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## **Please give me my divorce: an ethnography of Muslim women and the law in Senegal**

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### INTRODUCTION

*'Today one can tie a marriage in the mosque and dissolve it in court [...] tie it in the mosque and dissolve in the city square'*

(interview with a member of the maraboutic Sy family of Tivaouane, September 2016)

When walking the sandy streets and squares of the small city of Tivaouane, one feels deeply the presence of both the state and Islam. The city hosts a large number of state services and is an important Sufi capital of the Tijāniyya order. Like other Sufi 'capitals' of the country, Tivaouane carries important symbolic significance for Islam in Senegal. The buildings of the Sy branch (*zawiya*) of the Tijāniyya order are concentrated in the city's small centre: two large mosques (*jumaa*), a number of Quranic schools linked to the order, the residences of its leadership – the Sy family – and the mausoleums of their predecessors. During the yearly celebration of the birthday of the Prophet Mohammed (*gàmmu*), the city's population of 75,000 grows to over two million. Hordes of followers of the *zawiya* flock together at the Tijāniyya complex in the city centre and on a nearby field to renew their allegiance to the order. The Tijāniyya *zawiya* of Tivaouane strongly marks the city; however, they do not have a complete monopoly over Islam there. Different orders coexist, as in other places in Senegal, and many of the numerous, predominantly smaller, mosques (*jakka*) of Tivaouane operate independently from the Tijāniyya *zawiya*.

Sufism does not mark only Tivaouane; it is central to Islamic life in Senegal, and in Senegalese cities, towns, and villages, portraits of the main marabouts (religious leaders) of the different orders are found wherever one goes.<sup>1</sup> Walking the streets, one picks up fragments of Quran recitations emanating from a Quranic school or playing from a cassette tape. The headscarf – a politicized marker of Islam globally – is rarely visible on the

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1 Sufi religious leaders are called marabout or *sēriñ* in Wolof, and these terms overlap with the English word saint. However, marabout or the Wolof equivalent *sēriñ* is also broader in meaning. As Villalón (1995, 280) explains, the terms can refer to 'any religious notable of any stature'. The more specific term *cheikh* is used by the Qadiriyya and Muridiyya to refer to a religious Sufi authority capable of officially initiating people into a Sufi order; the Tijāniyya use the word *muqaddam* to refer to these people. *Cheikhs* and *muqaddams* can also be called marabouts or *sēriñ*. In line with the academic literature and practice in Senegal, I use the term marabout to refer to Sufi religious authorities (see Seck 2010, 47).

Senegalese streets; nonetheless, the garment has been gaining popularity in urban areas (also in Tivaouane) among young women, who often combine it with Western dress. It seems that, while in the 1990s in Senegal the wearing of a veil expressed attachment to reformist Islam, the women who wear a headscarf today primarily see it as an item of fashion (Rabine 2013, 85).

The three main Sufi orders in Senegal are the Tijāniyya, Qadiriyya, and Muridiyya, social organizations formed around families or lineages with a saintly reputation. Followers pledge allegiance to these orders in a number of ways, but primarily express their belonging through self-identification. Not all Senegalese Muslims are Sufi; however, these orders – the Muridiyya and Tijāniyya in particular – together incorporate the vast majority of Senegalese Muslim population.<sup>2</sup> Numerically, the Tijāniyya – which has two principal branches, the Niasse *zawiya* in Kaolack and the Sy *zawiya* in Tivaouane – is the most important order; however, the Muridiyya order, with its strong organizational structure, economic success, and high visibility, also deeply marks society.

While Tivaouane derives its allure from its Islamic Sufi history and the presence of the Sy *zawiya*, the city also has a long history of administrative significance. Indeed, whereas Sy *zawiya* marks the character of its centre, the state's presence is felt throughout the city. The national transport infrastructure of roads and railway that run straight through the middle of the small city determine the way you can move around, and state buildings are spread out across the different neighbourhoods. They include a police station, a *gendarmerie*, schools (including one high school), a departmental hospital, a health centre, the offices of the municipal and departmental administration, a fire brigade, a court, and a House of Justice.

