

THE INVENTION OF ORDER: REPUBLICAN CODES AND ISLAMIC LAW IN NIGER

By

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To the Smala at Wadata

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Abstract of Dissertation Presented to the Graduate School
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In the last two decades of the twentieth century, crucial processes of political and economic liberalizations transformed the political landscape in much of the post-colonial world. The reigning theory of modernization which was pegged in the era of political emancipation to national development and authoritarian secular statecraft came under the various challenges of human rights defending groups and the promoters of cultural nationalism. These groups boldly seek to rewrite the history and the future of political modernity, and in many countries, cultural nationalism took the form of an Islamist political project. Through historical and contemporary analysis of topical events and collective processes in Niger – a country ruled by a secular, democratizing state and consisting of a majoritarily Muslim citizenry – this dissertation seeks to uncover the depths and orientations of secularist and Islamist movements in a post-colonial context. Relying on an understanding of the concept of governmentality as a set of regimes of power which seek to shape the conducts of the governed in ways that are pleasurable to a sovereign ideal, the dissertation argues that Niger's liberal republicans and Islamists constitute, in their very antagonism, a form of divided hegemony which strive to order Nigerien lives and which ultimately create dilemmas largely characteristic of the politics of modernity. The articulation of homogenizing codes to the concept of the modern unitary state and rationalist or

theological expert knowledge erect, in a context of great material poverty, images of political modernity which liberal republicans and Islamists strive to invest in their divergent agendas. In this process, they produce the specific cultures of the “civil society” and of the “clerical society,” which lead, the dissertation concludes, to a kind of heterogeneous order irreducible to either the liberal republican sovereign or the Islamist sovereign.

CHAPTER 1 INTRODUCTION

At its abstract core, the present work builds on the intuition that the essence of politics resides in the project – and the actions which derive from such a project – to impose a certain kind of order on human reality.

Philosophically, the intuition contests Hegel, who thought that rationality (order) and reality are the same thing, and that the state achieves, in the political realm, the identification of the “real” and the “rational.” In ancient Greek mythology, the first state of the “real” is disorder, (*chaos* was the word used in the mythology). Then a demiurge arose, and arranged out of that chaos the natural order, or *cosmos* (which means “arrangement”). States, laws, ideologies and governmental regimes strive to play that demiurgic role in relation to specific social and physical spaces, and their efforts create the many issues which we term political. They are never successful in the sense in which the Greek demiurge was thought to be successful. But, depending on their resources, the efficacy of their strategies, and the timeliness of their efforts (among other factors), they may succeed in producing working fictions in which large numbers of people choose or are trained to believe. The fundamental disorder (we may call it also richness or complexity) of human reality is not then at long last reduced to monolithic, perennial order: but active faith in order is produced to veil the actuality of disorder.

To illustrate this with another comparison relevant to the particular subject of this work, we may contrast early modern Western political theory with Islamic political theory in this respect.

Early modern Western political philosophers – Hobbes, Locke and Rousseau in particular – thought, like the Greeks, that at the beginning, there was Disorder (which they called “the state of nature”). Then a contract was signed, sometimes at the behest of a demiurgic figure

(Rousseau's Legislator) or guaranteed by a demiurgic figure (Hobbes' Sovereign). Order emerged: the city, the state, civil society – mediated by a sterling quality that other natural beings do not possess, secular reason.

Islamic political theory, on the other hand, separates the realm of human Disorder (the temporal universe of this world in which we live) from the realm of divine Order (the afterlife). This world being disorderly and discordant, it needs a Law (the *Shari'ah*) which exists in permanent tension with Discord (*fitna*). Disorder is never absent from human affairs, and that is the case especially because humans have that quality – religious faith – which other natural beings do not have. Thus, the *Qur'an*, XXXIII, 72: *We proposed faith to the skies, to the earth and to the mountains, and they all shrank away from it, shaking and trembling. Humans took it, and became unjust and insane.* The consequence of this is that humans cannot therefore live in this world without enterprising a lifelong exploration of the Law, which only could reduce and suppress the disorderly effects of their inherent injustice and insanity.

In this work, this essential political tension between the fictions of order and the realities of disorder will be analyzed through the concepts of sovereignty and governmentality. More specifically, I will study the conflict between liberal republican and Islamist orders (sovereignities) in their attempts at solidifying their fictions in overarching governmental regimes – expressed in the forms of codes and institutions – in Niger's social and physical contexts. I will show that in their conflict, the two sovereignties necessarily embrace each other and reveal their similitude in relation to Niger's contextual disorders. Their methods and objectives are comparable, and increasingly so as they mutually constitute each other in their wrangle, but they therefore reveal that neither of them is coextensive with Niger, as they assert.

Their governmentalization projects result in real effects on the lives of Nigeriens: insofar as the legal and institutional regimes which they seek to establish are upheld by vested authorities and the formal rigidity of courts and codes, people must structure their conduct in relation to such projects. “Legal interpretation,” writes Robert Cover, “takes place in a field of pain and death. (...) A judge articulates her understanding of a text, and as a result, somebody else loses his freedom, his property, his children, even his life.” (Cover 1995, 203) In the context of Niger’s unstable and competing legal and institutional regimes, however, legal interpretation also takes place in a field of ambiguity. The dialectical concurrence between liberal republicanism and Islamism leaves out a large space of normative anarchy which, even though it may appear peculiar to this kind of context, may also be revealing of the eternal gap between the ideals of order and the realities of context. At any rate, in this specific case, that space ultimately preserves the liberty of Nigeriens to be something else than what is willed by their putative sovereigns: “irrational,” “unjust” and “insane.”

Both liberal republicanism and Islamism tell normative, teleological (and, in relation to African populations such as those of Niger, consistently demeaning) stories about humankind. Those stories strive to take possession of our lives, so that we may enact them in our personal conduct and use their tropes to order as much as we can our relations to each other.

While I use the term “fictions” to designate such stories, Robert Cover (1995, 96-97) uses, in a slightly different meaning, the term “narratives.” Close to my point, he states that “prescription, even embodied in a legal text” cannot “escape its origin and its end in experience, in the narratives that are the trajectories plotted upon material reality by our imaginations. This *nomos* is as much ‘our world’ as is the physical universe of mass, energy, and momentum. Indeed, our apprehension of the structure of the normative world is no less fundamental than our

appreciation of the structure of the physical world. Just as the development of increasingly complex responses to the physical attributes of our world begins with birth itself, so does the parallel development of the responses to personal otherness that define the normative world.”

I will add to this that the social and human sciences are then as much about this *nomos* as the natural sciences are about the physical world. In their current form – and I approach the issue on its epistemological angle in Chapter 3 of this work – the social and human sciences are not quite adequate to the richness and complexity of this experiential/normative world, and my prime ambition is to address, in this study, some of their key inadequacies.

My more immediate ambition is, however, to explain the emergence of liberal republican and Islamist governmental movements in Niger, and to present a number of arguments on their projects, strategies, and resources, in ways which allow us to understand their successes and their failures, as well as the influence that they have on each other through their very normative hostility. In this introduction, I will discuss some general theoretical issues which will be mostly implicit in the rest of the study, and I will lay out the sequence of chapters which constitute it, with the view to show how they map out the development of my argument. But first, I would like to start with a short reflection on the category of opinion, which has important methodological bearings on my arguments.

The Sovereignty of “Humour”

At an elementary level the central categories with which social scientists organize today their thinking about politics and society – categories such as agency and structure, state and society, change and stasis, and so on – would all be unthinkable without the modest, generally implicit, methodologically menial category of opinion. Opinion is measured in survey polls, recorded in interviews, gleaned from private papers or public communications, deduced from group memberships, and is generally presumed to be an active force in certain kinds of politics –

notably those described as democratic. However its role in explanatory frames is generally subordinate to other categories, and may gain some salience only when it seems to amount to an ideology, a cohesive ensemble of opinions with recognizable master references, identifiable modes of publicization, and shared goals. This sort of opinion is important in this work, but even more important is the realization that the common, personal kind of opinion is the determining factor in most of the evolutions which we seek to explain, and much of the social patterns which we hold pertinent to our research efforts. That kind of opinion articulates life experience to the normative and imaginative world which permeates our life, but it is generally left to be explored by novelists and biographers – the former even more than the latter. Yet the extent to which we know how people understand the world in which they live and act is generally the extent to which we know their opinions on that world, and this means that opinions in fact govern personal and collective agency at the level of individuals – the important influence of impersonal forces, both natural and contrived, taken apart.

Opinions as ideology manifest the nature and orientation of personal or collective agency, because they have, at that point, solidified into a political project. But my basic premise in this work is that opinions allow us to reach deeper in the analysis of social and political processes if we succeed in understanding them in their more diffuse expressions, when they characterize individuals as irreducible to all kinds of powers, benevolent or oppressive, by the simple fact that, for any individual, being alive means having opinions.

Opinion appears thus as a category more fundamental than behavior itself, in the sense that it is at the same time *universal* and absolutely *individual*. It is the point zero of all social processes. Its expression may be controlled, shaped or engineered – and it is in that sense that it is possible to speak of “freedom of opinion,” of “opinion makers,” and other such anti-logical

phrases – but its essence is that of individual sovereignty itself. An Elizabethan comedy called it “humour” – that is “mood” (the English word was still replicating at the time its French parent, “*humeur*”) as reflecting character. In *Every Man in His Own Humour* (1598), Ben Jonson weaves a complex tale of authority and manners (and mirth) based on the irreducible peculiarities of all characters in the play – despite the fact that they all share the same values and beliefs, as is very clear in particular to non-English, non-Elizabethan readers or spectators. These peculiarities result in numerous conflicts and discords, based for the most part on misperception and deceit. The confusion is finally clarified by a personification of Justice, going by the name of Clement (which, incidentally, is a sound translation of the first of the ninety nine names of the God of Islam, *Rahman*). Order is thus restored.

Opinion, “humour,” may help us to give a social scientific form to the difficult notion of disorder, especially if we do not consider it as merely a methodological tool. While that latter usage is useful and legitimate, it is also only a way to create the sense of monolithic rational order which is the fundamental epistemological problem of our modern paradigm (again, more on this subject in Chapter 3). Yes, it is possible to predict certain behaviors by polling the opinion – or more accurately, the *stated* opinion – of groups of people. It is also certainly possible to describe the culture of a group of people – its commonly held beliefs and orientations – by collecting their opinions on a number of issues through a prolonged personal immersion among them. In this way, opinion data contribute to our understanding of behavior and culture, which, in turn, enable certain kinds of productive social scientific analysis. But how do we, with the category of opinion itself, articulate an analysis which uncovers fundamental aspects of the realities under study? And, especially if we consider opinion to be even more personal than

behavior, how do we understand its relations to the large social processes which are the objects of social sciences?

To better understand the pertinence of these questions, I will turn again to another English writer for illustration.

Exactly three centuries after Jonson's play was published, in 1898, Arnold Bennett was contemplating earning his living otherwise than by working as editor for a women's magazine. He noted in his diary, as a justification: "To edit a lady's paper, even a relatively advanced one, is to foster conventionality and hinder progress regularly once a week." (Bennett 1933, 83) The remark was a statement on the powerful effects of public standardized opinion by someone who did not understand its specific sources. Bennett despised women in a mild way and professed not to understand them: "The two sexes must for ever remain distant, antagonistic, and mutually inexplicable," he confided to that same diary (Bennett, 82-83). Yet he thought that by editing the magazine *Woman*, not only was he shaping feminine opinion in England, but he was also shaping it in rather detestable directions ("conventionality" and not "progress"). He probably knew that the magazine had diverse impacts, depending on the social class, the geographic location, or again the level of education of its public, but he did see in it an instrument of power through which the regular dispersion of certain kinds of information, delivered in a certain kind of language, caused durable uniform trends among large numbers of women. He did not seem to realize that his very irritation signaled that his public, whom he must please by dispersing just that information, and not any other, through just that language, and not any other, was in fact – if that is the word – more *powerful* than him. The magazine *Woman* was certainly at a certain level an opinion shaper: but the truth of its existence was that it was produced by the opinion it shaped so that it could serve it by bestowing on it such specific shapes as it requested. And the extent of

its success and derived power signaled also the extent of its servitude. Bennett served *Woman* and women by telling them what they wanted to hear, *even though he did not understand them*: that was truly the position of a servant.

Of course, in this case (as in others that are similar), the magazine worked also for other forces, businessmen wishing to sell certain products, literary artists seeking a certain kind of appreciation, and a number of other people who might profit from its existence and success. But its *raison d'être* remained feminine opinion, which effectively assembled all those men (for the most part) as interested in serving it. Its existence reveals that there was a unified feminine opinion which requested suitable information and entertainment. At the same time, one would be mistaken by judging (as did Bennett) that the magazine could help us characterize feminine opinion as a whole. It catered for a standardized form of feminine opinion only in certain media fields that were authorized by the larger Victorian society, therefore revealing its textures through the filter of that society, as well as the specific realities of that society. A century ago, feminine opinion in England did not have access to such an instrument and was confined, in the best circumstances, to novels and sermons; a century later, it has diversified outlets in all kinds of media fields and displays a richness and complexity which were already there in 1898, but could not be expressed in these ways.

Media fields (by which I mean the available arrays of newspaper, of electronic media, of scheduled public events, of print work and other such) present and represent public standardized opinion, but through their very constitution, they also reveal how power circulates in society at the level of opinion itself – which is premised here to be the most fundamental level we could reach, analytically, when studying social processes.

In short, if we take the category of opinion seriously, as an analytical category, we are able to both synthesize its fundamental complexity and realize the interesting fact that public standardizations of opinion give us access not only to group opinion, but also to the circulation of power characteristic of a specific society. The category crucially organizes my reflection in this work, and as a result, my methods of investigation and exposition are greatly determined by its effects. If, for instance, I used Bennett's magazine to, somewhat quaintly, illustrate my meaning, it is owing to the fact that newspapers – along with scheduled events, preaching tapes and publicly available activity reports – play, as shall be seen in two chapters of this work, important roles as active media fields in the expression of Nigerien opinions, after 1989. As such, they enable research and exposition strategies that are not only suitable to my arguments, but also supplement or supersede to an extent more conventional approaches that are often hard to implement in places such as Niger.

To wit, I do not approach in this work liberal republicanism and Islamism simply as ideologies, but rather as normative matrices which develop certain fictions about political order and strive to institute regimes of power (both legal and institutional) which would integrate Nigerien lives in those fictions. Political fictions are best accessed through media fields, in their current appearance. They are about stories of political development and the representation of the current world which such stories produce, as much as about organized sets of ideals.

All of these levels – stories, representation, ideals – of the notion as I am using it here are important to my arguments. They enable not only ideological stances, but also ethical expressions about the present, aesthetic perceptions of the past and the future, and, even more profoundly, subjective groundings. I will explore in some depths these dimensions especially as regards liberalism in Chapter 3, and they characterize or explain much of the events and attitudes

presented in Chapters 5 and 6. The category of opinion as explained here underlies my reflections, at those points.

Moreover, this general approach orients my particular take on more habitual categories and concepts that are also central to my arguments: political economy, state and society. I will now discuss these particular concepts in relation to the general framework of sovereignty/governmentality, and to the theory that is implicit in my usage of these concepts throughout the study.

Against Zustrandsreduktion

As my explanations of the Nigerien case will make clear in the final section of Chapter 3, my approach to the subject of study is very similar to the one which Norbert Elias imagined when criticizing what he called the *Zustrandsreduktion* of the social sciences. Elias was reflecting on a version of the issue which I have pointed out in relation to the category of opinion, and remarked that the way in which we tend to conceive of human phenomena “makes us feel that one cannot come to grips with observed happenings as flowing events in speaking and thinking.”

Joel Migdal (2001, 23), who is quoting him here, explains that “Elias decried seeing change, or something dynamic, only in relationship to something static, and he labeled this phenomenon *Zustrandsreduktion*. He argued that rather than seeing society as it *is*, one must view it ‘as it *becomes* – *has become* in the past, is *becoming* in the present, and *may become* in the future.’”

The vision of social realities as process rather than frozen image drives down strict causal explanations tied to solid structures such as the Weberian ideal-typical state, the measurable machineries of political economy and the quantifiable patterns of society. The robust accounts in which every actor is rigorously circumscribed and its relationships to other actors strictly

determined favor explanations which start from an “original sin” or a “critical juncture” and end with a final outcome beyond which the analyst is not allowed to venture. But profitable as they certainly are, accounts predicated on this explanatory theory not only impoverish our understanding of reality (under pretence of methodological simplifications), but are also clearly based on fictive categories – and here fictive means what it means, *imaginary*.

Consider for instance the case of a work by Chabal and Daloz, *Africa Works. Disorder as Political Instrument* (1999).

The central pivot of the thesis of Chabal and Daloz – that politics in Sub-Saharan Africa is inherently disorderly in comparison with what obtains in other parts of the world – rests on the strongly held belief that the tidy, rational, mechanistic Weberian state exists *in actuality* in the West. The reflection on Africa flows from that belief, since it appears to the authors of the book that there is, in that region of the world, a state which is the exact reverse of the state in the West. The state in Africa is *not* a rational administrative body independent from society and functioning on the basis of public service deontology. In contradistinction to the rational, developed state, the state in Africa is informalized – which implies all of the deficiencies computed by political analysts in this regard: it is non-institutionalized, patrimonial, functioning through clientelistic ties and based on prestige, personal authority and status, while maintaining corruption and other breach to public service deontology as its very norms. This, which Chabal and Daloz call the “Africanized state”, is “in Weberian terms, no more than an artificially ‘modern’ political edifice.” (Chabal and Daloz 1999, 8) It is “vacuous and ineffectual”. As a result, Chabal and Daloz demonstrate that there are no, nor can it be, incentives for reform and rationalization along Weberian lines in Africa, and that all the signs of perceived disorder and

aberration that mar African politics are the “norm” on the continent – which functions on illicit rules and lack of state-enforced prohibitions.

Chabal and Daloz condense the character of the state in Africa in the alarming phrase “a ponderous Leviathan”, unable to achieve hegemonic order and the near full control that the state allegedly has over society in the West.

Key to the theory underpinning the present work however is that not only is the state in Africa not a Leviathan at all, but there is nowhere in the world a Weberian Leviathan extant. Weber himself did not claim so. “Weber’s definition,” writes Migdal (Migdal, 14) “has the state firing on all cylinders, and while he certainly did not mean the ideal type to be taken as the normal type, that is precisely what has happened in subsequent scholarship. Of course, in real human society, no state can do all that an ideal-type state can, as Weber makes perfectly clear.”

The terms of disorder, Migdal avers, signal only conspicuous deviations from what we have come to consider as the normal state, and such deviations define all states, not just those in Africa (Migdal disapprovingly mentions other scholars, Jean-François Bayart, Stephen Ellis and Béatrice Hibou, who analyze the “criminalization of the state in Africa” through a similar fetishization of the Weberian state.)

More importantly, the problem, at an epistemological level, lies in our very acceptance of the Weberian state as the “normal state”: “The assumption that only the state does, or should, create rules and that only it does, or should, maintain the violent means to bend people to obey those rules minimizes and trivializes the rich negotiation, interaction, and resistance that occur in every human society among multiple systems of rule.” (Migdal,15). Such an assumption, in any case, would have rendered the present study absolutely impossible to conduct.

The remarks that Migdal develops about the state can be paralleled by similar remarks on the concept of society, or more precisely, in the case of this study, civil society. The normal society for a normal Weberian state, on first considerations, will not be a civil society, but rather the community of banausic people whom Weber did describe as the large human herd that need the orders and regularities of bureaucratic rule to achieve civilized life. As the realm of universal rights and obligations, civil society appears a rather more dignified concept of society. It is ruled by political citizenship and the market of goods and ideas, entailing common virtues of individual responsibility and rational calculation. As such, it properly self-regulates itself and needs only a state which also properly self-limits itself. However, the contradiction with the all-encompassing Weberian state is only apparent: the self-limiting state is the *political* state which ideally functions in liberal institutions such as parliament, courts of law and executive offices. The *bureaucratic* state however does remain the extensive grid which is theoretically necessary to all pursuits in civil society, inasmuch as civil society does not rely, like Chabal and Daloz' Africa, on the instruments of disorder. Civil society is thus another face of the state.

Lastly, political economy as an explanatory tool appears also in general as a third face of the state in mainstream studies. Resources controlled by the state – either natural, such as mineral riches, or societal, such as taxes – as well as the economic indices computed as records of state policy – the gross domestic product or the human development index, e.g. – are here the fundamental objects. These, together with the population statistics of the society ruled by the state, produce the fixed image upon which analyses may be conducted.

State, society and political economy are as central to my arguments as opinion and the fictions of liberal republicanism and Islamism, presented earlier. But those arguments are grounded in the project of understanding and illuminating the diversity and orientations of social

and political processes, not in that of simplifying and predicting social and political variations and outcomes. This means for instance that, exactly as wished by Elias, I will have to present not only opinion, but also state, society and political economy in conditions of perpetual movement – and indeed, *becoming* (code word for a movement that is not teleological in orientation).

I will have to account for the fact that the state of Niger in 1974 is different from the state of Niger in 1982, which is different from the state of Niger in 1989, which is different from the state of Niger in 1991 (I have purposely selected these dates because they play important roles in the development of my arguments in Chapter 5 in particular, but other dates might easily be substituted to them). This, I find, is not unmanageable, inasmuch as while becoming is perpetual and permanent (flowing), one only need to select those moments which are directly connected to one's arguments, to analyze the key orientations of the movement that one seeks to understand and explain. Thus, there are here only two orientations under study: laic judicialization and Islamic clericalization. The emergence of the double movement of laic judicialization and Islamic clericalization can be followed up almost from the moment when a state regime started to stimulate the development of a Nigerien society (in 1902 at the very least), in their early budding at the dawn of the twentieth century, in their slow and incremental development under the stifling colonial state, in their ambiguous alliance in the 1960s and 1970s and in their current competitive growth. Following strictly Elias' program would of course have meant to study this process from the beginning, year by year, or if possible over much shorter periods. My theoretical frame of sovereignty/governmentality enables however a more economic – yet not more parsimonious – strategy.

The state, I have posited, is neither a Leviathan, nor Weberian. It is a set of organizations among others, which draws its importance, exactly as other organizations, from the kinds of

investments that people make in it. These investments vary enormously, especially in the non-industrialized economic context of a place like Niger, as we shall see in some details in Chapter 4. They vary across social spaces, across the physical territory, and across time. How people in the territory of Niger relate to the state changed starkly from 1930, when it ruled by means of a brutal exploitative system, to 1946 when most of the oppressive features tied to sheer exploitation were removed, through 1995 when structural adjustment and political liberalism considerably minimized the weight of its organizations. What remains permanent however, and, in parenthesis, enables us to speak of Niger as an observable reality, is its *claim to sovereignty*, either colonial as in the first half of the twentieth century, or independent, as today.

If the state is a process while its sovereignty is permanent, the important question then becomes: what kinds of relations could we establish between state organizations and state sovereignty? It is in finding such relations – as in particular they pertain to the objectives of our study – that we can account at the same time for process and permanence, without falling into the traps of static, frozen images. Sovereignty is essentially a normative claim, and as such it strives to reduce the disorder of the real into the kind of order which supports its claim. By tracing some effects of these attempts, we could use state organizations to study the objects – here the two orientations abovementioned – in which we are interested. In the case of this work, for instance, the development of secular schools and *medersa* (all governmental until late in the last century), from 1902 to the present, in connection with changing state imperatives, will be used to provide these orientations with a thread that reaches deep in the past and allows a proper survey of their movement.

Governmentality, defined here chiefly as the process of constructing regimes of power which strive to shape people's conduct through their very subjectivity – their opinionated

attachment to laws and their underlying ethics and aesthetics – then enables us to observe the results of these movements without being bound by predefined outcomes. When the study stops at the end of Chapter 6, it is simply because it will have reached the most recent key developments as they relate to the arguments of the study, and the last date mentioned will be a date in January of this year, 2009.

In discussing these theoretical issues, I had to make several allusions to the details of the study itself, and those details might have shed some confusion by dint of being elliptical or unfamiliar. I will now attempt to dispel the impressions thus created by presenting the five chapters of the work as they carry my arguments from the historical past to the present moment, in Niger's varied social spaces.

Sequence of the Study

The organization of this study is determined by three interrelated facts: it is a *case study*, on a rather *obscure country* seeking to uncover *federal truths* important beyond the case and the country. It is therefore necessary to properly document the case, create as fervent an interest as possible in the country, and mindfully relate its evolutions to the larger world issues of which they are also a manifestation.

A striking truth about Niger, and almost all Sub-Saharan African countries – but a truth that is generally forgotten or unexploited – is that it is a *new* country. Sub-Saharan African countries are by and large the newest countries in the world, even as Sub-Saharan African societies are probably the oldest in the world (if we remember the scientific consensus on Africa being the “cradle of humanity.”) After a painful genesis under French rule, Niger started in earnest as a nation-state enterprise only in 1960. Many of the effects that it is producing on the lives of its citizens are therefore quite recent and for some of them, are still either in birthing stages or at the level of project and aspiration. This simple fact is materially essential to

understanding the two movements that I study in this work. For instance, the nature and impetus of the societal judicialization of Niger cannot be understood if we forget that until 1974, Niger did not have a single *Nigerien* modernist judge. Other effects of this newness of the country will be explored in the chapters – but combined with the relative obscurity of the country, this prompted me to devote Chapters 2 and 4 to historical and sociological reflections and presentations.

Chapter 2 explores in fact, more precisely, the *longue durée* perspective of the problems under study. It makes the case that, in the eighteenth and nineteenth centuries, Islamic revolutions, led by Sufi jihadists, reorganized the Sahelian region of West Africa – at a time when liberal and radical revolutions were also reorganizing key countries in Western Europe and North America. The two revolutions then met and contended in West Africa when the French and the British launched the colonial conquest of the area. Chapter 2 studies some of the central effects of the encounter, with the view to show how the developments important to this work take their origin in it.

In Chapter 3, I grapple at some length with the problem that is created by the fundamental features of the Western paradigm of the social sciences when studying the questions in which I am interested in this work. In the process, I address the relationship between liberalism and Islam at the level of theory and epistemology, and not just of governmental ideals as in the previous, historical chapter. I end the chapter with a section presenting the theoretical framework which orders the work on the case study *per se*.

Chapter 4 then strives to present a living background portrait of contemporary Niger. Based on current sociographic documents and surveys, it does not offer a fixed image of *Nigerien* cultures and society, but instead, it is an effort at a history of the present. Sociological

concepts do not preexist to the research but are mostly culled from it, and they will be crucially important in understanding events and attitudes in subsequent chapters. This is, strictly speaking, the place where I try to put Niger in the limelight and demonstrate that it is a topical place in which to study the issues of interest.

In Chapter 5, I present the two important movements of the civil and the clerical societies as they emerge from Niger's adoption of liberal democratic institutions in 1991. I also trace their genesis farther back in the past, in relation to domestic history but also to international developments such as the advent of globalization policies in the early 1980s, the Iranian revolution of 1979, and other such events. I extract my key argument of "contentious complicity" from the textures of the movements, notably by offering on the one hand a number of life stories and accounts of specific events, and on the other hand documented reflections on polarizing concepts such as *laïcité* (political secularism) and gender equality. Importantly, the chapter presents also the strategies of societal judicialization and clericalization adopted by each of the movements in its project at transforming Nigerien society.

Chapter 6 studies these strategies in the grain of their actions and effects, striving notably to show in which persistent, quotidian, seemingly trite ways they influence each other.

Finally, in a short, concluding chapter, I draw a number of relevant lessons from the case, in an approach of federal truths.

As will become clear through reading, each of these chapters is intimately related to the others. Even Chapter 3, which deals at some length with seventeenth and eighteenth century European philosophy and relies on Arthur Schopenhauer and Milan Kundera, is related in concrete details, which visibly transpire at one point or another, with later chapters. I marked

several of these interrelations as useful reminders in following the development of my arguments, but not all of them.

CHAPTER 2

THE ORIGINS OF THE CONTEMPORARY SAHEL

From the last decade of the eighteenth-century through the first half of the nineteenth century, almost simultaneously with the great secular, liberal and radical-democratic revolutions which originated in the American colonies of England and the Kingdom of France, the area of West Africa known as the Sahel, or more broadly the Western and Central Sudan,¹ was undergoing equally crucial revolutions, here, however, of a religious and Islamic character. Classically known in textbook history as the Fulani² Sufi Jihads, the events which shook the foundations of societies in this area of the world, and radically and definitely transformed most of its countries, are more complex and wide-ranging than simple holy wars with implications of forceful conversions and theological despotism, suggested by the word “Jihad.”

Indeed, paralleling Tocqueville’s description of the French Revolution as a kind of religious event on par with the Reformation’s transformation of North-Western Europe in the sixteenth-century, the Sufi Jihads might best be called the “Sufi Revolutions.” I will call them, throughout this work, the Sufi Jihads, retaining the conventional name for practical purposes. It is important to keep in mind, however, that they present in one single historical phenomenon many of the traits of a social revolution, while abundantly describing themselves as a movement for religious reformation. Moreover, like the revolutions in the West, the Sufi Jihads were

¹ The two names are somewhat interchangeable. *Sahel*, derived by the French and English languages from the Arabic *Sahil*, means “the shores” – in this case the shores of the Sahara desert, and therefore the stretch of lands bordering the desert to the South, where the Arab or Arabized populations of North Africa came in contact with dark-skinned populations identified as “blacks”, hence the phrase *Bilad as-Sudan* (land of the Blacks). This geographic term for Black southerners designated virtually, then, the entire Sub-Saharan African sub-continent, but came to be restricted in the end, in modern usage, by the French and the British, to a perfect overlap with the Sahel, where this word “Sudan” had some currency thanks to the presence of Islam and of its linguistic correlate, the Arabic language. Philology is indeed political.

² The Fulani are an ethnic community living throughout the Sahelian area and practicing for the most part the nomadic lifestyle of cattle herders. There are however communities of settled Fulani, and the name (which has several variants, e.g., Fulbe, Peul, Fula) may indeed also designate the sedentary inhabitants of the two Futa – the Futa Jalon in contemporary Guinea, and the Futa Toro in contemporary Senegal.

brewed in a specific cultural formation – one far less studied as such than the Enlightenment – and they ultimately birthed a new world, in the lands between the Atlantic Ocean and Lake Chad.

The present work studies the contemporary interrelations, within Nigerien society and government, between versions of Islamic and liberal ideologies. Three compelling reasons lead me, however, to preface this study with a somewhat extensive historical discussion, analyzing the origins of the contemporary issues and problems. These reasons are methodological, data-related and theoretical.

The first reason is, on the face of it, a simple matter of information: the history of Islamic and liberal revolutions in West Africa has neither been written, nor even researched in this specific light. The theme of the Sufi Jihads as revolutions has often been approached as a suggestion or sometimes as an obvious and unproblematic fact, but there is no unitary historical narrative and analysis which has striven to tease out the profoundly important implications that the notion bears for the understanding of the contemporary Sudan.³

On the other hand, while the British and especially the French, consistently presented their colonial project as a form of liberal revolution in West Africa – and indeed acted on that premise to the extent permitted by their circumstances and other motivations – there has not been any significant study of the ways in which liberal ideals and precepts penetrated local societies and radically transformed manners, expectations and discourses. Needless to say that the lack of studies of this kind means also that the encounter between the Islamic and the liberal revolutions

³ The closest to such an endeavor deserves however to be mentioned: Usman Muhammad Bugaje's unpublished doctoral thesis at the University of Khartoum, "The Tradition of *Tajdid* in Western Bilad al-Sudan: a Study of the Genesis, Development and Patterns of Islamic Revivalism in the Region. 900-1900 AD," defended in December 1991. Bugaje's thesis breathtakingly covers a millennium, and not just the few decades alluded to here, but he presented this extremely *longue durée* as leading to "an attempt at the intellectual history of the Islamic revolutionary movements in the 19th Century Western Bilad al-Sudan." (Bugaje, 1991, 3). Note that by "Western Bilad al-Sudan," Bugaje, writing in Khartoum, at the heart of Eastern Sudan, designates the regions which are called in this work Western and Central Sudan.

in West Africa has not been charted.⁴ The constitutive events of the encounter appear as matters of fact in accounts and analyses of most political and social phenomena of the age, but only in the guise of their facets which relate to the particular phenomenon under study. An example of this procedure will be offered in this chapter when I will be analyzing the encounter between the two revolutionary ideologies on the question of slavery in the early nineteenth century.

However, my methodological conviction that contemporary events belong to a series of time-framed developments in which they make sense, makes it necessary to ponder at the beginning of this work the moments of what might be termed, in imitation of Hippolyte Taine,⁵ the origins of contemporary Niger. In other words, the particular sets of issues and problems under scrutiny here belong to a characteristic *longue durée* which, I claim, started with a rupture, or a discontinuity, sometime between 1802 and 1852⁶, and I will have to argue the claim, even if briefly.

The second reason relates directly to the fact that while the texts and norms that constitute the liberal agenda are well known, accepted and publicized by official bodies at national and international levels, such is absolutely not the case with those that pertain to the Islamic agenda. For instance, the Declaration of the Rights of Man and the Citizen of 1789 is one of the building blocks of both the charter of the United Nations and the constitution of Niger; in contrast, almost

⁴ This is, in no small way, due to the fact that scholars of West Africa are often unself-consciously or reflexively attuned to one or the other agenda. The history of the encounter is then viewed either in the lenses of the struggle of “modernity” (liberal values) against oppressive social and political powers rooted in the forms of “tradition” (including Islam), or in those of the resistance to “colonialism” that “Islam” afforded Muslim West Africans.

⁵ Taine is the author of the classical *The Origins of Contemporary France* (1885), which could be summed up as a description of the ways in which eighteenth century evolutions and the French revolution created modern Frenchmen and the modern French civil order.

⁶ These two dates are those of the beginning of Usuman dan Fodio’s Sufi *Qadiri* Jihad, and the beginning of Alhaj Umar Tall’s Sufi *Tijani* Jihad, respectively.

no Nigerien or Nigerian,⁷ outside of the confines of old scholarship, knows or remembers the slightly more recent Usman dan Fodio's *Letter to the People of the Sudan*, which spelled out, in the early years of the nineteenth century, his revolutionary project for the Central Sudan. International awareness of this text and of its influence is even more limited. But despite the fact that the current literature on "Islamic revivalism" in Niger (and neighboring countries) emphasizes the influence of Saudi doctrines and Wahhabi theology in the instance, it is quite easy to trace back this phenomenon to the thought and writings of dan Fodio and his companions, at least in the case of Niger and Nigeria (the Central Sudan). Indeed, it is not possible to understand the current evolutions in the area without reference to this matrix. Its ideals and precepts may as straightforwardly be detected in the discourse of contemporary Sunni orthodoxy as may the ideals and precepts of the French Enlightenment in the discourse of liberal republican orthodoxy.

Therefore, given that, again, there is no consistent analysis of the matter extent, I will have to provide here references that will prove indispensable for the study of the contemporary issues. Strictly speaking, this is a data issue.

Lastly – and this will be further developed in the next chapter – this is a study of the governmentalization of contemporary Nigerien society by liberalism and Islam based on a theoretical framework that requires an approach that was hesitantly termed by its key inspirer, Michel Foucault, "archeology" or "genealogy." Here again the literature (as it pertains to the general issue of Islam and liberalism) is at the same time divided in its theoretical groundings and united in its premises of pure contemporaneity. Studies predicated on liberal ideals normatively rely on the precepts of "good governance" or "governance" and limit the timeframe

⁷ Nigerien designates citizens of Niger, and Nigerian, citizens of Nigeria.

in which to analyze the process to the years of democratic transition and consolidation;⁸ while on the other hand Islamic-centered analyses significantly utilize the same timeframe but in order to chart the progress of Islamic norms of public and private government.⁹ Another set of theoretical takes consider both agendas at the same time – and again, during the same timeframe – but in either a confrontational (the Huntingtonian line) or an irenic framework. The idea, in all of these cases, is to probe current practices and evolution in order to contrast them with the Platonic Idea of the liberal-democratic state or the Islamic state, both of which might be either hoped for or dreaded. In contrast, this work considers both liberalism and Islamism as specific matrixes of agency, norms and conduct that are shaped by structures, forces and ideas.

Liberalism and Islamism display consistencies and constancies that render them describable, even as they evolve in time and a variety of contexts, but the patterns of dynamism and stability, power and weakness, fluent ideas and fixed values, which determine their impact in a given society at specific moments should not be read through the very culture that they produce. That is a form of theoretical fallacy to which – as I will strive to demonstrate in the next chapter – the approach adopted in this work, and predicated on the concept of governmentality and related notions, is little liable. The following historical preface is thus a simple narrative of the theoretical interplay between the cultures of liberalism and of Islamism in the context of elapsed governmentalization processes.

⁸ Liberal political science literature on these issues was inaugurated after the development of a sense that the turn of the 1990s had put African polities at a “critical juncture” (Villalón and Huxtable 1997). The literature has grown around the central questions of whether these polities were ready to embrace liberal democracy and whether their practice of democracy could ever live up to liberal standards, despite an alternative take focused on the consequences of liberal democratization, rather than on its eventual success or failure. Inasmuch as this work is inspired by this specific literature, it follows the latter way.

⁹ Ousmane Kane’s presentation of “Muslim modernity” bestows on the recent revival of Sunni orthodoxy in Northern Nigeria the characters of social and political progress (Kane 2003). This work is related to the academic culture created in Northern Nigeria in order to “Islamize knowledge” and survey *Shari’ah* implementation, here also in terms principally of success and failure.

Sufis and Liberals: The Genealogical Arc

The Western and Central Sudan tended to slip off the Islamic continent – which stretches from West Africa to Indonesia – in the seventeenth century. The Songhay Empire, which attempted to build an absolutist Islamic monarchy akin to Asia's Islamic great powers, the Mughal, Safavid and Ottoman empires, was destroyed by Moroccan firearms at the battle of Tondibia, in 1591. The brittleness of the Islamic political theory which grounded Songhay state ideology since the takeover by the Askia dynasty in 1493 – through events described by Lansiné Kaba (1984, 242) as “the first example of an Islamic *coup d'état* in West Africa” – was revealed not only by the rapid collapse of Songhay administration, but also by the equally rapid emergence of kingdoms and lordships solidly based on local pantheons and inimical to Islamic codes and manners.

The bend of the river Niger, the economic heartland of former Songhay territory, with its market cities and its gold mines, became the manure in which grew the sturdy *kufr* (“pagan”) Bambara kingdoms, while the city-states of the Hausaland witnessed a remarkable revival of the *azna*, *maguzawa* and other *bori* (animistic) pantheons, no longer threatened by the Islamic hegemony of the Songhay state.¹⁰

¹⁰ On the Islamizing influence of the Songhay hegemony, Marilyn Robinson Waldman notes that “although in the late fifteenth century, the rulers of [the Hausa city-states of] Kano and Katsina again took up Islam and began an illustrious century-long period of patronage of Muslim personages, they did so only because of the influence of Songhay. (...) During [Askia] Muhammad's reign, there occurred in Hausaland, because of Songhay's missionary activity, two striking conversions of reigning *sarkuna* – Ibrahim Maji of Katsina and Muhammad Rimfa of Kano – whose predecessors had long shown no interest in Islam.” (Waldman 1965, 336) These conversions had other opportunistic reasons and eerily resemble the strategic embrace of *Shari'ah* law by Northern Nigerian state governors today, under the pressure of powerful sectors of *Arewa* (the Muslim North) society. Chronicling the Sokoto Jihad, Abdullahi dan Fodio observed apropos his brother Usman's early preaching activity among Hausa peasants that the majority of people to whom he preached in the 1780s “had not smelt the scent of Islam.” (Quoted by Waldman, 344.) I am not here delving in the historians' discussions about the Western (Mali, Songhay) or Eastern (Borno) origins of the Islamization of the Hausaland, which, in any case, obviously had multiple origins and unsteady evolutions: the attempt here is only about identifying the lineage of the Sufi Jihads, which were surely more connected to the Western Sudan than to the loathed (by Fulani Jihadists) Borno state.

This development rested on the enduring fact, more characteristic of sub-Saharan Africa than of the Middle East, for instance, of the intermingling coexistence between Muslim communities and considerable populations of *kafiris*.¹¹

The situation began to be reversed in favor of Islam when the growing Fulani construction of Islamic political theory, starting in the early eighteenth century, was able to appropriate two powerful Sufi movements that had developed in the Western Sahara – the *Qadiriyya* from present-day Mauritania and the *Tijaniyya* from Morocco – in the late eighteenth century, in order to more radically reform unworthy government (defined as non-Islamic or not sufficiently Islamic) and address crucial categories of government-sanctioned injustice throughout the Western and Central Sudan.

It is important to understand, at this juncture, the emergence of the *longue durée* of Islamic social and political “revivalism” in sub-Saharan Africa, which has often been documented in the literature, without however an explanation of its consistencies and a broad perspective on its logic of recurrence. The “revivalism”, “recrudescence” or “reformism” has been in effect observed by historians at different points in time: in the early eighteenth century, in the first decades of the nineteenth century, at the turn of the twentieth century, in the mid-twentieth century, and today.

A general opinion about these spikes of religio-political militancy is well summarized by John Ralph Willis (1967, 395) when he writes that “the recurrence of revivalist movements in Islamic history can be partially explained by the inability of a Muslim Community in disarray to preserve in ideal form the Islamic religion and Community, and to realize the ostensible ambitions of the Prophet, and certainly those of his successors, to create a world unified on the

¹¹ A *Kafiri* is one who belongs to the realm of *Kufr*. This is the Islamic terminology, akin to the Christian *paganism* or *heathenism*.

basis of Islamic principles.”¹² Such may be the case at a historical-philosophical level: but consistently, the movements described as revivalist occur or recur in times of political crisis, when established systems undergo pressures from within and from without, in a pattern that is not so much typical of Islam as rather characteristic of social protest and radical political movements in general. They would be more accurately termed theologico-political movements – to reuse a phrase coined by the philosopher Spinoza.

Thus, historians have made direct connections between the destructive effects of the double slave trade and raiding (both Atlantic and Saharan) on Senegambian societies and the emergence of *Futanke* Islamic statecraft in the early eighteenth century. Likewise, the Sokoto Jihad’s success has been explained in great deal by both the effects of the Atlantic slave trade (as we shall see more closely in the next section of this chapter) and the unsolved contradictions within the Hausa *sarauta* systems, which caused them to collapse with little resistance against Jihadist forces. The movements of the turn of the twentieth century coincide with the consolidation of colonial rule, which unsettled old authorities and created new grievances. Those in the mid-twentieth century were clearly a religious expression of the struggle for independence. Lastly, the current “revivalist” movement has self-proclaimed ties with the politics of democratization, which curbed governmental authoritarianism and sparked, under neoliberal economics, new forms of social injustice.

This arc of theologico-political movements is in many ways increasingly tied – decade after decade – to the evolution of Western European commercial, political and ideological power in the region: from the slave trade to colonial overrule to Bretton Woods. Yet it is clearly

¹²Willis then proceeds to oppose revivalism, as a “backward-looking” phenomenon, to reformism, as a “forward-looking” phenomenon, a distinction which is certainly not as obvious as he asserts, but which this work will show to be not wholly unwarranted in the present age.

possible to trace its doctrinal genealogy to a period prior to any significant Western intervention: the moment, at the end of the 15th century, when Askia Muhammad, the founder of the Askia dynasty in the Songhay Empire, requested the advice of the religious political theorist Al-Maghili, in view to transforming the government of the Songhay state along the lines of Sunni orthodoxy. During that period, Al-Maghili developed a body of work addressed both to the Songhay sovereign and to the Hausa kings, thereby creating especially in the central Sudan a line of influence in subsequent centuries that is reminiscent of that of Cicero, for instance, in pre-modern Western European intellectual circles. In particular, the leaders of the nineteenth century's Jihads, despite constructing a world of Sunni orthodoxy, explicitly relied on Al-Maghili as a *mujtahidun*, that is to say a practitioner of *ijtihad*, or the creative interpretation of the religious law by a single individual, usually rejected by Sunni Muslims as both idiosyncratic and subversive. It is to a large extent his fairly grim influence which imparted on the diffuse legalism of *Maliki* practice prevalent in West Africa the streak of dour intensity characteristic of much of the thought of both Usman dan Fodio and Alhaj Umar Tall (the two main leaders of the nineteenth century's Jihads).

The retreat of Islamic government during the seventeenth century did not put an end to the circulation of Al-Maghili's thought, but the framework of a wider, politically active Islamic culture of the kind provided by the Askia monarchy went lacking during that period. The political recession of Islam lasted however for only about a century. In the absence of an Islamic empire, the theologico-political movements in the eighteenth century were shaped and strengthened by the Sufi culture which knew a blossoming in the Western Sahara and Morocco under the forms of the *Qadiriyya* and the *Tijaniyya*. But they were, concretely, responses to – if I

may reprise the terminology of Sheldon Wolin – epic crisis, which almost always took the form of political theory, or more specifically, of theories of statecraft and governmental law.

