empire. As Emmanuelle Saada has shown in her magisterial *Empire's Children*, the “*métis* question” was a key site in which colonial authorities attempted to delineate and define nationality and citizenship.<sup>85</sup> For Saada, the case of nonrecognised *métis*, which lay at the intersection of hybridity and illegitimacy, placed the racial question firmly at the heart of legal debate.<sup>86</sup> In terms of social provision, the implications of the legal status of the *métis*, unrecognized by his or her French father and thus subject to the mother's personal status as an indigène, were extremely important.<sup>87</sup> The *métis* child's relegation in the eyes of the law to the same level as an indigenous child alarmed many prominent figures in colonial society.<sup>88</sup> Throughout the colonial period, colonial administrators, elites, and jurists would mobilize around the issue of the *métis* in certain territories, with the decade following the Great War representing the apex of an ultimately successful campaign to legally recognize the *métis* as French citizens.<sup>89</sup> Thus, when it came to the application of the program of the *pupilles de la nation*, the particular case of *métis* war orphans would prove a key concern for administrators in those territories where the *métis* community was central to public discourse.

Providing for *métis* war orphans required placing them in the wider framework of the law governing the *pupilles*. Would they be assimilated to citizens of European origin resident in the colony, or would their conditions be closer to those of the indigenous community? In Madagascar, Merlin's administration intended to take special measures in favour of the *métis* “to ensure that this category of *pupilles* enjoys a more favourable regime than that envisaged for the indigenous” but not that which would be accorded to Europeans.<sup>90</sup> It was in Indochina that the *métis* question had always received the most attention, and the case of the *pupilles de la nation* was no exception in this regard.<sup>91</sup> In his report to Governor-General Sarraut in Hanoi, the resident superior of Cambodia, who was theoretically committed to total equality in the application of the law to both subjects and citizens, specifically stated the need to ensure that unrecognized *métis* “should have the same treatment as French citizens and can be sent to France in the same conditions.”<sup>92</sup> In Tonkin, the question of the *métis* dominated correspondence about the

organization of the program. The initial consultation organized by the resident superior of the territory not only included local politicians and members of the Chambers of Commerce and Agriculture (as was the case elsewhere in the colonies) but also specifically incorporated a representative of the *Société des Métis*.<sup>93</sup> In the report for the governor-general that resulted from this consultation, the resident superior specifically addressed the “*métis* question,” arguing that “the benefit of the law should, it seems, be extended to these children who, without being legitimate or recognized, are in a certain way the sons of the victims and thus should enjoy the attention of the state.”<sup>94</sup> Furthermore, he proposed the creation of a “second category” to govern the application of its principles to the *métis*, particularly in terms of the constitution of a *conseil de famille*. This was specifically differentiated from a potential third category that would, if necessary, encompass the indigenous.<sup>95</sup> Of course, the priority of the *métis* over the indigenous had long been reflected in social provision across the empire.<sup>96</sup> The novel aspect of the resident superior's proposal lies in its desire to recognize this priority through the creation of a specific legal category. If this had been incorporated into the law, it would in fact have preempted, by several years, the Decree of the Governor-General of Indochina of November 8, 1928, which recognized the claim to citizenship of *métis* on the basis of their racial origins, thus introducing the notion of race into French jurisprudence.<sup>97</sup> The influence of the lobby that would secure this legal recognition of the citizenship of the *métis* is clear in his approach to the program of the *pupilles de la nation*.<sup>98</sup> It also reflects a desire, shared by administrators in Cambodia and Madagascar, to adapt the law in favour of a population that stood outside the neat categories of “indigenous subject” and “European citizen.”

One particularly fascinating aspect of the *métis* question is the contrast in the correspondence between the attitudes held by colonial administrations toward the European fathers of these children and the indigenous fathers of other war orphans. While those indigenous fathers who had fallen on the battlefields were negatively characterized as uninterested and unimportant in the lives of their children, the European fathers of *métis* children, who had largely abandoned their offspring, received no such criticism. The racialized understandings of family were more important to colonial administrations than the reality of the relationship between fathers and their children.

A whole complex of racial, cultural, sexual, and political ideas about the *métis* coalesced in the minds of these administrators to form the demand for a special regime to be applied to the

children of mixed race left without a father by the horrors of the war.<sup>99</sup> As would subsequently be the case with legislation targeting the *métis*, these proposed regimes employed notions of race and filiation to widen the net of privilege within the colonies to a population hitherto legally excluded.<sup>100</sup> However, as discussed below, qualifying for closer state intervention would not always prove beneficial for the children in question.