In Senegal, the extent of state presence and visibility depends largely on the degree of urbanization (see also ANSD 2011). Because of a restricted capacity, state services are limited in rural areas.<sup>3</sup> The spread of courts and Houses of Justice is a case in point. There are 45 courts of first instance in the country, yet many of them are located in the cities on or relatively near the coast, such as Tivaouane (Senegal 2017). For populations in the Senegalese rural hinterland, courts are few and far between (see also

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2 The Layène are often called a Sufi order, and indeed in their organizational structure they have largely come to resemble them in form. However, their belief system is distinct from that of the other orders in that they believe that their founder is an incarnation of the Prophet Mohammed and that his son is an incarnation of Jesus. Their following is concentrated among the ethnic Lébou who live in Dakar (Seck 2010, 46).

3 The Senegalese state has undergone several processes of decentralization (Kaag and Venema 2002); in practice, however, rural communities have few resources and are strongly dependent both on the central state and on international donors (Williams 2010, 142).

Senegal n.d.); the 19 Houses of Justice do little to remedy this, as they are almost all located in cities where a court was already present (Senegal 2018). Even if Senegal does not rank among the very poorest of countries and is able to attract significant international donor support, the country fails to deliver a number of basic services to its population. In addition to state justice, primary education, as well as potable water, is not delivered countrywide (ANSD 2011). More generally, despite a number of recent periods of economic growth, living conditions remain difficult for many Senegalese.<sup>4</sup>

The remainder of this chapter situates state and Islam in Senegal and Tivaouane and describes their character and relation, as well as providing the necessary background for subsequent ethnographic chapters. In the region that now constitutes Senegal, states and state structures as well as the presence of Islam long pre-date the establishment of a French colonial administration; nonetheless, the colonial period proved to be crucial to the development of the modern nation-state, the spread of Islam, and the institutionalization of Sufi Islam. Historically, the development of a modern state and Islam in what today constitutes Senegal largely coincided; as a result, in many ways, the colonial administration and the Sufi orders were co-produced.

The following sections describe the emergence and institutionalization of the different Sufi orders, the development of a colonial ‘state’, and the growing interdependence between the colonial ‘state’ and Sufi orders, a relation that persisted after independence. Subsequent sections delineate how, at the end of the 1970s and as a result of the combined effect of changes in the political and religious sphere, the relation between Islam and the Senegalese state changed. Since then, the religious and political spheres have become progressively interconnected, making it increasingly difficult to establish a clear-cut model of how the two relate.

#### THE COPRODUCTION OF STATE AND ISLAM: COLONIAL RULE AND SUFI ORDERS

In the early 20<sup>th</sup> century, Sufi orders and the colonial government had become important and dominant actors in Senegalese society and politics, largely replacing the traditional political structures of monarchy (Guèye and Seck 2015, 21). The different orders, in the persons of their founders,

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4 The economic crisis in the 1990s and the subsequent devaluation of the CFA in 1994 meant that living conditions worsened considerably compared with before. Since then, the country has witnessed several periods of economic growth; however, in combination with a growing population and growing inequality, this did not have a large effect on the population’s well-being. Senegal ranks 168 on the Human Development Index; 60% of Senegalese people with a job belong to the working poor, and 38% of the population lives below the international poverty line of \$1.90 a day (UNDP 2021).

successfully mobilized the population around new social, religious, and economic activities. French colonial administration drew on these leaders, offering them financial and political favours in return. The marabouts' control over their followers guaranteed them a certain influence over the political game, a situation that continued after the advent of the Senegalese state. How did this configuration come about and why did it persist?

In the region that now constitutes Senegal and Gambia, Islam has long been present, the first manifestations of which may go all the way back to the 8<sup>th</sup> century; it is known with certainty that the presence of Islam dates back to at least the 11<sup>th</sup> century (M. Diouf 2001, 107). However, the religion was received in an uneven manner, and Islamic leaders had little political influence at first (*ibid.*). For a long time Senegambia was a space governed by regional empires as well as by kingdoms. These came to an end with the establishment of the French colony, although their decline had already started before colonial conquest, spanning the almost two-century period from the end of the 1600s until 1887 and slowly giving way to a more important role for Islamic leaders in the Senegambian space. The latter often gained influence by waging holy war against the aristocratic leadership of kingdoms and empires, and several smaller theocracies were established (M. Diouf 2001).