The development of the *Futanke* states (in today's Guinea and Senegal) in particular demonstrates very clearly that the origin of the theologico-political movements cannot be ascribed simply to the influence of external ideologies (from North Africa and the Middle East), or to the abstract Jihadist necessity to enforce God's sovereignty over the lands inhabited by Muslims. The initial issue had been the political protection of Muslims from specific categories of injustice – especially slavery in the case of the *Futanke* states, but also the kinds of Islamically unjustifiable taxation and discrimination denounced by Usman dan Fodio in his writings and preaching. The problem of the protection of Muslims, in turn, derives directly from the age of Islamic political recession which followed the collapse of the Askia monarchy. The networks and nodes of authority created by Sufi culture played, in this context, the role of a diffuse and informal empire, thanks to which emerging leaders could frame a rousing discourse and be heard by increasing numbers of people.

The *Qadiriyya* was, in the eighteenth century, a centuries-old Sufi confraternity, with strongholds throughout the Islamic continent. Its founder, Abd al-Qadir al-Jilani (from the Iranian province of Jilan), flourished in the 12 c. AD as a charismatic mystical teacher and an expert in the Sunni *Hanbali* legal school – an important detail, since Sub-Saharan Africa's Sunni Muslims follow the *Maliki* legal school, which does not rely as much on a fixed written corpus and generally appears less rigid than all the three other Sunni legal schools. The *Qadiriyya* liturgy (*wird*) might have been practiced in the Western and Central Sudan as early as the sixteenth century, at least if we accept the tradition of its main promoters in the area, the Western Saharan family of the Kunta. But it was the inspirational leadership of Sidi al-Mukhtar al-Kabir

al-Kunti (1729-1811) which decisively established and expanded *Qadiri* influence in the area. In particular, his teaching propagated through Tuareg and Fulani clerical families, with whom the Kunta claimed kinship, and its specific blend of legal expertise (*fiqh*) and mystical wisdom (*tasawwuf*) formed the basis of the education and the subsequent actions of the two dan Fodio brothers, Usman (1754-1817) and Abdullahi, founders of the Sokoto state, and of Usman's son, Muhammad Bello.¹³

The basis for the *Tijaniyya* path (*tariqa*)¹⁴ in the Western and Central Sudan was laid out by the establishment of the *Futanke* states (Futa Toro and Futa Jalon) in the eighteenth century, under pressure to address the problem of Muslim enslavement and related disorder. However, the *Tijaniyya* did not exist in most of the eighteenth century. Its founder, Sidi Abu Abbas Ahmad al-Tijani (1737-1815), was initially a scholar and a *muqaddam* (propagator) for another Sufi order (the *Khalwatiyya*), who encountered the Prophet in a waking dream only in 1784 and established his *zawiya* (congregation) only sixteen years later (1800, in Fez, with patronage from the Moroccan Sultan Mulay Sulayman), at the end of the century. The *Futanke* states were therefore at first influenced by the *Qadiriyya*, and it is the later *Tijaniyya* affiliation of Alhaj Umar Tall,

¹³ On the influence of the Sidi Mukhtar, see in particular A. A. Batran (1979).

¹⁴ The *Tariqa* is a path that one follows through receiving the Muhammedan light, the spiritual power of the Prophet, flowing from God, through him (Muhammad), through the teacher of the path (the *Shaykh*), to the student (the *murid*, or aspirer). Founders, or rather, finders of path usually encounter the Prophet in a dream and receive from him the injunctions which endow them with the mystical power of the *baraka* (blessing). They then transcend the common curriculum of Sunni learning and wisdom, based on the study of legal and theological doctrines, and become *wali* (a word often translated by "saint," although there is not, here, a process of post-mortem canonization). One can in fact be such a saint without having mastered the common curriculum – although most path-finders have been also *muftis* and *alfaqhis* (religious scholars). In any case, the central elements of the *tariqa* are the liturgies (*wird* or *dhikr*) of adoration (*ibada*) and propitiation (*istikhara*) which bring about the purification of life through participation in the Muhammedan light and the spiritual power of the *Shaykh*, and the visitation (*ziyara*) of saintly tombs. The practical consequence of this is twofold: first, the following of a path requires organization around the *Shaykh*, his chief disciples (those who might receive his *silsilah*, the chain transmitting his spiritual powers at the time of death) and his *muqaddam* (propagators of his teaching), hence the fact that a path is also a brotherhood or an order (the latter term will be used in this work); and second, the following of the path could effectively supersede abidance by the non-spiritual tenets of Islam, the legal-theological constructs of the common Sunni curriculum. These two practical consequences are key to comprehending the rise of orthodox Islamic ideologies, or Islamisms, such as, for instance, Wahhabism, in Arabia as a rejection of Sufi *bid'a* (innovations).

the *Futanke* clerical warrior who consciously reenacted dan Fodio's story in the Western Sudan, which gave a decisive impetus to that order in the area.

The Sufi cultures – to which the leaderships of the Jihads undeniably adhered in very sophisticated manners – served to provide the simple and homogenizing practices and attitudes which gave to the movements a distinctive identity and a toolbox of ready references and injunctions for the masses. Before characterizing the decisive role that they played at this juncture, let us briefly address the other ideologies which have grown in importance since that period, but which were, at that point, still out of the picture.

In this period, the two other theologico-political movements which have gained prominence on the current stage, modernism and Wahhabism,¹⁵ were absent from the Western and Central Sudan, for obvious reasons: like the *Tijaniyya*, they were both brewed in the course of the eighteenth century. Modernism could be identified as a current of reactions, in Ottoman officialdom, to increasingly perilous contacts with *Rumi* (European) states – especially Russia and, at the end of the century, France. The need to appropriate European forms of military and administrative organization in the face of successive defeats at the hand of Russian armies clashed with the conservative chauvinism of the Ottoman religious establishment, creating the enduring problem of Islamic modernism: how to borrow efficient modern European methods without sacrificing the defining habits and codes of Islam in the process.

The problem came to a head in Egypt, perhaps the wealthiest Ottoman province, which was invaded in 1798 by the armies of Modernity itself, led by Napoleon Bonaparte, the “world-spirit” of the day according to the philosopher Hegel. The occupation of Egypt by the French,

¹⁵ Many authors call this movement *Wahhabiya*, but I will refer to it, in this work, as Wahhabism, to mark the openly ideological character of the movement, with its all-encompassing rationalization of events and attitudes, and for the practical reason of better distinguishing it from Sufi orders, which also have the Arabic desinence “*iya*” or “*iyya*.”

brief as it was, had been sufficiently stunning to catalyze the formation, in Egypt and much of the Islamic East, of various strands of modernist ideologies under the banner name of *Nahda*, or Islamic Renaissance. One of those currents will grow into the militant movement of the Muslim Brotherhood, arguably the key inspirer of today's movement of the Francophone Islamists, in Niger and some other French-speaking countries.

Wahhabism came into being earlier, when, in 1744, the theologian Muhammad ibn Abd-el Wahhab and the emir of Dariya, Muhammad ibn Saud, struck a deal in order to seize the Hejaz, with the larger aim of restoring the Islamic continent to their vision of the veritable practice and principles of the religion. This antiquarian (salafist) movement was much more straightforwardly rejected by the Ottoman government than modernism, in view of the subversive political challenge it posed, but Ibn Abd-el Wahhab's word was forceful enough to not only survive military defeat (1818), but to also spread throughout the Islamic continent, despite even the organized opposition of the Sufi orders. It would not, however, become of note in our area of interest before rather late in the twentieth century.¹⁶

On this score, it is noteworthy that the Imamate of Futa Jalon, the first Jihadist state in the Western Sudan since the collapse of the Songhay Empire, was founded in 1727-1728 – some twelve years before the 1740s' alliance between Muhammad ibn Saud and Muhammad Ibn Abd-el Wahhab that ended in the Wahhabi Jihad in Arabia. This fact shows that the eighteenth

¹⁶ Lansiné Kaba muses that Wahhabism "was known to West Africans long before 1945," (Kaba 1974, 5) but his own study detects the earliest influence of Wahhabism in the area in the actions of a Gao-settled Tuareg cleric, Alhaj Abdullahi Ag Mahmud, who dwelt for several years in Arabia and returned to propagate the common tenets of Wahhabism with "erudition, patience, and persuasion," (1974, 31) a meekness that is, very likely (although Kaba does not recognize it), a sign of the weakness of his extreme minority position. This was in the 1940s-1950s. In the Wahhabi chronology, this is in fact an early movement of introduction, since it is only in 1925 that Ibn Saud, with the backing of the British, managed to reinvigorate the religious ideology by conquering the Hejaz for Wahhabism, ending the power of the Sufi-inclined Hashemite family which had been ruling the area from the city of Jeddah under Ottoman sovereignty.

century was very much a period of cultural fermentation in the Western hemisphere of the Islamic continent, just as it was, in Western Europe, under the name of the Enlightenment. It also demonstrates that the widespread notion that Sub-Saharan Africa is the passive peripheral recipient of ideas and movements originating in the “center” of the Islamic world (the Middle East) is unwarranted – and is, obviously, not part of the premises of this work.

Be that as it may, it is safe to state that the movement of the Sufi reformations of the nineteenth century, which started with dan Fodio’s *Qadiri* Jihad in the Central Sudan in 1802 and was concluded by Umar Tall’s *Tijani* Jihad in the Western Sudan in 1852, emerged at the confluence of the renascence of Islamic political theory and of the spread of Sufi culture and theology, during the eighteenth century. The themes developed by the leading voices of these movements indicate that the initial impulse had been to protect Muslims by forcing specific elements of Islamic government on existing political systems. By the time of Usman dan Fodio however, this Islamic governmentalization of systems resting wholly or mostly on animistic pantheons and beliefs had become revolutionary and imperialistic, turning from the protection of Muslims to the production of certain kinds of Muslims and the overthrow of unworthy governments. These two themes will be shown to be central to the current attempts at governmentalizing Niger by a variety of Islamist movements, and it is important to understand some of the ways in which they have played out in this early period.

But at this point, it appears also necessary to present, very briefly, the parallel evolutions of Liberalism, which, although much more studied and described than those of Sudanic Sufism, gain a new salience and specific meanings when contrasted with it. The logic of the theoretical interplay and political confrontation between the two movements – both of them revolutionary and imperialistic – will thus be easier to grasp.

The liberal revolutions of Western Europe and the United States occurred over the *longue durée* of the birth of liberal governmentality as described by Michel Foucault in his lectures at the Collège de France, harking back therefore to the early years of the seventeenth century. The events of 1688, 1776 and 1789 may be read in this respect as recording dramatic spikes in a longer and less boisterous process, in a way similar to 1802 and 1852 in West Africa. While in the latter area, the prose of governmentality was shaped, as we have seen, by two strands of Sufi thought, in Western Europe, two strands of Enlightenment thought, that of the French *philosophes* and that of the Scottish economic thinkers, chiefly supplied the vision and master texts which intimated the growth of liberal governmentality. It is however especially in the French Revolution, launched in 1789, that the logical similarity with the Sufi Jihads is most obvious. Active political and administrative theory, crafted in speeches, treatises and essays by revolutionary voices, framed the transformation of the political system of the Ancient Regime into the Modern Regime.¹⁷

They could have the effects they had, however, only because the French had been educated, throughout the eighteenth century, by Enlightenment *philosophie* and its emphases on rational progress and political liberty. The spread of the new culture, inimical to the order of the Ancient Régime, and the rapid emergence of Jacobin and related political theory, meant that the social and political contradictions of the Bourbon monarchy could not outlast the challenges which were heaped against them after the fateful opening of the estate-generals on May 5th, 1789. Central to the political theories of the French Revolution was the idea that the object of government is the free and rational individual, and freedom and rationality became, at the

¹⁷ The phrase “*régime moderne*” was current in France, in opposition to “*Ancien régime*,” until well into the nineteenth century. In these phrases, “*régime*” meant the comprehensive order of society, and not simply the existing political arrangement.

political level, the defining characters of *being* modern – of the modern subjectivity. The creation of modern individuals – certain kinds of modern individual – was erected, in the process, as the hallmark of French liberal governmentality. Certainly, the modifications which gradually led toward the emergence of modern conducts and the possibility of modern lifestyles preceded Bastille Day and occurred elsewhere, especially in the commercial civilizations of England or the Netherlands. But the French Revolution imparted on them the characters of urgency, necessity and universality which mark a wholesale shift in the order of civil life. In this way, modernity became the sovereign ideal whose end is to rule the entire world, instead of remaining a pattern in the ethnic culture of the English, the Dutch or other communities advanced in the arts of liberal government. The production of rational rights, and their spread over all kinds of societies, emerged as the unifying political theme which defines the career of liberalism to date, and it is only to be expected that the current liberal attempt at governmentalizing Niger is predicated on the fostering of a variety of specific rational rights attuned to the Nigerien predicament as diagnosed by various liberal groups and voices.

So, in a rather dramatic contrast, while, in Western Europe, liberal governmentality and the culture of modernity were effectively eclipsing Christian monotheism as a central governmental ideology, in West Africa, Islamic monotheism was gaining ground against animistic pantheons whose styles of government were outwardly temporal and organized an economy of religious toleration.

The states of the Western and Central Sudan had renewed, in the seventeenth century, the old customary Sudanic habit of strategic coexistence between Muslim and non-Muslim communities, which had been punctured under the second – Askia – dynasty of the Songhay Empire. Both Usman dan Fodio and Alhaj Umar Tall considered that such coexistence, even

under a Muslim prince, was indication that a country belonged to the lands of *Kufr*¹⁸ and needed thorough reformation in the order of civil life. The two jihads were undertaken with the view that it was indeed urgent and necessary to extend the *kalimat* (the living practice) of Islam throughout the Sudan in the most uniform way possible.

So it happened that in about half a century, nearly all the more important customary kingdoms of the area were taken over by Sufi warriors of Fulani language and ethnicity, and their populations subjected to a new system of government that effectively changed their civil order – however unevenly, i.e., depending especially on whether they were city-dwellers or country folks.

This happened chiefly in the Atlantic regions (now included in the republic of Senegal), along the middle-Niger valley (now in the republic of Mali) and in what is today Northern Nigeria. The geographic distribution just described points in particular to the fact that the lands which became the republic of Niger all escaped the direct rule of Sufi reformation. We shall see some important consequences of this detail in Chapter 5. The lone exception to this fact is moreover rather intriguing, as it involves the entirely peaceful establishment of Sufi government in Say, a community in today's Western Niger, through the actions of a *Qadiri* cleric by the name of Mamane Diobbo. "By the time Diobbo died (c. 1840)," notes an early historian of Niger, Finn Fuglestad (1983, 37), "he was by far the single most important chief of the West [of Niger], and could claim allegiance from a host of lesser chiefs of the right bank and the river valley, Fulani as well as Zerma [sic] and Songhay. (...) But Diobbo's rise to political

¹⁸ For instance dan Fodio asserts, in a treatise written circa 1813 to justify his Jihad – *Lantern for guiding the Brothers toward the Most Important Things of these Times*, or *Siraj al-ihwan* in its abbreviated Arabic title – that "it is impossible to take Islam into consideration when it is mixed with polytheism." Quoted by Triaud (1983, 48). Tall considered the peaceful cohabitation of Muslims and Polytheists in Segou and its kingdom intolerable in the sense that such cohabitation is necessarily a struggle in which the continuing practice of polytheism means "the weakening, regression and collapse" of the practice of Islam. (Al-Futi 1983, 134).

prominence in the West raises many questions which still remain unresolved. It is not clear how he was able to achieve his dominant position (bearing in mind that he never made use of force). Nor has it been explained why many Zerma and Songhay chiefs, some of them animists, should so willingly agree to pay tribute to Say.” For some Nigerien sources – including the oral archivists of Say’s history¹⁹ – the success of Diobbo was greatly derived from the prestige of the Sokoto Jihad. While the Empire of Sokoto did not overtake the Zarma and Songhay lands of the lower-middle Niger valley, Diobbo, a Fulani *Qadiri* spiritual leader (*wali*), was assisted by Sokoto in the establishment of the *Qadiri* order in the area as well as in the rise of Say as the major market town of the region, a status which always conferred political weight in the trade routes-strewn Sudan of the time.

This latter point is important: it does not appear that the economic effects of the Jihads, important as they certainly were, stimulated revolutionary modifications. Markets were reorganized perhaps only slightly, since most of them were already dominated by Muslim merchants, and obviously the greater scope of governmental action afforded by imperial constructions affected modes of economic exploitation, especially in the areas ruled by Sokoto.

But the key material difference between the Sudanic age of revolution and the Western European one is clearly the fact that the world created by the latter one had been born, in the words of Eric Hobsbawm (1987, 13), “between the Declaration of Independence, the construction of the world’s first iron bridge and the storming of the Bastille.” There were no iron

¹⁹ Contesting the historians consensus which has Mamane Diobbo settle in Say only in 1825, the current *chef de canton* of Say, Alfaïzé Amadou Issa Cissé, a direct descendant of Diobbo, upholds his family version of the story, which states that Diobbo came to Say in 1810, by arguing that his forefather came to Say to represent “Ousmane Dan Fodio in what is today’s Niger Western region. And then, Dan Fodio died on April 26, 1817. Draw your own conclusions!” (Manzo 2007). Dan Fodio in fact never directly ruled the region and could not appoint a representative there, but the Empire of Sokoto manifestly had, from the Hausaland, the same kind of cultural and economic influence that the erstwhile Songhay Empire (centered precisely in that region of the lower-middle Niger) had on the Hausaland some three centuries earlier.

bridges in the Western Sudan, or, in other words, no Industrial Revolution. This detail effectively meant that by the end of the nineteenth century, the Western Sudan, still in the process of being reorganized by the new Sufi states and their sequel, was confronted with the overwhelming challenge of French and British forces, small in numbers, but equipped and organized according to the vastly more efficient standards of industrial culture. And the French and British conquest of the region, although spurred by the needs of industrial capitalism, carried with it, under the label of a civilizing mission, much of the message of the Western European revolutions. The French conquered the Western Sudan – the *Tijani*-dominated region shaped by Tall’s Jihad – and the transition area that will become the republic of Niger, while the *Qadiri*-dominated Empire of Sokoto in the Central Sudan was seized by the British.

Clearly then, from a scholarly point of view, the story that has not yet been told regarding these countries’ colonization of the Western and Central Sudan is that of a direct confrontation between the two revolutions, the bourgeois-liberal one, from Western Europe, and the clerical-Islamic one, from within the Western and Central Sudan.²⁰

By the mid-nineteenth century, in effect, the political space, in the area, was filled with the prose and instruments of the Sufi *regimen*.²¹ It was not, as mainstream colonial discourse later claimed, a doctrinal wilderness to be occupied and transformed by the ideals of “civilization.” Indeed, during the conquering phase, the most furious battles fought by the French to complete

²⁰ See on this score H.F.C. Smith (1961). Jean-Louis Triaud (1983, 15) sums up this story in his introduction to the treatise *Bayân mâ waqa* ‘a of the Sufi cleric and state-crafter ‘Umar al-Fûfî (Shaykh Umar Tall): “The nineteenth century represents, in the Western and Central Sudan, a period of major changes: reconstruction of the great Sudano-Sahelian empires, end of the Atlantic slave trade and gradual intrusion of European imperialisms, as well as development of newer Islamic sensibilities, nurtured by contacts with the central Islamic world.” But as I have already mentioned, historians have produced only localized detailed accounts of these evolutions, generally along the frameworks of the post-colonial states. Note that Triaud accepts the notion of a “central Islamic world” to which the Sudan is a periphery.

²¹ I am adapting this concept from its analysis by Michel Senellart (1995), and will show it to mean, later in this chapter and in the next one, a “regime of power.”

imperial overrule in the Western and Central Sudan were the strikingly parallel wars against Samory Touré in the Western Sudan, and Rabah in the Lake Chad region, in the terminal years of the century (1889-1900): and while neither Touré, nor Rabah were Sufi cleric of Fulani ethnicity like the founders of the Sufi states earlier in the century, both were clearly heirs to their movement of Islamic statecraft, which they paired with focused (but doomed) attempts at securing Western military technology.²² Coming after, and as sequels to the Sufi empires of Macina and Sokoto, undergirded by extensive political theory – as exemplified by works such as the *Bayan Wujub al-Hijra ala i-Ibad* (“On Migration, Leadership and War”) and the *Diya’al Hukka*, (“Guide to Administrators”) of Shehu Usman Dan Fodio, or the *Usul as-Siyasa* (“Principles of Governing”) of Muhammad Bello, *inter alia* – Touré and Rabah could admittedly not craft states along the lines of customary rulership, as they existed prior to the Sufi reformations.

However, if it is useful for this work to return to this period of the past it is, among other reasons, because the parameters of the ambiguities, that is to say the partial contradictions and partial compatibilities between Islamism and liberalism writ large, which define the current situation in the Sahel, are here discernible in their origins, and offer a clearer metaphor of the present. The prominent issue in which to observe the directions of these relationships at the time was that of the trade in slaves.

²² The patterns that set Touré and Rabah on par are so similar that it can be argued that they represented the final stage of Sahelian independent political development before the French imperial takeover and the era of accommodation and subordination. Both Touré and Rabah were of mixed ethnicity (the Dyula melting pot for the former and the Darfur melting pot for the latter), they both created a multi-ethnic system of government, they both consistently strove to acquire Western “industrial revolution”- style armament (guns, cannons, gunpowder), they both had strong organizational abilities, and – if only to complete the coincidence – they both died in 1900 at roughly the same age. Incidentally, 1900 was also the year of the capture, by the British, of the last Mahdist reformist ruler in the Eastern Sudan (the current Republic of Sudan). The year 1900 is thus, in very material ways, the year of the temporal triumph of the Western ideals over the Islamic ones, throughout the Sudan, Western, Central and Eastern.

The Ambiguous Encounter

State economy in the nineteenth century Sahel was based on trade and tax, as can be inferred by both political treatises written by Sahelian rulers, and observations made by Western explorers and conquerors. Trade was especially prominent in the sense that it created merchant classes which achieved near social hegemony in most of the states in the area and ensured that the prevailing state ideology in the Sahel was mercantile. It has been noted as a matter of course that the precepts of Islam favor mercantile ideology, and the question remains whether the Sahel took to Islam because of a pre-Islamic mercantile bent, or whether the mercantile bent was developed and nurtured by Islam after it became widespread. This is not a moot point, considering the fact that in this context, the accumulation of wealth consistently depended more on the appropriation of movable goods than on the possession of land and real estate.

Land was by definition a public (or community) good in a radical sense: it could not be possessed in a fully commercial sense, that is to say with equivalents of the rights of *abusus*, which would allow owners to alienate or bequeath it. It had social and political significations which generally impeded commoditization, even as several modes of exploitation were actually possible and attempted. This conception about land, which obtained also in non-Islamized areas of sub-Saharan Africa, was not seriously impinged upon by Islamic rules, especially given the fact that throughout most of its historical presence in the Sahel, Islam was restricted to urban areas and failed to adequately penetrate and transform rural life. Despite many factual resemblances therefore, early Sahelian lordship or nobility (called, in the main languages of Niger – Hausa and Zarma – respectively *sarauta* and *koytaray*), was not, like the European,

shaped by possession of and sovereignty over the land. Rather, it was defined by control over taxes (most often in kind) and markets.²³

This description is not absolute, of course, and the increasingly numerous exceptions (over the Islamization processes of the large Sahelian states of Mali and Songhay in the thirteenth-seventeenth century, and again in the case of the Sufi states of the nineteenth century) appear to be tied to the ways in which Islamic norms and practices were changing older Sahelian orders even in the countryside. The exceptions concern the emergence of large land holdings for commercial production purposes, exploited through slave settlements, in all sub-Saharan areas where state mercantilism was shaped by Islamic precepts (not only in the Sahel, therefore, but also on the Swahili²⁴ coast of East-Africa, where Islamic rule was often performed by Arabs from present-day Oman and Yemen).²⁵

On the other hand, one of the key justifications for the invasion of the countries and lands of Sub-Saharan Africa by the British and the French was the abolition of slavery within the sub-

²³ There is even literary evidence of this, which is scarcely explored yet. One rare study has been published by Bassirou Dieng (2003). Dieng, who explicitly uses the concept of the “Islamic revolution,” shows however an allegiance to that event – not unlike the allegiance which most Western scholars unself-consciously show to the parallel liberal revolutions – which builds in a doctrinal bias in his research). In the case of Niger, the celebrated epic legend teller of Zarma language Jaado Seku, for instance, consistently refers to the ancient *koys* (lords), who enliven his stories with their warring feats, as ruling this or that market. Their capitals, indeed, were essentially emporia with famous “market days.” In any case, while Europe-centered theories (such as liberal economics or Marxism) have reified the feudal regime of medieval Europe as a stage in the economic growth of Humankind, it does appear, as is argued by a variety of historians, that it is in fact very much (and somewhat less grandly) a material and cultural result of the fact that Western Europe was cut off from global trade by the Islamic conquest of the Southern and Eastern Mediterranean in the 8th century. Western African integration into the Islamic-dominated global trade of the 8th-15th centuries favored there a market-based regime similar to the one which characterized for instance Merovingian France in the 6th-7th centuries, when the Mediterranean was still, as a Byzantine-controlled Romano-Christian sea, a trade way to Asia (Pirenne 1937).

²⁴ The word “Swahili” itself of course derives from the same Arabic word as Sahel.

²⁵ See especially in this regard Paul Lovejoy (1978) and Frederick Cooper (Cooper 1977). Most historians tend to view slavery as the cornerstone of these sub-Saharan economies and it is hard to discriminate in fact between practice under Islam and under non-Islamic government, given that this regime of labor mobilization was also run according to its own rationalities and contingences, independent of religion or ideology. Yet when the merchant classes are involved in this regime, the need for achieving economy of scale tended to increase the demand in slave labor and probably also in strictness of treatment, and the merchant classes were typically more active and predominant under Islamic government.

continent – a justification which actually influenced the diplomacy and dealings of their governments with local rulers in Africa. The eradication of slavery had become a central component and identifier of the liberal ideology in the nineteenth century, and the practice of slavery within Africa made of the place a legitimate object of liberal power. The European scramble for Africa was determined by many other factors than liberal ideals, but liberalism was very certainly one of the key movers in this phenomenon, and, more than any other, especially in the British and French cases, it suffused with its prose of civilization, improvement, commerce, enlightenment and liberty the texts produced by European explorers, diplomats, conquerors and travelers until the colonial regime was fully settled. To strengthen the impetus to conquer Africa, it thus became indispensable and even urgent to construct an understanding of Africa as a slave-holding place, crying out for freedom and reform. This ideological prose was substantiated by the will to introduce in Africa the cash-based wage labor regime, which was part and parcel of the liberal-economic obliteration of the indigenous European serfdom-and-lordship system, as a gift of progress and modernity – and exploitation. The efforts of the British and the French were thus directed at replacing slave labor with free labor, and the British government in particular developed a policy of sending out diplomats with the mission of exposing this rationale to African rulers.

This is when a first intriguing dialogue with Islam developed, and I will only sum it up here, without going into great detail. Overwhelmingly, the European observers judged Islam a causal factor in the perpetuation of slave holding and the trade in slaves in Africa. Many, while considering that it led to the development of sophisticated commercial societies, thought that its requests for the consumption of slaves must authorize the Europeans to stamp Islam out of Africa at all costs.

Yet the Sufi jihadists of the early nineteenth century viewed on their part the Europeans (“the Christians,” as they called them) as essentially slave consumers who posed a threat to the freedom of Muslim individuals. And in fact, one of the key reasons invoked by Sufi jihadists to overtake and reform the Sahelian states was the fact of “unjust slavery,” that is to say the enslavement of Muslim individuals, which had become endemic due to the pressures of the Atlantic market. The connection between the trade in slaves and the Christians at sea was explicitly made in particular by dan Fodio, at many instances, to the extent that he has been described as a “Muslim William Wilberforce.”²⁶

The rules governing slavery under the law of Islam, Jihadist doctrinaires (such as dan Fodio and Umar Tall) contended, discriminated between freeborn Muslims and converts, and non-Muslim individuals. While it was absolutely forbidden (*haram*) to enslave the formers, the latter were free game. However, once they have converted to Islam, non-Muslim slaves must also be set free. Such were the general rules, which recognized therefore that slavery was an evil (since Muslims should never be subjected to it) and yet which condoned its practice.

This means that while on the American continent race (in its various guises) was the discriminating factor between who should be slave and who should not, in this context religion played the same role. The implications for emancipation were thus potentially wider, and affected the individual who could convert to Islam (more easily than he or she could become White) and be freed. In reality, however, economic rationalities often blunted the possibility, to the effect that intense debates led to schisms and disillusion among the Jihadists.

²⁶ The analogy was developed by Humphrey John Fischer (1988).

In the *Wathiqat ahl as-Sudan wa man sha'a Allah min al-ikhwan* ("Letter to the People of the Sudan and to Whoever God Wills among the Brethren"), considered as the manifesto of the Sokoto Jihad²⁷, dan Fodio affirms (point XXII) that "to enslave the freeborn amongst the Muslims is unlawful by assent, whether they reside in the territory of Islam, or in enemy territory." Point XXIII goes even further than this: "And that to make war upon the heathen to whom peace has been granted is unlawful by assent; wrongfully to devour their property is unlawful by assent, and to enslave them is unlawful by assent." Slavery as an institution is thus circumscribed as a relation of war. The *Letter to the People of the Sudan* in effect declares peace on the good Muslims (*ikhwan, mumunin*), war on the Unfaithful and the bad Muslims (the syncretists) and peace on certain Unfaithful to whom peace has been granted (*al-kuffar ahl al-aman*). A positive, substantial idea of peaceful relations excludes the master/slave relation, but the concept of peace is framed by specific Islamic legalities: it is peace as legally created by Islam, among Muslims on one hand, and between Muslims and non-Muslims on the other hand. Whenever peace fails to obtain – for legal reasons – slavery will be lawful.²⁸

From these premises then follows an obligation on the ruler to "protect" from enslavement people whose enslavement is unlawful, exactly as he must protect all people from theft or murder. All of these rules and consequences were no mere abstract principles, since they determined momentous events in the sparking of the Sokoto Jihad, when for instance slaves in the Gobir kingdom (where dan Fodio was born and raised) fled to his camp while claiming that they had been unlawfully enslaved. The struggle which ensued between dan Fodio and the Gobir

²⁷ As will be shown in some extent in later chapters of this work, this letter or dispatch is still a living document in Northern Nigeria and Niger, in the fact that it enunciates principles in the form of a constitutional declaration of rights and obligations that informs the vision of an Islamic state in the area.

²⁸ Regarding this emphasis on legality, it is not uninteresting to note that dan Fodio means, in a mix of Hausa and Fulani languages, "the son of the Jurist." Islamic political thought is indeed of a thoroughly juridical character, because it is a reflection on God's words – which are His law.

sarauta was effectively the beginning of the Jihad. As late as 1817, after the Jihad had triumphed over the major areas of the Hausaland, Sokoto forces would intervene in other lands to support Muslim slave rebellion in stated consideration of the positive duty of protection that a Muslim ruler must fulfill. Usman dan Fodio's younger brother, Abdullahi dan Fodio, emigrated eastward under the impression that the Jihad was failing to achieve much of the social reformation required by the movement, indicting, in particular, in his *Tayzin al-waraqat* (1813), the fact that his fellow Fulani Muslims were "sellers of free men in the market."

The clerical-Islamic doctrine outlined here did not therefore abolish either the institution of slavery, or even its commercial structures, which made of trade in slaves a source of wealth and a central economic interest in the region. It sought to restrict and regulate slavery and its trade, in accordance to very carefully worded laws, and reacted as such to the liberal attempts at abolishing slavery as both an institution and as commerce, in the nineteenth century. In this case, the liberal posture has been well illustrated by the visit of Hugh Clapperton to the court of Sokoto in 1824.

At the time, slavery existed as a central economic institution throughout the world (with a few exceptions concentrated among certain rainforest communities, certain Western European countries and parts of Northern America) and the realistic (if not desired) aim of liberal doctrinaires was to destroy its commercial structures. The strategy adopted in this view by the English liberals in particular was to substitute to the trade in slaves a new, supposedly more profitable trade in any other legitimate goods. After meeting with the Sultan of Sokoto (Muhammad Bello, son of Usman dan Fodio), Clapperton was enthused, and wrote in his account:

I cannot speak too highly of this excellent Man [the Sultan], whom (...) would be able, with very little assistance from us, to put an End to that detestable Traffic in Slaves, by

opening to him a free and uninterrupted Passage to the Sea Coast, from which he is now no more than ten days distant.²⁹

The idea, specifically, was to make of the Sokoto domains a kind of “no-slaves zone” through which no commercial caravan comprising slaves could travel south to the Atlantic markets.

Additionally, Clapperton wanted the Sultan to attack the hubs of slave marketers:

He would disperse those Gangs of Slave Dealers, who dwell in that short distance from the Bight of Benin, receiving whole Kofilas [caravans] of Slaves from the interior of the Soudan. (Lovejoy, 214)

To reward Bello’s efforts, the latter would be given access to Western modern armament as well as other Western improvements which he specifically requested (for instance, an English medical doctor to teach Western medicine in Sokoto).

Nothing concrete came out of the Bello-Clapperton exchange on this issue, but unlike other African monarchs (especially those in the non-Islamic Yorubaland), Bello appeared quite ready to consider and assist in obstructing the trade in slave. Clapperton obviously believed that his openness in this regard came from liberal dispositions, which associated commerce with the development of the individual freedoms proclaimed by the Western liberal revolutions of the late eighteenth century. In reality, however, Bello was moved by his duty to protect Muslims from slavery, especially at the hand of the “unbelievers” of the Bight of Benin and the Christians at sea.

More to the point, the experience of slavery in the domains ruled by Sokoto was inscribed within a universe of life possibilities that was different in crucial ways from the one which informed the liberal critique of slavery. Schematically, liberalism, as it evolved in the post-revolutionary era, viewed and still views freedom as an essential quality defining individual will, to which corresponds, in opposition, the absence of freedom, simply characterized by submission

²⁹ Quoted by Paul E. Lovejoy (2001, 213).

to another individual's will. Slavery is the extreme form of such submission, since it obtains through violence and coercion and means the reduction of the individual to his or her physical labor power, with no resulting rewards that would be independent from the illegitimate relationship thus created. The collective variant of the individual-centered characterization of freedom and slavery opposes political and economic regimes that are "free" to political and economic regimes that are "despotic", the former fostering free individuals and the second resting on lack of freedom. While the despotic regimes of political and economic life might be demonstrated to be the consequence of a certain stage in the material growth of human societies, they are normatively indefensible, and all efforts must be made to enable the societies which linger with them to evolve past them. The African practice of slavery simply meant, therefore, that African societies were some stages backward from those in Western Europe, in terms of organizing labor and – in Marxist terms – relations of production.

This liberal perspective chiefly rests on a theoretical formalization of some aspects of European traditions of compulsory labor, including regimented slavery of Amerindians and Africans on the American continent. These European traditions did have equivalents in nineteenth century West Africa, and indeed, especially in the Empire of Sokoto: but the concept of slavery in the civil prose of most West African societies was in fact wider than what was allowed by the language of liberalism, and expressed traditions of slavery that were never known in Western Europe as such.

The liberal formalization owes much of its intellectual inspiration to conceptions found in Europe's classical education, including especially the writings of Aristotle. Interestingly however, while Aristotle's discussion of slavery (in *the Politics*) implies that the Greek practice was exclusively the simple relation of utilization and submission upon which liberalism built its

understanding of slavery, it led the philosopher to very different normative conclusions, which in turn shed a glaring light on the central difference between Western European and West African understandings of slavery. Aristotle's understanding of politics rests on a paradox: the city, that is to say the political regime,³⁰ exists physically as the congregation in a certain space of several households (*oikoi*, sing. *oikos*), but politics is substantially the negation of the households, or rather, it is an activity that is possible only because it is segregated from the life in the households. While the households are made up of husband, wife, male and female offspring, and slaves, only the husband and the male offspring may indulge in politics, outside the households. The households are the realm of reproduction (women) and production (slaves) without which the city cannot exist, but it is by excluding that realm that the city is run.

The households are the economic basis of the city, a reality that is directly expressed in the language, since, in contrast with politics as the way in which the city must be run, there is the economy, defined as the way in which the households must be run: *oikoi nomia*, "rules of household management."³¹

These rules were the object of an expert science, one less noble evidently than expertise in politics, but not less necessary.³² The economic basis plays, in both Aristotle's thought and substantial Greek practice, the role of the pulleys and the cogs and screws which, behind the

³⁰ I have returned the word "regime," in this work, to its classical meaning of comprehensive order, as in "ancient regime," for instance. In that sense, political regime is "the comprehensive order of politics," and is a close rendering of the Greek πολιτεία (*politeia*).

³¹ The English word *economy* derives directly from the Greek *oikonomia*. The word *management* also belongs to the same semantic genealogy, through the French language: here, household is called "ménage", and there used to be, in late medieval to Renaissance France, a scholarly genre (the "ménagier") whose object it was to expose the rules of household management (or "ménagement," a word now lost in the French language, which has, on the other hand, picked up its modified English form and meaning). Let us recall Jean Bodin's definition of a republic (i.e., of a political society): "The right government of several households (*ménages*) and of that which they have in common, with sovereign power."

³² Xenophon is famous for having written a socratic dialogue on the topic, *the Oeconomicus*.

scenes, veiled by the opacity of the gynoecia, enable the actions and the speeches of *men*, on the public theater. Slaves, like women, belong entirely in these dark recesses of biological needs, menial tasks, the production of the tools and material of wealth, which sustain mere life, out of which rise higher lives, the active life of the citizen and the contemplative life of the scholar.

This kind of distribution of life possibilities defined by the separation of the household and the public place, the economy and politics, reproduction/production and action/contemplation, private rules and public laws, was not unique to Greek culture in the time of Aristotle and has been, for centuries, an observable pattern throughout the reigning civil orders of the Mediterranean. With the spread of Islam, it became habitual to many West African populations, especially the contemporary Hausa, who constituted the bulk of the subjects of the Empire of Sokoto. But in contrast to Aristotle's theory (and the practice of the small civic states of his age) slaves in the Islamic imperial civilization of Sokoto partook to politics, led active and contemplative lives and themselves founded households which became – with networks of patronage and activities – decisive centers of power influencing high state affairs and monarchic succession.³³

Post-revolutionary liberalism, on the other hand, developed normative stances against slavery on the basis of an intellectual tradition (European “classical education”) in which Aristotle's thought played a central role. To be sure, however we define liberalism, it does represent a rupture with Aristotle on many levels: but that rupture is often in the terms of Aristotle, nonetheless. Even in their dealings with African chiefs, pressuring them to reform their customs so that slaves may be set free, European liberals were fighting Aristotelian slavery, rather than African forms of slavery. This position is relatively different from the one resulting

³³ See in particular the work of Sean Stilwell on Sokoto (Stilwell 2000) and on Kano (Stilwell 2004).

from the political theology of the Sufi Jihads, yet not so much as to exclude the possibility of practical collaboration on this issue, as has been demonstrated by the Bello-Clapperton exchange. We may read the exchange – and the amount of misunderstanding included in it – in a simple, straightforward way: the liberal doctrine was framed in the absolute language of freedom versus submission, whereas the Islamic position was expressed in relative terms of protection and non-protection: but since one must be protected only against an evil, the Islamic position implicitly admitted that slavery was an evil. The idea of non-protection, on the other hand, seems to indicate a contradiction in the Islamic position. It suggests that while slavery is a universal evil, it may still be readily inflicted on certain kinds of people (unprotected unbelievers.)

But as the reference to slave life possibilities in the Empire of Sokoto indicates, this reading may not lead us to the most pertinent perspective on the problem. Let us then examine another point of disorientation: liberal citizenship in Clapperton's time. Liberal citizenship was the status which allowed, through a regime of representation, participation into the political government – what Islamic political theory calls *siyasa*. In Clapperton's time, the regime of representation was much shuttered in most Western countries, leaving the majority of the population out of the space of political government, usually on the basis of property and income.

Freedom, at the political level, is a system of rights, proclaimed to be absolute and universal in revolutionary theories, but in fact qualified by the possibility, or impossibility, of being modern. Poverty and propertylessness were, to a large extent, rough measurements of how far from modernity an individual was. They were, within the disposition of things in Western societies, symptoms of the polar opposite of modernity: unreason. The poor displayed the two irrational extremes of passivity and emotion,³⁴ which made them inferior to the tasks and

³⁴ This word derives from the French “*émotion*,” whose semantic history is, in that respect, quite interesting. Up until the eighteenth century, *émotion* could apply to wild crowd violence, and its meaning as applied to the

attitudes of liberal citizenship. The action of voting is the result of a rational calculation which derives from the desire and the possibility of weighing a diversity of important interests, and in fact, the thing that needs to be represented is a set of specific, calculable interests, rather than a sentiment or a bloodline (e.g.).³⁵ Rationality, in this case, is inherent to property, or at least it can be more readily computed out of property, in the larger scheme of things. With little to no rational interest in society, one simply does not need the instruments of representation (including voting).

There are other aspects of this question to which I shall return in the next chapter: suffice it to say here, in the mode of the contrast, that while a number of classes of people, who, ultimately, constituted the majority of Western societies, were excluded from any meaningful participation into political government, slaves, in the Empire of Sokoto, could and did often find themselves in the center of *siyasa*.

The system of exclusion and inclusion did not function in exactly the same ways in the two areas, and therefore consequences with regards law and government exhibited parallelisms and divergences at the same time. The ultimate problem was the categorical inferiority of being

individual (a sentimental inner motion) underlined the irrational character of collective *émotion*, which always occurred among the lower orders of society. Emotion was however gradually restricted to its individualistic meaning, while the collective meaning was replaced by a related word, *émeute*, which means *riot*. In the nuances of the language, *émeute* is somehow more rational than *émotion*, because a riot would always be tied to a material cause. Collective reminiscence in French, about these words, usually begets in the mind the phrases “*émotion populaire*” (popular commotion) and “*émeutes du pain*” (bread riots). The chronological evolution in meanings and perceptions is not clear, but *émotion* is clearly the symbol of a pre-revolutionary perception of the poor, while *émeute* is post-revolutionary. In both, the sense of uncontrolled collective anger, which scares the propertied classes, is present, but the modicum of rationality increases as one glides forth from the former word to the latter.

³⁵ To date, liberal constitutions usually exclude as categories to be represented certain dimensions of civil life on the ground that they are irrational. In the constitution of Niger, which opens with an allegiance to various human rights declaration (although no longer the original one of 1789, on account, no doubt, of Niger’s new ways of venting its political gallophobia), region, race, ethnicity, and religion cannot be represented and things like “clan mindset” and “feudal mindset” (*esprit de clan*, *esprit féodal*) may be cases for judicial indictment (article 5 of Niger’s constitution). There was talk, in the early years of the democratization process, of barring from voting or from elected office the uneducated, viewed as dwelling too much in the sphere of *tradition* and emotional ties (familial, ethnic, religious, etc.).

excluded from the political realm, since that exclusion signaled both a blemish (unbelief, unreason) and the essential impediment of being unable to reach the highest general status within the reigning civil order, that of being a *muminin* (a law-abiding Muslim), or a modern person.

In the post-revolutionary liberal perspective, slaves were terminally barred from being modern, and were, in fact, intolerable to the idea of modernity, because their exclusion, in the context of liberal modernity, was logically absolute – while the exclusion of the poor was only relative, and contingent on their ability to “better” themselves in acquisitive pursuits. In the Sokoto Islamic perspective, the exclusion of slaves was relative in the sense that, on the one hand they could cease to be slaves by becoming Muslim, or if not, they could, on the other hand, grow past the low order of slavery and become men of power and means to whom the name “slave” imposed only certain symbolic duties, and no real restrictions.³⁶

The direction of the exclusion was not the same, however: slaves were *out* of the borders of post-revolutionary liberalism, which strove to include them, and thereby render them free – somewhat in the way in which serfs, in most of medieval Western Europe, would become free men once they had been granted rights of bourgeoisie, in cities. Slaves were *within* the borders of Islam (although not as a necessity), where they initially represented the degradation of unbelief, before creating a contradiction that was sorted out only through the elasticity of their condition: if, indeed, one is enslaved out of being the wrong kind of unbeliever, and then one becomes a believer, one should be instantly freed, according to the law (the *Shari’ah*). Most economic and social contexts – including that of the Empire of Sokoto – were inimical to this procedure,

³⁶ These details have interesting contemporary consequences: while the society of the Empire of Sokoto and of other Hausa polities has been abundantly described as massively slave-holding, the abolition of slavery by liberal legislation did not leave here, as it did elsewhere (for instance in the Songhay-Zarma societies, whose regime of slavery was cast in a different mold), stigmatized individuals and families for generations after the fact. Former slaves have simply merged into freedom, and have been quickly forgotten as former slaves, in an evolution that resembles much more to what happened in post-abolition (of serfdom) Russia than to what happened in post-abolition United States.

however, and slaves effectively knew a variety of conditions and statuses which was reflective of the ambiguity of Islamic government toward them.