### *Administering the Program in the Empire*

While children and families were supposedly at the centre of the program of the *pupilles de la nation*, the administration of the program in both metropole and colony would involve a whole swath of political and civil society figures. The structures designed to administer the program show a complex picture of the involvement of indigenous actors in the organization of provision for their own communities. Ironically, it was in those colonies most wedded to a devolved approach to provision that indigenous figures were most absent from the institutions set up to govern the program. In French Equatorial Africa, a territory in which the governor-general was convinced the program was not applicable, all members of the committee came from within the colonial administration, with no civil society organizations or elected officials.<sup>101</sup> In French West Africa, Merlin was so sceptical about the application of the program to his territory that he failed to draw up plans for a *comité colonial*, drawing a reprimand from the ministry.<sup>102</sup> By making indigenous communities responsible for the fate of their own war orphans, these colonial administrations had largely washed their hands of prospective indigenous *pupilles*, leaving the committees to focus almost solely on the very limited cases of European *pupilles*.

Elsewhere in the empire, indigenous voices could influence systems of provision within the administrative committees, but these voices were carefully handpicked by colonial authorities. In Algeria, the alterations to the law would be relatively minor. The application of the program would be overseen by *offices départementaux* in Algiers, Constantine, and Oran, with the same plethora of civil society figures and local administrators as in the metropole. These would be complemented by representatives of the colonial regime and a very limited number of indigenous politicians appointed by the prefect.<sup>103</sup> In the protectorates of the Maghreb, the *comités coloniaux* set up to implement the law were more strictly hierarchical, excluding local elected representatives in favour of figures from the colonial administration. Nevertheless, in line with metropolitan practices, they did include figures (of both genders) from civil society.<sup>104</sup>

In Indochina, Sarraut's internal consultation would result in a more liberal and participative vision of the organization of the program. In his submission, the resident superior of Cambodia did not propose any indigenous participation in the administration of the program but did seek to include representatives of civil society, including the president of the Society for the Protection of Children.<sup>105</sup> In Cochinchina the governor proposed a directing committee that would include a whole swath of civil society representatives working alongside seven to ten representatives of the indigenous community. At a regional level, even more indigenous (of both genders) would be incorporated into the committees, with the possibility of an outright indigenous majority. Finally, at a local level, the governor proposed limiting the membership of the committee to the indigenous community, asserting that this would “be an effective way to bear witness to the interest shown by the authorities toward the indigenous.”<sup>106</sup> Drawing on the reports of his territorial administrators, the governor-general issued a decree outlining the administration of the program in the colony. The *conseil supérieur* set up to direct the program across the colony included colonial officials, representatives of the chambers of commerce and agriculture, members of the organizations for large families, and two indigenous representatives appointed by the governor-general. This model was to be mirrored in each territory, where the relevant authorities would appoint two indigenous representatives. The power to constitute municipal committees was devolved to the administrations in the various territories.<sup>107</sup> Where administrators in Africa sought to monopolize the committees governing the administration of a program they mostly rejected, the colonial authorities in Indochina opted for a participative (if by no means representative) model that they believed would be more effective not only in administering the program but also in ensuring that indigenous populations felt that France was meeting its duties to the *pupilles* in the colonies.

The question of whether France was indeed meeting its obligations in the colonies lay at the heart of the report compiled by the Ministry of the Colonies, by now under the leadership of the onetime governor-general of Indochina, Albert Sarraut, for the secretary-general of the *Office National des Pupilles de la Nation* in May 1921.<sup>108</sup> The answer was ambiguous. The report reproduced (almost verbatim) and endorsed the accounts offered by colonial governors of the measures to be adopted in the colonies to reconcile the state's duty to the war orphans with its desire to respect indigenous cultural, familial, and societal structures. However, it is clear throughout the report that the ministry felt under pressure to defend its dilution of the universal

right of the *pupille de la Nation*. The self-justificatory tone of the conclusion is startlingly clear in this regard:

If our colonial empire has not done more for the children of those who sacrificed themselves for the cause of humanity, it is only out of discretion, of deference for certain imperious traditions that opposed accepting our helping gesture; but all our governors-general and governors will always ensure that the colonial orphans of the Great War, whether protected by their ancestral traditions or by the institution of the *pupilles de la nation*, are never abandoned.<sup>109</sup>