Whereas Islam and its leaders had thus been gaining in (political) importance in Senegambia over a long period of time, the 19<sup>th</sup> and 20<sup>th</sup> centuries would turn out to be a crucial period for the reception of Islam and the institutionalization of the Sufi orders. Traditional aristocratic political structures had disappeared, and both the Atlantic slave trade, and the colonial expansion that followed shortly after the decline of this trade, had brought on serious societal instability. Villalón notes:

[It is] remarkable, and certainly not coincidental that the founders of the three most significant maraboutic dynasties of current-day Senegal were almost exact contemporaries, and that the period in which their religious movements knew their greatest expansion coincided largely with the establishment of colonial control. (Villalón 1995, 202)

Abdoulaye Niassé, founder of the Niassene branch of the Tijāniyya order; Amadu Bamba Mbacke, founder of the Muridiyya order; and Malik Sy, founder of the Tivaouane branch of the Tijāniyya order – all were born in the middle of the 19<sup>th</sup> century, around the time that the French in 1854, under the military leadership of Faïdherbe (Chapter 3) started expanding the colony from the core territories on the Atlantic coast into the interior of Senegal.

## COLONIAL ADMINISTRATION AND THE TIJĀNIYYA SUFI ORDER IN TIVAOUANE AT THE TURN OF THE 20TH CENTURY

Although the existence of Tivaouane precedes the colonial period, the town became a place of administrative and religious significance toward the end of the 19<sup>th</sup> century, likely for the first time. Strategically located on the way from Dakar to St. Louis, and between the coast and the inland, Tivaouane, which had been part of the kingdom of Kajoor,<sup>5</sup> became a centre of both the colonial administration and one of the maraboutic dynasties of Senegal.

Crucial to this development was the establishment of a railway linking St. Louis and Dakar in 1885 (M. Diouf 1990, Chapter 14). The railroad track was to facilitate transport of groundnuts – the cash crop of the new colony<sup>6</sup> – from the stations located in the hinterland, including Tivaouane, to the coastal cities of St. Louis and Dakar, from which they would be shipped to Europe. Opposition to the railroad had been serious and violent but was effectively quelled with the French annexation of the kingdom of Kajoor in 1886 and the assassination of Samba Laobé Fall, *Damel* or king of Kajoor.<sup>7</sup>

Tivaouane was made the capital (*chef lieu de cercle*) of what was now the Confederation of Kajoor and benefited from the groundnut boom (Robinson 2000a). This position in the new politico-economic context of the colony attracted a large group of indigenous newcomers to Tivaouane, mainly from St. Louis, capital of French West Africa until 1902, and ethnic Lébou areas along the Atlantic coast.<sup>8</sup> In 1886, the French appointed Demba War Sall, member of the Kajoor elite who sided with the French, as president of the Confederation, who ‘in many ways reigned over Kajoor, with a salary superior to a French head administrator, for sixteen years’ (Robinson 2000a, 211). At his death in 1902, the French broke with this policy of indirect rule; Senegalese were limited to the position of *chef de canton*, thus signalling the further waning of the power of traditional chiefs. This created space for another elite, inspired by religion.

5 Kajoor was one of the kingdoms of the region that now constitutes Senegal, occupying the Atlantic coast from the mouth of the Senegal River to the Cape Verde peninsula and stretching inland. It was established in the 16<sup>th</sup> century (see M. Diouf 1990).

6 The development of trade in groundnuts, from 1850 onward, made the control of a large territory profitable for the French and spurred colonial expansion (M. Diouf 2001; Sarr and Roberts 1991, 132; Jeppie, Moosa and Roberts 2010).

7 Shortly afterward, in 1890, when they dealt a final blow to the Islamic theocratic state of Futa Tuuro and to the Jolof kingdom – annexed by Islamic leader Amadu Cheikhu – the French established the definitive borders of Senegal (M. Diouf 2001, 226).