We may infer from this discussion banal truths about the differences in the political economy of both revolutions. The fact, for instance, that post-revolutionary liberalism in Western Europe emerged concomitantly with the spread of wage labor and the rise of high bourgeois hegemony over industrial economic organizations and could proffer its principles on the basis of a civil order in which Aristotelian slavery was futile – or alternately, the fact that revolutionary Sufism in the Central Sudan was contemporary of a far less elucidated consolidation of merchant and court power over land and the police of trade routes. Such details are of course important. They imply a limited veracity of the Marxist thesis about Western Europe: a reordering of society, and perhaps not so much a dialectical evolution toward bourgeois control of the means of production, as the apparition of a genuine class society.

It is not evidently true that, before the takeover of European economies by industrial capitalism, a “feudal mode of production” was extent and rested on a class society in which the aristocracy was at the controlling heart of agrarian relations of production. The absence of homogeneous national spaces and the several disconnects between recognizable social groups (the nobility, the clergy, the bourgeoisie and the various kinds of peasantry, in the language of the time) render a theory of class society barely consistent with the realities of the European Ancient Regime. There is no doubt that a symbolic hegemony of the aristocracy existed, owing to the old, post-Roman, Western European politics of war and landowning – and in places like the kingdoms of England or France, wealthy commoners persistently attempted (and mostly succeeded) to be integrated to some form of nobility or other. But it is only the Industrial Revolution which created the uniformities and the individualities – often summarized under the

phrases “consumption society,” “producers”, “consumers”, etc. – consistent with a theory of class society. From a Marxist point of view, for instance, the Empire of Sokoto would fall under the rubric of the Asiatic mode of production. But that is assuming that Sokoto had a class society (the one that is congenial with that mode of production), which is plainly not the case: the situation in the Empire of Sokoto was similar to the one in Ancient Regime Europe, and was characteristically admired by British Burkean liberals for precisely the same kind of system of commercial freedom and clerical-aristocratic hierarchy which they deemed the best achievement of Ancient Regime politics in Europe. This point will be shown to be of essential relevance even today, when I shall attempt to characterize Nigerien society.

For now, however, the key inference that I want to make is of a theoretical nature: the need to distinguish between the law and the regime, or in terms that will be pivotal in this work, *sovereignty* and *governmentality*. Revolutions, I want to assert, are about the law and the sovereign. Their object is the true rights, the correct standards and the ideal order along the lines of a source of legitimacy that is superior³⁷ to all others in the theater of the revolution. Revolutions are made in order to change the sovereign: the People, and not the King, in 1789’s France; God, and not the gods, in 1802’s Central Sudan.

From the sovereign would derive – when certain rules are established and respected – the law, in the form of principles and legislation consistent with the principles. By changing the sovereign, revolutions seek to restore the world to a truth that was lost, or in any case, that was

³⁷ The juridical elaboration of the concept of sovereignty, in medieval Europe, concerns the erection of the comprehensive (temporal) superiority of the king over other sources of legitimacy in the kingdom. Senellart mentions an early 13th century dictum of pope Innocent III about the king of France: “*cum rex superiorem in temporalibus minime recognoscat*”, that the king would not acknowledge any temporal superior to himself. The word “sovereignty” itself is, initially, a French linguistic modification (*souveraineté*) of the Latin *superioritas*.

called for – such as, for instance, “man is born free”.³⁸ The older sovereign was not, in reality, a real sovereign, but an impostor (the very term was applied to Louis XVI by French revolutionary orators) maintaining a fraudulent order. Political theory of the classical sort – that is, the one which usually becomes canonized in academic high culture – dwells chiefly on problems of sovereignty and the law, from Plato to Rawls, or from Ibn Taymiyya to Iqbal.

On the other hand, politics is about governmentality and the regime, two terms that have a more special currency in contemporary political studies. “Governmentality,” of course, is of recent coinage, emerging from Michel Foucault’s 1970s lectures at the Collège de France, while “regime” has shifted from its central usages in the Middle Age (*regimen*) to being a near-euphemism for despotism and other despised political systems in today’s media language. Governmentality describes what effectively occurs under the shadow of the sovereign, and in a sense, what transcends the sovereign by making of its laws an element in a series of combinations of mechanisms and habits through which power impregnates the variety of regimes (political, economic, social, cultural) which organize the scenes of politics. Governmentality expresses itself in more prosaic channels than sovereignty: not usually in high-minded political treatises, but most often in advisory handbooks (such as Ibn Fodjo’s *Guide to Administrators*), reports, memos, consultancy documents and the like.

On the specific issue of slavery in the early nineteenth century Central Sudan, we have seen the claims of liberal theory and those of Islamic theory, and how issues which are in fact issues of governmentality have shaped at the same time the confluence and the divergence of

³⁸ The incipit of Rousseau’s *Social Contract* (whose other title is, characteristically, “the principles of political right”) poses clearly, in the context of France’s enlightenment culture, the terms of the lost or forgotten truth and the imposture which has eclipsed it: “man is born free and yet is everywhere enchained.” What is even more interesting in this respect is how anti-revolutionary thinkers consider revolution as the simple destruction of sovereignty, which is then replaced by sheer lawlessness, anarchy. Revolutionaries overthrowing ancient régimes and colonial powers subjugating “traditional societies” are seen – see Burke and Joseph de Maistre – as tinkering with the very order of the world, and destroying it, not simply, as they think, abolishing abuses and reforming corrupt practices.

those claims. The post, and to an extent, anti-Aristotelian doctrines of eighteenth century liberalism, and the tenets of *Qadiri* Sunnism were the sovereign word, in the instances I have brushed, in relation to the issue of slavery, but the specific political and economic regimes extant in Western Europe and West Africa took in that word as spaces of opportunity in which to talk of the issue as if it were unproblematic and commonly understood. In the pure space of sovereignty, Muslims and liberals could argue, reaching areas of agreements and disagreements, as did Bello and Clapperton. But the regimes above which that space is elevated penetrate it with their complicated issues which, ultimately, modify it more than they are modified by it. Slavery was never as simple as liberals needed it to be, and never as complex as orthodox Muslims desired it to be. It took on a variety of forms, escaping by the richness and obduracy of reality, the majesty of order, and creating, at the cost of apparent misunderstandings, a sovereign pact between liberal and Islamic doctrinaires. That story indicates the directions of this work.

To conclude this historical discussion, I will present another colonial encounter which illustrates some of the reasons why this has become a burning problem of our time – the one which, I will argue, defines the fate of polities such as Niger, and others of more substantial appearance on the current world stage.

By the end of the nineteenth century, the Western liberals were winning the war of sovereignty. Industrial economy had provided to their small expeditionary forces (often locally recruited) superior armaments, and to their commercial companies desirable manufactured goods, and they had tackled in various ways the Islamic states and empires of the Sudan. This process created an ambivalent liberal prose on Islam, extolling its civilizing powers and yet condemning its barbaric nature – an ambivalence that is well illustrated by a conquest narrative

published in Paris in 1902 by a French naval officer by the name of Emile Gentil, *La Chute de l'Empire de Rabah* (“the Fall of Rabah’s Empire”).

In July 1895, Gentil, who was then in the recently acquired colony of Gabon, set out on a bid to claim the regions surrounding Lake Chad – the transition area from the Central to the Eastern Sudan – for France. His expeditionary mission, comprised mostly of Western Sudanese troops (by then Senegal and Mali, then called the French Sudan, were already French colonies), worked its way through the sub-tropical forests of Central Africa, carrying the unwieldy spare parts of a steam boat through trackless woods, cliffs and unfamiliar streams, several hundreds of miles over to the open expanses of the Chad regions. At the time, a man named Rabah Zubayr (d. 1900) had built an empire on the spoils of the older states (Borno and Bagirmi) that dominated that area. Contrary to the founders of the earlier Sufi states, Rabah was neither a Sufi cleric nor a Fulani: he was an empire builder of mixed ethnicity (a typical product of the mostly dark-skinned Darfur melting pot), and represented the next stage in Sahelian political development as he strove to mix Islamic statecraft and Western weaponry. It had taken Gentil’s expedition two years to reach the outskirts of Rabah’s Empire, but the latter proved to be no match to its firepower (Aware of technological disparity, Rabah had unsuccessfully tried to pressure the British Niger Company, headquartered in Yola, at the southern borders of the Sufi empire of Sokoto, into selling him guns and gunpowder).

After three years of battles, respites and skirmishes, Rabah was defeated and killed in April 1900, in Koussouri. What is of interest here is Gentil’s attitudes to his enterprise, which represent an early epitome, in the geographic areas of my case study, of the complex relations of bourgeois-liberal subjectivity to Islamic politics, which are one of the central concerns of this work.

Throughout his narrative, Gentil assumes the self-effacing persona of a dedicated military functionary, whose success depends extensively on the courage of his companions, the goodwill of the various communities encountered on his way north and the makeshift systems of communication and provisioning set up by the French in parts of his route. Humanitarian concern is consistently showed to the perceived misery or insecurity of some of the forest communities, with a level-headedness that contrasts very much with the horrifying violence displayed by the Voulet and Chanoine mission which was crossing the territory of the future colony of Niger eastward, to meet him on the shores of Lake Chad. Altogether, Gentil shows the most common virtues of the French petty bourgeois class to which he belongs: sound judgment, moderation, leadership based on organizational abilities and liberal ideas of “liberty, equality, fraternity,” all capped with an unflinching sense of national pride. But two passages of the narrative stand out by their tone of unrestrained anger – contrasting startlingly with the cool, equitable, report-like quality of the rest of the text. Receiving from his ally, the Muslim king Gaourang, a gang of porters, Gentil soon realizes that they are slaves raided from among a nearby population, and feels overwhelmed with pity before the naked, worn-out, famished group of men and women with infants. After having described them, he concludes:

That is the tableau that I saw, with my very eyes, and that I do not darken in the least. I should say I am rather below the truth... It is to be wished that the partisans of Islam at all costs could have been brought to witness the nefarious work achieved by the followers of that bloodthirsty, rapine-addicted, murderous doctrine. And then maybe would they change their notions about it. (Gentil 1902, 187) (All translations are mine).

This unguarded moment of anger, which Gentil’s liberal values make understandable, is also revealing of his prejudices in the sweeping judgment that he passes on “Islam” on this occasion, and which he would not similarly pass on “French civilization” in relation to the contemporary ravages of his colleagues Voulet and Chanoine, a few hundred of miles west of Sultan Gaourang’s kingdom.

The oppression of raided slaves is an objective manifestation of violence: its conflation with “Islam” is however the result of a particular subjectivity, which gave it a particular meaning, and conceptualized it in specific ways. Obviously – as the phrase “the partisans of Islam at all costs” shows – Gentil’s reaction is embedded in a conversation about Islam, and in particular Islam in Africa, in which sides were taken and specific arguments made as to the practical and moral value of Islam for purposes of government and civilization.³⁹

The general view was that Islamic societies were more advanced, in the stadial evolutionary process of civilization, than other African societies, and Gentil himself sees them time and again as somewhat frozen in a kind of Middle Ages. This, in the context of the nineteenth century prose of social analysis, was an objective fact, a datum, which then led to moral valuation. As if he were traveling through the sequences of stadial history crafted in great part by the thinkers of the Scottish Enlightenment and turned it into the prose of nineteenth century social analysis, Gentil frequently notes matter-of-fact observations like this one:

One is stunned by the rapidity with which Islam’s action progresses among the pagan peoples [Gentil uses the derogatory term “*peuplades*” instead of “*peuple*”]. Just about fifty years ago, the Bousso were not superior to the other Pagans that we had just encountered. Today, all clothed, having the sentiment of hierarchy and authority, this people [Gentil now uses the noble term “*peuple*”] seems to be all grounded in centuries of civilization. They were living in barbarism, they are now in full blown Middle Ages, and it took these primitives scarcely fifty years to cross over to that stage. (Gentil, 72).

Or again:

The Islamic religion and ease of communication have introduced in these regions a relatively advanced civilization. They are, from that point of view, in the Middle Ages. The sultans of Wadai and Bagirmi, very practical folks as they are, have managed to avoid the

³⁹ The position of Gentil in particular was probably influenced by a famous 1883 Sorbonne conference of Ernest Renan, which was a discourse on the “true nature” of Islam, of which many liberals were accused of being ignorant, and which was depicted as fostering ignorance and dogmatism. The conference was published in the *Journal des débats* and thus incurred a response from the Muslim modernist intellectual Jamal ad-Din al Afghani.

great hereditary feudal system which caused so much bloody strife in Europe. (Gentil, 88).⁴⁰

The debate was not about whether Islam was at the stage where it could be considered a civilization, but about whether it was a good or a bad civilization. But before we proceed in this line, let us hear again Gentil, spelling out at a greater length his moral take on Islam:

The two principles of polygamy and slavery being admitted by Islam, a Muslim society must be quickly perverted. As for me, I can never understand that one could argue with common sense that these people have the capacity to get out of their quagmire.

They are made to be sectarian, ignorant and voluptuous by religion. Learned and tolerant Muslims are, they say, mentioned. Deep mistake; if they are tolerant, they are not Muslim. They discuss, they reason: the Muslim does not reason. The enemy is the unfaithful, who can be taxed and plundered at will, and who has to toil and suffer so that the believer could possess and be happy.

It would be puerile to trust them in the least. They respect their word only when they cannot do otherwise. The fact is, a treaty signed with the unbelievers does not count.

This thesis, which begs to be developed at length, cannot, for want of space, be elaborated on here. I would not lack facts to support my argument however. (Gentil, 250)

Polygamy and slavery, but also intolerance and slyness, are defects that Europeans have attributed to all and sundry societies of the “Orient” (from Morocco to Far East Asia), either owing to the misgivings of many of the Greek and Roman writers who stocked their classical education, or through the accounts of aggravated travelers like Gentil. Islam has been perhaps for a longer time a favored target of such attacks, and by 1902, they had acquired the staleness of perpetual finger pointing, despite Gentil’s language of vivid shock and outrage.

What is of interest here for me is that Gentil’s shock and outrage are liberal ones, and not, for instance, Christian, or simply ethnocentric (even if there is something of that). One can easily

⁴⁰ Twenty years later, the British administrator of the former Empire of Sokoto summarized Gentil’s approvals and reservations when he wrote that Islam “is a religion incapable of the highest development, but its limitations clearly suit the limitations of the people. It has undeniably had a civilizing effect, abolishing the gross forms of pagan superstitions and barbarous practices, and adding to the dignity, self-respect and self-control of its adherents.” (Lugard 1965, 78)

detect that his indictment of Islam is based on values such as gender equality (as evidenced by monogamy), freedom, progress (and not quagmire), open-mindedness, science, tolerance, rationality and trust. This is as nearly complete a catalog of liberal virtues as could be fleshed out. The fact that they found their antitheses in an image of Islam at a time when liberalism was establishing its sovereignty over lands already under Islamic sovereignty was a situation which portended a certain number of intractable problems for all concerned.

Later in the text, describing his takeover of the state of Rabah after the death of the “Black conqueror” (as he called him), Gentil showed profuse admiration for his level of statecraft, and the fact that the regime of taxation he had set up and his administrative efforts will spare the French the tricky and expensive task of creating a new administration out of nothing. While he clearly despised the sovereignty of Islam, he admired the species of Islamic governmentality he encountered in Rabah’s state, and the liberal view of Islam as a fairly advanced civilization, albeit one that is morally despicable, solved any contradictions that might stem from these judgments. Later colonial administrators scaled up this attitude to a full blown utilization of Islamic authorities and mechanisms to rule Muslim subjects, in a ruse that placates Islamic sovereignty in order to impose liberal colonial sovereignty.

The oath of loyalty that the British demanded of the former Empire of Sokoto’s governors (emirs), in the early twentieth century, is a blunt expression of that ruse:

I swear, in the name of Allah and Mohammed his prophet, to serve well and truly His Majesty King Edward VII, and his representative, the High Commissioner of Northern Nigeria, to obey the laws of the Protectorate and the lawful commands of the High Commissioner, and of the Resident, provided that they are not contrary to my religion. And if they are so contrary I will at once inform the Resident for the information of the High Commissioner... And as I carry out this oath, so may Allah judge me.⁴¹

⁴¹ Quoted by Jonathan Reynolds (2001, 604).

The oath is a smudge of submission to the God and prophet of Islam and a *baya* (Islamic pledge of personal allegiance) to the personification of British sovereignty, the King of Great-Britain and Ireland. Service is due to the king, obedience to his laws, but these are laws that are lawful only when they do not disagree with those of Allah. This means that all positive legislation in the interest of British rule is lawful, except when the British do not take care to comprehend when they are violating sensitive Islamic rules – in which case they demand to be forewarned so that glitches would be smoothly avoided. Ultimately, the service of the king has to be carried out, and the oath at the same time decorates that service with the sublime aura of the God of Islam and binds the emirs, whom Allah may judge if they break their word. They are left to discriminate whether God or King Edward is the sovereign (or whether there is a sovereign at all): in any case, King Edward's representatives clearly are the government.

Gentil's conflicting sense of outrage and awe and their subsequent pragmatic combination into indistinct sovereignty and effective government have circumvented, but not solved, the question of the relationships between sovereignty and governmentality. Colonial governmentality was of an essentially disciplinary nature. A variety of groups with different and even divergent motivations and agendas were involved in the colonial business, but they all revolved around, or were dependent in various ways on the state, whose implication, in turn, was directly shaped by the grand economic strategies of commercial companies, industrialists and banks.

These were the representatives of national prosperity in the venture, and were in effect the central colonial public, for whom a population of local producers and consumers had to be created at a fast pace. Rates of return, taxes, subsidies and profit were of paramount importance, above and beyond the spread of liberal civilization.

The colonial conquest had been commented all along by the more ingenuous liberal missionaries as the necessary evil that would lead to the ultimate good of liberal civilization. But once the conquest was achieved and the Europeans found themselves commanding African kings, sultans, emirs and caliphs in the interest of wealthy capitalists in Bordeaux and Manchester in need of new crowds of producers and consumers, they created eccentric regimes that promoted the simple ideal of discipline for the sake of national (economic) greatness.

In this inhospitable setting, the liberal project of fashioning modern individuals could neither be discarded – owing to the fact that colonial conquest was made in the name of liberal sovereignty – nor implemented,⁴² and the Islamic project of fashioning *muminins* could neither be tolerated, nor suppressed. These impossibilities were the result of the imperatives of colonial governmentality. Disciplining African subjects into behaving like producers and consumers, in the absence of general wage labor, local industries, a class society and a hegemonic prose of liberal rights, led to a political space where the sovereign was elusive and government organized by rough expedients – something called, in the French sphere, quite straightforwardly, the *commandement*. This may well serve as a summary of the somewhat indescribable political society that is called “a colony”: a state with no sovereignty, a state of pure governmentality, in which, moreover, reliance had to be put on the overhauling grid of government, the disciplinary techniques. Faced with the empty seat of the sovereign, the governed will have no subjective bonds with the state. In the Hausa language, they called it *Mulkin Mallaka*, “rule by extortion.” The process of subjectivation, through which regimes conduct the governed, was essentially disparate and did not therefore become adequate with the state. Discipline and surveillance were,

⁴² For a detailed and somewhat poignant account of this specific quandary, see Gary Wilder (2005).

in these conditions, structurally indispensable: and this point signals, in the catalog of state governmental regimes, the anomaly or eccentricity of the colony.

Here, in our historical arc, we have reached the origins of the contemporary Sudan. The governmentality of the *commandement* (or of the *Mulkin Mallaka*) produced a space in which the revolutionary projects of liberalism and Islam were localized in a society which was the product of the colonial order: that of the new cities – dominated by the segregated European society and inhabited by African petty functionaries and soldiers, communities of merchants marked by a plurality of origins and religion, the unstable masses of menial workers, small peddlers and transient people, out-crowded autochthonous populations and their social authorities (clerics and chiefs) who have become, in this new context, “traditional leaders.” These are the space and the place in which this study begins.

CHAPTER 3

WORLDLY KNOWLEDGE AND ITS DISCONTENTS

There is a sense in which theory is a preparation to further reflection, or even to action. That sense has been amply depicted in the preceding chapter, in the efforts, for instance, of Islamic and liberal revolutionaries to ponder the ways in which they were attempting to transform society. It does not annul the sense in which theory is also a set of thoughts digested out of things that have already been achieved. If indeed the aim of particular theories is to forebode a new world, it is because they have assessed the existing world, which has thus – if only in that way – conditioned their elaboration.

These assertions are true not only for the sets of theories under study in this work, but also for the very procedure used to examine them, and which is here going to be shown to be of a substantially theoretical nature. The problem then is to understand some of the most important conditions of the effort, especially given the time and the space with which it is concerned.

The time and space are those of the Republic of Niger in the years 1991 to 2007, and they may be characterized as constituting a sequence of de-centering. Most Nigeriens relate to the Republic of Niger as an entity central to their political identity, and although the entity so called designates a heterogeneous and, to an extent, divided society, it appears to be more central in any case than most other entities that might claim the role, such as a local “*chefferie traditionnelle*” (traditional chieftaincy), the informal empire of the Islamic *Umma* or perhaps the Economic Community of West African States (ECOWAS). But in terms of political theory, the Republic of Niger is not central to itself, and largely draws its language and instruments from a history that is being made or spelled out in various other places: France, Saudi Arabia or the Organization of the United Nations among others. This theoretical de-centering means that the significant realities which underlie the existence of the Republic of Niger lack modes of theorization that

would be inherent to them, or even congruent with the specific evolutions they produce. These circumstances are not of course unique to the Republic of Niger, and pose problems that have been perceived by many social scientists from a variety of perspectives. They have spawned a rich theoretical literature under the labels of “post-colonial studies,” “subaltern studies” and approaches to “alternative modernity,” all challenging in some ways the “modernization theory” current which has traditionally presented such places simply as failed imitations of the “Western state.”

Without engaging directly issues that have been abundantly discussed elsewhere, I must point to the two key practical challenges that they raise at this point: first, to think through the gap, or the hiatus, or what the French language calls a *décalage* (an asymmetric disconnect) between the significant realities under study and the prevailing theoretical languages, and second, to account for the theoretical heterogeneity this situation obviously implies, when dealing with concepts (the state, sovereignty, and so on) which have about them the feel of absolute homogeneity.

It is plausible that hiatus and heterogeneity are in fact the permanent condition of theory in its relations to the interplay of forces and structures which engender political evolutions. The centrality of places like the United States or Saudi Arabia must thus be interpreted as the result of the fact that they are sites in which prevailing models of conformity are currently being carved, and not sites in which these models are coterminous with the entire political space. Liberalism or Sunni orthodoxy may be said to be the “only game in town” respectively in each site: that, however, does not enable the governments of the United States or of Saudi Arabia to ignore the necessities of political “multiculturalisms” of various nature and magnitude. Practitioners of political theory, and even more so, of political science (or political theology in

Saudi Arabia), in these sites, find it tempting to consider the tendrils within which liberalism or Sunni orthodoxy strive to ensconce individuals and communities as absolutely intrinsic, and reflective only of their norms and orientations. In a context such as the Republic of Niger, that temptation rests on much shakier grounds.

All of this will gain more clarity as I try, in Chapters 4 and 5, to ground key concepts and theoretical elaborations on the de-centered Republic of Niger, rather than on generic, unacknowledged versions of France and the liberal West, or Saudi Arabia and Sunni Islam. In its own unorthodox ways, the Republic of Niger might then even reveal itself to be central – as the terminal point of different lines of flight might be said to be central, since it creates a space of encounter impossible in the exclusive centers where the lines themselves originated. This will serve one of the key objectives of this work: using a small, obscure place of the world to get at the heart of critical global issues.

The set of objectives and issues which are at stake in this work, especially as defined by the case study, pose however an epistemological problem which we will do well to comprehend, before proceeding further: how do we make legitimate statements about Islamic and liberal evolutions without defining one perspective by the other, while also taking into account the polarizing effects of the contemporary state of the international system? What kind of social scientific statements is it possible to make when dealing with a set of themes which are necessary objects of the imperialism of normative ideals yet which *must* receive realistic presentations? In other words, is it possible to achieve an intellectual position which would enable a theoretical dialogue of such coherence that we could make realistic descriptions and analyses of the contemporary relations between Islamic and liberal perspectives?

In the next section, I describe some central aspects of the epistemological problem, guided by its relevance to this work. I then, in a second section, discuss the conceptual and methodological solutions adopted in this work, showing in particular how they address the epistemological and political issues in the specific context under study, and how they possess a more extensive validity.

Our Occidentalist Paradigm

The problem of studying places which are marginal to the production of theories and methods is a serious epistemological issue which remains meagerly articulated. While tackled in many productive ways in postcolonial and subaltern studies, it is there chiefly posed as a political problem with some scientific consequences. Many scholars, outside of these waters, have attempted to come to grips with it as a scientific problem with some political consequences. In the specific case under study in this work, the problem is compounded by the fact that the theme of the study requires serious effort toward cultural impartiality.

All of these are important indications of the problem, but ones that, for my purposes at least, are not right on the mark. I propose in this section to engage in a more narrowly epistemological reflection, parsing the general issue into what I call “the problem of Gray’s Dark Caves”¹ and into the problem of the tension between subjectivity and objectivity, both in the case of the Western paradigm of social science. This analysis will be followed by the presentation of a certain specific response to the preponderance of the Western paradigm that is being currently worked out by Muslim scholars, the Islamization of knowledge project. I will end by indicating the set of solutions to these problems adopted in this work. The latter will be developed in the

¹ From a strophe in the English poet Thomas Gray’s *Elegy in a Country Churchyard*: “Full many a gem of purest ray serene/The dark unfathomed caves of ocean bear/Full many a flower is born to blush unseen/And waste its sweetness on the desert air.” These verses anticipate, as shall be seen, the exposition that will be made of the problem in the discussion.

second section of the chapter, and will be only intimated at the end of this one, through resort to the work of a nineteenth century Egyptian scholar, Rifa‘ah Rafe at-Tahtawi.

It is clear from this preliminary exposition that the method of discussion followed here is a form of Hegelian dialectics: the historical/philosophic analysis of the Western paradigm is thus the thesis, the presentation of the Islamization of knowledge efforts the antithesis, and the characteristic approach used by at-Tahtawi, a kind of synthesis-sublimation, destined however not to change the course of intellectual history, but, more prosaically, to give to this work a working mini-paradigm, or theoretical framework. In presenting the arguments constitutive of the three moments of the dialectical progress, I will rely on a number of texts which I deem representative of larger intellectual phenomena: excerpts from European philosophers of the *emendatio mentis*, or “reformation of the mind,” movement; a synthetic essay by a Nigerian Islamic scholar; and an essay by Rifa‘ah Rafe at-Tahtawi.

This reliance on excerpts and symbolic authorial figures (including, at a specific juncture, Milan Kundera and Arthur Schopenhauer) is a method of dramatization aimed not so much at explaining or interpreting texts and authors as at presenting my arguments in the large perspectives of historical discussions. Therefore, although I do not analyze texts and authorial intentions in any depth, I strive to align my propositions to those of the cited authors, and to select each authorial figure in accordance with the event they represent in the key moments of my discussion.

The Nature of Reason

In political science, the Africanist scholar Michael Schatzberg has stated the epistemological problem under study in the following way, in the introduction to his *Political Legitimacy in Middle Africa*:

...David Sills and Robert Merton...have lamented the dearth of social science materials from non-Western cultures. 'The social sciences themselves,' they write, 'are primarily products of Western civilization, and Africans, Asians, and other non-Westerners who work in the social sciences generally use the theory and methods of the Western social sciences as their framework... Certainly a major challenge for the social sciences – if not for all the sciences – is to find ways of incorporating the basic ideas of African, Asian, and other non-Western thought into the Western paradigm.' To this, however, I would add that the Western paradigm of the social sciences might well need to transform itself as it absorbs these disparate understandings of the political universe from other portions of the globe. (Schatzberg 2001, 1)

Similarly, Usman Muhammad Bugaje, asserted, in the introduction of his doctoral thesis in History, that although "the days when African history was seen as an appendage of European history have... gone for good," "the influence of European perspective on African history seems to linger on and may take some time to wither away." (Bugaje 1991, 3)

In reaction to this state of affairs, Bugaje wanted to use exclusively, in the construction of his thesis arguments, what he calls an "Islamic frame of reference." Bugaje and many others are engaged in the effort to construct an Islamic paradigm for the social sciences. One of the descriptions of this effort echoes Shatzberg's words from a different angle, as Bugaje refers to a "solution" which lays in a "two pronged attack in which both the Islamic as well as Western epistemology have to be thoroughly revised and restored so that the balance between the sacred and the mundane can be achieved."

These statements show that the general attitude has been – and remains – to consider that global social science knowledge grows within the framework of discrete paradigms, constructed out of cultural commonwealths ("the West," "Africa," "Islam" and others). On that basis, the story goes, most social scientists today use exclusively or principally the Western paradigm, thereby forsaking avenues for understanding the issues they study that may lie beyond the purview of that paradigm. In order to change this situation, a paradigm-merger of sorts should be achieved. In the two instances I have mentioned, Shatzberg indicates that the premise of such

merger is the willingness to *transform* the Western paradigm, and Bugaje insists that the transformation must be based on an effort to reconcile “the sacred and the mundane.” The final objectives of Schatzberg (a kind of universal paradigm) and Bugaje (a rehabilitated Islamic paradigm) differ, but the angle of attack of the problem is identical.

Here already, one can therefore have a clear conception of the problem as it arises in this approach: global social sciences will emerge out of a paradigm-merger or a paradigm displacement, but there is only one active paradigm in our age. That is why Schatzberg, instead of referring to alternative paradigms, talks of “basic ideas” and “non-Western thought,” which do not amount to active epistemological paradigms. The inclusion of problems and principles inspired by the basic ideas of non-Western thought therefore will have, or will tend to be achieved following concepts and methods legitimate in the current Western paradigm. In this view however, the adjective “Western,” valid as I will show it to be, may lead us prematurely into debates of culture and identity that are distinct from the epistemological problems under review. It is important to recognize at first that epistemological paradigms are based not so much on culture as on something which I suggest that we call scholarly traditions. Certainly, there is a Western paradigm, although not necessarily in the objective way in which this is commonly understood. But the adjective “Western” has a misleading effect in that it emphasizes the cultural dimension at the expense of others factors that are more critical in the details.

Concretely, we work in a world of scholarly traditions, which exist side by side, separated by and mediated through linguistic, political and institutional barriers, as well as by many of the indefinable elements that the word “culture” tries to capture. Today, these traditions are bounded chiefly by the nation-state and there are at least as many of them as there are nation-states, even in places like Afghanistan or indeed Niger. In certain cases, within wealthy nation-

states with generous investments in the production of knowledge, scholarly institutions are dense and complex. But they would all be best described as series of intellectual events and effects happening within certain organizations – scholarly institutions – and fairly correlated with evolutions in the larger society.

The word “paradigm” itself designates especially the overall philosophy of the tradition, e.g., the kinds of research questions that it enables and the kinds of responses that it deems legitimate in the construction of knowledge.² But there can be no active paradigm without the practical organization of intellectual work, which, in turn, greatly relies on non-epistemological issues.

Unlike the paradigm, the scholarly tradition – whose *raison d’être* is to maintain the organization of intellectual work – is not a purely theoretical-epistemological phenomenon. It is affected by modifications and continuities, ruptures and connections, occurring in processes that develop in the political system, within economic structures or at the level of social and cultural models. The ways in which a scholarly tradition can be shaped are many and diverse: adjustments in the volume, in the origin, and in the distribution of funding for scholarly institutions, mutations in the types and networks of successful scholarly institutions, modifications in the relations between scholarly institutions and social authorities or political rulers, transformations in language use or in language evolution, evolutions in the larger material civilization, variations in the scope, the frequency and the nature of contacts with other scholarly traditions, etc.

² I am defining the word “paradigm” on the basis of issues in this particular discussion, and without any Kuhnian rigor (Thomas Kuhn himself, as is well known, having changed it to “disciplinary matrix” in the postscript of the second edition of *The Structure of Scientific Revolutions*, after the computerized criticisms of Margaret Masterman.) But this working definition is obviously inspired by Kuhn.

The specific situation of Niger is that changes in all of these elements have occurred in the early twentieth century, in ways that are in fact directly connected to the arguments of this work. In the absence of the nation-state of Niger, there was initially no *Nigerien* scholarly tradition. The geographical space occupied by the nation-state was itself a vast, sparsely inhabited, arid landmass with almost no significant urban centers and nearly no organized political power with the capacity of creating civil subjects.³ Niger was thus the space of fringe scholarly activities in a few centers (Agadez for instance, or Zinder, Damagaram's capital) connected with areas of denser activity: the Sokoto domains to the South, the Mediterranean centers of North Africa, and possibly others.⁴ The creation of the Colony led in due time to the emergence of a different scholarly tradition, dependent for its funding, network and institutions on the French state and academies, and using the French language instead of Arabic, Hausa or Fulani, as was the case for the older scholarly tradition. This new scholarly tradition was at the same time based on the new political reality of Niger and nested within the modern Western epistemological paradigm, like its French parent. Its theoretical orientations were therefore those of methodological rationalism, cultural modernization (with the attendant secularist perspective) and political/economic liberalism – notwithstanding an extent of Marxist influence.

Modernization and liberalism are of course especially relevant to social and human knowledge, which, within the framework of this particular paradigm, relies on disciplines which

³ The exception was the Sultanate of Damagaram, which created the *Badamagaram*, a mix of Daura Hausa and of Kanuri. The Sultanate did not last long enough to complete the fusion into a new ethnicity (the Kanuri himself is a creation achieved in the crucibles of the millennium-long Empire of Kanem-Bornu) and the conditions of the Republic of Niger have stalled the process. The existence of a body of civil subjects seems to be necessary to the existence of non-ritualistic traditions, such as those at the root of the production of documentary, written, knowledge.

⁴ At the time of writing, the *Institut de la Recherche en Sciences Humaines* of the University of Niamey has been engaged for a few months in the exploration and indexation of stocks of old manuscripts often preserved by clerical families, throughout the country. One objective is to produce a "histo-geographical map" of pre-colonial scholarship in the area which came to be occupied by the Colony and Republic of Niger. Statements made here might be modified or rendered more accurate by the results.

are productive only inasmuch as they are stirred by such elements. Human sciences in the Western paradigm are, to an essential extent, sciences of cultural modernization and of political/economic liberalism. And that is the case because the word “West” does not mean simply the geopolitical area of Western Europe and North America, but more crucially *the special relationship between that area as it has come to be organized through the last three or four centuries and the values and workings of cultural modernity and political/economic liberalism.*

To wit, the West (in the geopolitical sense) was not always the West: it became so only recently, when, over the eighteenth century, a number of European countries started to develop that special relationship, rapidly aestheticized into the theory of the stages of political and economic modernization.⁵ The Western paradigm is thus the solid epistemological effect of the relationship: the idea of the West functions at the heart of its knowledge production and strategies both as a creative matrix and as an obstacle.

It is easy to understand in which ways just by considering that in Europe, the West has superseded something that was called at the time “Christendom.” Although it covered most of the lands which later became the West, Christendom had a different geography: it did not initially extend to North America (which is now one of the heartlands of the West) and it included areas which are now viewed as profoundly foreign by Westerners: Nestorian Syria for instance, or Ethiopia. The effects of the Christian paradigm were different from those of the Western even in apparently trivial matters: for instance, the intensity of the curiosity toward

⁵ The aestheticization began at least as early as Adam Smith’s *Wealth of Nations* and other authors’ related works. Incidentally, the idea of the West as a special relationship is not different from the more commonly held (by Muslims at least) notion that “Islam” for instance is a special relationship between God and a specific community, which is not otherwise predefined by its geographical location, even though it occupies a certain circumscribed portion of the globe.

ancient Judaea was much greater under that dispensation than the curiosity toward ancient Greece, which, in turn, has a greater intensity today.⁶

More concretely, the shift meant a gradual weakening of the scholarly traditions that were managed by church authorities through the universities, and the gradual strengthening of centers of learning (academies, learned societies) independent from the Church, in the seventeenth and eighteenth centuries. When, in the nineteenth century, even the university networks decisively broke away from clerical hierarchies, the production of knowledge in Europe took new directions through, notably, the emergence of startling specialized disciplines – political science for instance – critical to the elaboration of a newer paradigm. These series of events were marked by the emergence of intellectual modifications which are not easily summarized, but which have as one of their best symbols the development, for over a century and a half, of the philosophical current that might be called “of the reformation of the mind.”

The current, I must indicate, is not identified as such in standard intellectual or cultural histories of Europe, but it forms a readily visible thread in the fabric of European philosophy, for instance in the titles of its greater or canonical productions. It was inaugurated by Descartes’ *Rules for the Direction of the Natural Intelligence* (1628), a meticulous scrutiny of the relationships between the cultivated conscience and the world, effected in a fresh new perspective.

Following Descartes’ work, major philosophers produced essays with significantly analogous titles: *On the Improvement of the Understanding* by Spinoza (1677), *An Essay concerning Human Understanding* by Locke (1690), *New Essays on Human Understanding* by

⁶ “When I started for the overseas in 1806, Jerusalem was nearly forgotten. An anti-religious century had lost the memory of the cradle of religion: with the death of chivalry, Palestine also seemed to have vanished from the world”, pointedly wrote the writer François-René de Chateaubriand at the opening of his *Itinéraire de Paris à Jérusalem*. (Chateaubriand 1969, 695)

Leibniz (1704), *Treatise concerning the Principles of Knowledge* by Berkeley (1710), and *An Enquiry concerning Human Understanding* by Hume (1748). The towering close of the tradition is Kant's *Critique of Pure Reason* (1781). This tradition – it must have felt like that in 1740, e.g. – is a unique effect of the period, with no evident connections, for instance, in the classical and religious education of the Europeans of that time. That very fact was indeed stated in Descartes' third rule, which directs that

concerning proposed objects, one has to investigate, not what others may have felt or what we ourselves shall conjecture, but what we can clearly and evidently intuit or certainly deduce – for knowledge is acquired in no other way. (Descartes 1998, 77)

A common interpretation of the rule is that it expresses the modern declaration of independence of the mind relative to tradition and intellectual authorities. The reasons for this interpretation are more apparent in the expanding comment of the rule than its heading (which I have quoted here): Descartes rejects there not only the authority of the ancients, but also the consensus of modern authors, in order to base the source of knowledge on intuition and deduction, that is, on personal efforts. Or more precisely – since he rejects “what we ourselves shall conjecture” – Descartes' idea was that knowledge should be based *on itself*, a problematical result achieved only through a reformation, a proper direction of the mind to allow it to reach the area of immediate objective perceptions. How very problematical this is will become clearer when I evoke Pascal's oppositions in a few moments. But for now, let us attempt to characterize a little more the current, and start with this remark: Descartes' rules, and similar writings, were symptomatic of a modification of intellectual positions in Europe in the ways in which epistemological questions were approached. And perhaps the most striking modification – relative especially to Christian epistemology – resides in the status of God and faith-based knowledge.

All philosophers in the current demonstrate reverence to God and religion, in gestures whose intention or sincerity it is difficult to ascertain, but which, in any case, reveal a kind of uneasiness or embarrassment. Descartes, for instance, after having assured us that “intuition and certain deduction” are the two “most certain ways to knowledge”, that “from the side of the natural intelligence, no more should be admitted” and that “all others” must “be rejected as suspect and liable to mislead,” interjects that “this does not, however, preclude us from believing that those things which have been divinely revealed are more certain than all knowledge, since faith in these matters is – as is all belief concerning obscure things – an act, not of the natural intelligence, but of the will.” (Descartes, 83-85) The knowledge which comes from our will is thus posited to be more certain than the one which comes from our mind – that is, from a Cartesian point of view, from our most direct and immediate perceptions! There is the innuendo about “obscure matters” but also the notion that the idea of God is necessary as a final guarantee that the world is as we know it, a metaphysical key to reality. Similar or corresponding statements recur throughout the tradition, resonating in ways that are hardly different from one text to the other.

Consider the following instances, taken out of their textual context (for, as I will make clear afterward, this is not an attempt at explaining or understanding the quoted philosophers’ particular projects):

Spinoza writes at the very end of his treatise:

The chief rule is...to review all the ideas coming to us through pure intellect, so as to distinguish them from such as we imagine: the distinction will be shown through the properties of each, namely, of the imagination and of the understanding. Observe that it is thereby manifest that we cannot understand anything of nature without at the same time increasing our knowledge of the first cause, or God. (Spinoza 2004, 26)

Spinoza is commonly considered as a Cartesian on many accounts, and this statement is in agreement with Descartes’ notion that God is the ultimate guarantor of the truth of the world.

But Spinoza, in fact, is here saying something else, not in contradiction with Descartes, but also not identical: that all knowledge is ultimately of God, because nature and God are the same reality – *Deus, sive natura* (“God, or yet nature”). By modifying the relationship between God and the mind, Spinoza cancels the problem of the parallelism between knowledge by intellection and knowledge by faith. But he achieved this feat by displacing God from his traditional seat as the sovereign of the Creation, in a move which called upon him the maledictions of Jewish synods and the widespread reputation of being an atheist.

Locke writes that

we have an intuitive knowledge of our own existence; and a demonstrative knowledge of the existence of God; of the existence of anything else, we have no other but a sensitive knowledge, which extends not beyond the objects present to our senses. (Locke 1996, 245)

In a rather ironic move, Locke, whose major theses are presented as anti-Cartesian, uses a Cartesian method and even vocabulary⁷ to distinguish the knowledge of God from the knowledge of the world – which is achieved through his non or anti-Cartesian perspective (“Certainty and demonstration are things we must not, in these matters, pretend to.”). One epistemological instrument must be used to know God and the moral universe which God polarizes, and another one is needed to be acquainted with the world of nature and perception. Like Descartes and Spinoza, however, but in his own very specific way, Locke sees God as the limit of our ability to know: all that which we are ignorant of or fail to conceive in nature might yet exist in the creative powers of God.

⁷ In the previous paragraph, defining the need for demonstration in dealing with moral issues, Locke writes that “if men would, in the same method, and with the same indifferency, search after moral as they do mathematical truths, they would find them to have a stronger connexion one with another, and a more necessary consequence from our *clear and distinct ideas*, and to come nearer perfect demonstration than is commonly imagined.” (Italics added.)

Leibniz, who composed his essay in direct reaction to Locke's, writes that

we are entitled to deny (within the natural order at least) whatever is absolutely unintelligible and inexplicable,

and that

although what creatures conceive is not the measure of God's powers, their 'conceptivity' or power of conceiving is the measure of nature's powers. (Leibniz 1996, 65)

This is part of a complex response, and indeed refutation, of certain arguments of Locke.

God is not the limit of our ability to know in the sense in which it was posited by Locke, because our conceptual powers and the order of nature are – “miracles apart” – inherently related and God does not modify that order in an “arbitrary” fashion. Without being coextensive with nature, as in Spinoza's view, God remains here, in strict Cartesian fashion, the ultimate guarantor of natural order and of our ability to know it.

The same argument is put forward by Berkeley, for different purposes and in a more contorted style:

That there is a great and conspicuous use in these regular constant methods of working observed by the Supreme Agent hath been shewn... and it is no less visible that a particular size, figure, motion, and disposition of parts are necessary, though not absolutely to the producing any effect, yet to the producing it according to the standing mechanical laws of nature. Thus, for instance, it cannot be denied that God, or the Intelligence that sustains and rules the ordinary course of things, might if He were minded to produce a miracle, cause all the motions on the dial-plate of a watch, though nobody had ever made the movements and put them in it: but yet, if He will act agreeably to the rules of mechanism, by Him for wise ends established and maintained in the creation, it is necessary that those actions of the watchmaker, whereby he makes the movements and rightly adjusts them, precede the production of the aforesaid motions; as also that any disorder in them be attended with the perception of some corresponding disorder in the movements, which being once corrected all is right again. (Berkeley 1998, 124)

Let us not comment on this.

Apropos knowledge and miracles, Hume writes, at the end of a discussion of the question of Christian miracles, that

upon the whole, we may conclude, that the Christian Religion not only was at first attended with miracles, but even at this day cannot be believed by any reasonable person without one. Mere reason is insufficient to convince us of its veracity: And whoever is moved by Faith to assent to it, is conscious of a continued miracle in his own person, which subverts all the principles of his understanding, and gives him a determination to believe what is most contrary to custom and experience. (Hume 2004, 85)

This statement has a special interest, since it might look as if it belonged to the Christian tradition of the *credo quia absurdum* (“I believe since it is absurd”): but even without reference to the text from which it is culled, it is enough to pay attention to its vocabulary (“all the *principles* of his understanding”) to realize that something else is happening here. The statement is not an expanding on Tertullian, but on Descartes.⁸ The *principles* of understanding are the true sources of knowledge, but the *will* to ignore them in the case of miracles displaces religious knowledge in an area where such principles cease to apply. God, then, is again the limit of our ability to know – although in yet again a very specific manner.