The special regimes adopted in the colonies supposedly preserved the spirit if not the letter of the law. It is evident that for the Ministry of the Colonies this spirit was expressed not through a universal right to provision and priority but, rather, through a simple compensation for loss. Nevertheless, the ministry was keen to ensure that every territory of the French Empire was at least seen to be attempting to implement the program, ensuring that each administration set up a *comité colonial des pupilles de la Nation*, even if its activities were limited, if not non-existent. The closing sentence of the report is perhaps the most telling of all: “Each of our possessions will certainly do its best to apply the law to the maximum of its effects, both for the greater good of the *pupilles* it is destined to aid and for the strengthening of French influence, which its highly philanthropic goal and the sentiment of national gratitude it inspires can only favour.”<sup>110</sup> Here the ministry conceives of the role of the program as dual, seeking both to compensate the prospective *pupille* and to reinforce French prestige and power. While it seems to suggest that these were purely complementary tasks, the body of the report and indeed the legislative and infrastructural framework that was emerging in the colonies bore testament to the tensions between these two missions.

### *Conclusion*

We can see a variety of approaches across the empire that defied any attempt to apply a universal colonial policy to the program of the *pupilles de la nation*. Even the most basic and politically safe proposal to ensure that *pupilles* of European origin would receive the same treatment as their metropolitan counterparts proved extremely problematic in practice. In general terms, the delay in developing the complex legislative and institutional framework that governed the program across the empire put the European *pupilles* in the colonies at a distinct disadvantage.<sup>111</sup> Furthermore, their fate was very much dependent on where in the empire they resided.

European *pupilles* in North Africa could expect to receive a near-metropolitan standard of provision within their local area, while their counterparts in Indochina would more than likely be shipped back to France. Both these approaches seemed to faithfully reproduce the notion of the *pupille's* right to compensation, even if transporting a young war orphan from Indochina to France may not necessarily have been a happy experience for the child in question. Elsewhere in the empire, the minuscule budgets dedicated to the program were testament to the lack of enthusiasm of colonial administrators for the program, reflected in what Sarraut described as “an excessive discretion of the colonial committees.”<sup>112</sup> The boundaries between assistance and rights-based provision, so crucial to the program in the metropole, were somewhat blurred in these colonies, where financial constraints, the small numbers of *pupilles* involved, and the lack of interest of the authorities diluted the commitment to the program even for European *pupilles*. The regime applied in the “old colonies” also blurred these boundaries, depending heavily on a blend of a racially predicated form of cultural particularism that would see war orphans catered to by their own communities and the institutionalization of abandoned *pupilles*. In the empire, the rights of citizen *pupilles* remained dependent on their geographic location and skin colour.

The case of the *métis* of Indochina also testifies to the importance of race in the application of the program in the colonies. The engagement of the authorities on behalf of the *métis* in certain territories was simultaneously inclusionary and exclusionary. On the one hand, the attempt to assimilate the *métis* to the European *pupille* or to some form of intermediary category with enhanced rights was meant to widen the rights-based patronage of the postvictory republic. On the other hand, the endorsement of race as a category by which provision should be adjudicated undermined the universal concept of the right of the *pupille* and militated against its application to indigenous populations. In practice, the particular attention shown to the *métis* may well have been to their detriment, with the policy of “repatriation” undoubtedly a traumatic experience for these children, who had been born and raised in Indochina. As Saada has shown, the category of *pupille de la nation* would itself constitute an important precedent for the eventual legal and social conceptualization of the relationship between the *métis* assimilated by the decree of 1928 and the French state.<sup>113</sup> The policy of repatriation would also be the dominant feature of the French state's provision for assimilated *métis*, resulting in a mass movement of thousands of adults and at least forty-five hundred minors from their homeland to a metropole that was almost completely foreign to them.<sup>114</sup> Thus, while the scope of the *pupilles de la nation* program in the colony was extremely limited, its repercussions may well have been felt by thousands of people.