8 Tivaouane accommodated a large indigenous population (French subjects – see Chapter 3) as well as a small class of foreign tradesmen and French colonial administrators. Economic development in the city was mainly to the advantage of European and Libano-Syrian traders, who owned trading houses in the vicinity of the Tivaouane railway station and exported via the ports of Rufisque and Dakar (E. H. S. A. Diallo 2010, 42). Tivaouane’s indigenous populations profited only marginally (Sow 2007, 155).

El Hadj Malik Sy, founder of the Tivaouane branch of the Tijāniyya order, established himself in the city in the same year, a moment at which the city had thus already developed as an area of prominence. Sy had a strong network of Tijāniyya disciples, having travelled extensively through Senegal and (current-day) Mauritania, and seems to have chosen to relocate to Tivaouane because of its position in the heartland of the new colonial administration and economy (Robinson 2000a).<sup>9</sup> He would remain there until his death in 1922, probably at age 68.

Malik Sy's settlement in a thriving city and under colonial surveillance allowed him to expand the number of disciples and to develop a successful education plan for his *zawiya*. A measure of this success and indicator of the way Sy expanded his power are that he was able to recruit disciples among civil servants employed by the colonial administration in the *quatre communes* of Gorée, Dakar, Rufisque, and St. Louis. Initially, the activities of Sy and his *zawiya* were hardly on the radar of the colonial authorities in Tivaouane (E. H. S. A. Diallo 2010, 42). Later, in the second decade of the 20<sup>th</sup> century, the order and the colonial administration developed close and cooperative relations. Malik Sy never truly sacrificed anything for this relation; instead, he 'benefited from the conditions of stability which the colonial regime enforced' (Robinson 2000a, 217-18).

#### THE DEVELOPMENT OF A 'SENEGALESE SOCIAL CONTRACT'

El Hadj Malik Sy died in 1922. Abdoulaye Niasse died in the same year, and Amadou Bamba Mbacke passed away five years afterward. By that time, the Sufi orders that had formed around Sy and his contemporaries Niasse and Bamba had been sufficiently consolidated 'to survive the transition to a second generation of maraboutic leadership' (Villalón 1995, 202), and Malik Sy's successors retained 'correct if not always warm' relations with the colonial administration and later the independent Senegalese state (Villalón 2000, 480).

The Sufi orders of today thus came about together with the colonial state. In part they were constructed in opposition to the colonial state; but as orders and state increasingly accommodated each other, an equilibrium between the two developed (Robinson 2000b, 1). Moreover, particularly in the interwar period, the French began to actively encourage and support the leadership of the Sufi orders – for instance, through providing help in the construction of mosques (Villalón 1995, 205).

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9 Before Malik Sy moved to Tivaouane, he had lived in the village of Ndiarnde, located in the heart of the former Kajoor kingdom, where he settled shortly after returning from pilgrimage to Mecca (Robinson 2000a).

A crucial factor in this relationship between the colonial state and Sufi orders was the wish of the colonial administration to cooperate with religious authorities that represented what they regarded as ‘tolerant Islam’ – that is, with leaders who, unlike other religious figures, opposed the building of Islamic states and military action against the French, a serious threat to colonial administration in the 19<sup>th</sup> century (Cruise O’Brien 1967; Robinson 1988, 2000b).<sup>10</sup> Another important factor was the ability of Sy, Niasse, and particularly Bamba, as well as their successors, to organize the agricultural activities of their followers (Villalón 1995, 119).<sup>11</sup> These leaders, along with the lower-level marabouts who represented them, contributed to the mobilization for new economic activities that aimed to ensure the colony’s profitability to the metropole, and they came to play key roles in the colonial groundnut economy. The marabouts, in turn, profited from their control of the land and the expansion of their economic activity, as well as from the order imposed by the colonial administration and the freedom they were given to perform their religious roles (Robinson 2000b, 233). ‘Marabouts became essential intermediaries in the daily exercise of colonial power’ (M. Diouf 2013a, 9), and as such a ‘social contract’ developed, linking the population to religious leaders and these leaders, in turn, to the colonial administration (Guèye and Seck 2015, 21-22). The reorganization of Senegalese society along the lines of the production for export to the world market was accompanied by a strong emphasis on the Sufi notion of submission between a marabout and his follower, which both facilitated and justified the particular forms of this new structure.