Let us not pursue this further. By taking these various statements out of their *textual* context, I have obscured their meaning: but my effort has been to show that they may form another text, different perhaps from the one each author intended, but no less coherent in the specific common *epistemological* context they intimate.

The “reformation of the mind” current was, at the level of fundamental philosophy, part of the intellectual secularization of Europe, and of the displacement of the Christian paradigm by the modern Western paradigm. The particular preoccupation with the status of God in the production of knowledge is emblematic of both the radical character and the ambiguity of the

⁸ Hume, of course, was not a “Cartesian” in the strict sense of the word. But it is partly because of efforts to determine strict traditions (*Cartesian rationalism* with its continental followers, *Baconian empiricism* with its British offspring) that the more general (and equally remarkable) tradition of the reformation of the mind has been left unstudied or understudied as such.

shift. Resort to another author who stands in plain opposition to the current while clearly understanding its project, may be useful in clarifying this point.

The philosopher Blaise Pascal rejected the new status of God emerging from the “reformation of the mind” current in a short note scribbled on a sheet which he bore sewn into his coat, and starting with the exclamation: “Fire. God of Abraham, God of Isaac, God of Jacob, not of the philosophers and the scholars.” That was a “memorial” note of a mystical illumination he had during a night in the month of November 1654. Pascal’s main philosophical project was a reformation of the mind, but in the direction of a *modern Christendom*, which he did not see as a contradiction in terms.

His key difference with all the philosophers quoted here is that he refused the philosophical synthesis of intellectual knowledge toward which they strove, claiming that while knowledge is a historical process which records progress and may thus never achieve certainty, certainty is a matter of faith and exists only in religion – more specifically, in the Christian religion. Science must be innovative, because it is essentially a series of methods designed to improve on past learning, but theology must be traditional, because it is geared toward the deepening of the truth that was given at the beginning of the true religion, in Jesus Christ’s message. Innovation should not therefore be attempted in matters of religion, and, on the other hand, when philosophers seek to ground knowledge in absolute principles and in epistemological metaphysics, science and philosophy become sources of errors and fantasies. God does not guarantee the truth of the world, and God’s existence does not need to be demonstrated.

Pascal’s challenge to the reformation of the mind project failed to divert its progress. In any case, he died before he organized his apologetic work on the relationship between the

Christian religion and the human mind. But he is, as noted earlier, a relevant point of contrast as we try to clarify the relationship that the reformation of the mind project establishes between God, knowledge and the world. A typical statement by Pascal, which contrasts with all the quotes lined up above (and thus reveals their commonalties), is the following:

Man is so happily formed as to have no... good principle of the true, and several excellent ones of the false. Let us now see how much.... But the most powerful cause of error is the war existing between the senses and reason. (Pascal 1978, 38) ⁹

Against therefore the notion of rules and principles which would guide human understanding in reaching the truth, Pascal ironically (but also earnestly) talks of the rules and principles of error and fallacy – which fail to amount however to a kind of negative epistemology:

Imagination. – It is that deceitful part in man, that mistress of error and falsity, the more deceptive that she is not always so; for she would be an infallible rule of truth, if she were an infallible rule of falsehood. But being most generally false, she gives no sign of her nature, impressing the same character on the true and the false. (Pascal, 34)

Moreover, he attacks the philosophers in the two branches of their epistemological foundations: reason, as with the Cartesian reformers, and senses, as with the Baconian reformers. It is precisely because our mind is constituted of both reason and senses, or understanding and imagination, that we cannot achieve knowledge through some rationalizing discipline of one faculty or the other.

⁹ This notation is, of course, a direct challenge to the way in which Descartes tried to isolate reason from both the senses and imagination by grounding it in intuition and deduction. The primary grounding is “intuition”, which implies that reason is, *in fact, grounded in itself*. See *the Rules*: “By ‘intuition’ I understand, neither the fluctuating testimony of the senses nor the deceptive judgment of an imagination which composes things badly, but rather the conceptual act of the pure and attentive mind, a conceptual act so easy and so distinct that no doubt whatsoever can remain about what we are understanding. Alternatively, it amounts to the same thing to say that by ‘intuition’ I understand the indubitable conceptual act of the pure and attentive mind, which conceptual act springs from the light of reason alone.” (Descartes, 79)

Pascal was a deft practitioner of rational disciplines: mathematics, chemistry and engineering in particular. And he used methods congruent with both Descartes and Bacon's notions of how scientific problems should be solved. In fact, he was arguably more of what we understand today to be a scientist than both Descartes and Bacon. He was not therefore averse to the project of developing knowledge about the world, and especially, about physical nature. His impatience with the philosophers came from the perception that their quest for a metaphysical foundation for knowledge of the world – a foundation which they all called at one point or another "God" – was equally compromising to science and to religion.

Ultimately, the God of the philosophers and the scholars was indeed not the God of the Church, or of the Jewish synods: it was an entity which unified knowledge as it should not be, under the aegis of a specific, absolutist conception of human reason:

We must know where to doubt, where to feel certain, where to submit. He who does not do so, understands not the force of reason. There are some who offend against these three rules, either by affirming everything as demonstrative, from want of knowing what demonstration is; or by doubting everything, from want of knowing where to submit; or by submitting in everything, from want of knowing where they must judge. (Pascal, 96)

Pascal's last project, from which I drew all the quotes above, was not completed. But in what we have – *the Thoughts* – we have indications on how he would have organized the relationships between God, knowledge and the world through his own perspective. Without indulging in the "useless and uncertain"¹⁰ task of imagining Pascal's final conclusions, however, I would simply point out that its effects on the constitution of the modern Western paradigm would have made it very different from what it is now. Consider Pascal's vision of God and Christian miracles. The issue of Christian miracles has been taken up by all the philosophers of the reformation of the mind current, and to a large extent they have taken it seriously. Both

¹⁰ That is how Pascal characterized Descartes and modern philosophy: "*inutile et incertain*," useless and uncertain – an almost antithetical take on what the new philosophy was boldly proclaimed to be: useful because certain.

Locke and Leibniz moreover indulged at length in discussion of spirits, thus traipsing down a discipline – pneumatology, or science of the spirits – valid under the Christian paradigm, but now defunct in most scholarly traditions.

But Pascal's conversion to Christian ascetics (which was not a lifestyle any of the philosophers found appealing) was deepened by an apparent Christian miracle: the cure, in March 1657, in the nunnery of Port-Royal des Champs, of his niece Marguerite Périer by the touch of a thorn claimed to be from the crown that had tortured Jesus Christ. After this event, Pascal made himself an armorial emblem of an eye surrounded by a crown of thorns, with the inscription *Scio cui credidi*, "I know whom I have believed." That is when he started writing the notes which we know as *Les Pensées*, and in which we find the following description of God: "God has created all for Himself. He has bestowed upon Himself the power of pain and pleasure." (Pascal, 109)

To understand the general epistemological importance of these details, let us consider the works produced in that period which came to define the orientations of our discipline – political science. Or rather, to keep this short, let us restrict ourselves to the most canonical, Hobbes' *Leviathan* (1651). *The Leviathan* may be described as a solution to the problem of sovereignty ("the Seat of Power" as Hobbes calls it in his dedication epistle to Godolphin), resorting to God in a way that is deliberately harmonious with the current of the reformation of the mind. The state is a human-made order which imitates the natural order made by God. The state, however, became necessary because of natural distress: hunger, pain, death and the scarcity of pleasure. These were the forces at the origin of the state, forces yielded by nature (and therefore, after the manner of Descartes, Spinoza or Leibniz, by God), and from which one finds safety in the rational imitation of nature: the state. The state is thus nature rationalized to make life long,

pleasant and refined – instead of “short, nasty and brutish.” Its sovereign is a human embodiment of reason, an “artificial soul.” God, here, furnishes the initial model (nature) and the causes of the creation of the state: it is then reason which studies and secures the solution.

That solution is impossible from a Pascalian point of view: in Pascal’s perspective indeed God Himself is the sovereign, *He* “has the power of pain and pleasure,” and not the state. Human reason cannot conquer or supersede that power. Pascal was in line with the old peasant cry: “*A fame, peste et bello, libera nos domine,*” “From hunger, disease and war, Lord, free us,” where Lord was God and not the state, and where indeed the state might be – under the rubric of war – one of the evils from which God should save.

In Hobbes’ theory, one perceives one of the consequences of the current against which Pascal struggled: that God as he felt Him be replaced by God as demonstrated by the philosophers, and then finally displaced by the reformed, well-ordered mind. It is reported that when the astronomer Laplace presented his *Treatise of Celestial Mechanics* (a synthesis of the works of Newton, Halley, Clairaut, d’Alembert and Euler) to Napoleon, the French emperor inquired about the role of God in a universe so perfectly organized, to which Laplace replied: “Sire, I have no need for that hypothesis.”¹¹ In the philosophers’ works, and more patently, in

¹¹ The anecdote was apocryphal, but the report on which it was probably based, an account in the diary of the English astronomer Herschel, is equally telling: “The first Consul then asked a few questions relating to Astronomy and the construction of the heavens to which I made such answers as seemed to give him great satisfaction. He also addressed himself to Mr. Laplace on the same subject, and held a considerable argument with him in which he differed from that eminent mathematician. The difference was occasioned by an exclamation of the first Consul, who asked in a tone of exclamation or admiration (when we were speaking of the extent of the sidereal heavens): “And who is the author of all this!” Mons. De la Place wished to shew that a chain of natural causes would account for the construction and preservation of the wonderful system. This the first Consul rather opposed. Much may be said on the subject; *by joining the arguments of both we shall be led to ‘Nature and nature’s God.’*” (Italics added). Moreover, Laplace did solve problems of explanation of the cosmic equilibrium for which Newton, an esoteric theist, had needed the hypothesis of regular “corrections” by God. Laplace showed, through more accurate observational data, that no such hypothetical interventions by God were necessary. It is also interesting to note that a 25 pages manuscript found posthumously in his papers details his “objections to Catholicism,” and, in particular, to miracles. Herschel was quoted by Daniel Johnson (2007).

Hobbes' opus, God had already in fact the character of a hypothesis, of which Pascal presciently failed to see the necessity in the foundation of knowledge.

But Pascal's perspective was marginal to the value increasingly put, in key sectors of Western European society, in the rational foundation of knowledge, of which the current of the reformation of the mind was a philosophical manifestation. And this philosophical story has helped me to dramatize the stakes involved in the problem of the modern Western paradigm and the idea of transforming it through contacts with alternative, external, basic ideas. What the philosophers had set up in their varied ways was a kind of relationship between intellectual work and the world, which has become defining of the West. The world is order in its totality, and an ordered mind could, given the right instruments, uncover that order for all. The relationship between the world and the mind is therefore homologous, when mediated by correct methods and rules, for the world, the mind and methodology are all transparent through the reason motive. More importantly, the relationship is singular, being determined only by the underlying rationality which governs both the world and the ordered mind.

This relationship could not have accepted Pascal's complex (non-singular) perspective without dissolving into something else, and one would suspect that it would be threatened by a similar fate were certain specific African approaches to knowledge imposed on it. It is, for instance, a fact that the truth of post-modernism lies in its corrosive, and for many, irresponsible, assault on the relationships which constitute the Western paradigm: but then, post-modernism is possible precisely because the foundation of the Western paradigm on a single motive ("God, or yet reason," to paraphrase Spinoza) was problematic from the beginning. And it is interesting that for those – like Pierre Bourdieu – intent on saving the West, while being wary and weary of

its classic constitutive relationships, Pascal¹² should appear as the road not taken, but which is still on offer.

All of this taken into account, what are we to do with suggestions such as Schatzberg's or Bugaje's?

Their legitimacy, I would argue, resides in the fact that the modern Western paradigm materialized in a time when a protracted historical incident was developing, and seemingly as a reaction to that incident. The incident was the discovery of the world, from within and from without, both by the Iberian caravels and by the telescopes of Copernicus, Brahe, Kepler, Bruno and Galileo. The origins and context of these voyages by seafarers and stargazers are surely important to ponder, but what is of interest here is the result: the unquantifiable and incontrollable impact on the relationship between the cultivated conscience and the world, in both Europe and the world beyond Europe. The intellectual historian Paul Hazard, who described the event in terms of a productive crisis, writes that

as far back as 1619, an obscure writer, P. Bergeron by name, and a little later, in 1636, Tommaso Campanella, were putting forth this sort of thing: 'the exploration of the globe having resulted in discoveries that have destroyed many of the data on which ancient philosophy reposed, a *new conception of things* will inevitably be called for.' (Italics added). (Hazard 1990, 8).

¹² Aristotle is appealing to many others. Yet others, like Michel Foucault, prefer Nietzsche – for which Bourdieu, the author of the *Pascalian Meditations*, chides him somewhat, but in significant terms: "Thus is it that Foucault finds in Nietzsche an acceptable philosophical sponsor for the socially improbable combination of artistic transgression and scientific invention that he achieves..." (Quoted by Staf Callewaert, 2006, 84)). It is not a normal practice for Western scholars, however, to venture outside of the realm of valid masters, as defined through the prism of the Western canon. In an anxious, if witty, statement of the problem explored here, Kenneth D. McRae inquires: "...these observations have focused on the 'mainstream' of Western political thought, but this in turn poses an interesting question: is there any evidence of *other* stream, of lesser channels, eddies, backwaters, or even swamps, where different and possibly more interesting life forms may be discovered? (...) Should we devise an alternative curriculum in political thought that would stress Althusius over Bodin, Montesquieu over Rousseau, von Gierke over Hegel, Acton over Herbert Spencer, Abraham Kuyper over T.H. Green, Karl Renner and Otto Bauer over Marx and Engels? In short, have we been studying the wrong thinkers, and even the wrong countries? I must confess that I do not have a satisfactory answer to these questions. The Western political tradition is rich and diversified, and my own perspective is both limited in range and also slanted by the same forces that have shaped others educated in the West." (McRae 1979, 686).

He then launches into a lavish description of the impact of the world on European conceptions and knowledge, insisting in particular on how they were being radically transformed, and were thus leading to the emergence of Europe's modern reincarnation as the West:

Often enough (..) the traveler who came back with an idea he took to be new, had really had it already packed up in his baggage when he went away. But if he was mistaken about its novelty, he was perfectly right about its impressiveness. For when he brought it back again to Amsterdam, or London, or Paris, or wherever it might be, the 'sea-change' had made it a much more imposing thing, far more telling than it had been to begin with. It is perfectly correct to say that all the fundamental concepts, such as Property, Freedom, Justice and so on, were brought under discussion again as a result of the conditions in which they were seen to operate in far-off countries... (Hazard, 10)¹³

This account could be detailed and accentuated even more by general histories of the period, contrasting a world of revolutionary new encounters and universal perspectives to the European world of the previous period (the Middle Ages), hemmed in the familiar and rather grating coexistence between Christendom and Islam. The modern Western paradigm therefore emerged as a way of understanding a new world. This is a foregone statement, inasmuch as a paradigm shift is necessarily the result of comprehensive changes in the larger society. For the social and political relations which determine the strength and nature of successful scholarly traditions to change, new necessities must arise, and these were especially pressing in the countries where world (colonial) business occupied important and dynamic groups and classes of people. It is for instance entirely not coincidental that all the philosophers of the "reformation of the mind" current, and their great opponent (Pascal), lived in North-western European countries

¹³ And indeed, as I have striven to show in my unpublished Philosophy memoir at the University of Dakar (*Rousseau et la Géographie de la civilisation*) even key differences in abstract fundamental philosophies cannot be exactly understood without references to apparently trivial concrete events: if Rousseau's contract theory is so different from Locke's and Hobbes' it is in great part due to the rapidly changing geography of European perceptions – as is abundantly shown by, e.g., the wide-ranging footnotes to his *Discourse on the Origins and the Foundations of Inequality among Men*. For forty years (1756-1796), Kant offered a course on Physical Geography, which drew heavily on travelogues but offered, in pristine unalloyed forms, most of the disheartening judgments which came to characterize the racism of the West's construction of its self-perception.

– Descartes himself leaving France for the Low Countries, this greatest of the hubs of Europe’s exploration of the globe, and Leibniz being a nomadic cosmopolitan scurrying through North-western Europe. A century prior, the dominant European intellectuals were mostly Italian and Spanish, or at any rate polarized by Italian and Spanish universities, at a time when the Mediterranean peninsulas were providing the main travelers to America and South Asia.

In relation to all of this, Paul Hazard chatters for instance approvingly about the collapse of the un-modern authority of the French kings in the wonders of the new world – which is not only America. He does not fail to remark that while the “new conception of things” contributed to bring down key social and political authorities in Europe, it contributed also to the erection of new ones and the weaving of attendant relations of power and of knowledge.

In the decades after the period he studied, the West came into being, solidifying as the support of new knowledge relationships, initially geared toward comprehending the world, but afterward nearly exclusively determined by the West.¹⁴ The West – not only its methods and concepts, but its aestheticized history and culture as well – became a medium of knowledge. The simple form of the problem which upsets both Schatzberg and Bugaje is thus as follows: The use of the West as a medium of knowledge – something that might be termed, in the fashion of Edward Said, *Occidentalism* – leads to a kind of intellectual superposition of the West and the world in which all that is not covered by the image of the West disappears in the unknown, like the “dark unfathomed caves of the ocean” of the poet Gray.

¹⁴ There is a fascinating period, roughly corresponding to the one studied by Paul Hazard, when comprehending the world actually meant both learning *on* it and *from* it. The attitudes of Leibniz toward China or of Diderot toward the South Sea Islands are reflective of that mood, *inter alia*. But the West (as relations of knowledge) had not yet solidified, then: if *the Arabian Nights* had been first compiled and translated into a European language book a century or two later, rather than during that period, it is to be doubted that they should have become the exotic European classic that they are now!

An example of this kind of consequence might be offered in the curious fate of Marx's "Asiatic mode of production." Marx's conception of world history is a rather stark case of Occidentalism: world evolutions are here read through exemplary images drawn from the history not so much of Europe as of the West. The history of Europe and that of the West are not, in effect, coterminous: the past of the West includes Greece and Rome, and even, to an extent, Egypt, but not the Semnons and Marcomans who dwelt in the Hercynian forests of present day Brandenburg and Bohemia, nor the vagrant Bastarnes who roamed the contemporary district of Cracow. The West distinctly and necessarily evolves from Greece and Rome to Carolingian feudalism and its legacies to medieval bourgeoisie in Northwestern Europe to the modern revolutions in Northwestern Europe and North America¹⁵. It is that Western evolution which provides the historical aesthetics of Marxist theory, bestowing on it the elegance and parsimony of compelling exemplars. In that sequence, the Asiatic mode of production protrudes as a superfluous piece in the machinery, taking on the appearance of an excess in all the senses of the word. Most users of the sub-paradigm of historical materialism either ignore it or do not use it in compelling or productive ways. It was meant to characterize in one fell swoop the vast political economies of Asia and parts of Africa – and it could be extended to parts of pre-Colombian America as well – through the unity of their differences from the Western evolution, hypostasized into being the universal evolution. The formulae of the Asiatic mode of production appear thus as an Occidentalist superposition of a product of the modern Western paradigm – Marxist theory – over what is in fact most of the world, and generally resulted in casting shadow

¹⁵ This is of course a trajectory of material civilization pinnacles: but even this is selective, as the Byzantines, for instance, are generally excluded from the aestheticized development of Western history. The historian Gibbon flies through their times, paying more attention to crusaders and jihadists, and reassuring the "most patient reader, who computes that three ponderous volumes have been already employed on the events of four centuries," and who "may, perhaps, be alarmed at the long prospect of nine hundred years" that no expatiation upon Byzantine history will be indulged. (Last prefatory note to *the Decline and Fall of the Roman Empire*, Gibbon 1995, liii).

on the history of sometimes extremely complex economies and cultures, such as those of the Chinese empires, for instance.

Moreover, this is not a problem only for the conventional non-Western worlds.¹⁶ It is in fact applicable to the geopolitical area of the West itself, where the binding relationship between political regimes, the culture of modernity and the production of knowledge renders invisible or struggles to account for actors and evolutions which do not play into the representation of that relationship. This complicated sentence will become clearer when I examine the issue of the subjectivity-objectivity tension. Here, it is possible to sum up this aspect of the problem by saying simply that the epistemological West overlaps with, yet does surely not encompass the realities of the physical West itself.

More crucially, the superposition of the West and the world obstructs the project of knowing the world, of creating relations of knowledge which are determined by the concept of the world, rather than by the concept of the West. The concept of the West historically appeared through a process of globalization, but – in the forms of modernity, the rational state, liberal democracy and other avatars – it then posed itself as the end and finality of that process, as all the world needs to be and, ultimately, all that needs to be known. Human and social knowledge becomes captured, if such a metaphor could be excused, by the gravitational field of the concept of the West. It appears therefore that, in the absence of a world paradigm or indeed an active concept of the world, only research methods and theoretical frameworks which disturb¹⁷ the

¹⁶ Sub-Saharan African is of course one such world. Many Africanist scholars have struggled and still struggle with the notion that methods and rationality assumptions fail to account for African realities, which some end up characterizing as essentially emotional or disorderly – that is, ungraspable by the cool ordered mind. See the characteristic recent straightforward argument of Chabal and Daloz in *Africa Works: Disorder as Political Instrument*, 1999.

¹⁷ *Disturb*, rather than *break*. I recognize the robust entrenchment of paradigms, which, moreover, greatly derives from their legitimate achievements. Thus, this work is certainly wrought within the parameters of the Western

epistemological gravitation around the concept of the West would allow us to extend the domain of social and human knowledge.

The Nature of Sentiment

In a literary examination of the period in which the “reformation of the mind” current evolved, the writer Milan Kundera characterizes the “post-Galilean” European world as being marked by the “forgetting of being.” (The phrase is originally from Heidegger, a critic of modern rationalism). This pattern has led Europe into a crisis “so profound” that one may wonder whether it will be able to survive it. Kundera – a novelist – undertook to demonstrate that the novel could save Europe from the epistemological dead-end where Cartesian rationalism had led its modern culture. Galileo and Descartes powerfully expressed

the one-sided nature of the European sciences, which reduced the world to a mere object of technical and mathematical investigation and put the concrete world of life, *die Lebenswelt* (...) beyond their horizon. (Kundera 1988, 3)

However, this flaw in European modernity is not terminal, since it is redeemed by the fact that the age of Galileo and Descartes is also the age of Cervantes:

Indeed, all the great existential themes Heidegger analyzes in *Being and Time* – considering them to have been neglected by all earlier European philosophy – had been unveiled, displayed, illuminated by four centuries of the novel (four centuries of European reincarnation of the novel). In its own way, through its own logic, the novel discovered the various dimensions of existence one by one. (...).

The novel has accompanied man uninterruptedly and faithfully since the beginning of the Modern Era. It was then that the ‘passion to know,’ which Husserl considered the essence of European spirituality, seized the novel and led it to scrutinize man’s concrete life and protect it against ‘the forgetting of being’; to hold ‘the world of life’ under a permanent light. (Kundera, 5)

paradigm. I am only attempting to understand and dodge some of its compromising effects in relation to the ambitions of this work.

Much as I have done in the preceding discussion, Kundera describes the advent of modernity as the end of God's sovereignty over human will, but he relates that advent to Cervantes as well as to Descartes:

As God slowly departed from the seat whence he had directed the universe and its order of values, distinguished good from evil, and endowed each thing with meaning, Don Quixote set forth into a world he could no longer recognize. In the absence of the Supreme Judge, the world suddenly appeared in its fearsome ambiguity; the single divine Truth decomposed into myriad relative truths parceled out by men. Thus was born the world of the Modern Era. (...)

To take, with Descartes, the thinking self as the basis of everything, and thus to face the universe alone, is to adopt an attitude that Hegel was right to call heroic.

To take, with Cervantes, the world as ambiguity, to be obliged to face not a single absolute truth but a welter of contradictory truths (truths embodied in imaginary selves called characters), to have as one's only certainty the wisdom of uncertainty, requires no less courage. (Kundera, 6-7).

However, while he summarizes the state of crisis in which he thought modern culture to be mired as an inability to "see the world as a whole," Kundera himself believes in the distinctive universalistic epistemology of the West, which he calls "Europe," but which he describes (using Husserl as an interpreter) in exactly the manner I have indicated earlier:

For Husserl, the adjective 'European' meant the spiritual identity that extends beyond geographical Europe (to America, for instance) and that was born with ancient Greek philosophy. In his view, this philosophy, for the first time in History, apprehended the world (the world as a whole) as a question to be answered. It interrogated the world not in order to satisfy this or that practical need but because 'the passion to know had seized mankind.' (Kundera, 3).

By using the term "mankind" as a proxy for Europe (since, as he will affirm later, this disinterested "passion to know" underlines the uniqueness of Europe), Kundera effortlessly glides into the problem of Grays's Dark Caves, and thereby fails also to recognize that Europe's passion to know the world is not disinterested.

On these premises, it was preordained that Kundera would trace around European subjectivity the same boundaries of uniqueness and universal humanism which he identifies in

European objectivity. “The novel is Europe’s creation,” he states, basing this claim on a novel which owes much of its narrative strategies to Arabic language fiction, a fact which its author, Cervantes, recognizes by having the whole story of Don Quixote told by an Arab man by the name of Cide Hamete Benengeli.¹⁸

Kundera poses however the problem of the relations between subjectivity and objectivity in the pursuit of knowledge in a number of interesting ways for this work – some of which will be explored later, in relation to the genre of the preaching in Niger. Here, I especially wish to show that the “wisdom of uncertainty” which he presents as the essence of modern Western subjectivity appears to lead to equally problematic ideals as the Cartesian “wisdom of certainty,” under the banner of liberalism. Although he describes the novel as the quintessentially liberal art, and thereby ascribes to Europe (or the West) a quintessentially liberal identity, Kundera never uses the word, arguably because the essay’s original language is French where the word “liberal” has narrower connotations than in this language.¹⁹ However, he straightforwardly designates the enemy of the novel, which is also the antithesis of liberalism: totalitarianism (embodied, in his thesis, by the enemy of the political West, the Soviet Union):

As a model of this Western world, grounded in the relativity and ambiguity of things human, the novel is incompatible with the totalitarian universe. This incompatibility is deeper than the one that separates a dissident from an apparatchik, or a human-rights campaigner from a torturer, because it is not only political or moral but *ontological*. By

¹⁸ Developing post-modernist propositions which strive to dispel the kind of modernist beliefs held by Kundera, E.C. Graf argues that Cervantes’ novel criticized key elements of nascent European cultural nationalism by portraying in Don Quixote an “annoying ethnocentric fool” (Graf 1999). More to the point, specialized writers closer to Cervantes’ time, such as Saumaise and Huet (*Traité de l’origine des romans*, 1670), believed that the novel traveled to Europe from Eastern lands. Huet in particular dwelt at length on the case of Cervantes “who”, comments Margaret Anne Doody “has in jest and earnest drawn a line of transmission (...) suggesting that Western fiction has an Arab and Moorish origin, and, like Sacred Scripture, comes to us from the East.” (Doody 1997, 260). The South African novelist André Brink emphasizes that *Don Quixote*’s narrative strategies derive from the old Spanish narrative tradition of the “*era y non era*” (“once upon a time there was and wasn’t”) which itself stems from the Arabic narrative formula of the “*kan ya makan*.” (Brink 1998).

¹⁹ There is also the fact – less significant than it may appear – of the references to Heidegger, a philosopher noted for his hostility to modernism and his reticence (to speak euphemistically) to liberalism.

which I mean: The world of one single Truth and the relative, ambiguous world of the novel are molded of entirely different substances. Totalitarian Truth excludes relativity, doubt, questioning; it can never accommodate what I would call *the spirit of the novel*. (...).

About half a century ago the history of the novel came to a halt in the empire of Russian Communism. (Kundera, 14).

Kundera's version of the story of Western modernity implies that the systematic rational truths of objective knowledge must be connected to the multiple sentimental truths of subjective knowledge, in a kind of anti-totalitarian epistemological alliance. In this view, the Western crisis does not come from fundamental epistemological flaws, but from the fact that the necessity of the alliance between reason and sentiment, objectivity and subjectivity, is not acknowledged in the pursuit of the West's knowledge of itself and of the world – which is not so much different from the West itself as prisoner of a stifled subjectivity, freed in the West by the novel. Solving the crisis will unify Western epistemology while at the same time saving the West from its enemy.

In this way, the tension between subjectivity and objectivity has more to do with the survival of the West, confronted with a totalitarian enemy, than with knowledge of the world – a world in which Kundera does not recognize in the “empire of Russian Communism” a complex reality in its own right, but the frighteningly monolithic seat of “Totalitarian Truth.”²⁰

²⁰This kind of opposition between the liberal West and the totalitarian Rest could have alternative valuations, as in the work of the French sociologist and anthropologist Louis Dumont, which developed around the two dualities *Homo Aequalis*/individualism (the West) and *Homo Hierarchicus*/holism (the Rest, or more specifically, in his work, India). “Holism” is a positive word for “totalitarianism,” and indeed, unlike most of his compatriots, Dumont appreciated it more than individualism. Interestingly, when, in 1991, he embarked in the project of defining two versions of Western individualisms, the German and the French (Dumont 1991), Dumont ended up concluding that Germany became Western only by acculturation to French enlightenment, and he thus maintained that there is a German “ideological” predicament which derives from its division between its modern individualism (French “Civilization”) and its historical holism (German “Kultur”). In many ways, sympathetic analyses of the contemporary Islamic “ideological” predicament apply a version of this framework to Muslim societies. The term “ideological” was understood by Dumont in a sense approximate to the one meant by Henry Siegman when he wrote, in an article on “the state and the individual in Sunni Islam”: “the basis of the state in Islam is entirely ideological – not political or racial, as in the West” (Siegman 1964, 14). In this sweeping form, the statement is pure

The notion that the novel came to a halt in the USSR means also, by way of consequence, that the kind of subjective knowledge afforded by the novel is impossible in that place – and perhaps in all places which exist outside of liberal modernity.

If that is so, and since Kundera's attitude (on which I dwelt at such lengths because it straightforwardly expresses general identifications to the modern West²¹) vis-à-vis liberalism and totalitarianism is today reiterated with regard to "Islam," what do we make of the relations between subjectivity and objectivity in the production of knowledge of the world? How in particular do we understand such relations in the case of social scientific knowledge in the context of the Western paradigm?

Kundera characterizes the advent of modernity as that moment when "the single divine Truth decomposed into myriad relative truths parceled out by men." Yet it is a recognizable fact that hardly had the "single divine Truth" been decomposed that it was recomposed into a *single rational Truth*. And it is generally understood (as emphasized by Kundera) that the move bracketed the problem of the being out, rendering it more derisory than under the intellectual relationships extant under the Christian paradigm. In Descartes' view for instance, sentiments and values became the purview of a "provisional ethics," instead of being the recapitulation of Christian precepts and the imitation of Jesus Christ.

That must be so because the world was no longer seen as the willful creation of the Christian God, but rather as an ordered representation given to the rational mind by the

"Orientalism" (in Said's sense), but it may not be entirely misleading. We shall see the position of Niger Francophone Islamists on this topic in Chapters 5 and 6.

²¹ A recent, extreme (right wing) version of Kundera's thesis is the argument developed by the literary critic Russell Berman in his essay *Fiction Sets You Free. Literature, Liberty and Western Culture* (2008): the novel, holds Berman, is an essentially capitalist phenomenon, thriving in the freedoms and excitement created by market economy and competition, and withering in the conformities of socialist societies – such as those of today's Europe, which Berman contrasts disapprovingly to the United States. In Berman's view, the novel comes to a halt in the "welfare state regimes of Western Europe." We may assume that Kundera did not see that one coming.

philosopher's God. Christian ethics, the task of being or creating oneself as Christian, was thus replaced by new types of conduct, even if at first only among certain categories of people. This means also that Descartes' idea of "provisional ethics" indicates that in the new era, norms and values will tend to have a greater personal dimension, exactly as asserted by Kundera, who, therefore, might not have needed Cervantes to reach his conclusions.

"Provisional ethics," attuned to the paradigm of the single rational truth, creates a space in which personal will becomes a key motive in the conception of or adherence to norms of conduct, and that space was expressed by its upholders and combated by the advocates of the old order under the name of "doubt." The noted paradox of Cartesian epistemology has been to make of radical doubt the point of departure of indubitable knowledge. But the problem of building knowledge with no final subjective orientations prescribed by a higher wisdom could not be so elegantly solved in the practical world which exists beyond and around the universe of fundamental philosophy's self-contained propositions. My contention here is that liberalism is the main solution reached by the West in this regard. Liberalism, in its broadest expression, is a universe of notional and behavioral orientations which solidifies "doubt" or "ambiguity" in a mode of conduct and ultimately, a ruling ideology.

To understand how this has evolved, I will briefly resort to the abstract analyses of another fundamental philosopher, Arthur Schopenhauer. His 1819 essay *The World as Will and as Representation* reads, in effect, on a certain level, as an admirably straightforward interpretation of the evolution of Western subjectivity from Cartesian doubt to liberal anti-foundationalism. Without then considering the philosophical and polemical aspects of that work, it is possible to draw some inspiration on this theme from the distinction which Schopenhauer makes between the *world of phenomena* on the one hand and the *Will* on the other hand. While

the former is ruled by such cogent manifestations of natural reality as causality and the principle of sufficient reason, the latter is, in his view, the only essence of reality. Phenomena and circumscribed objects have a cause and a motive which form a representation of the course of nature. But instead of being conceived as governed by a rational designer, as in the reformation of the mind current, that representation is, for Schopenhauer, *the objectivation, under the forms of ideas, of human will*. This proposition effectively suppresses the notion of a single necessary key (either divine as in Christianity, or rational as in Cartesianism) to objective knowledge, since human will has neither goal nor end, neither groundings nor *raison d'être* – or to use Schopenhauer's German, it is marked by *Grundlosigkeit* (groundlessness).

Schopenhauer's "Will" may be reasonably interpreted to mean what I prefer to call here "subjectivity." I have quoted in Descartes' *Rules for the Direction of the Mind* the proposition that says that "our faith in [divine revelation], so far as it concerns obscure matters, is an act not of the mind but of the will." If we apply to the observation a framework drawn from Schopenhauer's thesis, it appears that for Descartes, acts of the mind corresponds to the rationality of the course of nature ("the world as representation") while acts of the will corresponds to subjective submission to God's word. To this, Schopenhauer would reply that everything is an act of the will, including the acts of the mind. Everything is subjective, and everything is thus groundless.

Again, the idea in this discussion is not to explore Schopenhauer's philosophy or to elucidate Descartes' positions. Rather, I am using both authors and some of their isolated propositions as eloquent characters – to speak like Kundera – in a dramatization of the tension between subjectivity and objectivity in the pursuit of modern knowledge. This tension could be summarized by the proposition that, for modern knowledge, while everything *is* subjective,

everything *must* be objective. Since subjectivity is divorced from its divine paradigm, the world can no longer be explained by the unitary will of God to which everyone's will must submit. Logically in this perspective, Schopenhauer said the world is explained by the myriad groundless wills of everyone, a notion which would install at the heart of knowledge production a form of insuperable epistemological anarchy. To ward off this result, the methodology of modern knowledge has recreated the world as object, and would therefore rephrase the title of Schopenhauer's essay "The World as *Object* and as Representation." Objectivity – the objectivation of the world – is in this sense the successful result of denying one's subjectivity, and indeed, one's will, in the interest of knowledge, i.e., of exact representation.²²

The central task of scientific methods became, at the origin of the social and human sciences, to suppress or censor subjectivity and limit what came to be seen as the imperialism of personal norms and values in the process of crafting a clean representation of reality.

A system of neutral collective values, accorded to the objectivation of the world under a variety of expert rubrics (for instance those listed by Michel Foucault: security, territory, population), bestowed on modern knowledge the general and impersonal goals of utility and efficacy. Only those values which promote utility and the correct management of expert objects are legitimate in this perspective: values of individual freedom and collective progress, distinguished from other types of values by the fact of emanating from reason and understanding, of being, in one word, rational. As a result, the social and political ideals which undergird the institutions of this intellectual pattern, whether liberal or socialists (the latter being chiefly a

²²It is interesting and perhaps amusing to note that while Kundera suggests that literature is, initially, the alternative to Cartesian objectivism, prevailing literary theories in the age of Descartes did strive for the same objectivism in a certain specific sense. In his *Discours* (1660) on theatrical rules, the French playwright Pierre Corneille famously wrote that "the dramatic poem is an imitation, or, to better state it, a portrait of men's actions; and there is no doubt that portraits derive their perfection from closely resembling the original. The representation lasts two hours, and would be perfectly resembling if the action that it represents would, in real life, occur in no more than that same amount of time." This, however, is, to a large extent, a different issue.

critical reformation of the former rather than a different event), pride themselves on forms of neutrality or objectivity which distinguish them from religious or ethnic cultures.

In particular, liberalism²³ is presented by its upholders as universally objective, with no identifiable subjective content, no specific cultural coloration. Ideally, liberals seek to preserve individual freedom while enabling collective progress, and in that view, they favor a political society that is divided between a self-limited government and a self-regulated civil society. Through the mechanisms of representative democracy and the rule of law, the government protects the juridical liberties of citizens, and through the care of expert systems, it ensures the management of the material conditions of civil life: individuals are then free, in the context of the civil society, to create their self-identities and trade responsibly in the market. Analytical-empirical social sciences,²⁴ holding the arrangement of liberal political society constant, seek then to account for the way in which institutions function and individuals act, either alone or in groups, in any single political society or in any given collection of political societies.

The human world is objectively liberal, in the sense that the tenets of liberalism are held to be constant, and to be both universally characteristic of personal aspirations and universally congenial with cultural expressions, since they have groundings in none, by definition. That is the case for political organization as well as for economics. Yet the representation of the world drawn up by analytical-empirical inquiries reveals disparities, lacks, inabilities and other types of inadequacies from various societies, groups or categories of individuals, in both these respects.

²³Socialism is another important source of social and human science within the modern Western paradigm. But since liberalism is the relevant intellectual pattern in this work, I limit the discussion to its effects.

²⁴ In the *Stages of Sociological Thought*, written at a time when socialism had global relevance, Raymond Aron contrasts the Soviet-inspired “synthetic-historical sociology” practiced in “communist countries” to the American-inspired “analytical-empirical sociology” prevalent in “non-communist countries.” They are both diversely marked by positivism, neo-positivism, historicism and other such defining traits of nineteenth century European science, but we will do well to comprehend that it is especially the analytical-empirical approach which is related to liberalism.

The task of the social scientist is therefore twofold: to draw as exact a representation of a given unit of study as possible, under the assumptions of liberal objectivity, and to explain observed failures to fulfill the conditions of liberalism. Since liberalism is the objective nature of the human world, these failures must result from the subjective contents, or groundings, of societies: religion, tradition, historical heritage of belief-systems and social habits, etc. A possible summary of contemporary mainstream social science practice under the modern Western paradigm is in this sense: *the study of how our subjectivity disables us, in a variety of ways, to reaching the objective liberal stage variously called, today, high consumer society, advanced modern society or indeed, “the end of history.”* That is especially how Islam is generally studied in this framework, in some cases even when the chosen approach is to examine how it is compatible with liberalism.

What I wished to give here is a substantial sense of some fundamental or archeological characteristics of liberalism, notably (using the figure of Descartes) skeptical rationalism and (using the figure of Schopenhauer) nihilism, or, in plainer words, *doubt* and *groundlessness*. I suggest that these characteristics form the subjective heart of liberalism, even though this is not the place to try to demonstrate the argument.²⁵ In any case, the subjectivity of liberalism is hidden by scientific methods and their superlative objectivity, which make of it the ultimate stage of political and economic development – the fulfillment of humanity.

I will indicate, in the second section of this chapter, how, in the context of Niger (and, ultimately, beyond that context) this kind of specious closure could be overcome through a more comprehensive theoretical framework. Here, however, it is not my intention to pronounce on liberalism’s subjectivity or the validity of liberal claims to objectivity: but given the focus of the

²⁵ Significantly, critics of liberalism from religious or philosophical perspectives (rather than from socialism for instance) specifically tend to focus on these two characteristics.

epistemological concerns at hand, it was important to explore and recognize the specific tension between subjectivity and objectivity that they create within the modern Western paradigm. Pointedly not only is this kind of philosophical understanding of the intellectual pattern of liberalism indispensable given the specific representation of reality that this work seeks to produce, but characteristic Muslim responses to liberalism derive much of their explanation from the implications of that tension.

Muslim Responses

The previous somewhat drawn out discussions show well enough that simple solutions are impossible for the problems posed by the hegemony of the modern Western paradigm. For instance, Bugaje and many other Muslim scholars are struggling with conceptions that they term “Islamization of knowledge,” promoted by a scholarly organization created specifically for the purpose, the International Institute of Islamic Thought (IIIT).²⁶ This struggle updates earlier endeavors of a similar nature, dating back at least to the intellectual crisis of the early 1800s, which spiked in Turkey, Egypt and Tunis and preceded the Ottoman *Tanzimat* programs.²⁷

In the contemporary context, it leads to startling conclusions rather than authoritative solutions. Bugaje lists some of the forbidding difficulties of the enterprise in a lengthy, worried essay titled “Contemporary Muslim Response to the Challenge of Knowledge: Separating the Grain from the Chaff”. He starts with the notion that there is no active Islamic epistemology, a situation which dates back to “the expulsion of the Muslims from Spain some five centuries

²⁶ Founded in 1981, and headquartered in Virginia, in the United States, IIIT presents itself, on its website, as a private, non profit educational and cultural institution. Its stated goals are “Islamization of knowledge” and “Reform of Islamic Thought.” In particular, the institute wants to “help Muslims to live according to Qur’anic principles and the Sunnah while interacting with Western thought and hence, produce a well balanced and guided global Muslim society.”

²⁷ The *Tanzimat* was a set of programs of political reform launched in the 1840s by the Ottoman government, in order to put the empire on par with Western Europe in vital institutional, economic and military areas. It is thus usually described as a modernization program (*Tanzimat* means “reorganization”).

ago.” On Bugaje’s account, the problem was not so much a complete disappearance of Islamic scholarship²⁸ as the fact that, since then “this scholarship was no longer all encompassing, nor was it the pace setter it used to be...” He then proceeds to offer a vivid description of the encounter between Islamic minds and the effects of the modern Western epistemology in Egypt, at the time of Bonaparte’s invasion:

In an intellectual encounter at al-Azhar, the French scientists appeared to have had no difficulty in impressing and dumbfounding scholars at the great al-Azhar with their scientific displays. Though the Shaykhs of al-Azhar put up a very brave face and Shaykh al-Bakri, very confident in his Islamic faith, even challenged the conjurers, or so he thought they were, this singular act nevertheless shook the Muslim intellectual establishment, leaving far reaching consequences in its trail. For al-Jabarti, the Egyptian historian, after visiting, like many of his contemporaries, the Institute set up by Napoleon, with its extensive library and scientific equipment, he wrote a long account of his visit and did not hide his astonishment, concluding his description with the words, ‘things which minds like ours cannot comprehend.’

The “gulf” thus revealed between Islamic minds and the new science meant also that Muslims, before long, stopped being legitimate producers of general knowledge in their own conception. As a result, the Islamization of knowledge project could

create the impression that all Muslims need really do is to Islamise knowledge that others produce, and not produce it themselves, as if the world of knowledge was going to wait for them.

Moreover, if the concrete problem of instilling Islamic principles into Western scholarly disciplines is approached, one may not be able to sidestep the questions and conclusions illustrated by the following observation:

Key concepts are said to be introduced into the disciplines, but it has not been shown how these key concepts will make chemistry different from what it is today, or indeed how sociology or history is going to be different. Admittedly, key Islamic concepts have been introduced into economics and a whole new discipline of Islamic economics is emerging, but even here there remain problems to be resolved. But does that mean we could have an

²⁸ “...the Ottoman Caliphate rose to greatness thereafter and so spread Islam into Europe. Similarly, other states and polities, like the Mughal Empire in India and the Sokoto Caliphate in Hausaland also rose to produce towering scholars,” he remarks. This and the other quotes from Bugaje (1996).

Islamic chemistry as a discipline? How different is it going to be from the chemistry we know? Does the problem we have with chemistry come from chemistry itself or from the chemist? Since chemistry is what the chemists make it to be, the problem is more likely to come from the chemists themselves. *In all probability the problem emanates from the mind of the chemist...* (Italics added.)