Above all, however, it was the provision for indigenous *pupilles* that would prove most problematic for colonial administrators. While in certain cases, North Africa, Cambodia, and Cochinchina, for example, the egalitarian spirit of the law was preserved, at least theoretically, in most of the empire association triumphed over assimilation. Across the complex administrative patchwork that constituted the French Empire, where distinct political structures subjugated radically different indigenous populations, French administrators developed a wide range of policy proposals that shared a common goal: the minimization of the state's obligation to the child victims of war. In societies as distinct as French West Africa, Madagascar, New Caledonia, and Annam, local communal culture was evoked to counter the notion that the state had a duty of care to its war orphans. Their evocation of the sanctity of indigenous societal, familial, and power structures was disingenuous at best, downright cynical at worst, while their evacuation of the role of the indigenous father was steeped in the tropes of racial prejudice. And yet, their argument that an overweening intervention by the state would be perceived as an attack on indigenous culture was not without a grain of truth. The lack of an infrastructure comparable to that in the metropole, outside of certain major colonial cities, meant that any attempt by the colonial state to fully meet its responsibilities to colonial *pupilles* would have required extracting the child from its home community and inserting it into a foreign and, more than likely, institutionalized environment. In fact many other *ayants droits* in the empire were extremely reticent in claiming their rights in the interwar period as they feared any deepening of their relationship with the authoritarian colonial state.<sup>115</sup> Even in societies where the legal distinctions between the indigenous and European *pupilles* were minimal, European *pupilles* were disproportionately dominant, as indigenous families remained unaware of the program and/or unable or, crucially, unwilling to enroll their children. In January 1934 the Algerian department of Constantine counted 1,686 *pupilles* of European origin, compared to 339 indigenous *pupilles*. At a time when roughly 7 percent of the population of the department was European, 83 percent of the *pupilles* were of European origin.<sup>116</sup> Subsequent colonial experiments in mass provision for favoured categories of children, whether in Indochina or in Réunion, had a disastrous effect on the lives of thousands of children and are perhaps cautionary tales of what could have happened had colonial administrators fully embraced the spirit of the program.<sup>117</sup>

Perhaps prospective *pupilles* and their mothers, a group largely absent from the considerations of colonial administrators, were better served by the neglect of the state than they would have been

by strong-armed state intervention. In any case, the choice between an overzealous state seeking to tear a child away from its home environment and a negligent state seeking primarily to avoid its duties was hardly the only choice available to colonial administrators in the colonies. In the end, a combination of parsimony, political expediency, and racial prejudice meant that many *pupilles de l'empire* received little to no special compensation for their loss, for better or for worse. Their story bears testament to an empire that, despite its many internal differences and practices, remained resolutely committed to distinguishing on a racial basis among its populations, even those most worthy of its attention. The very logic of French imperialism militated against any extension, no matter how minor, of a form of total equality that would disrupt the social, economic, and political underpinnings of the colonial hierarchy. Thus the interwar empire had little to no space for the application of even the most legitimate and inexpensive universal rights.

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<sup>1</sup> See the Law of July 27, 1917, *Journal officiel*, July 29, 1917, 5892–94.

<sup>2</sup> Ministère de l'Instruction Publique et des Beaux-Arts, *Petit guide pour l'application de la loi du 27 juillet 1917*, 6.

<sup>3</sup> For colonial participation in the Great War, see Fogarty, *Race and War in France*; Frémeaux, *Les colonies dans la Grande Guerre*; Michel, *Les Africains et la Grande Guerre*; and Antier-Renaud, *Les soldats des colonies dans la Première Guerre mondiale*. For the political implications of this participation, see Conklin, *Mission to Civilize*; Manela, *Wilsonian Moment*; and Thomas, *French Empire*. Notable works that address postwar provision for colonial participants in the Great War include Mann, *Native Sons*; Lunn, *Memories in the Maelstrom*; DeGeorges, “Bitter Homecoming”; and DeGeorges, “Still behind Enemy Lines?”

<sup>4</sup> Thomas, *French Empire*, 55.

<sup>5</sup> For further discussion on “association” in the interwar empire, see Thomas, *French Empire*, 60–67; and the classic text in the field, Betts, *Assimilation and Association*.

<sup>6</sup> Conklin, *Mission to Civilize*, 6–7.

<sup>7</sup> Mahmood Madani refers to these three systems of colonial rule collectively as “decentralized despotism” (*Citizen and Subject*, 8).

<sup>8</sup> Conklin, *Mission to Civilize*, 196–97.

<sup>9</sup> The term *ayants droits* refers to various groups that held both a legal and a moral right to provision arising from their participation or the participation of a family member in the Great War. Colonial administrators would struggle to reconcile these supposedly universal rights with the distinct legal statuses that governed the groups that inhabited the French Empire.

<sup>10</sup> According to Jacques Frémeaux, the total number of war dead from the colonies, all categories of colonial subjects and citizens included, can be estimated at eighty-seven thousand (*Les colonies dans la Grande Guerre*, 202). Jay Winter, in *Sites of Memory, Sites of Mourning*, suggests that one in three of the war dead left widows, who on average had two children. If we apply Winter's ratio of war dead to war orphan (1:0.67), which, given the contrast between fertility rates in the metropole and in the colonies, would yield quite a conservative figure, the number of colonial war orphans of the First World War can be estimated at fifty-eight thousand. To this figure, we must add a certain number of the children of the *mutilés* who would also be entitled to the status of *pupille* de la nation. In the metropole, the number of war orphans in 1920 can be estimated at 1.1 million, while the number of *pupilles* registered in 1925 (the year the program peaked) was 730,000. See Faron, *Les enfants du deuil*, 310, 316.