When Senegal became independent in 1960, unlike many other Muslim-majority countries it defined itself constitutionally as a secular state after the French model. Nonetheless, marabouts remained central authorities; the state had only limited reach, especially in rural areas, and the manoeuvring of politicians and marabouts in the tumultuous time around independence for the most part consolidated the role of the leaders of the Sufi orders as intermediaries between state and society.<sup>12</sup> The orders thus continued to be central social institutions, whose leaders remained capable of mobilizing large parts of the population, and cooperative and mutually beneficial

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10 Islamic actors who waged jihad, established theocratic states, and opposed the colonial administration include Ma Ba, Ahmedou Cheikhou, Mamadu Lamin, Samba Diadana, and Al Hajj Umar. The latter constituted the most notable threat to the French expansion and rule (see Cruise O’Brien 1967; Robinson 1988, 2000b).

11 This principally concerned the cultivation of peanuts. Such organization took different forms; most notable is a form of temporary serfdom: the colonial administration gave marabouts land, equipment, and credit, and disciples cultivated on the estates of their marabouts unremunerated but in return for housing and board for a number of years, after which they obtained a plot of land (see Villalón 1995; Boone 1992, 40–47).

12 For a description of the key events surrounding independence, including the referendum organized by the French President De Gaulle in 1958, see F. Cooper 2014; Villalón 1995, 205–207; M. Diouf 2013a, 15–17.



relations between marabouts and political leaders persisted. Neither had complete hold over society, and this interdependence strengthened their positions vis-à-vis each other (M. Diouf 2013a).

#### DEMOCRATIZATION, PLURALIZATION, AND THE DECLINE OF THE SENEGALESE SOCIAL CONTRACT

From end of the 1970s until today, a series of important changes altered the shape of the state, of Islam, and of their interrelation (Gomez-Perez 2017; Guèye and Seck 2015; Samson 2005; Seck 2010; Villalón 2004). Structural adjustment and economic crisis set in motion a process of democratization, continuing into the early 2000s. The electoral process was reformed, grass roots movements came to play an increasingly important role in political processes, and the media was gradually liberalized.<sup>13</sup> Combined with a pluralization of authority in the Islamic domain, this resulted in an increasing blurring of the religious and political spheres and a decline of the ‘Senegalese social contract’.

By the end of the 1980s, it had become clear that the promises of structural adjustment had failed to lift Senegal out of economic crises, and dissatisfaction with the dire economic situation grew. President Diouf’s popularity waned – particularly in the urban areas of the country – and at his re-election in 1988 large-scale violent demonstrations erupted over allegations of election fraud. The pressure to democratize – including from donors and lending agencies – mounted. In reaction, Diouf implemented considerable reforms of the electoral process and also liberalized the printing press and the radio sector (Wittmann 2008, 480-481). (Liberalization of the audiovisual sector would follow in the early 2000s.) The same period saw a growing civil society; the youth and student movements that had emerged in the late 1980s gave way to a number of citizen movements with considerable impact on the political process (Gellar 2013). In 2000, the opposition first truly capitalized on the democratic gains made. Forty years of rule by the *Parti Socialiste* (PS) came to an end, and Wade and his *Parti Démocratique Sénégalais* (PDS) were elected to power. Since then, citizen movements have continued to be of influence, and when Wade attempted in 2012 to run for a third term as president, civil society groups put up serious and successful opposition (cf. M. Diouf 2013b, 20).

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13 Because of its *relative* political stability and non-repressive stance vis-à-vis political opposition and journalists, Senegal constituted a democratic exception in the region of West Africa already in the first decades after independence. Nevertheless, until 1974 the country was under de facto single-party rule; moreover, the reauthorization of opposition parties in that year happened within carefully circumscribed rules (Galvan 2001; Villalón 2013).