This points to the fact that the problem is epistemological, a conclusion reached by Bugaje in a rather startling fashion:

But it is certainly confusing for many of us whose limited reading suggests that all knowledge is from Allah, and that it is the intention of the seeker and the ultimate use it is put to, that makes it Islamic or otherwise. With this rather elementary frame of mind one starts wondering if it is knowledge that needs Islamization or the approach and utilisation of knowledge. In any case, knowledge, whether of religion or of nature is nothing more than the data we perceive as we interact with the texts of religion and the text of nature. Muslims, at least, believe that nature is a gift from God, very much like religion, it also comes as a text containing a message. Taha Jabir has simplified the matter when he beautifully explained the idea of two books, one of religion and the other of nature, and the necessity of reading both before we can claim to understand the universe we live in. But while these books are divine, their interpretation and therefore understanding, as Souroush will say, is human and therefore fraught with human fallibility. So it seems the best we can do is to Islamise our approach to knowledge, which then shifts our focus from knowledge as such to epistemology.

And later again:

The problem, it seems, lays not so much with knowledge as knowledge as with the process or the philosophical assumptions that underline its acquisition and use. Epistemology seems, therefore, to be the problem rather than knowledge as such. The expression ‘Islamization of Knowledge’ could therefore be misleading in this respect.

In the history which Bugaje propounds – but with reference to many authors from various lands whose similar accounts contribute to solidify his narrative – the epistemological crisis of Islam resulted from the partition between “sacred epistemology” and “secular epistemology.” The partition, he avers, was certainly prompted by the introduction of modern Western epistemology into the Islamic cultural landscape, but it was facilitated by the fact that Islamic jurisprudence (*fiqh*), theology and history – the disciplinary products of sacred epistemology – were “stagnant” long before Western irruptions.

The task ahead is consequently indicated by the scholar Fazlur Rahman, who wants Muslims to “effectively perform the intellectual task of elaborating an Islamic metaphysics on the basis of the *Qur’an*.” By metaphysics, Rahman means the “unity of knowledge, and the meaning and orientation this unity gives to life.” The task would create an “overall world view of Islam” “necessary for the various specific fields of intellectual endeavor... to cohere as informed by Islam.”

All of these intimations are quite extraordinary, by dint of being quite familiar when compared to the history of the emergence of the modern Western paradigm as I have sketched it earlier. The project is yet again a form of totalization or unification of knowledge based on a form of divine rationality which would be its ultimate guarantor. The result would be an Islamic paradigm – an “overall world view of Islam” – made necessary by the discomforts of a world new to Muslims and in which they feel disoriented. It might be pointed out that unlike with the philosophers of the reformation of the mind, whose notion of God appears to be rather non-religious, Muslim scholars engaged in this thinking insist on the relationship between, on the one hand knowledge and, on the other hand, religious tradition, the *Qur’an* and the God of Islam. The mind must be ordered in this view not only by the homology between God and the world, but also by specific injunctions learned from the frequentation of the “texts of religion.” The basis of the particular angst participants in this current feel in relation to “Western secularism” or “secular humanism” is that the latter appears to premise that knowledge of the world and obeisance to religious injunctions are essentially incompatible. The premise should be falsified by proving that Islam *can* serve as the foundation of knowledge, notably by reviving specific scholarly traditions which were smothered by the politics of the ancient Islamic world. Thus Bugaje:

In addressing sacred epistemology, perhaps needless to add, Muslims must give a fresh and hard look at the assumptions of old, especially regarding the ash'ariyya and mu'tazila positions, and be prepared to be even more charitable than previous generations, if only because the benefit of hindsight has allowed us to see the prejudices, partialities and political favouritism that went into the debate and eventually determined its results.

These references to older intellectual currents, extinct as currents, have specific historical meanings. In essence, the Mu'tazila, which was a rationalist response to the early Islamic crisis,²⁹ was the way in which the ancient Muslim world discovered Greek, Persian and Indian learning. At one point the Mu'tazila was the dominant theological doctrine of Sunni Islam. Its latitudinarian rationalism led however to a reaction when Abu al-Hasan al-Ash'ari, a member of the current who converted to *Hanbali*-based orthodox sunnism, created a method of rationalist apologetics – the *kalam* – to buttress the literality of the *Qur'an* and the legitimacy of the *Hadith*, all of which were compromised in various ways by Mu'tazila thought.

The Mu'tazila also ushered in the Islamic philosophical tradition, known as *falsafa*. The methodological creativity and encyclopedic hunger for knowledge expressed in these currents is reminiscent, for contemporary students of Islam with Bugaje's perspective, of what happened in Western Europe in the late seventeenth to late eighteenth century, but with a stronger relationship between faith and reason. The thrust is thus to reenact European epistemological history, but with different motives and different memories, and to birth a genuinely alternative paradigm following comparable paths. A different set of relationships between knowledge, the

²⁹ That is, the cataclysmic crisis of succession to the Prophet Muhammad as leader of the Muslims, which was at the origin of the three radical divisions of the creed: Sunnites, Shi'ites and Kharejites. A response to the doctrinal quarrels and the brutal feuds they fed was a form of rationalistic skepticism which led to the formation of the Mu'tazila current, in which reason (*'aql*) was the first criterion of even the Law (*shari'a*). The early Abbasid khalifes, intent on reconciling everyone, promoted the Mu'tazila which looked like a latitudinarian solution to the crisis. In fact, Mu'tazila's latitudinarianism went beyond Islam, as is betokened by the fact that the great scholarly institution representative of the current, the Wisdom House (*Bayt al-Hikma*), had as one of its ablest directors, in the 870s, a Christian, Hunayn Ibn Ishaq, and generally employed many non-Muslims. Under attacks from other currents however, the Mu'tazila ultimately petered out, as is hinted by Bugaje. As we shall see later, however, the discussion of Mu'tazila principles is an important part of the contemporary Islamic debate, including in Niger.

world and God is therefore envisioned: it is nevertheless deliberately poised to arrive at the solidification of an epistemological Islam with problems similar to those which I have summarized under the word “Occidentalism.” Islamism’s aspiration is, after all, to become just as banal and pervasive.

Now the position of the problem changes subtly, but radically. Initially – and that is where most discussions of this kind tend to start – we have posited two paradigms, or at least one paradigm – the Western – and unorganized ensembles of epistemological ideas and instruments from other cultures. The question then was: how could the dominant paradigm be made to either absorb external contributions, or sustain the development of alternative paradigms? What I have tried to show is that the problem, posed in this way, lead to implausible solutions. I have striven to demonstrate in particular that epistemological paradigms, contingent as they surely are, involve large social forces and interests, entrenched institutions of knowledge, and numerous specific responses to specific problems, and are thus not easily manipulated by simple intellectual will. Moreover, whatever the defects of the Western paradigm, alternative or rival paradigms might not be better in terms of dealing with central epistemological problems, such as the one I called of Gray’s Dark Cave.

What then is the position of this work with regards to this epistemological problem? The solutions adopted here are presented in the next section, but before describing them, I wish to specify in some detail the general epistemological premises in which they are grounded.

The characteristic intellectual effect of epistemological paradigms is to produce and organize scholarly disciplines. As I have indicated, the modern Western paradigm emerged as a set of new scholarly disciplines, and more importantly, as a certain number of characteristic philosophical premises which order and limit the creation of scholarly disciplines. In the present

time, it appears that the Western paradigm is closed, in terms of disciplines production, and that discussion within it has moved to the distinct issue of interdisciplinary cooperation in the production of knowledge.

On the other hand, worries and quests such as those expressed by the International Institute of Islamic Thought signal that the specific knowledge relations predicated on Islam may lead to the production of new disciplines. To be sure, this possible evolution is currently held up by divergent attempts at adapting Western disciplines and at reviving older Islamic disciplines, but fascinating intellectual events reveal its potentials: for instance, the disciplinary inventiveness of the *Tanzimat* scholarship, in the nineteenth century Ottoman Empire, when Ziya Gokalp and his followers strove to entrench an *Ictimai usul-i fikh* (“Social Legal Theory”) combining paradigmatic Islamic law and Western materialist sociology, or when Mehmed Serafeddin Yaltkaya attempted to establish, in similar fashion, an *Ictimai Ilm-i Kelam* (“Islamic Social Theology”). These may be viewed as attempts at transcending the contradictions between contemporary Western materialism and the heritage of Islamic transcendence through the creation of newer scholarly fields and methods.³⁰

³⁰ Nothing shows better how the key boundary is here between paradigmatic orientations rather than assumptions of cultural differences, than the dim view taken on such attempts by European observers still respectful of the perspectives of the older Christian paradigm. The key European influence on the *Tanzimat* scholars was that of post-revolutionary France, which was often viewed as anti-Christian. A dismayed British traveler, Charles MacFarlane, thus notes somberly in an 1850 account: “It was long since I had seen such a collection of downright materialism. A young Turk, seemingly twenty years of age, was sitting cross-legged in a corner of the room, reading that manual of atheism, the *Système de la Nature*! Another of the students showed his proficiency in French and philosophy, by quoting passages from Diderot’s *Jacques le Fataliste*, and from that compound of blasphemy and obscenity... Cabanés’ *Rapport de Physique et de Morale de l’Homme* occupied a conspicuous place on the shelves. I no longer wondered it should be commonly said that every student who came out of Galata Serai, after keeping a full term, came out always a materialist, and generally a libertine and rogue.” (Özervarli 2007, 328). Writing off the language of moral outrage, we may recognize that MacFarlane was correct in his assessment: however, the thrust of the *Tanzimat* was to integrate the Islamic and the Western paradigms on the assumption “that unlike traditional Christianity, Islam was compatible with modern civilization since it did not conflict with science in its history and flourished independently without the force of political power, such as in the Roman Empire.” (Özervarli summarizing Gokalp’s views, 322). It is worth noticing that the school which groomed the élite of the *Tanzimat*, the *Galatasaray Lisesi* (also known by its French name *Lycée de Galatasaray*), was indeed a fount of post-Christian French influence, which defines the origins of the French-style political secularism of contemporary Turkey.

But at the juncture at which the attempts were made, they had only, and perhaps inevitably, the value of reflecting an experiment, rather than that of evolving a new science. These ample disciplines related to a divided experience, and made intriguing efforts toward a form of extroverted objectivity. Or to put it in more illustrative terms, the *Tanzimat* scholarship was grounded in an epistemology of the mirror of the kind described by Sandra Naddaf, apropos the *Tanzimat* era Egyptian scholar Rifa‘ah Rafe al-Tahtawi’s account of his travel to Paris, the *Takhlis al-ibriz ila talkhis Bariz* (“An Extraction of Gold in a Summary of Paris”).

About two decades after the retreat of Napoleon, in 1826, the new ruler of Egypt, Muhammad Ali, sent a motley team of Egyptian intellectuals in a five-year scientific mission to France. A noted member of the mission was Rifa‘ah Rafe al-Tahtawi, who returned to write a detailed account of his discovery of France and Paris. Al-Tahtawi was not a scholar preoccupied with epistemological problems, but a vivacious, intelligent mind trained in the ways of the old Islamic paradigm and enlisted in an agenda to update it with modern knowledge and manners. That agenda predefines in a sense his epistemological attitude: al-Tahtawi saw the West essentially as a problem of translation.

His report on the political, social and intellectual organization of France and the manners of the Parisians is meticulously descriptive, and like any such description, it follows lines that also reveal the identity of the descriptor. That is precisely where al-Tahtawi’s attitude becomes interesting, especially when compared with another one typical of the contemporary West, as is done by Sandra Naddaf in her article “Mirrored Images: Rifa‘ah al-Tahtawi and the West.” (Naddaf 1986) Approximately at the time when al-Tahtawi was putting out his Occidentalist essay (1834), the British scholar Edward Lane published an Orientalist essay titled *The Manners*

and Customs of the Modern Egyptians (1836). Naddaf compares al-Tahtawi's description of a café in Marseilles to Lane's description of a café in Cairo.

Lane describes the Cairo café as a self-delimited object, which he lays out like a display, showing its component parts, indicating its width and length, and the precise size and look of its furniture, the specific times of frequentation, the quantities and price of servings, etc. To the extent possible, he avoids using English words for the things used in the café, resorting to parentheses to designate the generic objects to which the Arabic word refers: e.g., "coffee is served by the 'kawhegee' (or attendant of the shop), at the price of five faddahs a cup, or ten for a little 'bekneg' (or pot) of three or four cups." (Naddaf, 75). The goal is to offer up a perfect still or photograph of the Cairo café, with a set of relevant objective data – objective meaning especially measurable and quantifiable. As is marked by the insistence in the use of Arabic words, but also by the absence of any self-referential allusions throughout the description, Lane's Cairo cafés "possess", in the words of Naddaf, "no physical characteristic which suggest the possibility of comparison with their western counterparts..." (Ibid.). Lane's detached observation and exact information is typical of the leading features of the modern Western paradigm, which tidily separates the mind from the world and establishes between them a relation of verifiable knowledge. The insistence on quantities and numbers, even in things which are likely to be accidental or subject to fads, has to do with the project of making knowledge rationally universal. Another well-ordered mind should be able to recognize the object described, based on the data supplied, and to provide, if need be, corrections and updates.

But if Lane's Cairo cafés do not lend themselves to meaningful comparison with Western cafés, it is not solely due to the cultural difference between West and East: the adequate isolation of objects of knowledge in order to render them, in the words of Descartes, "clear and distinct,"

is essential to modern Western epistemological attitudes. Of course then, the kind of anti-Orientalist criticism which Naddaf levels against Lane overlooks the fact that the same objective presentation – and objective here does indicate that the world under observation is transformed into an object – of the world was and is often applied to the West as well.

Al-Tahtawi's description is recognizable as a description: here too we are given information on the appearance of the café, the things done within it, the furniture and tools used, and so on. In that sense, both descriptions are very similar and indeed relate to the exact same things, down to the kinds of people who patronize the cafés. It is notable, but not at first especially significant, that with al-Tahtawi, quantity is replaced by quality and objectivity by something which might be called "adjectivity." The attention to colors, texture, material, sizes that are not so much measured as felt ("large" or "small") bestows on every described object a qualifying adjective and a different presence to the mind – one distinctly more immediate, since the object does not have to be mentally reconstructed, with inches and yards in mind, as a geometric, abstract reality. At this point however, something occurs. This specific descriptive method seems to naturally lead to comparisons with Egyptian cafés and to the intervention of specific Arab narrative strategies – for instance the allusive verses which deepen the meaning of an observed fact or datum.

More generally, al-Tahtawi's method consists in pointing, at every turn of his descriptions, to similarities and differences between the French world (material civilization, manners and learning) and the Egyptian world, rating them on the basis of a common sense shaped by ideas of utility and religion – or reason and faith as we might say, more generally. The French appear as having a truer sense of utility, while lacking the true religion (Islam); but al-Tahtawi uses his presence in their society as a mirror in which to recognize both themselves and

himself. The reference to mirrors, physical as well as metaphorical, indeed runs through his text in exactly that way. Upon entering the café in Marseilles, al-Tahtawi first has the impression that it is immense, but soon realizes its actual size when he discovers his own reflection in a mirror in front of him, and understands that the walls are covered in mirror. The mirror becomes the instrument in which he sees both himself, and the setting in which he is, and it aptly summarizes an account in which the French are described with a meticulous sense of accuracy, but in relation with an equally realistic description of the Egyptians. That, from al-Tahtawi's perspective, must be so because both the French and the Egyptians are beings in the world: to observe the ones, one needs to observe the others.

Lane's strategy of reconstructing the world *more geometrico* ("in a geometric mode," a motto from Spinoza) so as to offer it up to the pure gaze of the ordered mind is replaced by another one in which the world is made to reflect in a mirror, which is then looked at by a mind in quest of criteria for translation and correspondences.³¹

In this work, a version of this strategy of the mirror is in order: forsaking the illusion of a purely neutral, objective viewpoint, I do not find it epistemologically sound to adhere, as the hidden norm of my enterprise, to a version of liberalism, or of Islam. I have to construct a mirror which I will hold in front of the scenes, in the Republic of Niger, which are relevant to the issues

³¹ According to Daniel L. Newman (2004), al-Tahtawi is responsible for the Arabic adaptation of approximately seventy French words which exist to the present, including *nimra* (*nombre*, number) and *busta* (*poste*, post). He translated into Arabic, in 1827, a collection of French language poems, thereby making the first Arabic translation of any European literary work. In adaptation to French patriotic hymns and songs, he created the literary genre of the patriotic poem (*wataniyaat*). More curiously, al-Tahtawi's report on the French seems to mirror another literary genre which was all the rage in France during the period of the "crisis of European consciousness": supposed letters from Oriental travelers describing French manners to readers back home. Al-Tahtawi's *Extraction of Gold* is indeed written in the form of a long letter, and reads quite often like many of Montesquieu's *Persian Letters*. Al-Tahtawi himself aptly identified, in his mature years, with the theologian Fénelon, who reconciled Greek mythology (secular culture) with Christianity in order to criticize political despotism and advocate cultural modernization. Exiled to the Sudan by one of Muhammad Ali's more absolutist successors, he occupied himself in translating Fénelon's *Telemachus*.

at hand; a mirror which will then, hopefully, reflect a truth that is not merely in the eye of the beholder. In the following and last section of this chapter, I will in essence present that mirror.

Knowing the Nigerien Post-Colony

The initial problem which orders the theoretical framework of this study is that my “unit of analysis” (to use the conventional social scientific language) is neither a place, nor a time, but a historical experience: namely the adoption, by Niger, of liberal democracy, in 1991. The experience in question has to do with a place and time, but it is the experience which is the object of the study, the fundamental reality from which I will strive to draw an adequate representation.

I understand an experience to be a historical sequence in which several defining elements, of social, cultural, economic and political nature, which were previously arranged in different ways, or might even have been previously foreign to each others, concur in certain novel and durable ways to recast options and perspectives, conducts and expectations, in a given setting. Experience is thus the motion of history, but devoid of the idea of the teleological evolutionary momentum, which, according to Timothy Mitchell, undergirds the modern sciences of society. In a statement which reads like an abridgment of the previous section of this chapter, Mitchell writes:

Nineteenth- century Europe learned to understand the modern world as the outcome of history. People came to believe that the pattern of human affairs manifested neither the working of a divine will nor the self-regulating balance of a natural system, but the unfolding of an inner secular force. There were several ways of accounting for this inner dynamic, all of them referring to the increasing power of human reason to order social affairs. The movement of history could be ascribed to the growing technical control that reason acquired over the natural and social world, to the power of reason to expand the scope of human freedom, or to the economic forms that were said to flow from the spread of rational calculation and freedom – the exchange relations of modern capitalism. Whichever aspect of modern, secular rationality one emphasized, everything could be understood as the development of this universal principle of reason, or a reaction against it, or its failure, delay, or absence.(Mitchell 2002, 1)

The ascribing of knowledge production and agency to reason, and the notion that it thus powers history, has different currencies in places self-defined as Western – such as France or the United States – and in places self-defined as African and Islamic, such as Niger. To be sure, the divide between the West and other regions has been shown by Mitchell and other scholars to be illusory, as the central idea of “reason in history” itself is largely the product of the imperial embrace of the world by powerful European states, an event which begot both the current, post-imperial nation-state of France, and the post-colonial nation-state of Niger. However, in the present circumstances, the notion or illusion that reason powers history would appeal more to the intellect with respect to France than with respect to Niger. If we remain wedded to that notion, the “failure, delay, or absence” of rational progress in Niger will strike us as inexplicable, and, because of the fact that it thus presents such an essential challenge to the paradigmatic idea of the social sciences, as precisely the thing to be explained.

In this perspective, the adoption of liberal democracy by Niger will be implicitly or explicitly held to be a stage in rational progress, and research will be geared toward finding out just how sound and purposeful that progress is. Inevitably, any research framework organized on such premises will hold an image of liberal democracy in the West as benchmark, and will conclude that the regime has severe limitations in Niger’s context, as assessed against that benchmark, and is therefore quite likely to fail. This line of inquiry suffers from the fallacy of tautology, in ways that it cannot, however, remedy. In essence, it develops a syllogism which states that “all democracies are Western, Niger is not Western, therefore Niger cannot be a democracy.” Since, as I have shown in the previous section, the substantive cultural content of liberalism is unrecognized within the reigning paradigm, this bare form of the syllogism is not readily apparent from a Western point of view, and shows only in the negative (i.e., in what is

lacking).³² Partha Chatterjee explains more cogently the problem that I am underlying here, under the name of the “rule of colonial difference”:

If the principal justification for the modern regime of power is that by making social regulations an aspect of the self-disciplining of normalized individuals, power is made more productive, effective, and humane, then there are three possible positions with regard to the universality of this argument. One is that this must apply in principle to all societies irrespective of historical or cultural specificities. The second is that the principle is inescapably tied to the specific history and culture of Western societies and cannot be exported elsewhere; this implies a rejection of the universality of the principle. The third is that the historical and cultural differences, although an impediment in the beginning, can be eventually overcome by a suitable process of training and education. The third position, therefore, while admitting the objection raised by the second, nevertheless seeks to restore the universality of the principle.

While these three positions have been associated with distinct ideological formations, they are produced, however, in the same discursive field. My argument is, first, that all three remain available today; second, that it is possible easily to slide from one to the other, because, third, all three adopt the same tactic of employing what I will call the rule of colonial difference. (Chatterjee 1993, 17-19)

Liberal democracy, in this view, is understood as a universal good, rather than as a specific experience, and more precisely a universal good which will be secured only through overcoming a specific experience.

In the “discursive field” we inhabit more or less when discussing these matters, it is a terminal outcome of history toward which countries strive in ways that might be rendered inordinately difficult by their general makeup, but which lays beyond the messy history of the striving. Indeed, in most studies on this subject, liberal democracy takes the classical form of a dependent or outcome variable – or in a limited number of cases, of an intervening variable.³³ It

³² In Niger itself, the notion that democracy is a “White thing” signals the same perception, put in a more straightforward way. “White”, in the Nigerien context, denotes culture and not race. Indeed, the most common word used in Niger’s languages does not refer to color: “*Nasara*” derives from an older Arabic designation for Christians, referring to Jesus the “Nazarean”.

³³ Worth mentioning in this particular category is the interesting trend triggered by Frederic Schaffer’s *Democracy in Translation: Understanding Politics in an Unfamiliar Culture* (1998), cited in Senegal, and which inspired to a large degree Sheldon Gellar’s *Democracy in Senegal: Tocquevillian Analytics in Africa* (2005), or the unpublished doctoral dissertation, on Mali, by Jonathan Michael Sears, “Deepening Democracy and Cultural Context in the Republic of Mali, 1992-2002,” (2007) In all three works, liberal democracy is held constant, implicitly or explicitly

never – as in the West – takes the form of a consistent independent variable. Strictly speaking, studies about the predictable failures of liberal democracy in Africa reiterate the inexhaustible truths that stem from the fact that Africa is not the West. They are also, of course, deplorations of the fact that it does not even show signs of moving toward being more like the West.

The point of departure of this work is very different. That liberal democracy fails or presents severe inadequacies in contexts such as Niger will not be disputed here: in fact, quite the contrary. Nigerien promoters of liberal democracy are unanimously agreed that what they set out to establish as a regime in the country is not working the way they intended, and falls very much short of what they wish. But the key point is the fact that, in September 1991, the rulers of the country handed down to a self-appointed assembly rights of sovereignty in order to create a new political system. The assembly, which took the name of Sovereign National Conference, adopted a constitution and a series of codes which essentially organize a liberal democratic regime, inspired to a large extent by the French system of the 5th Republic.

This crucial shift did not mean that Niger had there and then become a fully functional liberal democracy, but it surely meant that *the way the country functioned had changed, and that a new understanding of the main political relationships had to be gained*. That is, how would now state organizations relate to the population, and upon which new conceptions and principles? What types of rules and institutions would henceforth order private and public relationships between individuals? Which rules would govern, in principle as well as in actuality, the exercise of formal state powers? Moreover, in addition to these and other similar conventional political questions, there is need to understand whether the change in the formal sovereignty of Niger would imply more generally a new understanding of the country as a whole.

as a product of Western political development, in relation to African culture and, variously, regime transition or (Gellar) Tocquevillian variables (habits, institutions, geography, climate).

What would be the consequences, on the very notion of being Nigerien, of these changes in the order of political relationships? Are the Nigériens who were now asked to comply with a new system going to be identical in their conducts and in their expectations to what they were when living under the conditions of the “*régime d’exception*”³⁴? If no – as seems to be the obvious response – what types of identity were they going to evolve? On another account, will this change in the seat of sovereignty have a radical and integral impact on the context in which it takes place, or will the backdrop created by the Colony (as I have painted it at the end of the previous chapter) going to remain much the same as it did through the past decades?

The list of these kinds of question cannot be exhaustive, of course: they define the fact that, with respect to the *régime d’exception*, post-National Conference Niger was a new experience for its people. The country moved, in its history, from one sequence to another. Liberal democratic constitutionalism played in that new sequence the role of a trigger, but the ensuing effects, which included a certain career of liberal democracy in Niger, were manifold, and can only be understood in connection to each others. This line of reflection has led me to choose one option out of three. The paradigmatic option would have been to study only the career of liberal democracy, with the view to understanding its chances of success through the hiccups of the democratization process.³⁵ In this case, the experience would be reduced to a narrative of rational progress (or failure thereof), as, perhaps, a footnote to Samuel Huntington’s

³⁴ This rather untranslatable formula was applied to the Nigerien political system – by itself – between 1974 and 1987. In 1974, a military coup d’état overthrew the constitutional (but authoritarian) government of the country. In deference to constitutional order, the coup authors called the system they put in place a “regime of exception” (the phrase is standard in French political lexicon), and started what was called a “normalization process”, that is to say the gradual return to constitutional norms. This will be further developed in Chapter 5.

³⁵ That is what Leonardo A. Villalón and I did in two papers on Niger (Villalón and Idrissa 2005a) and Mali (Villalón and Idrissa 2005b).

Third Wave of Democratizations, attended with analytical tools applicable to the context and suitable to the underlying ideals of liberalism.

A second option would have led me to isolate several dynamics, alongside the liberal democratic one: for instance, as it relates to this work, the Islamic dynamics, or some other non-liberal forces affected by the democratic transition (neo-patrimonialism for instance). The tone of the literature on democratic transition in sub-Saharan Africa in respect to this second option is to view other forces as necessarily antagonistic to liberalism, and moreover, as more entrenched, culturally deep phenomena, which end up hijacking the process and turning it into something else than what should be hoped for.

There is certainly some interest in pursuing these two options, but they will not offer easy guidance to the basic interrogations of this study, which are geared toward understanding whether this new sequence in Niger's history could be appreciated, by its people, as progress.

Of course, if the central issue of this work is presented in this way, one could legitimately ask about what counts as progress, and progress toward what? The two options I just presented at least would respond to this that more democracy counts as progress, and that the ultimate goal is functional democracy (even, in some cases, another form of democracy than the liberal one). Moreover, the fact that I resort to the notion of "progress" implies that I do not subscribe to nominalism or pure relativism – although, as we shall soon see, I do uphold a form of historicism.

And indeed, the idea is not to consider the case of Niger as unique and divorced from any type of evolution which cannot be directly inscribed in its context, nor am I claiming that there is no federal³⁶ benchmark against which to assess its experience. However, I believe that progress

³⁶ I prefer to use the concept of *federal* in lieu of that of *universal*. Universalism usually simply signals the hegemony of something that has managed to achieve an extent of universal empire (liberalism for instance), whereas

has of necessity a historical context and evolves from specific sequences, and not from an abstract or ideal plane which would be held to be universal. To put it more concretely, it must be, at first, against its own past and its specific conditions that we might measure whether Niger (or any country) has progressed or not, on whichever criteria we choose. The responses we will get when approaching the question in this way will be necessarily varied: we will register progress on the account of some criteria, but not on the account of some other criteria, which all would relate to the ways in which Nigeriens, in their diversity, assess their own context.

On the basis of such findings, we may then pursue the task of understanding what account for variations in *contextual* progress, and, on a practical level, what actions, policies and movements have an impact on the variation, and in which ways. This is a fairly inductive process, but the establishment of specific relationships in a given case, through an inductive method, in fact enables one to observe to which general categories the case may be related.

Thus, the empirical observation of political life in Niger indicates that the leading forces in this context are in a fairly limited number: on the national stage, political parties, rights-defending associations and local non-governmental organizations (called “the civil society”), Islamic associations, informal ethno-regional networks, and at more international levels, foreign non-governmental organizations, the International Monetary Fund, the World Bank, the United Nations System³⁷ and the Organization of the Islamic Conference. Each and every one of these groups has its particular agenda, weight and strategies, and relate in particular ways to the others, within a framework designed by the liberal democratic regime – or, in some cases, in

federalism recognizes that there is a diversity of value centers which may all, depending on the circumstances, have a number of key elements in common. This concept would require independent developments to better explain its reach and validities. But the purposes of this work must come first and it will be left for another effort.

³⁷ That is how the United Nations representation and the representations of its affiliated organisms are called in Niger.

contradiction to that framework. But each group also has a general orientation that puts it in league with some of the groups, and in opposition to other groups. Based on this general reading, it is possible to state that the Nigerien political stage is occupied by groups with three kinds of orientations: liberal, Islamic, and cultural. Figure 3-1 simplifies the observation.

Political parties are avowedly liberal, or in fact, as we shall see later, “republican”. They abide by the constitutional law, which defines Niger as a republic, in the French sense of the word – unified (Jacobin), secular, with general and vague socialist³⁸ purposes. Article 4 of the Constitution reads: “The Republic of Niger is one and indivisible, democratic and social. Its fundamental principles are: the government of the people, by the people, for the people; the separation of religion and state.” The language of the parties (names, mottos, official documents) is French, and their key reference is the variety of liberal legalism and political practice inbuilt in the French contemporary political system. By definition, rights-defending associations belong in the liberal sphere, as do Western organizations and the United Nations System. Most local NGOs defend liberal/social goals of personal freedom and freedom from exploitation, but some of them claim an Islamic identity.

³⁸ Liberalism, in the doctrinal form it takes in Western Anglophone countries such as the United Kingdom or the United States, has very marginal currency in Francophone countries, but the normative socialist orientation propagated by French influence is generally (and especially at this time) a kind of critical liberalism, rather than radical socialism. However, it creates an amount of reflexive resistance to doctrinally liberal policies and practices.

Political parties	LIBERALISM (French, <i>République</i> , Socialism...)	C U L T U R A L I S M
Rights-defending associations		
Western NGOs/UN/Bretton Woods		
Local NGOs	-----	
Islamic associations	ISLAMISM (Arabic, Islamic state, <i>Shari'a</i> ...)	
Islamic international NGOs		

Figure 3-1. Nigerien Political Stage: Major Actors

Islamic associations accept the liberal order, out of respect for the law of the land, but they belong in an Islamist sphere (which will be conceptualized as “the clerical society” in later chapters) where the dream of an Islamic state and of a *shari'a*-based order is pursued.

A rather hidden determinant of Nigerien politics is the sphere of culturalism, that is to say of ethno-regional identifications, which is both non-liberal (it is held to be an illegitimate organizing principle by the constitution) and non-Islamist (since Islamist doctrines current in Niger condemn *kabilanci*³⁹). Given its exclusion from the two formally accepted spheres,

³⁹ The local word for what Islamic political thought calls more generally *asabiyya*. The term, which plays the role of a sociological concept in certain works of Islamic political theory (Ibn Khaldun, e.g.) and could therefore have a broad range of meaning (including that of “secular nationalism”: in Ibn Taymiya’s work, e.g.) generally refers to the “tribalism” of desert, nomadic, people, and by extension, to any form of sectarian tribalism that must be overcome

culturalism is active in informal networks which might be said to be parasitic to political parties and, to a lesser extent, to associations (both liberal and Islamic) and local NGOs. This reality, non absorbable by the reigning spheres and as if in excess, penetrate them with agendas detectable only between the lines of formal speeches or newspaper articles, and in the parallel public space created by politics in local languages.

This general configuration of the contemporary Nigerien political landscape places Niger into the category of post-colonial countries with a liberal state and an Islamic society. To understand progress as defined by this context, we must therefore be able to measure it from the point of view of each of the active orientations in the country – or rather, in this work, from the point of view of the liberal and the Islamist orientations. Although important, the culturalist orientations (they are necessarily plural) are not quite taken into account in this work, in part owing to the difficulty of researching them with methods similar to those used to study the other two orientations. Moreover, progress in the case of a culturalist orientation, in Niger, would be evidently the displacement of democracy by a form of ethnocracy and the likely development of an ethnic conflict context, which would be considered a regression from both the liberal and the Islamist perspectives. As the study of the issue areas of this work will demonstrate, studying the connections of liberalism and Islamism in terms of contextualized progress is difficult: but the effort does make sense, especially when contrasted to the connections with culturalism – real and active as they surely are.

by the harmonies of Islam and the rights of the Islamic subject. *Kabilanci* derives from the Arabic *Qabilah* (clan), with the Hausa desinence “*anci*”, i.e., “ism”. It thus means “tribalism” and is a direct Islamic equivalent of anti-republican “*esprit de clan*.”

Borrowing mainly on the conceptual language of the work of Michel Foucault,⁴⁰ I have constructed a theoretical framework with a number of researchable concepts which reflect the open stage of Nigerien politics and its fundamental issues. In this framework, progress is expressed in terms of *governmentality*, that is to say, of *creating between governmental problems and governmental plans a kind of relationship which is satisfactory to the governed*. Before I proceed further, I must explain the details of this very general statement.

Foucault introduced, and then developed, the notion of governmentality through his typical historicist-philosophical method in lectures at the Collège de France, in the 1970s, and never really gave for it a fixed and isolated definition. In general, it is described by the phrase “the conduct of the conduct,” that is to say a relationship between government and the governed in which the former creates the conditions for a certain set of desired behaviors on the part of the latter, without deploying the apparatus of force and compulsion.⁴¹ The aim of the “conduct of the conduct” is indeed, in theory, the security, prosperity and health of the governed. The closest to an elaborate definition of governmentality I have found in the records of Foucault’s lectures is:

By governmentality, I mean the ensemble constituted by the institutions, procedures, analyses and reflections, the calculations and tactics that enable the exercise of that specific, albeit very complex, form of power that has as its main target the population, its key form of knowledge political economy, and its essential technical instrument security devices. (Foucault 2004, 111).

⁴⁰ Other key inspirers are such original Foucauldian political scientists as Timothy Mitchell (especially in *Rule of Experts*, 2002) and Partha Chatterjee (especially in *Politics of the Governed*, 2006).

⁴¹ In *Discipline and Punish*, Foucault makes the first contrast between the splendor of compulsory force (as exemplified, in the instance, by the ritual torture that leads to the death of the regicide in Ancient Regime France) and techniques of governmentality (as deployed in the prison). By creating norms of behavior, governmentality techniques are shown to produce a world of exhaustive government, impossible under the rule of sovereign force. However, the specific context of the prison is not an adequate summary of governmentality as it relates to the general society.

Moreover, in the last collection of lectures which elaborates on governmentality, *Le Gouvernement de soi et des autres*,⁴² Foucault clearly indicates at which level he situates his own analysis:

Secondly, I had to analyze, afterward, let's say, the normative matrices of behavior. And here, the displacement was about not analyzing Power with a capital 'P', not even the institutions of power or the general or institutional forms of domination, but rather, it was about studying the techniques and procedures through which one undertakes to conduct the conduct of others. This means that I attempted to pose the question of behavioral norms in terms of power, first and foremost, of power that is exerted, and I tried to analyze this power that is exerted as a field of governmental procedures. Again, the displacement was about this: to go from the analysis of the norm to that of the exercises of power; and from the analysis of the exercise of power to the procedures of, let's say, governmentality. (Foucault 2008, 6-7)

Governmentality, here defined as a "field of governmental procedures," is described by Foucault as the second moment in an intellectual effort which started with the "study of the matrix of knowledge (*savoirs*)" and moved toward understanding how "the individual is brought to constitute himself as subject." The effort is described as a series of three displacements: in all cases, the objective was, in effect, to move from what could be described as conventional historical and philosophical work (the history of sciences, the study of institutional organizations of domination, a theory of the subject) to experiential matrices (*foyers d'expérience*) which ultimately permitted a form of historicist and epistemological study of phenomena such as madness, criminality, sexuality or neo-liberalism. Governmentality seems to be the central concept in this intellectual movement, at least in the sense that it is articulated to both the formation of modes of knowledge and the constitution of specific subjects. In the lectures, Foucault describes it as a specific historical evolution, which matures with the formation of rationalistic political economy, and this leads him to conceptualize governmentality as inherently

⁴² "The Government of Self and Others": These are the lectures for 1982-1983. Published in French only in January 2008, they do not have an English version at the time of writing, unlike the previous collections.

liberal – and in any case, inexistent in socialism. On this rather disturbing conclusion, I would suspect Foucault to have been unable to see past the concept of the West as I have explained it in the previous sections, an inability which he himself recognized on several occasions.

In any case, the articulation “modes of knowledge/governmental procedures/constitution of subjects” is essential to the understanding of governmentality. If we disconnect it from liberalism, we then obtain a fully researchable concept: it becomes possible to think of modes of knowledge other than rationalistic political economy, of governmental procedures other than those generated by liberalism, and of subjects other than those made possible by the Western matrix, as entirely relevant to forms of governmentality.⁴³

What is distinctive of governmentality is the fact that procedures of power depend on the creation of governmental objects both as matters of expertise and sets of problems. Power is ordered by a knowledge field, which indicates specific problems, and in this way might be said to actually create the problems – since they are thus neither imagined nor conceived but known with certainty to exist –, and which indicates also the kind of mechanisms, the dispositive, which should be set to solve or reduce or displace the problems.⁴⁴

The ensemble of expert knowledge, of set problems and of specific procedures, techniques and devices deployed to connect knowledge with problems in the desired ways, is called here a *regime of power*. Concretely, governmentality exists only in regimes of power –

⁴³ Following more closely Foucault’s lead, although not necessarily his wishes, and apparently taken in the *habitus* of Western social sciences, most of the governmentality literature in political science treats governmentality as inherently tied to liberalism. Here, I seek to both retain the intelligence of the concept and disturb its gravitational circuit around the concept of the West (i.e., in this case, more specifically, liberalism).

⁴⁴ Foucault indicated that his work on prisons dealt with effects of governmentality which created the delinquent. Such governmental procedures as embodied in the prison and the justice system more generally did not aim at suppressing crime and rendering prisons useless, but rather at establishing as a norm for society a certain acceptable relationship between crime, humanity and knowledge. The delinquent being the central element of that relationship, is not to be made into something else, into something non reprehensible. The justice system and the prison do not therefore seek to “solve” the problem of criminality, in the banal sense of the word “solve” (i.e., make it go): they seek to normalize it with respect to the current organization of society.

that is to say, it does not define all power relations, since some of these are not taken into any kind of recognizable regime of power. If we take as example the table of Niger's political system that I proposed earlier, it is readily possible to identify regimes of power in the two dominant spheres of liberalism and Islamism, but not in the sphere of culturalism, where intricate power relations do evolve. In this way, governmentality as progress is, from each point of view, the extent to which each sphere succeeds in governmentalizing Niger (in the present case), through expanding its own regimes of power over the lives of the Nigeriens, and to their satisfaction as governed.

Further possible sources of confusion must be attended to: what exactly is a *desired way* to connect knowledge with problem? And what exactly is the *satisfaction* of the governed? Here, the two other concepts which define power relations – sovereignty and subject – must be parsed in the ways in which they relate to both governmentality, and the general framework which I am developing.

It is in the lectures collected in *Society Must be Defended* that Foucault tackles the issue of sovereignty in relation to governmentality. The first apparent objective of Foucault was to do away with the conventional notion of juridical state sovereignty which became central in the Western paradigm through the work of Hobbes, “the model of Leviathan (...), a unitary man who contains all real individuals, whose body is made up of citizens but whose soul is sovereignty.” And he adds:

We have to study power outside the model of Leviathan, outside the field delineated by juridical sovereignty and the institution of the State.⁴⁵

The Leviathan model seems to serve, for Foucault, in his attack on the political theory of modernity. Foucault describes sovereignty as an illusion, or a utopia, which emerged especially

⁴⁵ Quoted by Andrew W. Neal (2004, 375). I am here closely following his interpretation.

in the theory of Hobbes: sovereignty as peace. The sovereign, in the theory of Hobbes, is the thing which guarantees the peace agreement on which the modern political society is based. Hobbes – and later state of nature/social contract theorists – excludes war from “civil society”. He conceptualizes “civil society” essentially as a realm of peace and order, which came out of an original chaos, which he called, interestingly enough, the “state of nature”. The state of nature is, in crucial ways, a metaphor for human character and the character of human relations, seen as essentially driven by interests and leading to conflicts and confrontations: but, through the device of sovereign power, Hobbes argues that these constitutive traits of humanity can be curbed into cooperation and accommodation. Certainly, Hobbes does not pretend that conflicts are thus permanently erased from human life, but that they are transformed, by principles protected by the sovereign, and by the practical rules derived from those principles, and they are in fact not only rendered amenable with peace and prosperity, but also productive of peace and prosperity.

Against this, Foucault first shows that the modern “achievements” of rationality, progress and liberty over war, anarchy and religious strife “mask a continuing substratum of war that underlies all established political structures.” (2004, 380) The liberal history which charts the triumph of the institutional ideas of the contract, positive law and rationalized politics does not only record the political accomplishment of the Enlightenment, but also “the sedimented outcomes of long forgotten and bloody conquests.” There is “blood dried in the codes,” insists Foucault, in which “we must hear the rumble of battle.” (Ibid.). However, in conclusive thoughts, which bear very much on the goals of this work, Foucault, instead of “cutting off the king’s head” (i.e., disposing with the concept of sovereignty), presents a different understanding of sovereignty, which resides still in the state, but as wedded to the form of “collective subjectivity” that we call “nation.”

Sovereignty takes its sense in the historical linkage that it builds between the state and the nation, between the historically constituted practices of the modern state and the varieties of subjective perceptions which circulate within the nation. This outcome is congenial with Foucault's Eurocentered position: that sovereignty constitutes the nation-state signals the prevalence and comparative coherence of that kind of political organization in the West, and the West is, ultimately, the object of Foucault's philosophy. Governmentality, in this sense, is the grounded, concrete activity of state-national sovereignty, as it creates expert understandings of the problems of the nation-state, and seeks solutions that are meaningful within the nation-state.⁴⁶ If, however, we displace that philosophy into a context where the nation-state obviously lacks the normality and centrality that it assumes in the West, it is necessary to shift the gears entirely on different premises.

At the end of the previous chapter, I noted that the "colony" in Africa was "a state with no sovereignty, a state of pure governmentality." The statement was reflective of the fact that the colony was obviously not a nation-state. The link between state practice and collective subjectivity is, in this case, absent, and the regimes of governmentality are deployed without the inner life that they are supposed to derive from that link. Colonial administrators routinely experienced the impossibility of knowing what exactly was "in the back of the Black man's mind"⁴⁷: in other words, there were no subjective relations between themselves (and their knowledge and practice) and the governed.

⁴⁶ Such solutions might be quite bleak, if we reckon with Foucault's allusions to Nazism and other such pathologies of the nation-state. But in his later lectures, he dwelt only on solutions worked out by liberalism, which he found more characteristic of the very concept of governmentality.

⁴⁷ This kind of cultural or subjective disorientation led to the birth and development of anthropology, a discipline which created expert knowledge at the cost of further dividing government and the governed, since it is premised (unlike sociology) on the subjective *difference* of the governed.

Yet the categories of desirable and satisfactory solutions which signal governmental success can be understood only in the fact that the governed are actually being governed – i.e., that their conduct is actually being conducted, and not simply compelled. But to the end, many factors – including racism – prevented colonial government from overcoming its original predicament, and its form of governmentality was always closer to the prison version, described in *Discipline and Punish*, than to the liberal, nation-state version, which is explored in the lectures.

Despite the effects of political independence, the post-colony does not appear to have succeeded in overcoming the original predicament: it simply has given it new forms. Independence essentially meant that the colonial subjects must now find a sovereign, or rather, sovereignty. The exceptional form of the colony must be reduced to the normality of the nation-state, “equal to” (that is to say, identical with) the former imperial metropolis. This would have entailed, logically, a social revolution which would have dismantled the apparatus of colonial governmentality and created in the process a sense of nationality, a collective subjectivity. But independence in Africa was nowhere a revolution.⁴⁸ It was a contradictory effort at localizing the hegemonic discourse of liberalism (in its French version of “*esprit républicain*” in Niger) while maintaining the apparatus of colonial governmentality. The result was a weak sovereignty,

⁴⁸ In certain countries – especially those in which the metropolis unduly lingered, such as the Portuguese possessions – this almost happened. Algeria’s fight for independence strove to be a revolution, which it was to an extent (in Algeria, however, the colony was different than in most other parts of Africa, given the presence of a sizable population of European settlers). The Burkina Faso revolution, in the 1980s, was an effort to fulfill that potential of independence, something that is marked both by the date starting the revolution (4th of August 1983, because it is on 4th August 1789 that the revolutionary assembly, in France, abolished the legal bases of the Ancient regime) and the change in the name of the country (*Haute-Volta*, the colonial name based on the name of a river, as with most French *départements*, into *Burkina Faso*, a name based on the mix of several local languages and meaning, “The Country of Honest People”). The effort foundered against the legacies of colonial governmentality, when its main leader, Thomas Sankara, was murdered by officers supported by France.

generally authoritarian in character, and unable to prevent the quest for alternative sovereignties, in ethnic nostalgia, or in religion.