<sup>11</sup> The phrase “reciprocal national obligation” is taken from Horne, *Labour at War*, 351.

<sup>12</sup> Cabanes, *Great War and the Origins of Humanitarianism*, 19.

<sup>13</sup> Faron, *Les enfants du deuil*, 93.

<sup>14</sup> For a comprehensive history of the state's intervention in the lives of indigent and “abandoned children,” see Jablonka, *Ni père, ni mère*.

<sup>15</sup> Article 1, the Law of July 27, 1917, Ministère de l'Instruction Publique et des Beaux-Arts, *Recueil des lois, règlements et décrets*, 1. For commentary on this distinction, see Jablonka, *Ni père, ni mère*, 250–51; and Cabanes, *Great War and the Origins of Humanitarianism*, 40–41.

<sup>16</sup> Article 6, Law of July 27, 1917, *Journal officiel*, July 29, 1917, 5892.

<sup>17</sup> Ministère de l'Instruction Publique et des Beaux-Arts, *Petit guide pour l'application de la loi du 27 juillet 1917*, 2.

<sup>18</sup> Here the role of tuteur was more mentor than legal guardian. For more details on the process of adoption, see Faron, *Les enfants du deuil*, 107–14; and Articles 20–25, Law of July 27, 1917, *Journal officiel*, July 29, 1917, 5893–94.

<sup>19</sup> Faron, *Les enfants du deuil*, 109, 113.

<sup>20</sup> Articles 4–5, Law of July 27, 1917, Ministère de l'Instruction Publique et des Beaux-Arts, *Recueil des lois, règlements et décrets*, 2.

<sup>21</sup> When legislators set out their agenda to assist child victims of the Great War, much confusion existed as to the difference between the categories of war orphan and *pupille* de la nation, which were often used interchangeably. Certain boundaries can be drawn between the two statuses. While many war orphans qualified for the status of *pupille* de la nation, certain categories, such as those whose fathers were

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receiving a military pension and died a natural death, were not eligible. Furthermore, not all *pupilles* de la nation were war orphans: those whose guardian had been severely incapacitated by the war also had the right to apply for the status. See Faron, *Les enfants du deuil*, 12–13.

<sup>22</sup> Horne, *Labour at War*, 351.

<sup>23</sup> Frémeaux, *Les colonies dans la Grande Guerre*, 276.

<sup>24</sup> For more detail on Blaise Diagne, see Fogarty, *Race and War in France*, 239–41; Johnson, *Emergence of Black Politics*; and Bruschi, “Military Collaboration, Conscription, and Citizenship Rights,” 429–56. On the Emir Khaled, see Koulakssis and Meynier, *L’Emir Khaled*; and Kaddache, *L’Emir Khaled*. For postwar activism in Madagascar, see Thomas, *French Empire*, 27; and Koerner, *Madagascar*, 183–89. Finally, for a detailed explanation of the *impôt du sang*, see Horne, “L’Impôt du Sang,” 201–23.

<sup>25</sup> See Mann, *Native Sons*; DeGeorges, “Bitter Homecoming”; and DeGeorges, “Still behind Enemy Lines?”

<sup>26</sup> Frémeaux estimates that 269,950 indigenous troops were raised in North Africa, of whom 188,965 served in Europe. He suggests that 163,602 were recruited in West Africa, with an estimated 130,000 serving in Europe (*Les colonies dans la Grande Guerre*, 63).

<sup>27</sup> Frémeaux estimates a contingent of 48,922 from Indochina, of whom 43,430 served in Europe, while the Malagasy contingent numbered 41,355, with 34,386 serving in Europe (*ibid.*).

<sup>28</sup> Fogarty, *Race and War in France*, 72–76.

<sup>29</sup> Frémeaux estimates that 17,910 troops were raised in Equatorial Africa, none of whom were sent to Europe (they did, however, participate in the conquest of the Cameroon). He further suggests that the Côte des Somalis provided 2,434 (2,088 sent to Europe) and the Pacific territories provided 1,067 (1,026 sent to Europe) (*Les colonies dans la Grande Guerre*, 63).

<sup>30</sup> Article 73, Law of March 31, 1919, *Journal officiel*, Apr. 2, 1919, 3389.

<sup>31</sup> Article 74, Law of March 31, 1919, *ibid.*

<sup>32</sup> See DeGeorges, “Still behind Enemy Lines?”