Political democratization coincided with important changes in the domain of Islam. From the late 1970s there was a pluralization of authority within the Islamic sphere, caused first by the re-emergence of a reformist movement and produced in part by the global revival of political Islam at the time.<sup>14</sup> The flourishing of the reformist movement, however, was short-lived, and by the 1990s their popularity had waned considerably (Loimeier 2000, 169). Still, their presence contributed to a heterogenization of the Islamic sphere, which was also facilitated because the themes of political Islam were absorbed by actors within Sufi orders, thus leading to pluralization within these organizations (Kane and Triaud 1998, 17). Second, the tradition of hereditary succession, established upon the passing away of the founders of the Sufi orders, meant that in the 1980s and 1990s, at the passing of the generation of the sons of the founders, and as a consequence of a simple matter of numbers, fragmentation ensued within the Sufi orders.<sup>15</sup> In the different orders, the new, large generation of the grandsons of the founders began to actively compete for followers and authority. Individual marabouts increasingly spoke out, developed new initiatives, and even launched political careers.

Fragmentation has encouraged entrepreneurialism and has stimulated competition between different members of the maraboutic families for followers and economic and political resources traditionally available to them. The process of political and economic liberalization, and the linked processes of pluralization and popularization of the mass media, have facilitated and driven this competition. Marabouts can increasingly be seen to hold press conferences and make appearances in newspapers and on radio and television (Guèye and Seck 2015). More generally, these processes have given way to a greater presence of religious themes and actors in the media, such as the Tivaouane-based mediagenic television preacher Iran Ndao, and have also increasingly provided space to religious actors who are not necessarily linked to a particular *zawiyya*. The logics of a liberal media finally fanned contestation over sensitive issues, such as those of sexuality, gender, and the family – topics that religious actors use to mobilize a following. The democratic opening also meant that issues touching on the relation between the state and religion were reopened, including that of family law (as we shall see in Chapter 3).

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14 The Senegalese reformist movement of the 1970s has its roots in a first generation of Islamic reformism of the Islamic Cultural Union (*L'Union Culturelle Musulmane*, UCM) that dates back to the early 1950s. UCM opposed the marabouts' accommodating stance vis-à-vis the colonial administration, as well as promoted new forms of Islamic education, but became co-opted in state and politics in the 1960s and lost its radical edge (Gomez-Perez 2005a).

15 The position of *Khalife-Général* passed to the successive male siblings of the founders before passing on to the generation of the grandsons (see for instance E. H. S. A. Diallo 2010).

LOCAL STATE GOVERNANCE AND THE TIJĀNIYYA SUFI ORDER IN CONTEMPORARY TIVAOUANE

Today in Tivaouane there is a continued strong role for state and religious actors and institutions.<sup>16</sup> Capital of a county (*département*) of the same name, the secondary city's population is largely Wolof and all Wolof-speaking (ANSD 2015).<sup>17</sup> Once the fifth-largest city of Senegal, Tivaouane is now one of the country's smaller cities in terms of population, and, were it not for its long urban history, it would best be labelled a town (Rouhana et al. 2015). Yet the city's population is growing (ANSD 2015). This can be seen on the edges of the city where a flurry of construction work is taking place and where the city is slowly encroaching on its rural surroundings (Yague-N'diaye 2012). Already in 2009 this led to the enlargement of the surface area of the municipality of Tivaouane by 7,000 hectares (Niang 2019; Décret N° 2009-126).