Sovereignty expresses, in a language of universal principles, general laws and steadfast rules, the norms of conduct which governmentality inscribes in concrete regimes of power, adjusted to an expertise of the contingent and the contextual environment in which the governed live. In the Western nation-state, liberal democracy has become – at least since 1945 – the central and normal form of sovereignty, while in places like Saudi Arabia or Iran, variants of Islam (orthodox sunnism and Shi'ism) may be said to hold that role. This, of course, does not mean that governmentality regimes predicated on such sovereignties then conduct entirely and in every aspect of their lives the civil subjects of these nation-states: sovereignty is not the Leviathan! One obvious manifestation of this fact is that governmentality regimes always harbor normative critics who wish for radically alternative sovereignties, and may even dream of new revolutions. Moreover, sovereignty, especially viewed through the Foucauldian prism used here, while it speaks in the ahistorical language of law and universal principles, is deeply historical, that is to say, subject to experiences which unfold through times.

All this said, what makes sovereignty normal is in the etymology of that adjective: the ability to produce and multiply norms of conduct through a variety of physical or more immaterial channels – such as political and educational institutions, or a language. In places endowed with normal sovereignties, the mutual constitution of such channels takes on the appearance of homogeneity, and satisfies the governed as productive of an acceptable sovereignty, even if it is one subject to ethical criticism.⁴⁹

⁴⁹ An acceptable sovereignty is called also, in more journalistic language, a “strong state.” However, such language, by reducing the matter to the state, misses its much more complex nature, and its extent.

Judging by their relations with their nominal sovereign (the liberal oriented state of Niger), the governed, in Niger, do not find that they have a normal sovereign. These relations are based on institutional, linguistic and legal heterogeneity – among others – but they do not form the object of this work, at least not as such. I am rather claiming here that today, Nigeriens are faced with two competing sovereignties, one that is based on the liberal republican *state* and another which grows through its attempts at Islamicizing and clericalizing⁵⁰ *society*. None of these sovereignties has the ability to produce and multiply norms of conducts throughout the country, and thus relate to a suitable collective subjectivity (a nation), and, as a result, they are engaged in efforts to either displace each other, or converge in a liberal Islamic sovereignty that has no current model in today's world.

On the basis of this theoretical and conceptual framework, we may now explore the issue areas in which the Nigerien efforts evolve. We are now moving from the world of concepts and theory to that of topical events, and of “the rumble of battle.”

⁵⁰ This particular conceptual dispositive, “clerical,” “clericalism,” “clericalization,” will be fully developed in Chapter 5, together with the notions of laic society and judicialization – but their meaning is already clear here.

CHAPTER 4

FRAGMENTS OF A NIGERIEN NATION

In November 1998, at about sixty kilometers out of the town of Agadez, in the sand dunes of Tiguidit, a three-day tent village was set up to host the first edition of the African Fashion Festival (*Festival International de la Mode Africaine*, ordinarily known as “le FIMA”) and accommodate its 1500 guests. 700 women from the region of Agadez were hired to sew the tents. 700 other people (technicians and workers) built an eighteen kilometer road between Agadez and Tiguidit, and erected the infrastructures of the show, which included a large cross-shaped catwalk inspired by Tuareg¹ cultural artwork, 800 two-person tents, four restaurants, several exhibiting stalls and a vast cabin sheltering the dressing rooms of the sixty invited models. Sound and light equipment and truckloads of food were ferried, together with the audience, to the festival site in a hundred odd land cruisers.

Out of the thirty one designers present, twenty were Africans, but the cast included such stars of global fashion as Yves Saint-Laurent, Issey Miyake, Kenzo and Thierry Mugler. Organizational costs – minus investments in the area – were said to approximate 600 million Cfa Francs (1.3 million dollars). The main funders of the event included the European Union, the *Organisation de la Francophonie*², the Technical and Cultural Cooperation Agency (ACCT, now the *Agence de la Francophonie*), *Afrique en Créations* (a special program of the French Artistic Action Association) and the ministries of cooperation of France, Gabon and – surprisingly to many at the time – China. The state of Niger contributed 30 million Cfa Francs, and other sponsors paid in kind: the SONICHAR, a Nigerien coal company, provided a super generator

¹ The Tuareg are an ethnic community which lives in the Saharan sections of Niger, Mali, Algeria and Libya.

² This International Organization of the *Francophonie* (OIF) was founded in Niger in 1970 and is, in the main, a post-imperial organization of France’s former colonies, and of a number of other countries in which the French language (Canada, Belgium, Switzerland) or French culture (Egypt, Romania, e.g.) has a strong presence.

which electrified the whole site, France Telecom set up a satellite dish which whizzed up phones, faxes and Internet connections, and Smirnoff delivered 12 tons of ice. Agadez was stunned.

Since the FIMA of 1998, geopolitical perceptions from the American global hegemon have highlighted the area of Agadez as a potential center of the Saharan section of the “Arc of Terrorism,” but at the time, it was being reintegrated into an older Saharan “Arc of Tourism” which included Timbuktu in Mali and Chinguetti in Mauritania. The FIMA was attended by the Nigerien president, Ibrahim Baré Maïnassara, the tourism and craft minister, Aissa Diallo, and the newly-appointed ministerial delegate for tourism Rhissa Ag Boula. In the early 1990s, the latter had been prominent in the latest aristocratic-Tuareg³ armed rebellion, and his new position was part of the efforts of the government of Niger to purchase peace in the area.

The organizer, the couturier Seidnaly Sidahmed Alphadi, is himself a nearly perfect representative of the Saharan “Arc of Tourism”: born in Timbuktu in a family with some Mauritanian connections, he is a Nigerien citizen and was, in the early parts of his career, a cadre in Niger’s tourism ministry. The official motto of the festival was “Peace and Development,” and, from the point of view of Niger’s rulers, the Paris fashion world was enlisted in an effort to restore Agadez to its role as the touristic capital of the country, quell the aristocratic-Tuareg rebellion and create jobs and business in the area. The notables in Agadez disapproved. Having sent emissaries to attend the rehearsals of the show, they concluded that too much bare flesh was being shown, and pronounced that the festival was against Islamic sense of decency and

³ The so-called Tuareg rebellions find their meaning in the efforts, by high-caste Tuareg, to preserve the old regime of Tuareg society, which rests on a rigid masters/slaves divide and is threatened by the more egalitarian manners of Sahelian populations, dominant in Niger. They are strictly speaking, a reactionary movement led by aristocratic, slave-holding orders, to counter or slow down the destruction of the material bases of their lifestyle. This latter process is intimately linked to social democratization and the intermixing between Tuareg and Sahelian societies afforded by the contexts of Niger and Mali. Moreover, the rebellions are compatible with outside interests, such as Libya’s geopolitical games and the romantic passions of Westerners for threatened “indigenous cultures” of a certain kind (the similar Tubu malaise in Niger does not appear to draw the same interest, partly, one may suspect, because the Tubus in fact look “black”, unlike most high-caste Tuareg. We will encounter the Tubus in Chapter 4.)

propriety. But at that juncture, the president Maïnassara had the backing of a number of Islamic associations, and the festival eventually took place without visible opposition.

Alphadi and the Nigerien government wanted to make of the FIMA a biannual event, on the model of the African Film Festival (FESPACO) of Ouagadougou (in neighboring Burkina Faso) or the Visual Arts Festival (DAK'ART) of Dakar, in Senegal. Niger, they insisted, must have a modicum of international image, and step out of the anonymity that is its lot. Visitors from wealthier countries might trigger interest in the country, and stimulate trade and other types of exchanges.⁴ Accordingly, in 2000, preparations were made for the second edition of the FIMA, this time in the capital, Niamey – again at a distance from the city, on a site on the banks of the river Niger, called “*La Pilule*”. A riverfront beach, the site is the haunt of night revelers and a version of the origin of its name (*La Pilule* means “the pill”) points to free sex allowed by the use of contraceptives. In addition to state and corporate sponsors, the United Nations Development Program (UNDP) and other prominent development organizations supported the event, highlighting its potential beneficial economic fallouts in relation to the “war against poverty.”

The 2000 FIMA edition however was to be marked by a showdown between the government and several Islamic associations. On the eve of the opening of the festival, a few violent clashes between demonstrators and security forces occurred in Niamey, and the following day, in Maradi, a city 650 km to the east of the capital. There, two missionary churches were partly burned, and between the two cities, seven bars and twenty six betting kiosks, as well as the main office of the pari-mutuel in Niamey, were attacked or destroyed during the melees,

⁴ Indeed, the name “Niger” seems to be exhausted by the river and the much better known Nigeria, Niger’s boisterous southern neighbor. The trope of Niger’s anonymity is banal in the country, and justified the heavier investments made by the Nigerien government in the 2005 Francophonie Games – at the end of a year when the country uncharacteristically made world news, owing, however, to rural famine.

according to government records. Other places targeted included homes described by Islamic activists as brothels. In Maradi, the *Iya*, priestess of the old, pre-Islamic local cult, was nearly killed by fire. The government arrested sixty-three people on the counts of vandalism and assault, and it banned the associations whose members were believed to be most active in the confrontation.

The latter measure was taken on the account of the associations' response to the government's preparations for the FIMA. After the Agadez edition, anger and frustration had sunk deep among Muslim activists. Opposition to a repeat of the event had become the measuring rod of the commitment to mend and better Niger's Islamic civil order. The FIMA was accordingly portrayed, in taped sermons and preaching and in mosque meetings as an invasive weapon of Westerners and Jews intent at undermining Niger's efforts at becoming a good land of Islam (*alsilamutaaray laabu, kasar musulunci*). The phrases "*Nasaray da Yahuday*", in Zarma, "*Nasaru da Yahudawa*", in Hausa ("The Nazareans and the Jews"), became at that point, almost proverbial. Most Islamic associations were therefore engaged, by mid-2000, in a full-blown anti-FIMA campaign, forecasting especially the spread of "sexual vices" (*zina* and *luwadu*, i.e., fornication and homosexuality) through example and corruption from "the Nazareans and the Jews."

In relation to these latter accusations, it should be noted that in September 2000, Palestinians in the Gaza Strip launched the second Intifada against the Israeli occupation, and the street combats resulted (among other tragedies) in the killing of a Palestinian child by Israeli soldiers, as his father was trying to protect him. The death of young Muhammad al-Durrah, filmed by a reporter of the French public television channel France 2 (broadcasted in Niger by many satellite bouquets), shocked all Nigerien publics, and many associations (both Islamic and

liberal) decided to organize in response a demonstration in support of the Palestinian people. The government authorized the demonstration, but requested that the names of the United States and other Western countries which were accused by Islamic activists of aiding and abetting Israel's brutal policies not be mentioned at any time. This confirmed the view held by Islamic activists and opinion shapers that the Nigerien government was controlled, to a distressing extent, by the West and its Israeli ally.

The government took notice of the fermentation, and attempted to curb activists toward temporary conciliations. Meetings were arranged at the ministry of the Interior in the weeks leading to the festival. Most associations committed to avoid demonstrations and other types of collective actions which may disturb the event, but insisted that they would retain the right to criticize it. That was the line taken even by the Islamic Association of Niger (AIN), an organization sponsored by the government, which went on air warning the people of Niamey against attending the festival. It had to happen, said the chief cleric of AIN, Cheik Oumarou Ismael, since the rulers wanted it to happen, but while everyone was free to attend, they must know that it would be at the cost of displeasing God. To be a good Muslim in this occasion meant to avoid any willful contact with the FIMA. A number of associations resisted more openly the inducements of the government. On 8 November (the day before the opening of the FIMA), they organized a demonstration which was to gather on the small square (the *Place de la Concertation*) facing the building of the National Assembly and which was to then present a formal appeal to cancel the event to the deputies present at the time. The demonstration was not authorized. On arriving on the *Place de la Concertation*, the crowd of demonstrators found security troops surrounding it on all sides. They tried to force their way at the shouts of "God is the greatest!" (*Allahu akbar!*), were repelled, and fell back on organizing attacks against bars and

betting kiosks. Some quickly ran home to pick up machetes and cudgels. In spite of these instruments, the affair was not quite impressive, as witnesses (including myself) could testify. In fact, while special units' men were chasing down enraged activists on the streets, most other people were simply watching in curiosity or tending to their usual business, with lively and humorous comments on what looked like a reality show *sans* TV – even if betting kiosks attendants were unwittingly taken into the action. In Maradi, the demonstration marched toward the palace of the *Sarki* (title of the dynastic ruler in the Hausaland), destroying or attacking on its way spots designated as “perdition places” (bars, homes associated with prostitution). The general tone of public opinion, in Niamey, was that the clerics were right in criticizing the FIMA, but that the government had to make it happen given the economic situation in the country. Demonstrators were seen as both heroic and foolish.

The episode seems to have helped the government to detect which ones, among the Islamic associations, were less tolerable to its own agenda. It wiped out, among the most prominent, the Association for the Diffusion of Islam in Niger (ADINI Islam), of *Izala* (Sunni orthodox) persuasion, along with the Association of the Muslim Students of the University of Niamey (AEMUN), fond of radical posturing, and, surprisingly, the main Sufi (*Tijaniyya*) association, the Association for the Radiance of Islamic Culture (ARCI). The government also temporarily closed three mosques, forcefully evicting its occupiers. The leaders of ARCI (shortly afterward recreated under another name) committed to avoid disruptive actions and very likely held their promise, but are persuaded today that they had been victims of an underhanded action from a rival association. An ARCI leader told me in an interview that long after these events, and when the minister of the Interior of that time was no longer in his position, he took him to task on his deliberate inequity, and the former official showed signs of shame.

Moreover, in an interview with the monthly⁵ newspaper *As-Salam* (which caters for Islamist Francophone opinion) in December 2000, the president of ADINI Islam, Malam Yahaya Muhamad, stressed that

demonstrations are not normal Islamic practice. Whenever a Muslim notices that there is something wrong afoot, he must preach. (...) But to go out on the street, to demonstrate, that is not something that either the *Hadith* or the traditions of our predecessors condone. However, I deplore the manner in which the government dealt with the problem, especially regarding people in the mosques... (As-Salam 2000).

The statement, which dissociates ADINI Islam from the events, is interesting in that blame was meted out to demonstrators in relation to something that would be “normal Islamic practice” in interventions in the public arena. This remark will gain all its salience in the next chapter.

For now, let us stop these snapshots: they may be evocative, but they are certainly confusing also to the great many people for whom Nigerien events are indeed clouded in anonymity. I evoked them chiefly because they set a stage from which we could start to pore over the social landscape against which they are set.

A striking observation, in relation to these events, was how much they appeared to happen at the margins of Nigerien society. Abundantly commented in the international media, which took sides, deploring Islamic fanaticism or Western corruption of a poor country, they drew interest, in Niger, only in a few circles: the world of Islamic associations and members of rights-defending associations. Press coverage indicated a great deal of indifference and disapproval on the part of mainstream society: “Islamists sow disorder,” chided *Le Républicain* (Abou 2000), blaming the state for turning a blind eye on a danger which had been long in the

⁵ The paper is today weekly but was then monthly. It was founded a year prior, in 1999.

brewing, while *Sahel Dimanche* noted that it was “impossible to suppose that Islam condones such brutalities” (Gorzo 2000).

Islamic activists, however, pointed out not only at the exhibition of bare flesh and debauchery, but also at certain features of the FIMA’s organization: advertisement for condoms, part of the anti-AIDS campaign for the promoters of the FIMA, but interpreted by Islamic activists to be part of a campaign to stem the reproduction of Muslims while promoting abhorrent free sex; the choice of the spot, *La Pilule*, deemed to be festive by FIMA’s promoters, and decadent by Islamic activists; the choice of the sponsors, which still included the vodka maker and seller Smirnoff, an insult, from the point of view of Islamic activists; the massive presence of foreigners from wealthy countries, deemed a sound economic operation by FIMA backers, but forming a group conspicuous, from the point of view of Islamic activists, for the absence of representatives from Muslim countries.

Rights-defending associations did not appear to find the FIMA a great cause, and contented themselves to issuing statements against violence from government security forces and from Islamic activists alike. But they were perceived by Islamic activists to be in sync with the government and the FIMA, since they passed their judgment using a language which did not relay their concerns.

The FIMA, therefore, produced in these very localized and small social spaces a set of polarized discourses and related actions, whose subject and object were, at the same time, “Niger,” whether that name designated the state of Niger, or Nigerien society. Or, to be more specific, while the *subject* of these discourses was either the constitution of Niger (which protects rights and freedoms and makes of economic development a national duty) or God (who

gives rights and prescribes obligations to the good Muslim), the *object*, at any rate, was always Niger.

The observation begs the following question: what is Niger? Beyond the imaginings and suppositions of Islamic associations and rights-defending associations, is there something which can be thus named and which does care about the issues surrounding the FIMA? If so, then to what extent does Niger care about such issues, and for exactly which lasting reasons (i.e., reasons less ephemeral than business opportunities or outrage at the display of indecency)?

The FIMA crisis, as we shall see in the next two chapters, is a somewhat fluffier variant of tensions of a certain specific nature which make sense in relation to the specific power relations which maintain the existence of Niger. These power relations, in their durable and seemingly permanent expressions, structure the social milieu which derives its integrity from the post-colonial state of Niger, and thus lends itself to specific objectifying projects revealed by topical issues. Students of such topical issues (an example of which is offered here by the FIMA and its discontents) usually take the social milieu as a near-natural fact of life, which, once a number of socio-economic parameters and chronological data are mentioned, does not need any further theoretical description.

A related strategy isolates the issue within the context of a reified subset of the milieu: an ethnic group in a specific site, allowing for thick description and simple labels.⁶ However, given the epistemological problems I have extensively discussed in the previous chapter, I must obviously avoid taking Niger as a series of recorded data or a set of fully describable ethnic groups offered up to the social scientific gaze – especially, again, considering the liberal

⁶ For an interesting illustration of this particular approach which relates to the FIMA riot and Maradi as a Hausa town, see Cooper (2006). Cooper believes that the FIMA riot was an expression of violence against single women, which, in turn, is, she maintains, characteristic of Hausa culture, Islamic resentments at perceived Western domination and Nigerien poverty. All of this spoils, she stresses, liberal values of tolerance, gender equality and economic rationality.

assumptions which seem to inevitably inform such gaze in our age. Instead, an economic way, consonant with the strategy of the mirror, must be worked out to present Nigerien society without having to conceive a new sociology. What that strategy entails is indeed nothing so ambitiously revolutionary: it simply permits a specific kind of displacement of the object of study and of the relevant sociological tools. Sociological categories and analytical tools will have to be used in the mode of a science that is reflexively articulated to the scenes of study, not as a science preexisting the object to be studied, and providing the researcher with the normal scholarly eyes with which to observe that object.

My position could also be understood in light of the fact that what I call here the “strategy of the mirror” is a version of Foucauldian history of the present. The objections implied by that position indeed echo the reply of John Thornton to a series of criticism, by economists, of his thesis on African productivity which was debated in an issue of the *African Economic Journal* in the early 1990s. Thornton singularized historians – in comparison with social scientists, and especially economists – as people who would not ask the question “What are the relevant questions that I should ask about a particular process?”, but rather the question, “Here are my data, what questions can I answer with them?” (Thornton 1990-1991, 45). This attitude is justified by Thornton through the fact of the very constraining nature of data from the remote past. But other reasons, such as unguarded ideological and cultural assumptions, as well as undetected incommensurabilities, lend to it, in my view, great wisdom, even in the case of research on contemporary processes. A short examination of the issue will emphasize what I mean here.

The normal tendency of sociology, under the modern paradigm, is to underline vertical, hierarchical patterns of power relations. Social models, social hegemonies, and social ladders are

identified and described in the ways in which they emerge, operate, and wither out. Connected with implicit cultural essences, they enable the production of knowledge on the basis of researchable concepts – such as “gerontocracy” or “patriarchy,” which are probably the two most commonly used with regards Sub-Saharan societies. But clearly, the way in which I described Niger, as a post-colonial nation-state, problematizes the assumptions of social and cultural homogeneity on which these kinds of elaboration are predicated: there is not here a unified society in which such regimes of power relations (age-based and gender-based), even as we very much admit their existence, could be referred to as fundamental social forces.

In fact, most students of such contexts recognize this problem by displacing useful analytical concepts to the level of apparently more socially or culturally homogeneous units such as ethnic groups. However, by its very nature, the post-colonial, multi-ethnic milieu organized by countries like Niger, spoils and negates the purity and homogeneity of ethnic cultures and societies. The social images required by these concepts must ultimately be found either in certain periods of history or in conservative conceptions of society cultivated, for very different reasons, by local traditionalists and Western⁷ scholars.

What then must be recognized at the outset is that the sites in which this study is grounded are of a very specific nature: they are, as I presented them at the end of Chapter 2, “new cities,” and in many cases, quite literally so. Niamey did not in fact exist in the nineteenth century, and Maradi acquired its contemporary distinctive characters only after colonial policies in the 1940s transformed it into a groundnuts trading center.⁸ But the “newness” I am referring to

⁷ After the discussion in the previous chapter, it should go without saying that Western scholars are not necessarily people from the geopolitical West: the phrase should in fact apply to anyone educated in Western scholarly traditions. A Western scholar could be African or Asian in terms of geopolitical origins, even as such origins bestow on his or her Western scholarship a distinctive underlying subjectivity.

⁸ For an economic history of Maradi see Emmanuel Grégoire (1991).

is not simply chronological. It has to do with the fact that, in the threads of Sub-Saharan history, these places represent a new event, the colonial transformation of African societies through partial and generally subaltern integration to the world capitalist economy and global regimes of power ordered by the West. The prominent urban centers of the previous sequence of Sudanic history, cities like Segou and Jenne (both in Mali) or Zinder and Agadez (in Niger) became backwaters in comparison with the centers created by the Europeans to drain African wealth into the global systems they organized. Given their position in those systems (in the shoals, and not on the deck), this did not render places like Niamey and Maradi modern in the sense in which centers of global cosmopolitan capitalism are modern.⁹ But they are not definable by the African Ancient Regime either, like were Segou and Zinder in the past. They are places which are ordered neither by expensive modern urbanism and the affluent hegemony of a modern social class (a bourgeoisie, a petty bourgeoisie, an American-style middle class) nor by the older arrangement of things and the patronage and authority of historical leaders, such as chiefs and clerics. Rather, they present social arrangements in which the different local regimes of power do not cohere to form a monistic civil order. Social authorities and characteristic styles of civil conduct exist, but almost in isolation from each other.

One way in which to capture this disconnection of civil conducts in accordance with the “modern/traditional” framework has usually consisted in measuring the “progress” of modern conducts as against the “survival” of traditional conducts. But a simple set of observations in relation to the example of the FIMA riots of Niamey and Maradi may defeat conclusions drawn from that kind of framework. It has been noted that demonstrators marched, in Niamey, toward

⁹ See on this score *Global Networks, Linked Cities* (Sassen 2002) in which global regimes of power are described in terms of ranking world cities. The only two African cities listed in the roster of Loughborough University Globalization and World Cities (GaWC) projects, which are referenced in the essays collected in the volume, appear south of the Limpopo (Johannesburg) and north of the Sahara (Cairo).

the building hosting Niger's National Assembly, and in Maradi, toward the building hosting the *Sarki*, called in current Nigerien administrative language *chef traditionnel* ("traditional chief") and *chef de province du Katsina* ("Katsina province chief").

While the Niamey march might therefore very well be interpreted as a sign of modern conduct – concerned citizens petitioning deputies – and the Maradi march as a sign of traditional conduct – an illiberal crowd of fanatics calling a feudal lord to duty – their leaders claimed them to be the same event, happening at the same moment and triggered by the same motivations. One starts to understand how correct the claim is when one reflects on the fact that the *Sarki* of Maradi is not a purely traditional figure, in whichever way that qualifier (traditional) is understood: most of his current power was institutionalized by the French attempts at creating a governing customary law in the 1930s-1950s,¹⁰ and his present status, veiled by the glory of old titles and the snobbery of Maradi's *Katsinawa* community, is in fact that of a paid agent of Niger's public service.¹¹ On the other hand, Niger's National Assembly is dominated by merchants, who have leveraged their way into electoral politics through financial power, but who, in their majority, did not receive the formal state Francophone education, and are therefore outside the Francophone sphere which, in Niger, signals cultural modernity. So in a way

¹⁰ For elite figures such as the *Sarki* of Maradi, the French used the phrase "*chef coutumier*" (customary chief), which prevailed in Nigerien administrative language until the early 1980s, when it was replaced by the phrase "*chef traditionnel*".

¹¹ The ruling family of Maradi was evicted from the city of Katsina (about a hundred miles south across the border, in Nigeria) by the Sokoto warriors in the early nineteenth century, and they struck a deal with the rulers of the Gobir – the Hausa dynastic state (*daula*) which surrounded the town of Maradi, then a northerly outpost of the dynastic state of Katsina – to occupy Maradi as a site of resistance to the Fulani Jihad. In this way the rulers of Gobir, seated at Tsibiri, three miles west of Maradi, and the fleeing Katsina rulers, effectively withstood in tandem the Sokoto imperialism. When the French seized these lands, they ended up however, for their own reasons, giving more importance to Maradi than to Tsibiri. While the *Katsinawa* (people of Katsina) are therefore a minority in the area, their lord acquired greater weight thanks to his authority over Maradi. All of this means that given the fact that most of the demonstrators in Maradi were probably *Gobirawa* rather than *Katsinawa*, they were seeing in the *Sarki* a representative of the state of Niger, at least as much as their dynastic lord. To wit, the walls of the palace of the *Sarki* no longer bear recognizable dynastic symbols, but, in huge painted strips, the orange, white and green colors of Niger, just like the building of the National Assembly.

characteristic of post-colonial contexts, hardly are lines between modernity and tradition drawn than they are blurred.

Above and beyond the post-colonial context, there is another essential element that needs to be underlined. The intriguing paradox of places like Niger is that they have been produced by what Karl Polanyi called the Great Transformation, and yet, the Great Transformation has not quite happened among them. Without the industrial revolution and the rise of the self-regulating market as prime mover of Western economies, France would not have had the means and the motivations to create colonies in Africa, and yet these colonies were built on societies kept at a distance from the industrial process, and, moreover, the self-regulating market had (and still has) on them only tangential effects. Niger is what is commonly called a “third world” country, and maybe a working definition of such countries is that they have un-capitalistic economies ruled by capitalist economy. The implications of that phrase for their societal organization are of course much more numerous than what I can afford to develop in this work. Polanyi (1967, 43-44) asserted that after the “industrial system” had been “in full swing over the major part of the planet,” there arose certain practical and theoretical implications for the “human race.” It “was swayed in all its economic activities, if not also its political, intellectual, and spiritual pursuits” by the traits described by Adam Smith as fundamental to what came to be formalized as *Homo Economicus*, the Economic Man. Polanyi’s book was devoted to the West, and even in that circumscribed geopolitical space, he confined his discussion to the domain of political economy. But the truths he unearthed may be applied to our context, where they gain new perspectives, and in this chapter, I intend to ponder at least some of the social implications or consequences which Polanyi left practically unobserved in the case of the West. Economic transformations may in effect translate in political, intellectual and spiritual pursuits in very straightforward manners. In

Niger, of course, these are related to the *décalage* between the effects of the international capitalist system and the local non-industrialized economy – a key example of which will be developed in the early parts of Chapter 5.

In the first section of this chapter, I will undertake a sociography of Niger, in view of providing the scenic understanding for the issues which will be analyzed in the two next chapters. I will explain how literally the term “sociography” (with its flavor of a multidisciplinary approach) must be taken. In doing so, I will rely extensively on sociographic documents produced by a social science laboratory in Niamey, the *Laboratoire d’études et de recherches sur les dynamiques sociales et le développement local*.¹² In a second, shorter section, I will then relate Nigerien society to the three issue areas which will be studied in the two next chapters. In fact, I should point out that my sociography of Niger will not be art for art’s sake, but will have the purpose of highlighting the lineaments of Niger’s social landscape which best prepare the ground for the presentation and analysis of the issue areas.

Nigerien Realities in the Mirror

Finding most of the categories and concepts of modern sociology useful, but considering the strategies with which they have been generally put to work unhelpful in this instance, I have conceived the following solution: to displace the categories and concepts from the elevated space of independent scientific gaze into grounded theoretical instruments with which to describe Nigerien society, and which are then necessarily transformed by the reflections of that society on their epistemological constitution. This procedure will soon become clear, after I have presented its results. The three points of departure I set up as the binding limits of this enterprise are the

¹² Known more generally as the LASDEL, this is one of two organizations in which I secured affiliation during field work in Niger.

governmentality categories: territory, population and society.¹³ As I have already indicated, the enterprise, even in this modest format, probably could not have been envisioned without the set of rich sociographic monographs compiled on Niger's vast regions and remoter back countries by an intrepid social science laboratory in Niamey, the LASDEL.

In a way, especially regarding the dimension of the territory, what I will be doing is only a creative synthesis of the data assembled and turned into structured reports by the LASDEL's workers. The synthesis is informed by the abovementioned categories (territory, population and society) which, in the perspective of governmentality, play crucial epistemological roles. Perhaps then, at this juncture, a brief theoretical explanation is on order.

In the *Foucault Effect*, Graham Burchell elaborates on governmentality by writing that

To govern individuals is to get them to act and to align their particular wills with ends imposed on them through constraining and facilitating models of possible actions.
(Burchell 1991, 119)

This type of procedure, he elaborates, "presupposes and requires the activity and freedom of the governed." The freedom and activity of the governed are in turn a function of nature as a set of immanent processes "which make the sovereign's despotic imposition of regulations both futile and harmful." (Burchell, 126). These immanent, self-regulating processes are economic, not only because they would tend (as would be desired by the state) to the production of wealth, but more significantly because of the ways in which they balance the interests and the passions of individuals, and compose out of them a society and a population – that is to say a *collective of subjects* with a plurality of rights and pursuits, and a *natural entity* which has to be managed appropriately.

¹³ In fact, the governmentality categories, as delineated by Foucault, are territory, population and *security*. "Society" is only another face of the population, as shall be seen in the development of this section. The theme of security is less important to my arguments, although it does appear at many junctures, including in this section.

The categories of freedom/despotism, interests/passion, which permeate this analysis, intimate the deduction of the liberal essence of governmentality made by Foucault's in his lectures on the subject. But it is possible to give to them more general meanings, and recognize that at any rate, a society is, first and foremost, *a population occupying a territory, and unified by certain power relations and certain governmental regimes*. Before being a civil society, in the sense of that phrase which evolved from Hegel and influences Foucault's thinking, it is a set of social groups occupying certain specific spaces in relation to both the state and to each others. I will thus speak, both literally and figuratively, of social spaces, meaning at certain junctures the territory which shapes the development of specific power relations and governmental regimes within certain populations, and at others, the space occupied, on the surface of society, by certain populations. This latter usage will be more frequent, and appears especially prudent in a context where it is quite inaccurate to speak in terms of social *classes* or (as in a situation of Ancient Regime) of social *orders*.

This being said, it is natural that we should start out with promenading our mirror over the territory itself, before taking deeper strides into social landscapes.

Niger covers an area of 1, 267, 000 km² (489, 678 square miles), which makes it the 22nd largest country in the world. While most of this vast national landmass is made up of sand deserts and arid steppes, no quarter of Niger's territory is completely uninhabited. The mass of the population reside in a rather narrow southern strip running west-east for about 1,500 km (930 miles or so), but the administrative region of Agadez – which scoops up most of Niger's desert and represents 52% of the national landmass – has around 400,000 inhabitants, totaling about 3% of the population. The numbers however are less important than the fact that these populations, living at the remote margins or altogether outside of industrial civilization, are deeply shaped in

their social manners and cultural expressions, by natural processes and intensive, direct human labor on the environment.

A first variation, or set of contrasts, which obtains as we relate Niger's population to its territory has therefore to do with the effects of environmental adaptation. The kind of uniformity of attitudes and generality of conducts that is extant in consumption societies is necessarily minimized here. There is little artificially produced plenty, engineered by corporations, broadcasted by publicity, and creating layers of uniform habits and of managed populations, as is the case in high consumer societies. While the modern communication systems (roads, telephone and, of late cellular phones and the Internet) have certainly intensified trade and uniform modes of consumption in ways that were unknown in the pre-colonial past, the challenges of a vast territory and of the absence of significant local industrial production ensures that Niger remains a federation of isolated rural habitats – or, to use the perfect French concept in use in Niger, of *terroirs*.

The *terroir* is a first basic socio-territorial concept. From here, we will be able to work our way up through an understanding of the social territory of Niger. This is the purpose of the descriptions I will be making in the next three sub-sections. I wish to preface them with the observation that they are not anthropological in character, and have for instance little concern for cultural essences. Rather, they derive their relevance from an analysis of *contemporary* situations, as observed by this researcher and the local social scientists at the LASDEL. They are organized around two axes: a socio-territorial axis which leads us, genealogically and sociologically, from the *terroir*, to the *pays*, to the urban settlement, and a socio-spatial axis which offers an understanding of the composite subjectivity which divides Nigeriens between Francophone modernists and Islamists.

The demonstration will be made in four moments: I will first present the context of the *terroir* and the *pays*; this will be followed by a historically grounded (genealogical) description of the emergence of social spaces for Francophone modernism and Islamism; I will then reprise the socio-territorial thread by presenting three settings typical of the Nigerien context, N'gourti, Shadakori, and Tillabery, in a gradation that will give us a textured sense of the concrete nature of Niger's post-colonial society. These presentations will then lead us to a general conclusion which prepares the ground for explorations in the urban-rural, or "rurban" reality of Niger. (I will elaborate on this "rurban" dimension in the concluding section).

Reflections of the Country

The French Larousse dictionary defines the *terroir* as a "set of lands exploited by the inhabitants of a village," and the Encarta lexicon, more broadly, as a "traditional countryside" (*une campagne traditionnelle*).

While in France it could be also land occupied by vineyards, these two main meanings are the prevailing ones in French-speaking African countries such as Niger. The *terroir*, in Niger, is a communal management of agricultural and pastoral lands, apportioned in usufruct to individual members of the families which are the units constituting the community, and organized along the lines of a specific ethnic division of labor. Typically, in Western Niger for instance, Songhay of the *Sorko* branch fish and those of other branches produce rice, Tuareg of the *Bella* (slave) branch cut and sell wood, Zarma of all branches produce millet and sorghum, and so on. This is of course a simplification: individuals develop specializations in certain activities because of their ethnic socialization, but they are not trapped into such specializations, even in the rural context of the *terroir*. The ethnic division of labor does not evolve into a caste system, which, here, may exist *within* ethnic groups, but not between them.

The *terroir* can be identified by its market, established in a certain village, and which centralizes the economic results of its various activities. It takes place on a specific day of the week – usually different from the market days of the closest neighboring *terroirs*. The *terroir* therefore constitutes a very loose regime of power relations, since each ethnic group in it has its own kind of hierarchy, its own customs and its own language, respected as such by the others. But they are united by the use of a common lingua franca (usually Zarma-Songhay in Western Niger, Hausa in Central to Eastern Niger and Kanuri in the extreme East of the country) and a blend of customs interestingly mediated by Islamic *Maliki* law, called *asariya* in the Zarma-Songhay domain.¹⁴ In this way extremely loose federal institutions exist in each *terroir*, geared toward mediating collaboration and conflicts.

These *terroirs* are the basic identity of origin for Nigeriens, who call them, in their local languages, *hu* (Zarma) or *gida* (Hausa), that is, “home.” While living in urban settlements like Niamey or Maradi, most Nigeriens who are not indigenous to the place will reflexively refer to their *terroir* as their first identity of origin – almost never to their ethnicity. The *terroir* socializes the majority of Nigeriens, and the process occurs in its multi-ethnic settings in ways which, at the same time, solidify ethnic socialization and open it up to the permanent experience of otherness at close range.¹⁵ Ethnic identity is thus always defined both in opposition, and in positive relation to other ethnic identities within the basic unit of the *terroir*. In this way, it becomes an ingredient of this particular socio-territorial identification, much as family or religion.¹⁶ Niamey and Maradi

¹⁴ This is of course a linguistic modification of the Arabic *al shari’ya* (pronounced *ash shar’iah*), based on the fact that the Zarma-Songhay language doesn’t have the sound “sh” and replaces it with the soft sibilant “s”.

¹⁵ This is expressed in Sahelian cultures by the practice of jocular kinship between members of different ethnic groups – among other such *terroir* manners of mitigation of the problems of coexistence.

¹⁶ In the first chapter of this work, I mentioned the power of the *Qadiri* cleric Mamane Diobbo on the animist populations of today’s Western Niger. Such power of a Muslim leader over non-Muslim groups, which intrigued the historian Fuglestad, is entirely understandable within the framework of the *terroir/pays*.

themselves could be easily read, underneath the homogenizing patterns of municipal divisions and regulations, as sets of old independent *terroirs* which coalesced under the pressures of colonial *commandement* and trade.¹⁷

The *terroirs* compose then in congregation wider regions called in Nigerien languages *laabu* (Zarma) and *kasa* (Hausa). Not coincidentally, these words correspond also to an older meaning of the French *pays* (country): a set of *terroirs* organized by the same customary law, or *coutumes du pays*. In Ancient Regime France, the central administration (the Service of the King at Versailles) did attempt to organize these *coutumes du pays* into codes known as *coutumiers*, and having legal value in certain domains not covered by or not conflicting with the laws of the king and those of the Church. In the course of the French Revolution, these *coutumiers* were erased along with the *terriers* (documents proving the rights of feudal lords over the French *terroirs*) to be replaced by the homogenizing codes of the French republic.

In Niger, the colonial government took notice of the existence of such customary countries, which were ostensibly inconsistent with the liberal republican ideology of the French

¹⁷ The story of Niamey is indeed telling in this regard: in the early years of the twentieth century, there were along the river Niger, scattered over the locale which will become Niamey, a number of villages and hamlets inhabited by people of three ethnicities : Zarma of the *Kalle* branch, Songhay of Gao (the ancient capital of the Songhay Empire, now in Mali, a few miles north of the border with Niger and therefore not very far from Niamey) and Fulani brought here by the Jihadist movements of the nineteenth century. These three ethnicities formed one single *terroir*, at the same time agricultural (Zarma), fishing/hunting (Songhay) and pastoral (Fulani), creating thereby the distinctive pattern of collaboration and conflict of interest and occupation prevalent throughout the Nigerien countryside. When the French sought to create a town in which to base the capital of the colony of Niger in the area in 1926, they resorted to a rough expedient typical of the *commandement* regime: they increased the poll tax in the district but made of a certain section of it (in which they wanted the town settled) a tax-free zone. People flocked in, creating the three first “neighborhoods” of Niamey, *Kalley* (settled by the Zarma), *Gaweye* (settled by the Songhay) and *Lamorde* on the right bank of the river, settled by the Fulani. Another group (Zarma of the *Mawri* branch) came from farther round, and settled *Maourey*. And the place took there and then the name Niamey which derives from a Zarma-Songhay word meaning (what else?) “intermingling.” This name has become over the decades a self-fulfilling prophecy, as other populations taken into the colony and republic of Niger sent in wave of settlers to the capital. However, the people of the four original neighborhoods are regarded as those who could claim Niamey as their “*hu*”.

Third Republic.¹⁸ But it had no practical intention of transforming its subjects into republican citizens. In order to create a form of low-cost authority, it in fact had to favor here a reverse process, even as the French (contrary to the British) never made of “indirect rule” an overarching governmental framework. The colonial government cut out along the lines of what its officials understood to be the territory of each specific customary country a type of local civil administration called in French a *canton*. And then, it appointed at the head of each of the *cantons* a “customary chief” as *chef de canton*.

The colonial government neither knew, nor was really interested in knowing the customs of each customary country. It also did not intend to undertake, in the context of a colony, the vexing task of compiling a *coutumier* to which the Service of the King had so bravely devoted itself during the Ancient Regime, in France. The “customary chief” was therefore a shortcut to the customs, a walking and talking *coutumier* so to speak. Whenever that seemed convenient and feasible, he was duly flanked with supposedly erudite assessors and Muslim judges (*kadis*). In the process, the “customary chiefs” were given rights and authority which they never had in the older dispensation, but which matched their obligations to the colonial government. In that sense, therefore, they were clearly not “customary” at all. They achieved for instance (in certain areas at least) a status of land dispensers which almost equated them – for very likely the first time in the history of Sudanic lordships – to the feudal lords of Ancient Regime Europe.

The colonial government also had perceptions about the *pays*, which it tried to match with administrative units called *cercles* (circles), congregating several *cantons*. The regime of direct rule started effectively at this level, as the *commandant de cercle* (circle commander) was

¹⁸ That constitutional regime lasted in France from 1871 until 1958, and thus coincided with the creation and occupation of Niger by the French. It very much defined itself in relation to the legacy of the French Revolution, in its efforts to gain legitimacy against strong monarchist (both Legitimist and Orleanist) and Bonapartist currents.

always a European officer. The structures of the *commandement* developed from the circle into the colony, breeding in each colony a specific brand of modernist society through government schooling and employment.

When Niger achieved political independence in 1960, this social territory underwent no profound change. The customary regimes created or stimulated by the colonial government at levels below the *cercle/pays* were maintained, while attempts at instilling liberal republican values in institutions and attending regimes of power from the *cercle* up were undertaken. However, especially after the *Indigénat* regime was repelled in 1945 – a date Africans adult in that period often consider more important than political independence in their personal lives¹⁹ – new patterns in the social fabric of the colony and the post-colony had also emerged in the areas where the government came in intimate contact with local social groups, government schools.

Between “Sweet France” and “Arabia Felix”

This socio-governmental organization related to the *terroir/pays* framework was replicated in each French colony in Africa. However, there were great variations following the date at which the colony was instituted, or its territorial parameters. For instance, the early establishment of the colonial regime in the coastal and comparatively small colony of Senegal was based on an older French policy of unqualified direct rule. This had led French colonial policymakers to dismantle what they called the “*grands commandements*,” that is to say the lordships of the Senegal and Saloum valleys, and to create enclaves of liberal republican government in four communes partly settled by French colonists since the seventeenth century.

¹⁹More precisely, it was 11 April 1946, the date at which the forced labor component of the regime was repealed, which was systematically mentioned in interviews. The process was indeed piecemeal and dragged over nearly a year, starting with an ordinance, in August 1945, creating a regime of representation, and ending with the extension of “citizenship of local status” to categories of “civilized” (“*notables évolués*”) or influential (customary chiefs) Africans as well as the removal of control on movement and of discretionary justice for everyone else in May 1946.

These arrangements contributed to impart on Senegal a distinctive tradition of long-standing liberal republican practice at state level, and of organized Sufi hegemony over the masses of the governed, in partial replacement of the historical lordships obliterated by the French. As their African empire expanded however, and as the costs of maintaining it stretched, the French mitigated the policy of direct rule by a refashioning and utilization of customary social authorities on the ground. Moreover, the liberal republican regimes of the four Senegalese coastal communes were not replicated elsewhere. Instead, a specific subject regime, regulated by a disciplinary text called the *Indigénat* code, was applied until 1945 to anyone who was not working directly for the colonial government.²⁰ Customary chiefs, as auxiliaries of the administration, had the privilege of exemptions from the *Indigénat*.

When Niger became a colony (only in 1922, after being a “military territory” since 1901), it was therefore entirely within the frameworks of the *Indigénat* regime that it was instituted as such. The *Indigénat*, which extracted taxes under the threat and the application of physical violence, and which organized a wholesale system of forced labor, was another key contradiction to the liberal republican norms with which the French legitimized their overrule. Given its scale, it was much closer to the category of despotism than anything historically experienced at the hand of stable government by populations in this area of Africa. What then accounts for the emergence, in Niger, of a social space inhabited by people who cultivate a modernist, liberal republican conduct – people who will be called here the Francophones?

²⁰In 1936, for instance, there were, outside the coastal communes of Senegal, 2,136 native Africans with full rights of French citizenship in West Africa (and even in the communes, only about 500). For the rest of the population (numbering fifteen million), this means that, as subjects to the *Indigénat* code, they could be imprisoned without trial, subjected to compulsory service, obligatory unpaid labor, compulsory cultivation of crops, and they were barred from any form of political activity. 1936 was a year in which governors in French West Africa were asked by the French government about the opportunity to repeal the regime. They responded that it should be maintained, on the basis of individual and functional security (and prestige!) and the control of the territories. Liberal techniques of justice administration were described as too slow and procedural for the context.