<sup>33</sup> Article 74 specified that regulations were to follow for troops elsewhere in the colonies and their dependents. The series of decrees that followed on September 2, 1920, established the pension regimes in each colony. See Daresté de La Chevanne, *Traité de droit colonial*, 268–69.

<sup>34</sup> Mann, *Native Sons*, 65.

<sup>35</sup> *Ibid.*

<sup>36</sup> Article 30, Law of July 27, 1917, Ministère de l’Instruction Publique et des Beaux-Arts, *Recueil des lois, règlements et décrets*, 13.

<sup>37</sup> *Ibid.*

<sup>38</sup> See Frémeaux, *Les colonies dans la Grande Guerre*, 316.

<sup>39</sup> Article 115 of the Decree of November 15, 1917, cited in Minister of the Colonies to Deputy Albert Grodet, Feb. 27, 1918, Archives Nationales d’Outre-mer, Aix-en-Provence (hereafter ANOM), FM/1AFFPOL/798.

<sup>40</sup> Minister of Colonies to Governors-General, Governor of Colonies, and Administrator of St. Pierre et Miquelon, Feb. 9, 1918, ANOM, FM/1AFFPOL/798.

<sup>41</sup> “No. 197 Circulaire Ministérielle portant application aux Colonies de la loi du 27 juillet 1917, instituant des *pupilles* de la Nation, 09/02/1918,” *Bulletin officiel du Ministre des Colonies* 1918, no. 32 (1919): 547.

<sup>42</sup> Secretary-General to Governor-General in Saigon, Aug. 7, 1918, ANOM, INDO/GGI//2019.

<sup>43</sup> Henri Simon for the Minister of the Colonies to Governor-General of Indochina, Sept. 23, 1918, ANOM, INDO/GGI//2019; Governor-General of Indochina to Heads of Local Administration, May 23, 1918, ANOM, INDO/GGI//2019.

<sup>44</sup> Article 39 of “Le décret du 5 février 1919 déterminant en Algérie, le mode de répartition aux *pupilles* de la nation des subventions des offices départementaux,” *Journal officiel*, Feb. 10, 1919, 1554.

<sup>45</sup> *Protectorat de la République Française au Maroc, Instruction générale sur les services*, 182–83.

<sup>46</sup> *Revue algérienne, tunisienne et marocaine de législation*, pt. 4, 150. See DeGeorges, “Bitter Homecoming,” 76–77, for more details of the program’s application in Tunisia.

<sup>47</sup> “The general measures proposed would apply fully to indigenous *pupilles*. . . . They have incontestable rights” (Resident Superior in Cambodia to Governor-General of Indochina, Aug. 23, 1918, ANOM, INDO/GGI//2019).

<sup>48</sup> Governor of Cochinchina to Governor-General of Indochina, July 5, 1918, ANOM, INDO/GGI//2019.

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<sup>49</sup> The dispute between the *algérieniste* and *académicien* Louis Bertrand and the young indigenous intellectual Ferhat Abbas, played out in the pages of the literary press, is perhaps the most prominent example of this *bataille de chiffres* (war of numbers). See Louis Bertrand in *L'Afrique latine*, Nov. 1922; and Ferhat Abbas in *Le trait de l'Union*, Nov. 1922. Abbas later reproduced the whole correspondence in a collection of writings about indigenous reform (*Le jeune Algérien*, 34–46).

<sup>50</sup> Lunn, *Memories in the Maelstrom*, 145–47.

<sup>51</sup> Governor-General of Madagascar and Dependencies to Minister of the Colonies, May 15, 1918, ANOM, FM/1AFFPOL/798. Merlin entered the colonial administration at the age of twenty-seven in 1887. He served as governor of Guadeloupe from 1901 to 1903 before briefly filling the role of interim governor-general of French West Africa. Appointed governor-general of French Equatorial Africa in 1908, he remained in that position until 1917. In the period covered in this article, he served as governor-general of Madagascar (1917–18) before returning to Dakar as governor-general of French West Africa (1919–23). After a final two-year stint as governor-general of Indochina, he retired from service in 1925.

<sup>52</sup> *Ibid.* For an account of how the colonial authorities attempted to co-opt the traditional Malagasy institution of the *fokonolona* into the structure of colonial rule, see Condominas, *Fokon'olona et collectivités rurales*, 95–113.

<sup>53</sup> Governor-General of Madagascar and Dependencies to Minister of the Colonies, May 15, 1918; Frémeaux, *Les colonies dans la Grande Guerre*, 202.