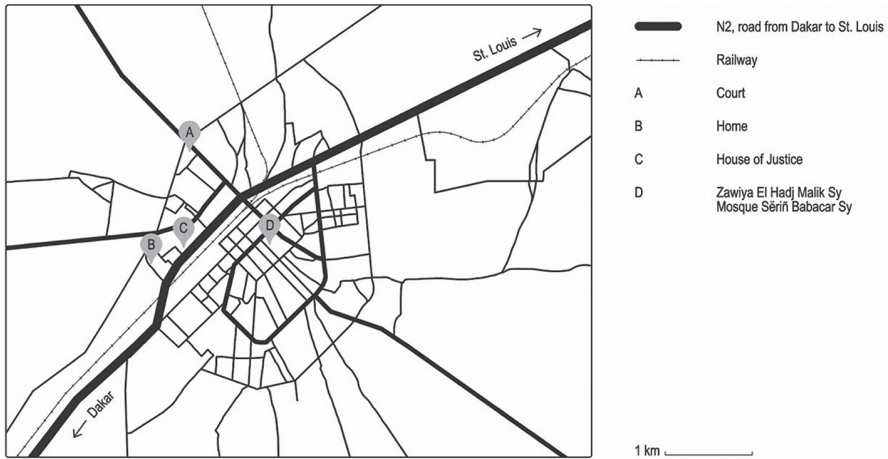


Figure 1: Map of central Tivaouane

- 16 The character of Tivaouane as urban area is best captured with the term 'secondary city'. A set definition of secondary cities is lacking (Donaldson, Marais, and Nel 2020, 122), but descriptions tend to centre on these cities' position in national urban hierarchy as well as their supplementary role in terms of functions. In general terms, a secondary city is smaller than a primary city and larger than the typical small town. However vague these definitions are, Tivaouane clearly fits them. As a centre of local government, with a long urban history and an economy that relies primarily on trade and artisanry, Tivaouane is undoubtedly urban; yet it is also small in size compared with other urban centres of the country.
- 17 Ethnically, Tivaouane has always been diverse but predominantly Wolof (E. H. S. A. Diallo 2010, 40; M. Diouf 1990). Presently, the Wolof represent 80%, Peuls 9%, and Serers 8% of the population (Tivaouane 2017). Like other urban areas in Senegal, Wolof has moreover become the lingua franca; many who are not ethnically identified as Wolof nonetheless speak it as their first language (Mc Laughlin 1995, 153).

The Sy *zawiya* has significant political influence in Tivaouane, and its marabouts impact local political decision making, even if it is not always easy to pinpoint the precise extent of this influence. Perhaps most revealing of the *zawiya's* political role is that the different mayors who have served the city are all followers of the Tivaouane branch of the Tijāniyya, as well as the fact that it is customary for new local state officials, including judges, to begin their tenure in Tivaouane with a courtesy visit to the *Khalife-Général*. Throughout the years, moreover, the successive *Khalife-Général*s, as well as other prominent Sy marabouts, have used their influence to attract resources from the central state to the city, particularly during the annual *gāmmu*, which is attended by the country's main political leaders and is entirely and directly broadcast on the different Senegalese television channels.

The marabouts own a large number of plots in the city, as well as exert power over the character of public spaces. Out of respect, the local administration refrains from licensing local businesses to sell alcohol. In 1987, a newly constructed Catholic church (the first in the city), which was to service the small minority of Catholics in Tivaouane as well as Catholics living in nearby villages, was shut down.<sup>18</sup> The *Khalife-Général* Abdou Aziz Sy requested its closure, at which the central government expropriated the building. Today it houses a public school. What is more, Ouallet suggests there exists a growing propensity among Sy marabouts to territorialize – that is to say, the latter increasingly attempt to mark and organize the city of Tivaouane as an Islamic, Tijāniyya capital (Ouallet 2019). They do so, for instance, by calling upon their followers to invest in property in the city and to contribute to a landmark mosque.

For the relatively large Tijāniyya population of the city, the presence of the Sy family is of spiritual significance. For some it has even been a decisive factor in their, or their ancestors', settlement in the city. Nevertheless, despite their proximity, it is not easy for disciples to have direct access to the central marabouts of the *zawiya*. On the whole, the maraboutic family in Tivaouane has limited direct impact on the lives of Tijāniyya followers in Tivaouane (except on students) that sets them apart from other Senegalese followers, and as we shall see in subsequent chapters, this also means that they do not have a particular role in people's familial and marital lives. Historically, Tivaouane also houses a considerable group of Muridiyya followers. Originally, they settled near the Muridiyya dignitaries Cheikh Awa Balla Mbacke and Cheikh Marouba Guèye, who were based in the city (Sow 2007), and, up to today, they are concentrated in neighbourhoods

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18 Islam has a long presence in the area, though by 1910 the city still counted a significant number of animists, and Islamization continued into the 20<sup>th</sup> century (E. H. S. A. Diallo 2010, 40–41).

considered 'Muridiyya' – such as *quartier Tivaouane Mouride* – even if these neighbourhoods also house a large number of Tijāniyya (Gercop in Sow 2007, 164).<sup>19</sup> The proximity of a phosphate mine, opened in 1960, and of a chemical plant (where phosphate rock is transformed into phosphoric acid), opened in 1983 – both of which are important employers for the Tivaouane population – also means that the city attracted a variety of people, irrespective of religious affiliations (M. L. Diallo 2017; Sow 2007).