Within the strictures of the colonial regime, the French effectively sought to pursue their post-revolutionary civilizing mission, which they tended to express in terms of moral and intellectual conquest. The instrument which was to serve this purpose was the *école laïque*, the secular school.

The first formal French school in West Africa dates back to 1817: it was a primary school established in Saint-Louis (one of the five coastal communes of Senegal) at a time when France was in fact subjected to a policy of re-Christianization after the restoration of the Bourbon monarchy. France had been declared “mission country” by the Pope, a category which formally put it on par with any country where the Church has to be established! The charter worked out by Louis XVIII’s advisors to make his rule acceptable to post-revolutionary Frenchmen stated that “the Catholic, Apostolic and Roman religion is the religion of the state.” (Article 6). Moreover, only the Catholic and other Christian clergies were, per that charter, entitled to state subsidies. However, this was another lost battle against the entrenchment and progress of political and cultural secularism in the widening dominant circles of French society.²¹

Starting then in 1857, the colonial government expanded *secular* schooling in Senegal, and, gradually, in other colonies as well. Niger’s first secular school was founded in April 1902, in the *Cercle du Djerna* (Western Niger). Appropriately, the founder of the school was a military officer, the sub-lieutenant Guyon Vernier, and he was following directives very clearly

²¹ Al-Tahtawi, who translated the text of the charter for Egyptian readers in his book on Paris, aptly noted that “...the French are among those whose decision about whether something is good or bad is based solely on reason. I should like to add that they reject anything that transcends the rational. They believe that things inexorably take their natural course; that religions appeared merely to guide man to do good things, and to eschew the opposite; that the civilization of countries, the striving of people and their progress in breeding and refinement will replace religions, after which in civilized countries political issues will take over the role of religious laws. Another of their bad customs is their claim that the intellect of their philosophers and physicists is greater and more perceptive than that of prophets.” (Al-Tahtawi 2004, 179-180). And: “...the French in general are Christians only in name.” (p. 249) Al-Tahtawi was in Paris through the revolution of 1830. He remarked that the article of the charter proclaiming Catholicism as the religion of the state was, on that occasion, erased (never to return again as we know), a fact which confirmed his observation that while the “majority of Royalists are priests and their followers... most of the Liberals are philosophers, scholars, doctors and *the majority of the population.*” (Al-Tahtawi, 303.) (My emphasis).

spelled out by the military hierarchy in this respect. Thus, the lieutenant-colonel Humbert had written in 1891:

The future of the French Sudan, in terms of its organization, depends to a large extent on the more or less fortunate way in which we would have managed to fashion the populations within it. And the fact is, moral and material assimilation to our civilization rests almost entirely on the education and the instruction we would have managed to instill in the younger generations of natives. (...) We are here in front of a population who, after they have been militarily conquered, must also be intellectually and morally conquered. We must therefore try and get them closer to us, mold them, take possession of their minds, impose our mark on them, our specific imprint. The necessary instrument for this transformation is language. We must teach our language to the natives. (Meunier 2000, 20) . (My translation).

The purely instrumental aspect of this process – training useful auxiliaries for colonial and business administration – was deemed less important than its moral valuation and the crafting of a new, modern, French-like society among Africans.

While it is only fair and natural to expect from French schools some immediate benefits in terms of having employees for the various services of the state, commerce and industry, it would be a mistake to suppose that such is their main purpose. In reality, (...) the schools are created to disseminate our civilization, to educate the natives in the rights and obligations of individuals in society, to offer to a few of them the splendors of philosophy, science and history, and to lead them to reverence and love for our wonderful French fatherland. (Meunier, 20-21).

In the case of Niger, the enterprise was launched in fits and starts. Up until the 1920s, and despite the zeal and activism of circle commandants, the only stable secular schools were the ones set up in Niamey in June 1902 and in Zinder by a professional French teacher. As was observed by the commandant Rivet in a 1912 note, resources, here, were much less significant than in the colony of Senegal, and in fact, non-commissioned officers, who had many other local duties, had to be enlisted to do the teaching!²²

²²This fact is probably at the basis of the belief, among older generations of Nigeriens, that the colonial government used to recruit students for its schools by force of arms. Such measures were unlikely, as the early colonial government was, in this territory, quite overwhelmed by its own educational ambitions!

This matrix evolved through the development of the military territory into an *Indigénat*-regime colony and a post-*Indigénat* (after 1945) colony, producing by the 1950s a small but entrenched society of modernist Nigériens whose changing designation marked the extension and character of the space that they occupied on the social territory of Niger. Initially known as *commis*, that is to say petty administrative employees, they were soon also called *évolués* (the evolved ones), a concept representing their “elevation” from inferior African cultures into the splendid spheres of French civilization.

By the 1960s, that term however gradually gave way to that of *intellectuels*, which initially expressed militant commitments to republican justice (as illustrated by the paradigmatic French models: Voltaire, Rousseau, Zola and Sartre) and political independence, and continues to carry with it a baggage of leadership obligations on the part of those who “benefited” from modern French-style education. This evolution of the modernist society is moreover reflected in perceptions from those who are situated out of it, and who call them, in the two dominant local languages, *ilimi koyey* (Zarma) and *masu ilimi* (Hausa), which translates literally as “the learned ones,” or, to use Timothy Mitchell’s apt term, “the experts.” Indeed, if the designation emphasizes the intellectual basis of the prestige and power of that class of people, it is insofar as it can be directly affixed to the Zarma/Hausa concept of *zamani*, i.e., “modernity.” They are in effect called “the experts” because they are believed to possess the much valuable *ilimin zamani* (Hausa), “modern knowledge.”

The French had initially privileged access by elite figures, in the hope that by taking possession of the minds of the sons of notables, they will “trickle down” their cultural influence to the masses. But by the 1960s, the liberal republican concept of free compulsory education had won the day in principle. This means that French-style education came to rely, as in France, on

the principle of universal equality of access based on individual merit. The evolution was predictable, since French-style education produces a form of knowledge which does not, in essence, comply with hierarchies and social rules, but rather with the values of neutral expertise and cool objective learning. Commentators of this evolution in the context of the Sahel have usually followed the modern/traditional framework, emphasizing how French education has allegedly propagated modern individualism and destroyed traditional African communalism. It is not clear, however, that individualism, at least as it is practiced in France and other Western countries (i.e., competitive individualism), has taken root in Niger, in the absence of the supporting economic framework of a capitalist market. Rather, what seems to have happened is the grafting of a modernist social group on an Ancient Regime formation.

If we consider that the Ancient Regime is characterized by an ideology of social order which maintains that society draws its organic cohesion from the fact that everyone knows his and her place, and the role which he or she must play according to a range of ascriptive rights and duties, the culture of equality and neutrality (of age, gender and status) on which education in the French schools is implicitly and explicitly predicated is in fact far more unsettling than modern individualism. The subjective attachment of most Francophones to such ideals – variable, contextual and strategic as it must often be – is the hallmark of their social identity, and the reason for which they are both admired and detested by other social groups, especially the Islamists. We shall see some key examples of this in Chapters 5 and 6.

The Francophones are not liberal modern individuals, since liberal modernity is a pervasive matrix of conduct only in place where it has become hegemonic. While material opulence does not necessarily translate into liberal modernity – nor is liberal modernity a precondition to collective wealth – liberal modern conduct in our day seems to imply the social

hegemony of affluent consumer classes, supported by a developed capitalist market. In the absence of such a context, versions of Hyden's economy of affection²³ must be practiced, even by the Francophones.

The economy of affection is a matrix of conducts which appears to be more consistent with the Ancient Regime than with the regime of modernity, but the forms of socialization it provides are crucial to life organization in marginally industrialized or non-industrialized economies such as Niger's. While then practicing conducts shaped by the local version of the economy of affection, the Francophones represent liberal modernity in Niger, in the two senses of that verb. They relay its principles and its vogues to other Nigerien publics, and they organize their lives, in parts, on the model of Western modern conducts, seeming then to represent it as on a stage. The concepts of "mimicry" and "hybridity" have been coined to characterize the process, but I will avoid them here, since mimicry and hybridity are in fact pervasive facts and lack the analytical value of isolating a tangible aspect of reality.²⁴

In any case, the conduct of the Francophones is less on the level of mimicking an outside conduct, or of combining two different types of conduct, than on that of denoting and symbolizing, by their own specific conduct, a type of conduct to which they aspire, but which is absent from their social milieu, and exists in fact, to a large extent, only in the ideal – rather than in the banal pursuits of contemporary Frenchmen. They are *modernist*, rather than modern,

²³ See Hyden's *No Shortcuts to Progress* in particular (Hyden 1983). Described by other scholars under other names (James C. Scott's moral economy is one instance), this is fundamentally a conceptual formalization of a context in which society is not regulated by post-Industrial Revolution economic rationalities, but rather by the imperatives of humankind's older and longer (agrarian) economic past. Without going back to Rousseau or Durkheim we might trace the earliest version of this concept to the short but concentrated reflection of Polanyi in *the Great Transformation*, II, 4.

²⁴ If we say that the Francophones mimic the French and are hybrids African and French, we must then also recognize that in other aspects of their lives, given the fact that they are in their majority Muslim faithful, they mimic the Arabs and are hybrids of African and Arab. The concepts seem to apply to everything in general, and therefore, to nothing in particular.

and the specific patterns of modern conducts they adopt symbolize their aspiration to a kind of life that is impossible, in its integrity, in the Nigerien social milieu: the preferred resort to the French language for Francophone-to-Francophone communication, the adoption of a certain range of dress codes, of certain standards of hygiene, of certain rules of gender relations (Francophone men and women shake hand for instance), and so on.

Through these gestures toward liberal modernity, the Francophones never succeed into becoming French, and such is not, at any rate, their constant purpose. Instead, they have created a specific Francophone culture, derived from but incommensurable with French culture, and generally transcending post-colonial frontiers. Francophone culture retains the boundaries of the French African empires, rather than confining itself within the post-colonies. It is modulated to each post-colonial context, but produces an international society based on the fact that the education which grounds Francophone subjectivity is almost exactly the same in all French-speaking post-colonies.²⁵ Diadochs of the French Empire, the Francophones could thus best be compared, in recorded history, to the Latin-speaking social groups which, after the evaporation of the Roman *imperium*, maintained in Western Europe, during the *tardoantico*,²⁶ and largely within the framework of the Latin Church, a contrasted but cohesive international “Romania.” The consequences of these facts are crucial among Francophone leaderships, both Islamists and laics, as we shall see in later chapters.

²⁵ For instance, the handbooks and manuals used by Francophone schools are largely the same and were produced by a central institution called the African and Malagasy Pedagogical Institute (IPAM). The IPAM was a successor to the French colonial department of education. At independence, each post-colony undertook processes of “Africanization,” replacing for instance the manuals of history and geography, which were about France, with manuals of African and national history and geography (the first usually made by IPAM and the second by local institutes). Science and Literature manuals were the same, and originated from IPAM. Attempts were made to teach local languages, with little success (and no support from IPAM). As time went, the influence of IPAM has decreased, but the principles and curricula of Francophone education remain so related and integrated that the school market for a student from any of the country includes schools in all Francophone countries in the area.

²⁶ Late Antiquity: the period which runs from the pseudo-reign of Romulus Augustus (475-76) to the rise of the feudal order in Carolingian Western Europe.

At a political level, this means that the Francophones, who took over the running of government affairs when the colonial regime evaporated, share the same largely liberal republican concepts and ideals. The following points are stable elements of Francophone political culture: the form of the government should be constitutional, usually on the current French prototype; the ideal regime is democratic, along the lines of the specific blend of liberalism and republicanism which organizes democracy in France; the state must be neutral in terms of ethnicity and religion – specifically, it must work out a “nation” that is “one” (*une et indivisible*) and “secular” (*laïque*). Thus, although Niger has experienced in the greatest part of its history governmental regimes characterized by authoritarianism – in often explicit appropriation of *commandement* methods – these ideals never subsided and indeed found some expression even during the authoritarian sequences. The unitary (usually called “Jacobin”) and secular identity of the state in particular remained a mainstay of successive Nigerien regimes, and this was undisturbed *until 1991, when large sections of the Francophone elite managed to impose on the rulers of Niger the adoption of a liberal democratic constitution.*

I emphasized the latter sentence segment because it makes us touch the thread with which I will start the next chapter. We must therefore, for now, shift the gears of our mirror to the other social space which colonization and independence have empowered as a possible site of emergence for a Nigerien sovereignty, the Islamist space.

When the French started to create secular, French-style schools, many areas of Niger already provided formal Islamic primary education in what were locally known as *makaranta*²⁷

²⁷ The genus of this Hausa word is *karatu*, which means reading. The *makaranta* are primarily places where one learns to read the Qur’an, even without quite understanding Arabic. Alongside this, students imbibe there the basic principles of Islam and in fact learn to develop an Islamic subjectivity which will later shape their social conduct and general expectations. The word is now also applied to French-style schools, although far less often than the French derived word *lakol* (*l’école*: the school). It is rather, and significantly enough, in Hausa as spoken in the more populated Hausa-speaking areas which lie within Anglophone Nigeria, that the word *makaranta* is applied to all

(Hausa) and which the French called *écoles coraniques* (Qur'anic schools). These were far more numerous and efficient in their recruitment than the secular schools, but they were not Nigerien, since they preexisted the colony. They became Nigerien only through the specific attention that they drew from the colonial government. The latter did not see them as a threat to its power and influence and in fact, many colonial experts appreciated their teaching for its contribution to the training of governable civil subjects. This must be related to the fact that fears of the influence of doctrines from the Arab Islamic world pervaded colonial officialdom.

The assumption was that, on its own, “Black Islam” is rather meek and easily subdued, and at any rate, not quite the real thing. Colonial ethnologists or simple observers consistently spoke with disdain of African attachment to “witchcraft” and lack of understanding of the true beauty and the sophisticated theology of Islam. If Islam is inferior to liberal modernity – notably owing to its tendencies toward “fanaticism” and “despotism” – “witchcraft” is inferior to Islam. The masses of Africans, by mixing, in syncretism, Islam and “witchcraft,” produced a kind of culture that is peculiarly antagonistic to modernity. That culture was in part reproduced in the Qur'anic schools, whose specific purposes seem to have escaped most colonial writers, usually transfixed by the apparent absurdity of learning to recite the *Qur'an* without having learned the Arabic language. Ultimately, the important fact is that the Qur'anic schools were seen as producing peaceable Africans – neither “fanatic”, like Arabs, nor “wild”, like animists, even if rather “childish” on the whole.

With all these views in mind, it comes as no surprise that the very serious-minded educational ethnologist and Director of the Colonial Schools, Georges Hardy, should propose the creation of new schools in which the Arabic language will be taught, but as a bait to Muslim

kinds of schools. Moreover, like many intellectual words in Hausa, *karatu* derives from the Arabic (*Iqra*, which has the same genus as Qur'an, and which is the injunction of the angel Jibril to the illiterate Muhammad: *Iqra!* Read!).

parents, and in order to gradually displace the Qur'anic schools. In his 1917 essay *Une conquête morale: Enseignement en AOF*, he thus describes the objective of that new educational instrument:

In-between the Qur'anic schools and the French schools, Franco-Arabic schools were set up, with the objective of phasing out the former and phasing in the latter. (Quoted in Meunier, 97).

The evolutionary framework would thus guide Africans from their low “fetishist” religion, reinforced rather than combated by the Qur'anic schools, through the Franco-Arabic schools to the French schools. Hardy stressed that the Franco-Arabic schools, or *medersas*, were not in any way meant to improve the quality of “Black Islam,” but rather to stealthily implant French modern culture into an environment suffused with Islamic culture:

...Arabic and Arab sciences, grammar, prosody, theology, law, no longer dominate timetables; we may even say that they appear there only as symbol and relic. They are mixed with the teaching of French, law, history, geography, calculus and practical sciences. In one word, Arabic has, from now on, in the curricula of the *medersas*, the role and place that foreign languages occupy in the curricula of our high schools.

In the case of Niger, the policy started to be applied even later than the policy of secular education. The first *medersa*, or Franco-Arabic school, was created in 1957, in Say. The event happened moreover in a context that was relatively different from the one which informed Georges Hardy's reflections.

In 1957, a Francophone elite was already formed and other Nigeriens had been brought into the sphere of liberal republican practice through elections and rights of citizenship. These changes had effectively led to the development of a Nigerien political identity, with attendant myths and “*lieux de mémoire*”,²⁸ and Say, as an alleged emanation of the erstwhile Islamic Empire of Sokoto and the seat of a *Qadiri* saint, was chosen for the establishment of the school.

²⁸ This concept, developed by the historian Pierre Nora, is variously called in English “sites of memory” or “remembered realms.” Nora defines it thus: “The *lieu de mémoire* is any significant entity, whether material or non-

In fact, there appears to be a slight but, in the end, very consequential fault in the reasoning of the colonial government. The Qur'anic schools were created to foster reverence for Islam, and to provide young peasant children with the basic principles and the lore and tales of the religion. They were not meant to transmit sophisticated linguistic and theological knowledge, something which individuals were supposed to find for themselves through a process of *ceeci* (Zarma) and *nema* (Hausa), i.e., research. This higher level of knowledge could be found either with learned men and saints settled in certain places (such as Diobbo in Say in the nineteenth century) or in universities supported by strong Islamic government. In the Sudanic context of the time, and especially in Niger, the latter was completely lacking, and Islamic scholarship was thus exclusively the purview of extensive travels, mixing trade and scholarly research. By supposing that the “problem” of the Qur'anic schools was that they were deficient in the teaching of Arabic, the French simply identified in them an analogy to the objective (the propagation of the French language) that they themselves had. They concluded that a Franco-Arabic school, where Arabic would be actually taught, would offer to the populations a better alternative to Qur'anic schools, depleting the latter in favor of their lure.

However, it has nowhere been observed that the presence of Franco-Arabic schools effectively led to the decrease in the numbers of Qur'anic schools, and research might show that it had led in fact to an increase. By the 1950s decade, the French had apparently realized as much, since efforts were then geared toward creating in the region a “French Islam,” protected from nefarious middle-eastern influences, and based on the influence of local clerics. The policy found its greatest applications in Senegal, owing to the existence, there, of well-structured Sufi

material in nature, which by dint of human will or the work of time has become a symbolic element of the memorial heritage of any community...” (Nora 1996, xvii). This implies that the *lieu de mémoire* is a signifier which denotes the significances of the community, and therefore contributes to constitute the community.

orders, while in Niger, reliance had to be put on a loose network of homegrown clerics, Qur'anic school teachers, and village notables whose credentials were often more customary than Islamic. The colonial government strove to create a social space for these statuses, but was never certain of success: it had to deal with an enduring trait of Nigerien rapport to religion – idiosyncratic judgment, opinion, “humour.”²⁹ Franco-Arabic education then became conceived as *supplementary* to the education received in the Qur'anic schools, and not superseding it.

To return to the creation of the first Nigerien Franco-Arabic school in Say, the narrative of the life story of Alfa Halidou Djibo may provide a simple summary of the effects of this evolution on the country's social landscape. Alfa Halidou Djibo is the chief treasurer of the Islamic Association of Niger (AIN), an organization created in 1974, by the Supreme Military Council, the body which ruled Niger from 1974 to 1987. In that period, the AIN was a state organization, and it remains today sponsored by the state, although it is considered a regular civil association since 1991.

Alfa Halidou Djibo is in his late seventies, and has been working for AIN, at various positions, since its foundation. He was born in Tera, a town in the extreme West of Niger (Songhay country) and was in his youth in the 1940s. He describes Western Niger, in that period,

²⁹ This is the insistent note that colonial rapports ring about Niger, almost from the beginning. In a rather naïve tone, a colonial official by the name of Laizé described, in a 1919 rapport (“L’Islam dans le Territoire Militaire du Niger” – the earliest such), the heroic struggles of Islam against the “superstitious beliefs” of the “fetishist natives.” Islamic clerics never succeeded to establish firm power over people “in this part of the Sudan,” he asserted, quoting the justifications of a man from the far eastern regions of the territory: “We do not trust the clerics, for ever since we have known them, they only keep tricking and deceiving us.” (My translation). For Laizé (who assumes the superiority of Islam to local cultures as matter of fact) this is yet another sign of the “amusing naïveté” of “our populations.” The propensity of these populations of adapting Islam to their customs and of judging only on the basis of their superstitious habits and primitive experiences irritated him as a rejection of something nobler, and closer to true civilization. (Laizé 1919, 178). The trickster cleric is still a popular theme in today's Niger.

as hardly Islamized, noting in particular the extreme rarity of men with Islamic learning (*alfaga*³⁰) in the *laabu*, or *pays* of Tera, and in surrounding *pays*.

“People started to travel to Nigeria, for those of the Hausa parts of Niger, and for us Songhay, mostly to Mali, in quest for religious learning (*ceeci*),³¹” he said. Two key events were, according to him, at the root of these travels: first, the Second World War, which, by moving men in various places, multiplied contacts especially with people from Arab countries and other people from Muslim societies in sub-Saharan Africa; and second, the “end of forced labor,” which freed men in their pursuit of wealth (designated also by the word *ceeci*.) It seems that the Second World War and its unsettling consequences on the Western European imperialist organization of the world had created perspectives in which Islam took prominence, and fired the interests of youths in the colony of Niger. At the same time, by removing the shackles and hurdles of the *Indigénat* regime, the colonial government let them travel freely in neighboring regions where they would seek economic opportunities. Until then, most young men (and in fact a great deal of women as well) from the colony went to the British colony of Gold Coast (today’s Ghana) where they broke free from the severities of the French regime. After 1945, they started travelling to the Ivory Coast as well, and that’s where the young Halidou Djibo went in the early 1950s, at the end of his primary education in a Qur’anic school.

“At the Qur’anic school,” he said, “I developed a yearning for religious knowledge, but my family being poor, I had to go out in the world, and find riches. So I went to Gold Coast and

³⁰ This Zarma word (Zarma and Songhay are the same language), which is shorthand in *Alfa* when prefixing the name of a person, derives from the Arabic *Alfaqih* – expert in *fiqh*, or Islamic jurisprudence. *Fiqh* relies extensively on both the knowledge of the *Shari’ah*, and systematic understanding of social relations – and is, in the Islamic context, as much a juridical as a social science. Hence the ideal status of social leadership traditionally bestowed on the *alfagas*. However, the word has also taken of late a more neutral sense, meaning “sir” or “mister”.

³¹Let us remember that I pointed out in chapter I that Niger was not taken into the Sufi revolutions of the nineteenth century, which evolved in lands situated, indeed, in today’s Mali and Northern Nigeria.

Cote d'Ivoire. It was there that I heard, in 1957, that a school had been created in Say, where it was possible to acquire religious knowledge. They had opened the school, and already recruited the students, but I could not stay in Cote d'Ivoire, knowing that the school was there, in Say. I packed my things and returned to Niger. I was late, but I was recruited for the *rentrée*³² of 1958."

He remembers having, on that occasion, hitch-hiked his way to Niger on the trucks which the colonial government used to move people throughout West Africa in preparation for the 1958 French Union referendum campaign.

In 1962, two years after Niger's political independence, the first graduates of Say were ready for a higher course of education, and the Nigerien government signed agreements with various Arab countries to send students to Arab universities. The student Djibo was first sent to Fallujah, in Iraq. The affair was fairly experimental, given the lack of previous contacts between countries which, moreover, were quite new on the stage of the world. Djibo was asked, on his arrival in Iraq, whether he would like to study secular sciences, under the ministry of education's tutelage, or religious sciences under the ministry of the *awqaf*³³'s tutelage. He duly opted for religious sciences. In 1963, the winter was harsh in Fallujah. The Euphrates, Djibo recalls, took to ice. As he was sleeping on the floor, without adequate heating, he became ill and could no longer support other winter days without going through terrible pains in his bones. He was finally moved to Cairo in 1966. He graduated from the University of Cairo in 1974, when he came back to Niger and first returned to the family fold in Tera.

In April 1974, the government of President Diori Hamani was ousted by Niger's first military coup. The military had come to power with a full-fledged political program, based on

³²The first day of classes, the beginning of the school year.

³³*Awqaf* is the plural of *waqf*, or religious foundation. The ministry of the *awqaf* is thus a ministry of religious affairs, where religion is Islam. We will see the important role of this kind of institution in the Nigerien evolutions in Chapter 6.

the notion of a tighter corporatist organization of society. Seyni Kountché, the leader of the coup, pronounced that Niger's Islam must be organized. He created, for this purpose, the AIN, for which Djibo was enlisted as consultant. But his career, as that of most of his fellow graduates from the Arab countries, first laid in the management of the growing Franco-Arabic educational system. In May 1974, he was appointed as teacher in a Franco-Arabic school in Niamey, and then as director of the Franco-Arabic school of the town of Dosso the next year. In 1979, he headed the Franco-Arabic high school of Niamey, oddly known as CEG V³⁴, and the most prestigious in the country.

Finally, in 1985, he moved from teaching to administration as head of the department of Franco-Arabic colleges and high schools at the ministry of education. It is upon his retirement from that office, in 1995, that he took up upper level positions at the AIN, and became its treasurer and the president of its section for the city of Niamey.

To understand the socio-political meanings of this career, we have to return to the story of the creation of Say's Franco-Arabic school, and analyze it from a different angle. The creation of the Franco-Arabic schools, or *medersas*, was decided in 1957, in a provision of the internal autonomy act (*loi-cadre*) of the French Union for Niger. The text was in sync with the evolution of French opinions on Islam in sub-Saharan Africa, which in time had led colonial policymakers to envision the fostering of a "French Islam" in the area, something which was to be formally organized by the system of Franco-Arabic schooling. The *medersas*, the 1956 decree states, will teach "the texts and languages necessary to the knowledge and the practice of the Islamic religion", will assure the "rapid training of Qur'anic teaching instructors" and will teach the

³⁴ The C in CEG stands for college, which, in the French system, designates the sequence of secondary education *preceding* high school. The buildings of the Franco-Arabic high school used to host the fifth college built in Niamey.

French language (Niandou Souley 1993, 214). Characteristically, the *medersas* were under the tutelage of the ministry of the Interior of the autonomous (but not independent) government of Niger, highlighting the fact that, from the French point of view, they were a matter of territorial security, above and beyond being an educational instrument. Political independence suddenly changed these orientations, although not as radically as was intended by those who formulated the new principles.

Niger's independence essentially meant that the Francophones became free to try to shape Nigerien society according to their principles of social progress, republican citizenship and cultural modernity. As a result, the number of the *medersas* grew, but in a different framework, and with a very different mission. They were first immediately removed from the tutelage of the ministry of the Interior and assigned to the ministry of education, and a bill passed in 1966 redefined their service. The *medersa* now "aims at teaching both the French and the Arabic languages in order to develop the physical and intellectual abilities of the students, to endow them with a firm moral education and the love of work. The *medersa* therefore aims at inculcating in the students the desire of efficiently contributing, at the end of their studies, to the social and economic progress of the country." Given that references to Islam have vanished altogether, this policy description was not different from the one defining the mission of secular schools. Niandou Souley (Ibid.) concludes that the new policy was explicitly seeking to "secularize Franco-Arabic schools."

Clearly then, the project was inscribed in an attempt to repeat the earlier French process of a secular revolution, preventing, notably, the state from being identified with the dominant religion, and favoring within the population modes of conduct divorced from religious subjectivity. I would stress that although this perspective was and is still largely prevalent among

Francophones in other countries with a Muslim majority – Mali and Senegal – , it is possible that Niger’s Francophones went further in that direction than those from Mali and Senegal. In the latter countries, and especially in Senegal, the Sufi revolutions left a deep imprint, and had resulted in the emergence of structured Sufi orders with profound influence among the Francophones. Instruments of Islamic socialization are varied and sophisticated, attracting Muslims from other countries in the region, and creating stable Islamic doctrines with recognized divisions and entrenched hierarchies.

Senegal’s Francophones would never, as has at times quietly happened in Niger, publicly express profession of atheism, for instance. When Kountché created the AIN in September 1974 (some five months after his coup), he confirmed the somber views expressed by many Francophones that military rule would mean the “return” to *obscurantisme* (“benightedness”) and *féodalité* (“feudalism”), the Nigerien Francophone code names for the political influence of Islam and customary rulers. As late as June 1974, the governmental weekly *Sahel-Hebdo* was complacently describing Qur’anic schools as doomed by “evolution.” (Niandou Souley, 225). Further research is needed to confirm my hunch that this clear Nigerien difference is related to nineteenth century events: how else, at any rate, would we explain that the Sahelian post-colony with the shortest exposition to French ideals (about three decades, as opposed to Senegal’s three centuries) should be also the most consistent in its adherence to such ideals?

Be that as it may, the social space occupied by the Francophones was, especially at the time, very narrow, and was supported mostly by the hold that they had on Nigerien publics through their control of the post-colonial state. The clerics roughly organized by later day colonial attempts at creating a Nigerien version of “French Islam” were gathered in a Cultural Islamic Association of Niger (ACIN), in order to buttress the position of the Francophone rulers.

ACIN was indeed a component of the ruling party, and was organized in the same top-down manner as its parent organization. Moreover, most of its members were notorious for their low level of religious erudition.

However, despite the desires of Niger's first independent rulers, the *medersa* tended to attract people with clerical ambitions, such as Alfa Halidou Djibo. Moreover, formally detached from the economic framework of the French empire, with no industrial resources and no viable fiscal basis, the new state was open to as much profitable partnerships as it could secure. The practice of Islam in Niger proved to be a card that could be played in relation to the wealthier Arab countries, and in the perspective of their "contribution to the social and economic progress of the country," Franco-Arabic graduates were assigned two key missions: staffing the personnel of Niger's diplomatic representations to the Middle East, and training students who would further strengthen Niger's ties with the Middle East. Given that Niger was not an Arab country, the only bonds it could claim with the Middle East were those of religion. A cautious public space was therefore carved out for Islam, clearly considered as more of a diplomatic than a cultural asset. In this climate, Niger thus broke its diplomatic relations with Israel for the first time in 1973, in solidarity with the Arab states.

After the coup in 1974, the state's discourse on Islam changed. Islam started to be described as a social and cultural asset, a national "*force vive*" (inner strength), together with the youth and women. In September 1974, the three associations – AIN, the Nigerien Women Association (AFN) and the *Samaria* Youth Organization – were thus created to mobilize these *forces vives* at the service of the state. For AIN, the state had at its disposal the first college graduates from the Arab countries trained at the behest of the previous government, with credentials bettered by the mastery of Arabic and extended stays in Islamic metropolises.

Although, like ACIN, AIN was tied to the state, it also had a greater autonomy, in the absence of regulatory control by a party organization. This means for instance that AIN not only could frame its own advisory policy based on its own expertise, but it also had its own budget, apportioned by the state, but in its full control.

More importantly, AIN succeeded in occupying a wider social space than ACIN, in part owing to the opportunities created by the change of governmental regime. If AIN was perceived as apolitical, it could more easily appeal to the clerical families which exist in key Nigerien centers – especially Say, Maradi, Zinder and Agadez – and which had resisted being drawn into the turbulent partisan politics of the previous era. During the foundational congress of AIN, Kountché had been very open about the political mission of AIN, going as far as stating that it “will have a political role, by enabling the application of Islamic ideals to all levels of national life.” (Niandou Souley, 216) But political here clearly meant “governmental”, and not “partisan.” AIN was to be an organ of national government unifying Nigeriens through religious ideals and manners (Kountché insisted also on its “cultural role”) and as such, it was a state organization.

The first success of the new rulers in their attempt at presenting AIN as a purely religious and national body was that they secured the acceptance of Alfa Alhaj Oumarou Ismael as its president. This man symbolizes a fusion of the old regime and of the new regime of Islamic learning in Niger at their most prestigious: a member of the clerical-patrician history of Say – his forefathers reputedly attracted Mamane Diobbo into the area – he also studied Islamology in Iraq, holding the earliest degree in that discipline in Niger. The immense influence of Alfa Oumarou Ismael and of his family among the clerical families of note across Niger’s territory enabled AIN to structure itself along the lines of the informal social hierarchies on which their authority was based. AIN, in effect, led to a substantial formalization of such authority as they

had, by bestowing on loose practices (tied to the management of central mosques or the control over preaching) the sanction and power of the state.

In this way, AIN became more than a simple corporatist body – a fate which AFN, for instance, never escaped – and gradually took on the appearance of being Niger’s established church, so to say. Contrary to Senegal’s Sufi orders, it did not claim to represent a specific path to divine blessing, requiring therefore ultimate control over the conduct of the faithful – but it did claim the central role, in Niger, as protector of the Islamic faith in its Sunni *Maliki* version, and relished the state guarantees in the accomplishment of this mission. In a comparison he made between the reign of Kountché and the democratic era, Alfa Halidou Djibo said: “At that time, things went well, because the state (Zarma *hino*, i.e., lit. “the power”) was strong, and the rulers listened to us.” He then added: “*Today, the rulers listen to everyone, depending on their interest. However, the state of the religion has never been better, thank God!*”

In the next chapter, we shall come back to this latter statement and to its follow-up. For now, I will only remark that it reflects the fact that AIN has managed to create a form of organization – the Sunni *Maliki* religious association devoted to the protection and the propagation of the faith – which will reveal all its potentials in Niger’s social fabric after 1991. This result was achieved in great part, even if unwittingly in general, by the policies of the colonial government, to the same extent that these policies led to the creation of a Francophone social space. The Islamists are as much the sons and daughters of the colony and the post-colony as are the Francophones. Perhaps nothing will better show this than the short excursions in Niger’s *terroirs* and *pays* which I now propose.

Along the Unity Road

Social spaces, in post-colonial contexts such as Niger, have distinctly uneven geographic distributions. The fact that some of them – such as the Francophones and the Islamists in this

case – are largely produced in relation to governmental regimes means that they become marginal or are completely absent in places where such regimes are absent. It is interesting to find that, in this respect, the social space of the Francophones is more widely distributed than that of the Islamists. They are more directly linked to the post-colonial state – whose core administrative personnel is mandatorily Francophone – and the latter strives to radiate over the entire territory, something which Islamic associations are unable to do on their own. There are places, on the territory of Niger, where Francophones and Islamists are absent or nearly so.

The following three examples are offered to give a sense of these varied aspects of Niger's social geography. I have chosen three points on Niger's physical territory: from a point in the extreme east – one of the remotest administrative reaches of the Nigerien state – to a point in the extreme west, in the vicinity of the capital, where the state is most densely present, through a point midway between the two extremes. Moreover, the three points dot the main Nigerien national road, built after political independence, christened "*route de l'unité*" ("unity road") and symbolizing, in a very physical way, the hyphen which is supposed to produce the Nigerien nation-state. They are: Ngourti, Shadakori and Tillabéri. These presentations are based on LASDEL's monographs, but are more succinct and synthetic, insofar as I am connecting them to the concerns of this work.

Ngourti is an administrative settlement which grew around a small village, at about 1,600 km (1,000 miles) east of Niamey, in an area described by administrative rapports as a "*zone très aride*" (very arid area), midway between the sands of the open desert to the north and the dry lands of the steppe to the south. It is essentially soil too rocky to be called a desert and too hardened to be called a steppe. In the subdivisions of the state of Niger, it is a *poste administratif* (administrative post), the lowest level of direct state administration, and the locality of Ngourti is

less important, in state computations, than its territory, which hosts 35,000 people over 98,000 km² (37,840 square miles).

These conditions do not support the settled lifestyle of agriculturalists, and all residents of Ngourti are cattle-rearing nomads, who trek from well to well and engage in selling and barter at a number of markets – the most important being in the town of Nguigmi, where the higher state administrative level (*sous-préfecture*) is seated.

As in the archetypal Sahelian *terroir/pays*, some ethnic specialization of labor would be expected in the area of Ngourti. This is effectively the case, despite the fact that the only viable activity here is apparently cattle-rearing. There are essentially three ethnic communities visible to the outside observer in the area: the Tubus, the Arabs and the Fulanis. Ethnic Hausas and Zarmas are present only because they make up the relatively important state military population of a region bordering the turbulent territory of Chad. The Tubus appear to be indulging almost exclusively in camel-rearing, the Arabs practice camel-rearing and long distance trade and the Fulanis have herds of sheep, goats and donkeys, using, in addition, the latter to carry and sell wood to everyone. These three groups have each their own internal organization, and live in a loose federation surveyed by the state. It is however an area which could be safely said to be non-governmentalized, an area of “neglect.”

Neglect, which is the main complaint leveled by the residents of Ngourti with regards the state of Niger, is perhaps the category which would best express the opposite of governmentality, in so far as governmentality, in its central definitions, is about *care*. It has a better conceptualization in Arab-Islamic political theory, under the name of *siba*, where it has the sense of anarchy coming from lack of governmental control. For instance, Ancient Regime Morocco was conceptualized by its rulers as being a territory divided in two sections: the *dar al-Makhzan*

(governed land), and the *dar as-Siba* (un-governed land). *Makhzan*, the word from which derives the English “magazine” (as in storage facility), denoted the fiscal administration and treasury of the Sultan of Morocco, and the *dar as-Siba* was therefore essentially the land which was not subjected to regular taxation from the state, thereby escaping also the policies which would have organized its public interests through governmental regimes. Ngourti is just such an un-governed land, although the state of Niger plays here key roles shaped by taxation, security interests and, of late, electoral politics.

By briefly describing how this plays out in this locale, we will have a clearer grasp of the meaning of governmentality for the theme of this work – and we will better understand the sense of the efforts of the rights-defending and of the Islamic associations, respectively, which I will describe in the next two chapters.

The Tubus are, demographically, the most important ethnic community of the area, but they are also, admittedly, the most fractious, for three key reasons: the strict caste-like internal hierarchization between *dazza* (noblemen), *azza* (captives) and *aggra* (blacksmiths and artisans); the custom of *razzia* (heroic theft); and tense relations with the state. The latter reason appears to take precedence over the others in a causal scheme of explanation. The state of Niger is represented by the chief of the *poste administratif* (CPA), a native of the region, but more importantly, by the military barrack, where higher officers are Francophones and where most of the lower officers and soldiers are in any case Hausas and Zarmas. The culture produced by the barrack reproves the organization of Tubu society, owing to the liberal bias of Francophone officers regarding the issue of slavery, and the Islamic predispositions against *asabiyya* (traits of nomadic culture deemed un-Islamic) which is prevalent among settled Islamic populations of Niger.

As a result, Tubu society in Ngourti is taken in an identity crisis, leading the lower castes to criticize the *dazza* (sometimes called “Tubus” by the *azza*, who seem to thereby dissociate themselves from the ethnic community!) with the tacit support of state representatives. The CPA defined the attitude of the state as that of being, in principle, against the kinds of discrimination constitutive of Tubu society, while not having the power to radically end them. This, however, he hints, could be achieved incrementally. The main power of the state rests in its ability to confer status through its system of administrative subdivisions. All populations in the area recognize that their status in relation to each other is determined by the way in which the state treats them. Thus, if the state decides to treat a collective of people as a “*groupement*,” it acquires the specific autonomy which, in the economy of the area, conditions access to key resources (wells, pastoral lands). The *groupement* is the nomadic equivalent of a *canton*.

So we can now clearly hear the rumble of battle in the following carefully worded statement of the CPA to LASDEL researcher Mahamane Adam:

Of late, owing to people getting a better awareness of their condition through democratic politics, there is incipient emancipation. Thus, the *Azza* now want to become a *groupement*, exactly like other communities (*sur le même pied d'égalité*). The reaction of the Tubus [i.e., the Tubus *dazza*] is, in a way, understandable. I mean, if someone who is lesser than yourself wants to be your equal, you might dislike it. In their movement toward emancipation, the *Azza* have the support of state authorities and the sympathy of a great deal of people. They have been encouraged to submit an application file [to becoming a *groupement*] which I have sent up to higher authorities. Now they will decide. (Moussa 2001, 23). (My translation).

An *Azza* man interviewed by Moussa links this movement to both French education and Islam:

The *Azza* were, in the past, ignorant people, frightened by government administration. Now, they send their children to school more than ever, and have realized that they are free to do whatever they want. (...) We don't care if the Tubus are accepting change or not. We don't give a damn. Anyway, we don't like them, because in the bottom of their heart, they detest us. Religion says also that all people are equal before God. Those Tubus have always thought that we were their captives, but these things should end. (Moussa, 22-23).

Moreover, if, in Tubu hierarchy, the *dazza* consider themselves superior to the *azza*, both assume that they are better than the *aggra* (artisans), who as a result, have now their own internal revolutionary discourse, relayed to Adam by an *aggra* leader:

These people cannot make it without us. We are to them what air is to life. Look at all the huts in this *pays*, they have been built by us. If there are people who till the soil, we furnish them with the right tools. So really, why would they be better than us? They entirely depend on us, if we disappear, there could be no worse catastrophe for them. (Moussa, 22).

The custom of *razzia*, or heroic theft, was essential to Tubu society not only as a way for a Tubu *dazza* man to prove his valor in the harsh desert environment (most ethnic Tubus live further north of Ngourti in the Bilma area which is in full Sahara desert), but as a simple way to increase one's wealth in cattle and slaves. It is through *razzia* over settled southern populations that most of the captive population (*azza*) has been historically formed. But the branding of *razzia* as a punishable crime is one of the ways in which the state of Niger attempts to establish its authority over the area. Heroic *dazza* acts of *razzia* are conceived in state law as acts of "armed banditry," and this view potentially destroys *dazza* status, since the *dazza* consider working with their hands below their status, and trading as only one possible activity – along with plundering.

Razzia to steal human beings has dwindled to anecdotal levels since the colonial era, but the theft of cattle remains the endemic security issue in the area. In particular, as the environment in Ngourti area is becoming drier, with the southward advance of the Sahara desert, everyone has taken to camel-rearing. The competition around this highly valuable animal has intensified after the Fulanis themselves have decided to start rearing camels. As a result, *dazza razzia* have focused in great deal on preventing the Fulanis from creating sizeable herds of camels. The Fulanis, in turn, are protected by state military in their attempts, which brewed a quarrel in which the state is viewed as taking side with the Fulanis. Moreover, Tubus highlight the fact that both

state troops and justice personnel are prejudiced against them, something which the liberal and Islamic biases of state staff make believable. A topical incident stresses this aspect of the problem.

In early 2001, the imam of Ngourti's central mosque left the village for an extended travel. The imam conducts the Friday prayer and manages issues related to the mosque. He has an assistant, called *ladan* in Niger, who replaces him in case of illness or other absences. In Ngourti, the position of imam was held by a Tubu *dazza*, and the position of *ladan* by a Tubu *azza*. When the imam left the town, he took however pains to appoint another man – a *dazza* man, foreign to the village – as his replacement. The *ladan* requested from the chief of the *groupement* that the decision be recanted, but the latter refused, saying: "In Chad, people do not even shake hands with an *Azza*, let alone letting him direct a Friday prayer!" The implicit accusation against liberal-democratizing Niger was clear in the comparison with Chad, where the state is controlled by people very much in sync with Ancient Regime Tubu culture. It also transpired that the imam had flouted the rules of religious practices following orders from the chief. This led to a rare secession from the *Azza*, who, in disobedience with the orders of the chief, retreated from the mosque. The result of this is that there are now two mosques in Ngourti, and all state affiliates (civil servants and the troops) pray at the new *Azza* mosque.

Moreover, the state had allied with the Fulani, during the mid-1990s Tubu *dazza* rebellion – which could be viewed as a Vendée-type³⁵ movement. To stem greater state efforts at controlling their lifestyle, especially with regards the practice of *razzia*, the *dazza* rebelled by attacking state patrols and Fulani settlements. Fighting on the cheap, the Nigerien army created

³⁵The rebellion of the Vendée, in France, which attempted to save the monarchy against the Jacobins. The similar rebellion of the Tuareg – the desert neighbors of the Tubus – is better known, given its magnitude, the size of its area of occurrence, and the curious romantic sympathy it drew from the Western media.

armed Fulani militias and took in this way the *dazza* between two fronts – the Fulani one being arguably the more damaging.

The Arabs are the third ethnic community of note in the area of Ngourti and they are divided into three branches. Two of them are considered unquestionably Nigerien: the *Awlad Sulayman* (called also *Wassili*), who have been living in the area at least since the 1840s, and the *Hassawuna* (or *Shuwa*). The third – the *Mohamid* – emigrated from Chad in the early 1980s, fleeing the ongoing fighting in the northern regions of that country.