<sup>54</sup> For nuanced descriptions of commemorative discourse in the colonies in the wake of the war, see Jansen, *Erobern und Erinnern*, 339–88; Michel, “Mémoire officielle”; and Jennings, “Monuments to Frenchness?”

<sup>55</sup> Governor-General of French Equatorial Africa to Minister of the Colonies, Feb. 28, 1920, ANOM, FM/1AFFPOL/798.

<sup>56</sup> Governor of New Caledonia and Dependencies to Minister of the Colonies, Aug. 23, 1918, ANOM, FM/1AFFPOL/798.

<sup>57</sup> Governor-General of the French Somali Coast to Minister of the Colonies, Dec. 30, 1919, ANOM, FM/1AFFPOL/798.

<sup>58</sup> Governor-General of Madagascar and Dependencies to Minister of the Colonies, May 15, 1918. Brackets in the original.

<sup>59</sup> Governor of New Caledonia and Dependencies to Minister of the Colonies, Aug. 23, 1918.

<sup>60</sup> *Ibid.*

<sup>61</sup> Minister of the Colonies to Commissar General of Black Troops, Apr. 23, 1921, ANOM, FM/1AFFPOL/798.

<sup>62</sup> Resident Superior in Annam to Governor-General of Indochina, June 11, 1918, ANOM, INDO/GGI//2019.

<sup>63</sup> Report on the Institution of the *Pupilles* de la Nation in the French Colonies, Minister of the Colonies to Secretary-General of the National Office of the *Pupilles* de la Nation, May 17, 1921, ANOM, FM/1AFFPOL/798 (hereafter Report on the Institution of the *Pupilles* de la Nation).

<sup>64</sup> Conklin, *Mission to Civilize*, 174.

<sup>65</sup> Minister of the Colonies to Commissar General of Black Troops, Apr. 23, 1921

<sup>66</sup> Governor-General of French Equatorial Africa to Minister of the Colonies, Feb. 28, 1920.

<sup>67</sup> Governor-General of Madagascar and Dependencies to Minister of the Colonies, May 15, 1918.

<sup>68</sup> See Faron, *Les enfants du deuil*, 108–9, 113.

<sup>69</sup> “No. 197 Circulaire Ministérielle,” 547.

<sup>70</sup> Report on the Institution of the *Pupilles* de la Nation.

<sup>71</sup> Resident Superior in Cambodia to Governor-General of Indochina, Aug. 23, 1918.

<sup>72</sup> Resident Superior in Annam to Governor-General of Indochina, June 11, 1918.

<sup>73</sup> Faron, *Les enfants du deuil*, 93.

<sup>74</sup> Governor-General of Madagascar and Dependencies to Minister of the Colonies, May 15, 1918.

<sup>75</sup> *Ibid.*

<sup>76</sup> Governor-General of French Equatorial Africa to Minister of the Colonies, Feb. 28, 1920.

<sup>77</sup> Minister of the Colonies to Commissar General of Black Troops, Apr. 23, 1921.

<sup>78</sup> See Article 5 of the “Décret fixant les conditions d'application en Indochine de la loi du 27 juillet 1917, instituant les *pupilles* de la nation (23/10/1918),” *Bulletin officiel du Ministre des Colonies* 1918, no. 32 (1919), 1312, 1311; and Article 4 of the “Décret fixant les conditions d'application dans les colonies de l'Afrique Occidentale Française, de l'Afrique Equatoriale Française, de Madagascar, de la Nouvelle-

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Calédonie, de l'Inde, de l'Océanie et des Somalis, de la loi du 27 juillet 1917, instituant des *pupilles* de la nation (23/10/1918),” *ibid.*, 1321.

<sup>79</sup> Report on the Institution of the *Pupilles* de la Nation.

<sup>80</sup> Resident Superior in Cambodia to Governor-General of Indochina, Aug. 23, 1918.

<sup>81</sup> Resident Superior in Tonkin to Governor-General of Indochina, July 26, 1918, ANOM, INDO/GGI//2019.

<sup>82</sup> Minister of the Colonies to Governor-General of French West Africa, June 1, 1921, ANOM, FM/1AFFPOL/798.

<sup>83</sup> Report on the Institution of the *Pupilles* de la Nation.

<sup>84</sup> In Guyana the authorities sought to integrate war orphans into a preexisting orphanage, while in Réunion a new orphanage specifically for child victims of the Great War was to be founded (*ibid.*).

<sup>85</sup> Saada, *Empire's Children*, 3.

<sup>86</sup> *Ibid.*, 18.

<sup>87</sup> *Ibid.*, 4.