Economic activity in the city of Tivaouane is centred around commerce, services, mining, and local administration. The yearly *gammu* also constitutes and important pillar of the local economy. Agricultural activity is only of limited significance, even if – given the agricultural activity (groundnut, manioc, and fruit trees) the inhabitants of these areas engage in – Tivaouane at its fringes may be said to be peri-urban in character (Tivaouane 2017).

As a result of principally male emigration, the female population of Tivaouane outnumbers the male population – 92 men for 100 women (Tivaouane 2017, 3). Demographic statistics collected for the wider administrative region of which Tivaouane is part show the female median age of first marriage to be 20.9; for men this is almost ten years higher (ANSD 2012, 64).<sup>20</sup> Prolonged celibacy is rare. In the age brackets 35-44-year-old and 45-year-old and over, only 4% and 3% respectively of the women remain unmarried.<sup>21</sup> Marriage is an important obligation and aspiration for many, one that balances purposes of affective, reproductive, and material nature (Dial 2008; Hannaford and Foley 2015, 208). Throughout Senegal the rate of marriages between family members remains significant; still, the norm of preferential marriage within the family does not carry much importance (Moya 2017, 176-177) (see also Dial 2008, 74-79). As in other regions of Senegal, in the wider administrative region in which Tivaouane is situated, polygyny, sanctioned by the Family Code to a maximum of four wives (FC art. 133), is prevalent: 29% of married women are in a polygynous marriage (ANSD 2012, 59).<sup>22</sup> The fertility rate is slightly below five children. Whereas the level of education is rising among younger generations, the overall level of education is low: 47.3% of men have not received any formal education; for women the figure is 56% (ibid. 25-26).<sup>23</sup>

19 Conversely, quintessential Tijāniyya neighbourhoods such as the *quartier El Hadji Malik Sy* in the centre of the city are in majority Tijāniyya but also accommodate a number of Muridiyya (Sow 2007).

20 This is slightly higher than the countrywide median of 19.6 (ANSD 2012, 63).

21 These are countrywide statistics.

22 Polygyny refers to a situation in which a husband has multiple wives. Polygamy may refer both to a man having multiple wives and a woman having multiple husbands. Nonetheless, in Senegal, as in other Francophone countries, the word polygamy is used as equivalent to polygyny.

23 These figures do not seem to take into account people who, through study of the Quran, have learned to write Wolof using Arabic characters.

## CONCLUSION

In Senegal, the growing influence of Islam and Islamic authorities coincided with the development of the colonial state. These processes impacted each other, and, around the turn of the 20<sup>th</sup> century, a constellation had developed in which a small number of Sufi leaders played key roles as intermediaries between the population and the colonial state. Tivaouane emerged as a hub for colonial administration and economic activity, and, with the move of Malik Sy to the city in 1902, it became an important religious location for the Tijāniyya Sufi order. Today, while now being one of the smaller cities of the country, it retains a strong state presence. The so-called ‘Senegalese social contract’ persisted after independence, yet its strength has declined since the end of the 1970s, as a result of both processes of political democratization and of pluralization within the Islamic sphere.

In the following chapter, we will see that the state and Islam have historically played an important role in shaping the avenues available to women and the different normative repertoires they may draw on in cases of marital dispute and divorce. Over time the colonial and, later, independent, state increasingly used law to impose a certain vision of marriage and the family, but Islamic authorities have contested these efforts. In addition, a gap developed between the law and the actual practice of Senegalese men and women and their families. The co-constitution of the Sufi orders and the colonial administration ensured cooperative and cordial relations between Islamic authorities, on one hand, and the colonial administration and, later, the Senegalese state, on the other. Nonetheless, family law has long constituted a point of contention.