<sup>88</sup> *Ibid.*

<sup>89</sup> For the diverse ways in which the public discourse dealt with the métis across the empire, see *ibid.*, 22–41. For the specific campaign in the decade after the Great War, see White, *Children of the French Empire*, 138.

<sup>90</sup> Report on the Institution of the *Pupilles* de la Nation.

<sup>91</sup> Saada, *Empire's Children*, 23.

<sup>92</sup> Resident Superior in Cambodia to Governor-General of Indochina, Aug. 23, 1918.

<sup>93</sup> Resident Superior in Tonkin to Governor-General of Indochina, July 26, 1918.

<sup>94</sup> *Ibid.*

<sup>95</sup> *Ibid.*

<sup>96</sup> Saada, *Empire's Children*, 67–74; White, *Children of the French Empire*, 51–92.

<sup>97</sup> Saada, *Empire's Children*, 1.

<sup>98</sup> In fact one of the principal groups in this lobby, the Société des Enfants Métis Abandonnés, corresponded with the resident superior on behalf of certain métis war orphans. M. Galuski, President of the Society for the Protection of Métis Children, to Resident Superior in Tonkin, Feb. 16, 1920, ANOM, INDO/GGI// 2019.

<sup>99</sup> For an exploration of the social, cultural, and political challenge to imperialism represented by the métis, see Stoler, *Carnal Knowledge and Imperial Power*, esp. chaps. 4–5.

<sup>100</sup> Gérard Noiriel, preface to Saada, *Les enfants de la colonie*, 9–10.

<sup>101</sup> “Arrêté du Gouverneur Général de l’Afrique Equatoriale Française portant institution au chef-lieu de chaque colonie du groupe de l’Afrique Equatoriale Française d’un Comité colonial des *Pupilles* de la Nation,” Feb. 26, 1920, ANOM, FM/1AFFPOL/798.

<sup>102</sup> Report on the Institution of the *Pupilles* de la Nation.

<sup>103</sup> The decree governing the law's application in Algeria specified that the committees should include “local representatives, representatives of the colony and representatives of the social groups.” Three European members of the Conseil Général and one indigenous would sit on the committees, while the prefect would appoint three indigenous municipal councillors. The appointment of a quota of women was also specified by the decree. “Le décret du 5 février 1919 déterminant en Algérie,” 1554–59.

<sup>104</sup> *Protectorat de la République Française au Maroc, Instruction générale sur les services*, 182–83.

<sup>105</sup> Resident Superior in Cambodia to Governor-General of Indochina, Aug. 23, 1918.

<sup>106</sup> Governor of Cochinchina to Governor-General of Indochina, July 5, 1918.

<sup>107</sup> Decree of the Governor-General of Indochina, Aug. 22, 1919, ANOM, INDO/GGI//2019.

<sup>108</sup> Report on the Institution of the *Pupilles* de la Nation.

<sup>109</sup> *Ibid.*

<sup>110</sup> *Ibid.*

<sup>111</sup> While the program was up and running in the metropole in 1917, the process of consultation and legislating meant that there was at the very least a two-year delay in its organization in the empire.

<sup>112</sup> In his letter to the governors-general, the minister contrasted the budgets dedicated in 1922 to the *pupilles* in Algeria (1,146,000 francs) and Tunisia (164,145 francs) with the minuscule amounts requested by administrators in the rest of the empire (64,000 francs). These figures exclude Indochina, which had taken on total financial responsibility for the program in its territory. Minister of the Colonies to Governors-General and Governors of the Colonies, Dec. 7, 1922, ANOM, FM/1AFFPOL/798.



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<sup>113</sup> Saada, *Empire's Children*, 211.

<sup>114</sup> *Ibid.*, 218–19.

<sup>115</sup> Mann, *Native Sons*, 103.

<sup>116</sup> When we look to the figures of participation in the war, with 26,379 Europeans and 36,500 indigenous mobilized, the imbalance is less dramatic but still significant. Discrimination is not the only basis for this imbalance: the complexity of the procedures involved in acquiring the status and the reluctance of many indigenous actors to deepen their involvement with the state also played a role. See Prefect of Constantine to Administrators and Mayors of the Communes of the Department of Constantine, May 2, 1934, and Feb. 27, 1928, ANOM, ALG/CONST/93302/80; and the figures of the census of 1931 in ANOM, ALG GGA/3CAB/95.

<sup>117</sup> For details on mass repatriation projects, see Saada, *Empire's Children*, 218–19; Lemai, *La déportation des Réunionnais de la Creuse*, and Jablonka, *Enfants en exil*.