The mainstay of Arab economic welfare is long distance trade, organized by trucks and camels, and the community is admittedly the richest in the area. The best sign of their prosperity is that they are the best taxpayers in the area. As a result, the Arabs are treated by the state of Niger as the key interest group in the area of Ngourti. For instance, their use of wells and pastoral lands is highly strategic, since they have to organize networks of goods transportation between Libya/Algeria to the North and Nigeria/Chad to the south, according to demanding commercial schedules. The slow rural pace of well and lands exploitation to which the Tubus and the Fulanis are accustomed is an inconvenience for them. The *Wassili* and *Shuwa* have found ways to live with it, but the *Mohamid*, as newcomers, educated moreover by the rougher habits of the Chadian *pays*, have soon entered into conflict with local communities. They tend to use wells and the best pastoral lands without waiting for their turn to come, and they protect their access by showing their guns – something that is normally illegal in Niger. Most other communities – with the exception of Nigerien Arabs – resent their presence, and especially their lack of the virtue of “patience” (i.e., of adaptation to the pace and customs of resource use in the area). However, state agents turn a blind eye on this for two key reasons. First the *Mohamid* are good taxpayers, and are adept at the practice of showering state agents with gifts; and second

they have set up a more rigorous cattle police than the depleted state service of Waters and Forestry. All cattle in Niger's wide pastoral regions are marked by a symbol relating them to the various administrative *groupements nomades*. State officers called Waters and Forestry Guards have the mission to survey activities related to cattle rearing, and to protect owners from theft. But in the course of the 1990s, this service, as all others organized by the state of Niger, went downhill. The evolution is particularly severe in the area of Ngourti, where the service is no longer staffed. The *Mohamid*, with their stricter commercial organization, have little tolerance for theft, heroic or petty, and in this, they are viewed by the state as a factor for order, a stable informal governmental relay in times of penury.

In this sparsely governmentalized area, the state is present chiefly through its primary regimes, revenue and security. The services which organize its civil regime (schools, health care centers) are far less developed. As the case of the *Mohamid* Arabs shows, Nigerien citizenship is, in relation to the state in Ngourti, less of an asset than is commercial acumen.³⁶ The long distances, bad roads and severe environment all contribute to marginalizing the area far from the public spaces where actors such as Francophone rights-defending associations or Islamic associations strive to shape the Nigerien nation that is suitable to their subjective orientations. Although these efforts, essentially through electoral politics, reach the residents of the Ngourti area to the point of feeding revolutionary currents in the local Tubu society, the associations themselves are, at the date of writing, absent from the area. It clearly does not constitute a productive site in their mutually constitutive tensions.

³⁶ In fact, it is fair to say that the *Mohamid* have been granted full citizenship rights by the state of Niger. However, it is not clear following which rules, and their adversaries in Ngourti make it clear that the law, in this case, has been circumvented by corruption.

Incidentally, during my fieldwork year, Ngourti made it onto Niger's public arena by way of a sudden attention of Western international media on the "*Mohamid* problem." The conflicts between local communities and the *Mohamid* had come to a head, and the former clamored for their expulsion from Niger's territory in October 2006. Based on its own documented information, the government ordered their expulsion and revealed the inconsistency of its policy toward them. The British Broadcasting Corporation headlined that Niger was about to evict "150,000 Arab refugees" in violation of human rights, and other Western media quickly followed suit. Two opinion debates developed: one which raged on Western human rightist websites, around the issue of how to organize actions and pressures against the government of Niger, and another one within Niger, around the issue of how to deal with the *Mohamid*, who were accused of being plunderers and rapists imposed on poor Nigerien populations by the West. Eventually, the government rescinded its decision, but considering the *Mohamid* massive presence in Ngourti a social and environmental liability, decided to "scatter them" throughout Nigerien territory. This, of course, amounts to an internal expulsion, something so unfamiliar that it killed the story. Moreover, it is to be doubted that the measure will be implemented in any massive scale and rapid way. It will more likely serve in policing somewhat the *Mohamid* while appeasing other communities.

About a thousand kilometers west of Ngourti, in the *canton* of Shadakori, we are in a densely settled agricultural *pays*. Population, 64,000, in an area covering about 1,250 km². In this narrow section, the territorial administration has counted 107 villages, inhabited mostly by Hausas of the *Gobir* branch, with minorities of Fulanis and Tuareg. They have five market days running from Monday to Sunday (skipping Tuesday and Friday). The main village, Zukut, was founded fairly recently, in 1900, by – so the story goes – hunters engaged in protecting women

from being abducted by Tuareg *razzia*, on their way to the well: hence the name Shadakori given to this *terroir*. Shadakori means literally “drink under the protection of the bows” and initially designated the well that was in the vicinity of Zukut.

In 1929, the *Sarki* of the Gobir erected Zukut and its seven related villages into a *kanfani*. This point reveals much about the unrecorded influences of the colonial process on local populations. *Kanfani* is a modernist word. It is a Hausa linguistic modification of the English word “company,” designating, in the British colony of Nigeria, modern commercial organizations, which impressed Hausa merchants in the nineteenth century. In the Gobir, it became part of the local administrative language, usually and misguidedly considered to be fully “traditional.” It designates a number of villages grouped into what the French translated as a *secteur* (sector) for purposes of tax collection. The *Sarki* of the Gobir of the time designated one of his brothers, Jika Salau, as *mai kanfani* (i.e., chief manager for tax collections), establishing thus Shadakori as a colony of the dynastic kingdom of Gobir. In 1953, the *secteurs* of Shadakori were merged to form a *canton*. The colonial government, seeking to profit from the alleged prestige of the Gobir dynasty and the authority gained by Jika Salau in the area, appointed him as *chef de canton*. Ever since then, the chieftaincy has remained in his lineage.

Shadakori is pervaded with governmental services and instruments, either from the state, or from non-governmental organizations and civil associations, both rights-defending and Islamic. Owing to state services, a sizeable Francophone community resides intermittently or permanently in the area. Young men engage in economic travels (*nema*) primarily to Northern Nigeria and Cote d’Ivoire, spreading in the area the influences of cosmopolitan foreign cultures of distinctive character – the Nigerian, more religious and Islamic, and the Ivorian, more profane and secular.

In the first sequences of its history (from the 1900s to the early 1980s) the Shadakori area was organized along the lines of the customary Hausa regime. The basic element of this – as in fact in most other Sub-Saharan areas – is the exploitation of large communal fields (called here *gandu*) by groups of patriarchal households (called here *gida*). There were a small number of private fields (*gamana*), usually of modest size.

Villages were thus sets of *gidaje* (Hausa plural of *gida*) ruled by a tripartite political regime: the patriarchs at the head of households and collaterals, the *fada* (court of the local *sarki* or his representative, the *maigari*) which is essentially a local justice court and incidentally a tax collection agency, and the *bori* priestesses, key to all important rituals which rhythm the life of the community. The *bori* is the local animistic religion, organized, as in most of West Africa, by women. In the case of the Shadakori area, moreover, the local priestesses are beholden to the higher priestess seated at Tsibiri (the capital of the Gobir kingdom) and called the *Inna* (Elder Mother).

This basic organization is unraveling today. Shadakori's seven core villages all had their own identity, tied to the kind of specific contribution that they were making to the *terroir*. For instance, the village of Na Giddi is supposedly a village of blacksmiths (considered an honorable trade in Hausa culture, unlike with the Tubus), the village of Kowa Goni is the village of the “bush masters” (hunters and medicine men), etc. The interesting locale, for this work, would be the village of Malamawa (plural of *Malami*, which designates Islamic clerics in Hausa, as *Alfaga* does in Zarma³⁷). It was founded by one Malam Mahamadu Mai Geme (Muallim Muhammad the Bearded One), a dynastic prince of the Gobir who gave up his rights to the Gobir throne in

³⁷ If *Alfaga* derives from the Arabic *Alfaqih*, *Malami* derives from the Arabic *Muallim*, religious teacher. The word has the same root as “*alim*”, singular form of “*ulama*.” The importance of these words will become clearer in the next chapter.

disgust of the fratricidal quarrels among the princes, and settled in the area with his close family. Mai Geme not only forbade that his descendants ever claim the throne of Gobir, but shut Malamawa out of *bori* rituals and prohibited the practice of ethnic scarification on its inhabitants, thereby clearly marking them as Muslim first, and *Gobirawa* only by the contingency of birth. Most of the clerical provisions of Malamawa's foundation have floundered overtime, but the village still strives to live up to its specific identity.

One of the corrosive tendencies which are transforming Shadakori is manifested in the decline of the *gida* and the *gandu* – a phenomenon that is general to rural Niger. The third generation of patriarchs is not being replaced. Instead, younger men are setting up smaller *gidaje*, and are cultivating smaller fields of the *gamana* type, on which they have greater personal property rights. Islam seems to play a greater role in this juvenile revolution than liberalism. The principles that personal merit is based not on age or gender but on Islamic learning, and that the good Muslim has specific duties to become personally wealthy in order to support his wives, children and forebears, are invoked by younger men to justify the newer conducts that they are establishing in the *canton*.³⁸

The result is not always palatable from a liberal point of view: the patriarchal homes tended for instance to be very stable owing to a widespread practice of monogamy or at the very least, of bigamy. The Islamic zeal of young men appears to have intensified the practice of polygamy and repudiation, rendering the new households fractious and unstable, and creating heightened stress and economic insecurity for young women.³⁹ The application of Nigerien

³⁸ Adeline Masquelier provides detailed account of such evolutions on another location further west on the Unity Raod, Dogondoutchi (Masquelier 2001).

³⁹ This trait has been noted by the LASDEL researcher on Shadakori, Aboubacar Souley. But my own personal research in the area of Aguié, north of Maradi, and in that of Hamdallaye, east of Niamey, confirms this. The phenomenon is Niger-wide, and perhaps Sahelian.

current interpretation of Islamic *Maliki* jurisprudence means, indeed, that in this context, women are the great losers in the process of the collapse of the *gandu* system and of the division of older large patriarchal *gamanas*. Under cover of protecting them, the local implementation of *Maliki* inheritance rules disfavor them. As a result, the liberal discourse on this area focuses on women's emancipation, and, for instance, the American organization CARE International has attempted to develop a scheme of women's financial empowerment in Shadakori.

Another momentous manifestation of Shadakori's transition to a new culture includes the relative collapse of the authority of the *chef de canton* and the intensification of juvenile associative life. The current *chef de canton*, Sarki Maman Jika, is a Francophone man, a former state administrative official, who took up the position upon his retirement, and considers it with romantic relish:

Look, before the installation of the water pump, I was drinking well water here. I have no electric power, my life is the same as that of everyone here, people are here, with me, they see that I share practically everything, I purchase my meat at the same butcher's, my millet at the same storage facility... The leader is there, with the population... That is important. As a chief, well, the chief has the advantage of knowing everyone, and by knowing, I don't mean just physically, but also everyone's character. That is important, because then, when the chief has to give his opinion in a committee, it will be a very enlightened opinion. So I think the leader has greater interest in preserving the common good, in general. There are people in the population who might have the same interest, but it is greater with the chief, because he has vision, and he has the burdens of accountability. (Souley 2002, 13)

While Sarki Jika strives to translate these views in the realities of Shadakori's government, he appears to be seen as a player with few major cards in his hands by the population. A man from Zukut dismissed him thus:

What can he do? That he won't be clement when the day will arrive when I will have a lawsuit at his court? Well, that's about it. He is not giving me my food, I don't work for him, and there is nothing between us. In fact, he won't even see me if some story doesn't lead me to his court. (Souley, 15)

This attitude is prevalent in Shadakori and is in fact related to the fact that the *pays* has never known monarchical rule. As we have seen, the initial regime of Shadakori was a

patriarchal democracy, which accepted the imposition of a court from the Gobir dynasty because it needed a federal institution, at the level of the canton, for justice and tax purposes. Jika Salau however came from Tsibiri with the *sarauta* ideology which obtained there and when he was appointed *chef de canton*, he organized his court along the lines of the *fada* (royal court) of Tsibiri. If the patriarchs put up with the appearance for their own reasons, younger generations of Shadakorians appear indifferent to it. In fact, they see him in the same light as the state of Niger: a “magistrate of the administrative order.”⁴⁰

The state takes pains to buttress his often ignored authority: when Shadakorians bypass his court to file small claims lawsuits at the state justice hall of Guidan Roudji (the prefecture of which the canton is a subdivision), they are systematically sent back to his *fada* as first resort court.

Shadakori has two secular schools, one created in 1956 and another created more recently, in 1992. Their rate of recruitment is very low and limited to a few villages which seem to have built a manner of schooling momentum, and since 1996 they must compete with a Franco-Arabic *medersa*. At any rate, the unanimous opinion of teachers – both secular and Franco-Arabic – is that formal education is not successful in the context of local culture, especially in comparison to the Qur’anic schools.

The latter open at night and thereby respect the established rhythm of daytime activities, which are not necessarily productive work, but which are conventionally disconnected from educational pursuits. In 1992, a young student returning from a religious school in Sokoto,

⁴⁰ That is how a law of 1993 describes the so-called “traditional chief.” He is a state officer of first resort at the local level in the countryside, and receives as such payments and compensations from the state. He has no feudal rights on the population, and receives from them only court fees and indemnities when rendering justice in matters which would fall, in the United States, under the rubric of “small claims.” In Shadakori in particular, no one has forgotten how the chiefly family was installed initially. Chiefs in Niger are at the same time *selected* by the state (their candidacy must be confirmed by the ministry of the Interior after a gendarmerie inquest: an example of this procedure will be indicated in Chapter 6, sect. 3) and *elected* by a local electoral college.

opened a more formal Qur'anic school and christened it with the Arabic name (in Latin lettering) *Madina Tul A Habiba Shadakori* ("Beloved City of Shadakori"). The school affiliated itself to the *Tijaniyya* association ARCI, and had, at the time of research 250 students as opposed to 89 in total for the two secular schools and 43 for the *medersa*.

Unlike the two formal state-supported forms of schools, the Qur'anic school does not teach French. The Sokoto student had improved on the usual formula by teaching Arabic and more extensive rudiments of the Islamic religion. We shall see that this new formula has boomed in urban centers such as Maradi and Niamey for a variety of reasons, and the Sokoto student is, in fact, an emissary, in the backcountry of the Gobir, from that important development. In particular, the founder has adopted the two innovations (inspired from the formal schools) which distinguish this new type of Qur'anic schools from the older ones: scheduled fees and general examinations. Students have to be registered at the rate of 100 Cfa Francs per year (25 cents of US dollars) and pay in addition weekly fees of 10 Cfa Francs, and examinations are organized, oddly perhaps, in the disused building of an American rural development scheme, the Cooperative League of the United States of America.

Unlike Ngourti, Shadakori appears at all levels intimately close to Niger's public scenes, whose evolutions reverberate here in ways which produce a new local culture. Both liberal and Islamic norms and instruments are active in Shadakori's arena, but with inflexions bestowed on them by the strictures of rural political economy in the Sahel and the subtle crisis of a crumbling order.

I will conclude this tour of the countryside with a place which is today hardly rural, and offers therefore a transition step to the urban centers where research on the issue areas is sited.

For that reason, the analysis of the situation in Tillabéri will be shorter than what I just did with regards Ngouri and Shadakori.

Located at about 700 km (436 miles) west of Shadakori, Tillabéri is a small town of roughly 15,000 inhabitants, with 15,000 other people living in surrounding villages. Town and villages are viewed by the state of Niger as one single *commune* of 30,000 inhabitants. In fact this distribution (which does not take into account smaller hamlets tied to the bigger “mother villages” as they are called) shows that here, as elsewhere in the Sahel, the countryside is a tapestry of hamlets and villages which, at certain points, coalesce to form a town, usually, in recent times, through state administrative policies. This process started, in the case of Tillabéri, in the early 1900s and reached its conclusion in 1964. In that year, the newly independent state of Niger transformed the “circle” of Tillabéri into a *sous-prefecture*, a development which meant that the settlement of Tillabéri should be urbanized to properly host relevant state services and a class of state officials. In 1965, many old neighborhoods were thus destroyed and relocated in strategic parts of the settlement’s territory. New streets, cut wide and straight in characteristic chequered patterns, replaced the meandering footpaths which winded their way through the old villages. This treatment, called *lotissement* (parcellation), was applied to every settlement which state administration claimed as part of its particular system. It could be considered the mark of the state and the line it physically cuts between what is left out to supposedly customary government, and what is assigned to direct modern (Francophone) government. 1965, the year of the *lotissement*, is therefore an important date in Tillabéri’s annals: it is the year when it became modern, or, at any rate, “*étatisé*.”⁴¹

⁴¹ The word *étatisé*, “taken by and in the state, becoming integral to the state,” characteristically lacks a direct English equivalent, and yet expresses important processes in French-speaking countries such as Niger. For instance, in most of the cases where I use the English “formalized”, “formal”, Niger’s Francophones would say “*étatisé*”, “*étatique*.” The ideological implications of this are of course profound.

The installation of a large class of Francophones, with regular high incomes and demand for a range of modern consumer goods and modern services, creates the emergence of a class of merchants expert at long distance trade (import/export) and in time turns local economy from a *terroir* markets economy to a commercial markets economy, with attendant consequences on community life. Tillabéri is thus a place of high stakes, where influence and power have monetary value, and politics solidifies a distinct public arena in which all major players in Niger's public life are represented. For instance, in 2003, there were 13 Islamic associations represented in Tillabéri, including one feminine association, the Union of Niger's Muslim Women (UFMN). Among rights-defending organizations, the Nigerien Human Rights Defense Association (ANDDH), the Rally of Niger's Women Jurists (RFJN), and the anti-slavery organization TIMIDRIA (targeting especially the important Tuareg communities⁴² of the region) have permanent antennas, while the local scene has produced local interest associations such as the Youth Mutual for Development (MJD) or *Tangam da mori* (Fight Poverty, in Zarma language) and many others.

This vibrancy is due in great part to the resources accumulated here by the strong presence of the state, as is demonstrated by quarrels around treasury funds and expenditures which have become endemic in the commune. This dependence on the state is manifested by the fact that the Francophones dominate the social space here. Tillabéri's residents mostly belong to branches of the Songhay and Zarma ethnic communities, with strong minorities of Tuareg and Fulanis; knowledge or understanding of French however is widespread, and mastery of the French language is considered essential for filling leadership positions. Characteristically, the commune and prefecture also create a public tribune for the local clerical class, at a cost. Thus,

⁴²The Tuareg have by and large the same internal organization as the Tubu whom we have met in Ngourti.

during the short Sahelian rainy season, the prefecture organizes a quaint ritual: weekly prayers of propitiation (*fatiha*), inside the compound of the prefecture, to ask God to bless the agricultural campaign. Each *fatiha* is accompanied by the slaughtering of a sheep and a gift of money to the clerics who directed it.

The general sociological phenomenon to which this context has led is the professionalization of all activities which are relevant to the public arena. Such professionalization is not necessarily based on recognized competence or expertise. However, to continue with the example of clerics, these activities are now regulated by professional criteria, such as schedules, performance and payment. Clerics organize their time in relation to the marriages and baptisms that they will celebrate or attend, the burial prayers that they will conduct, the specific magical works that they will perform. Money and times slot are calculated in accordance to these demands. Clerics thus draw public censorship of their greed, usually contrasted with a time when they were imagined to be holy men who did not move about so much and instead cultivated pious poverty in a fixed abode. In the specific context of Tillabéri, such ascetic conduct would be untimely, since the range of demands and expectations from other members of contemporary local society favor, from everyone, a similar professional-like conduct. In comparison to Niamey or Maradi, however, this professionalization is relatively limited. The commercial economy of Tillabéri is in effect very artificial. Despite great investments in riverfront gardens by rich and powerful private hands, most of it revolves around the state and international donors, incurring from experts in good governance accusations of corruption and “politics of the belly.”⁴³

⁴³ The “politics of the belly” is a conceptual phrase coined by Jean-François Bayard to formalize his belief that African state politics has to do, for the best part, with “eating” state monies – i.e., embezzle them and invest them in personal power and profit. LASDEL’s researchers Salou Ali and Younoussi Issa felt tempted to use this rather reductionist concept in relation to Tillabéri’s turbulent communal and electoral politics.

All of this sets the stage for Niamey and Maradi, where key differences of scale only highlight the basic structures that our trip from Ngourti to Tillaberi through Shadakori has allowed us to decipher in the social landscape of Niger. I will now summarize them and conclude by indicating why this sociological analysis is important to the issue areas which I will explore in the next two chapters.

The Nigerien Question

I wish to introduce this concluding reflection by pinpointing three constants which characterize the situations I have visited: cultural heterogeneity, effects of change, and the polar role of the state.

All Nigerien social spaces are marked by cultural heterogeneity. Cultural diversity is expressed in terms of ethnicity and language, and in terms of customary organization. This presents individuals with a composite subjectivity, often at war with itself along the lines of current power relations. Disjunctive questions such as the following become widespread and bear on vital distributions of rights and obligations: Tubu *dazza*, or law-abiding *Maliki* Muslim, or Nigerien? Secular civil subject, or committed Muslim? Aristocratic slave-holding Tuareg or egalitarian republican Nigerien? The homogenizing discourse of Islam or of the liberal republican state proposes ways in which to transcend external diversity and conflicted subjectivity through becoming a good Muslim – a *muminin* – or a modern citizen, or possibly, both. These responses however seem to lack social stability, and to be unable to create everywhere recognizable social spaces on which to build status or aspiration toward status.

This, in great part, is due to the fact that while the state of Niger polarizes social groups everywhere, it does nowhere deliver on its implicit promise to produce substantial modern citizenship. The inability is clearly marked in places like Ngourti where the state has currently no plausible governmental regimes – at least of the civil category. The changes happening in

Niamey, notably the development of electoral politics and the doors opened to civil associations and international NGOs, have created an animated and boisterous public space whose distant echoes, transmitted by the radio, electoral envoys and the changed behavior of local state agents, have however disturbed settled power relations even among the more rigidly hierarchized communities of the area. But the physical marginality of Ngourti in the context of Niger's non-industrialized economy ensures that no Nigerien public space could emerge in that locale.

The state, in this pre-industrial setting, seems to function – if I may use an image to illustrate my thought – like the sun in the solar system. Ngourti, like the remoter planets of the system, barely receives its light and heat, yet remains captive of its magnetic attraction.

This image however is less useful when analyzing situations in places like Shadakori and Tillabéri. To understand their position, we would do better to return to the key question posed at the beginning of this chapter, and which was to find an answer here: “What is Niger? Beyond the imaginings and suppositions of Islamic associations and of rights-defending associations, is there something which can be thus named and which does care about the issues surrounding the FIMA? If so, then to what extent does Niger care about such issues, and for exactly which lasting reasons (i.e., reasons less ephemeral than business opportunities or outrage at the display of indecency)?”

The state is the central component of my response, since we would not be speaking of Niger without the existence and permanence of the state of Niger. However, I will argue that the state gives its name to a territory, and makes a nation, or a unified society, out of its population, only through the extension of a conducive social space and the solidification of public spaces in which every action and every discourse is overtly or implicitly related to it. Moreover, the state achieves this task necessarily through the groups and interests which were originally constitutive

of it – even if, in the long run, it might be detached from such groups, either incrementally, or through a social and political revolution.

The state of Niger came about through four main groups and interests: the French government, colonial traders (French, Africans, Syrians and Lebanese), secular school graduates (the Francophones) and, toward the end, Franco-Arabic school graduates (whom I have tentatively called Islamists). Political independence was a semi-revolution which removed the French component from visible stages and apparatuses, and moreover colonial trade, linked to the workings of the French empire, collapsed. Only the Francophones survived in their integrity, achieving greater power over the state in the process. Their work – described in terms of “development,” “progress” and “modernity” – has been therefore to extend their social space throughout the territory and over the population which dwells in it, in the hope of turning out a modern Nigerien society.

The results, within the strictures of Niger’s severe political economy and cultural diversity, has been the emergence of solid public spaces as sites which, ideally, embody full Nigerianness. In such public spaces, usually dominated by the Francophones in terms of leadership – although rarely in terms of financial power and social authority – political parties, civil society and merchants derive their identity and their legitimacy largely from the state, and represent the first achievements of nation building. By multiplying them, and by thereby slowly colonizing the Nigerien territory, the Nigerien state would finally produce the nation which it intimates. Shadakori is a public space in waiting: its advanced governmentalization bodes well for the emergence of a vibrant public space where the story of Nigerien nation-building will be properly enacted, while Tillabéri, thanks to an older process starting with its *étatisation* in 1964-

65, is already such a public space. Maradi and Niamey are full-blown sites of maximum Nigerianness.

Once this remark is made however, a related point must be underlined: as was noted by Catherine Coquery-Vidrovitch (1996) and Paul Péliissier (2006), the social space in most Sub-Saharan Africa is marked by interdependence between town and country. Basic Sub-Saharan political economy is very much based on “rurban” (rural/urban) connections, owing to the fact that, on the one hand, in a context where the cash nexus has gained some reality, rural areas are cash-starved, and on the other hand, urban settlements rely on rural labor for most of their foodstuff and for commercial crops. The connections organized by this configuration have – as this description shows – a purely economic dimension, which neoliberal policies seek to further develop and formalize. But they are also centrally governed by social relationships of kinship, patronage and service transactions, which create complex networks of activities and exchanges of goods and services between urbanites and rural dwellers. It is important to emphasize this, not only in order to show that, in this way, private actors may be very important where state agents appear as rather diminutive figures, but because this excursion in Niger’s “rurban” landscape will have to be kept in mind in relation to the events and strategies I will describe in the next two chapters.

Be that as it may, in relation to the specific nation-statal enterprise managed by the state, the problem of course is that even after the imaginary boundaries of Nigerianness have been traced within active public spaces, the question of “what is Niger” is still being asked – and indeed, with greater urgency and clarity. The form of the question changes however. The existence of Niger is not in question in Maradi or Niamey, but the question then becomes: “Who

are we, as Nigeriens? What kinds of civil subjects are we? And who is our sovereign?” This is maybe the fundamental post-colonial interrogation.

It is noticeable that political parties in Niger lack identifiable ideologies which would enable them to offer societal projects along the lines of left and right, prevalent in the West. The easy explanation of this has been, in the literature, generally of the “politics of the belly” caliber. However, if we realize that there is a specific difficulty at offering a societal project to a society which does not quite exist yet, we will start to understand that political ideologies, in such contexts, must necessarily be embodied by different forces. For instance, the right is often the survival, in the modern regime, of Ancient Regime ideals of social order, which have been adjusted to mass politics. Where, however, the modern regime is not hegemonic and mass politics has not occurred, it is unreasonable to expect the emergence of right-wing ideologies embodied in recognizable party programs and stable orientations – let alone of viable left-wing ideologies. Rather, here, the main struggle is at the level of the definition of society itself – something which political parties are nowhere equipped to do. Of course, this statement will have to be nuanced at some point, by indicating how much this is typical of situations beyond the post-colony, and I will return to the issue in the general conclusion of this work, when discussing the politics of modernity.

For now, let us just note the following: superficially, issues such as the rights and obligations of men and women, or the rights of citizenship, the right form of education, the right form of political regime, may appear fatally aligned, in the modern idiom, along a left/wing spectrum. But the study of these issues in the Nigerien context reveals that this supposition, if it were held to be universal and teleologically oriented, would be deeply flawed. The debate, in this context, has much more to do with harnessing a new culture, born from the cataclysmic

encounter, in the nineteenth century, of Islamic and liberal sovereignties, and giving to it stable orientations within the parameters of Nigerien society. It is thus shaped by the specific governmental problems of that society, some of which were cursorily presented in our visit in the countryside. Among those problems, three have seemed particularly important to me because of the way in which they occupy the limelight of Niger's public spaces in this era: the political regime, the feminine question and education, as they emerge from important rearrangements of structures, forces and ideas. I now turn to their exploration.

CHAPTER 5 THE STORMS OF FREEDOM

The historical sequence which gives its meanings to the problems and events studied in this chapter started with the Sovereign National Conference organized by Niger's Francophone intellectual élite in late 1991. The Nigerien national conference was only one such among many national conferences successfully organized or attempted in most Francophone African countries in the 1990s. Insofar as it radically changed the political regime, the Nigerien national conference falls into the category of the successful ones. However, it can hardly be understood as an isolated event, and is very much a consequence of a wider evolution, even though it caused, in turn, the important local effects which will be the main object of study in this chapter. At this early juncture, it is necessary, therefore, to try and have a good sense of the general evolution of which the national conference was a consequence.

In his thoughts about the role of intellectuals in the construction of social hegemony, Antonio Gramsci inscribed that role within the framework of national society, bounded by the Marxist categories which define it: relations of production, the state and civil society. To understand the Francophone national conferences of 1990-1991, however, we might find Gramsci's ideas more useful if they were modified to be adjusted to international society, i.e., the international relations of production, international political society and international civil society. Before getting into the heart of the matters to be treated in this chapter, I will develop a short illustration of this point, chosen for its relevance to the Francophone world, and I will elaborate more at length on the transformations in the international capitalist structures which greatly determined the economic conditions of Niger's march toward liberal democracy. Again, that examination will be shown to be critical to the understanding of the development of the groups and situations which will interest us in this chapter. The particular contradictions of Francophone

republican liberalism and the corresponding characters of Islamist ideals in Niger will be better described afterward.

The main effort of this chapter will consist in describing the specific orientations, strengths and weaknesses of ideological movements named here “liberal republican” and “clerical Islamist”. The genetic analysis of the situation which led to the national conference will therefore be followed by a first approach to the issue of *laïcité*, or political secularism, around which developed the struggle to identify Niger’s sovereign and the resulting nature of its political regime. From thence, I will develop the two main sections of this chapter: elucidations of Nigerien Islamism, using the broad concept of “clericalism,” and exploration of Nigerien republican liberalism through an example of secular judicialization.¹ In a fourth, concluding section, I will then show how, by the early 2000s, these two ideological movements have constituted the specific relations of power and knowledge in which their complicit disputes evolve. This latter object will be analyzed and related to the issues of education and the feminine question in the next and last chapter of this work.

The Democratic Affair

In 1989, as the Soviet block was unraveling, the French republic was launching into a yearlong bicentennial celebration of the 1789 Revolution. The intellectual and scholarly aspect of the festivities was breathtaking. The preparation and organization of conferences, colloquiums, lectures and other such public intellectual communications started as early as 1983. At the opening of a colloquium at the University of Orleans, in 1986, the historian Michel Vovelle, president of the Commission on Historical Research for the French Revolution’s

¹ For elaborations on this concept, see Tate and Vallinder (1995) and Roger Handberg (1999). Judicialization refers in particular to the ways in which judicial mechanisms and institutions grow as pragmatic and influential intermediaries between state and society, and between groups and individuals in society. The section on the rise of Niger’s magistracy will show that event to be a stark case of judicialization, with vital interrelations with the rights-defending movement more generally.

Bicentennial, boasted: “Seventy colloquiums, congresses and roundtables are programmed from this day on to 1989, many important meetings having already occurred last year. But this autumn of 1986 only, there are six successive colloquiums afoot both in France and abroad. I was in fact due to speak today in Chicago in the context of a meeting on the political culture of the Ancient Regime. I confess without coquetry that I preferred Orleans.” (Vovelle 1988, xv)

At that time, the University of Chicago had already built firmer connections with Vovelle’s colleague and friend, the intellectual historian François Furet, who was staying there seasonally at the Committee of Social Thought, with funding from the John M. Olin Foundation.² In France, Furet was a founding member of the *Fondation Saint-Simon*, created in 1982, in the wake of the victory of the Socialist Party at the elections of 1981, by a coterie of insider intellectuals, industrialists and right-wing politicians with the view to form doctrines which would enable resistance to the Socialist Party leftist policies. The Saint-Simon foundation was informally described as an anti-totalitarian committee. In 1984, Furet mustered the funds to create the *Institut Raymond Aron*, honoring the then recently deceased intellectual historian who strove to uphold liberal tradition in the inhospitable French ideological landscape dominated by the more radical ideals of the Jacobin republic which had triumphed in 1793.

Shortly thereafter, Furet managed to integrate the institute into the fold of one of the more prestigious French *hautes écoles* (axial institutions in the contemporary French scholarly tradition), the *Ecole des Hautes Etudes en Sciences Sociales* (EHESS). He was the architect of

²The erstwhile grant-making foundation was activated in 1969 with the view to defending the free market system which its founder thought was under attack at the time. Its purpose, as announced on its website, was to “provide support for projects that support or are intended to strengthen the economic, political and cultural institutions upon which the American heritage of constitutional government and private enterprise is based. The foundation also seeks to promote a general understanding of these institutions by encouraging the thoughtful study of the connections between economic and political freedoms, and the cultural heritage that sustains them.” The foundation ceased to exist in November 2005, following provisions to stop activities within a certain period of time lest it drift from its mission. (Collaborative 2008)

that institution, erected in 1977 on the foundations of Fernand Braudel's Sixth Section for Economic and Social Sciences at the *Ecole Pratique des Hautes Etudes*, and he presided it until 1985. With Mona Ozouf, he steadily worked on the preparation of a massive *Dictionnaire critique de la Révolution française* (published in 1992), purposely geared toward refuting left-wing interpretations of the events which constituted that fundamental moment,³ and mobilizing around him fine teams of scholars devoted to his brand of politically moderate scholarship.

Furet's activism, backed by the many friends, close colleagues and disciples his positions in the French scholarly institutions provided him, was chiefly directed toward imprinting on the bicentennial celebration of 1989 the true meaning of the French Revolution. In this view the French Revolution – like the English and the American – is and must be construed as primarily a *liberal* democratic revolution, and not a radical egalitarian one as older, Marxist-influenced scholarship overwhelmingly presented it after 1945. Moreover, this meaning of the French Revolution must resonate on the French state, which was largely created by it, and which was at long last concluding the long transition toward liberal democracy that it started in 1789, and of which it so often lost track over the course of two centuries.

For Furet, the latest culprit in these protracted digressions of the French evolution toward liberalism was communism. Initially a communist himself, he had converted to liberalism, like many others, over the dramas of the XXth Communist party congress of Moscow in which Stalinist bloodshed and related infamies were exposed by Khrushchev, and of the Hungarian

³ Furet's ultimate take on the French revolution, first developed in a 1978 set of essays (*Penser la Révolution française*), was that the events of the late eighteenth century in France were chiefly the culmination of a process in which the language of politics changed so much that the French society was propelled into a new world. Furet sought to replace structures and classes by ideas and discourse, as if the two were mutually exclusive – or as if one order of phenomena had to necessarily preempt the other in terms of causation. (The entire premise of this work, as may be obvious by now, is that they are intimately and reactively related!) This attitude signaled, I believe, the specific anti-Marxist, liberal bias of his otherwise impressive scholarship. Furet's itinerary has been analyzed in a brilliant style and pointed details in two extensive essays on France's liberal moment by Perry Anderson, in the *London Review of Books* (Anderson 2004).

revolt, in 1956. Through the connections established between his *Institut Raymond Aron* and the EHESS, he blotted out as far as he could the remnants of Marxist heresy which were carried over there from Braudel's magisterium and the *Annales* School's influence. By 1989, he, and the general intelligentsia of which he was a most active member, had achieved much. The Socialist Party had considerably distanced itself from communism, and liberal policies became the core identifier of "modern government"⁴, or, as the phrase which took hold internationally went, of "good governance." Indeed, the French phrase "*bonne gouvernance*" sounded odd at the time, since "*gouvernance*" had ceased to be a French word for several centuries, and carried with it, as a neologism, the flavor of Anglo-saxon liberal principles and ideals. Today, it designates the banal measuring rod for assessing governments and states in the Francophone world (as it is elsewhere).

In 1988, Furet had coauthored, with Pierre Rosanvallon and Jacques Julliard, the proclamation of the triumph of liberal democracy in France: *La République du centre* ("the Centrist Republic"), aptly subtitled, "The End of the French Exception." His last book, *The Past of an Illusion* (1995), conflating communism and fascism in a blend of atrocity-producing totalitarianism akin to 1793-94 Jacobinism, was admittedly a pot-boiler rather than a serious

⁴ As my key theoretical concept is governmentality, it is perhaps indispensable to note here the apparent similarities between Foucault's description of modern governmentality as essentially liberal, and this liberal ideological position. In fact Foucault's thinking and perspectives were very different from and ultimately antithetical to those of Furet. Ideologically, Foucault remained bound to the Socialist Party and a leftist to the core: his analytical conclusions about modern governmentality did not lead him to embrace liberalism but rather to attempts to finding ways in which leftists could be made to govern effectively and differently (*autrement*). Basing himself on reflections drawn from his work with labor unions, and especially the French Workers' Confederation (CFDT), he was envisioning, in 1983 (a year before his death) to write a short book analyzing in historical and philosophical depth the inability of the Left, in France, to govern – throughout the twentieth century. A tentative title of that book was "*La Tête des Socialistes*" (*the Socialists' Mind*), because the idea was to explore the "mental structures" of party men, proffering this approach in direct opposition to the notion of totalitarianism which Furet and his friends had then recently popularized: "That notion of totalitarianism" he said "is not pertinent. With such a crude tool, there is no possibility to understand anything. What need to be studied are the parties, the function-party." (Assouline 2007) (My translation). During that period, Foucault had conversations with Pierre Bourdieu which were also oriented toward the preparation of a white paper on leftist governmental action in a variety of public spheres. All of these efforts at imagining leftist governmentality were stalled not only by Foucault's death, but more potently by the French Socialist Party's evolution toward liberalism which started then and is, today, in full swing.

reflection based on solid, original research. However, this very fact shows just how much, by the mid-1990s, the liberal reinterpretation of the past was successful with the national middle class – principal purchaser of such best-sellers, as well as of books by Milan Kundera.

Itineraries such as this cannot be purely national, when they take place in a post-imperial country such as France, and given, in addition to this, the internationalist perspective of liberal ideology. Furet might have conceived of himself as an organic French intellectual – despite the established tendency of French intellectuals to consider themselves as universal coryphées of Right and Truth. His influence in French officialdom and scholarly institutions meant, however, that the effects of his activism would be peculiarly felt in certain regions of the world, and certainly in Niger.⁵

In June 1990, Francophone heads of states met with the French president François Mitterrand in the town of La Baule, for the 16th conference of the heads of state of France and Africa. In his inaugural speech, Mitterrand instructed: “We must speak of democracy. That is a path that must be followed, along with development. That is a universal principle.” He let it be known that “French aid” will, from then on, be geared toward stimulating the establishment of liberal democracy in the former colonies. In short (and although stated quite differently of course), the latter should reflect the evolution of the French state itself, which was now wedded unreservedly to that ideal. However, in June 1990, the Nigerien political regime had already been battered by months and years of strikes and demonstrations demanding the adoption of a fully

⁵ At a scholarly level, the LASDEL’s concentration on individual rights, good governance (i.e., corruption problems) and decentralization is very much stimulated by the liberal *Zeitgeist* as evidenced by shifts in research programs of one of its main parent institutions, the French *Institut de la Recherche pour le Développement* (IRD) and its linkages with Furet’s EHESS. It is the LASDEL’s interest for policies of decentralization and local government in Niger which produced the rapports that I used to construct sociographic vistas in the previous chapter. In this way, Furet and the general movement of which he was one of the leading animators have a direct impact even on this work!

democratic constitution. Mitterand's speech abetted the impetus of that movement, but clearly had no hand in causing it.

This remark entails two observations which form the core explanatory principle of this chapter and the next one: first, the leading influence which prompted the development of democratic constitutionalism in Niger was not France and its newfound liberalism, but rather *something else which I must uncover if I am to better explain the specific consequence of that movement in Niger*; and second, the French and broader *Western liberal internationalism grafted itself on this local movement, and gave it the peculiar inflections which, in turn, almost entirely explain the nature of the dissensions between Islamists and Francophones in the 1990s*.

I suggest, in response to the first observation, that Niger's democratic constitutionalism was, to a critical extent, the consequence of profound changes in the workings of international capitalism in the country. Another short historical analysis will clearly illustrate how this has come to pass.

In 1982, the technical cadres of the Nigerien state congregated in a seminar in the town of Zinder, to assess the results of the national development policies worked out by the Supreme Military Council since it took power through the coup d'état in 1974. The conclusions of the seminar were extremely bleak, pointing to failures in nearly all efforts at rural and industrial economic development. The failures, the cadres pointed out (castigating themselves), were essentially a debacle of knowledge and scholarship. Financial feasibility, rates of investments in rural productivity, the alleged superiority of applied research packages over old *terroir* practices, the alleged superiority of foreign experts in framing development policies on the basis of their wide-ranging (but in fact all the thinner) experience, the unpredicted mediocrity of the so-called "development bureaucracies", the poor calculation of industrial output in the natural resource

production and transformation plants managed by the state of Niger, all came under a barrage of bitter criticism. The tone of the conclusions of the report of the seminar was moreover, pointedly, that of “debunking” a failed ideology: national development together with its justifications (such as the dependence theory) or solutions (such as import substitution industrialization). While mismanagement of state assets was emphasized, the key culprits showcased by the cadres were “the unsatisfactory institutional relationships between the state and its enterprises” and the “weakness of the macro-economic environment.” (Mayaki 2003, 65)

This diagnostic led, in due course, to the remedies which will evolve through the various structural adjustment and financial stabilization programs prepared by the International Monetary Fund and the World Bank on behalf of the state of Niger: total or partial privatization of all financially viable activities which do not have state strategic interest; suppression of all enterprises which are neither financially viable, nor strategically important; rehabilitation under control of any enterprise remaining in the economic portfolio of the state of Niger. (Mayaki, 66).

Essentially, this means that economic liberalism was being adopted in lieu of economic development as the ruling governmental ideology in Niger. A moral language castigating well documented corruption and mismanagement, supported by well-funded expert scholarship which managed to turn out, about the notoriously un-quantified fundamental realities of Niger, reams of telling statistics, strove to render the new ideology irresistible and indispensable. However, the new ideology appeared to be very much the herald or notary of drastic changes in the insertion of countries like Niger in the world capitalist system, rather than the sudden discovery of eternal truths.

In the 1970s, the market-seeking strategy which was the central framework through which firms expanded internationally since the 1950s was being displaced by the regionalization

strategy characteristic of the set of economic phenomena and policies summarized by the word “globalization.”

The market-seeking strategy was essentially a method of direct access to consumers which strives to defeat the constraints of national tariffs, borders and institutions by localizing production and performing tactical direct foreign investments in key national economies sectors.

Owing to customs and regional compartmentalization, production units catered chiefly to the countries where they were implanted or, in the few cases of certain polar countries, and for a specific kind of consumer goods, also to export schemes targeting regional sets of countries (such polar countries, in West Africa, were Nigeria and Cote d’Ivoire in the 1950-70s). In general, production space and commercialization space coincided however, and units of production were sized up in accordance to national or sub-regional markets, and were conceived as isolated profit centers, assessed on the sole basis of financial performance. This meant that they were granted considerable autonomy or self-management abilities, and were encouraged notably to capitalize through state participation and resort to local savings, especially when undergoing expansion or retooling. Foreign direct investment was in this way very limited, occurring chiefly at the moment of creation.

In West Africa, production units were created in domains which did not necessitate extremely sophisticated technology and skilled labor, but which could turn out output sellable to a consumer class with relatively low purchasing powers. At the high end, there were car assembly factories (Peugeot in Nigeria for instance, or Renault in Cote d’Ivoire), and at the low end the transformation of farm-produce in breweries or dairy plants, through a range of industrial

activities including metal industry, cement works, textiles, industrial gases, cosmetic and pharmaceutical products, and so on.⁶

Market-seeking strategies in West Africa, especially in Francophone West Africa, were an adaptation of colonial mercantilism to political independence and the resultant fragmentation of the imperial commercial zone. In most cases, the colonial companies survived and organized series of “*filiales-relais*” (“relaying branches,” (Michalet 1973)) assigned to each new independent post-colonial territory. The *Société Commerciale de l’Ouest Africain* (The Commercial Society of West Africa, SCOA) and the *Compagnie Française d’Afrique Occidentale* (The French Company of West Africa, CFAO), initially founded to sell African crops in Europe, while retailing a range of European manufactured goods into Africa, invested their large profits in supermarkets and department store chains in France (SCOA’s Monoprix and CFAO’s Prisunic) with antenna in each African colony and post-colony and retailing procedures adapted from the organization of colonial trade and integrating formal and informal markets. They became the main network organizers for market-seeking strategies output, gliding easily from colonial mercantilism into neo-colonial mercantilism.

This articulation of localized production units and formal to informal networks was not adverse to the ideology of national development predominant in African and other Third World countries in the 1950-70s. It enabled global capitalist firms to capture small markets by selling at very high prices (consistent with national market protection measures) a range of up-to-date commodities to a very limited upper class of affluent consumers (high state officials, European expatriates, upper tier businessmen) and, at lower prices, a broader range of obsolescent or sub-standard consumer goods to a larger pool of modern consumers. This global mercantilist

⁶ My take on market-seeking strategies is based on François Bost’s presentation at the Sahel and West Africa’s Club’s *Groupe d’Orientation des Politiques*, “L’Afrique de l’Ouest dans les stratégies des entreprises.” (Bost 2003).

organization left for local states a space in which to devise import substitution industrialization schemes for the larger population. In most cases, and certainly in Niger, such schemes would not attract foreign investment, direct or indirect, and depended largely on bilateral cooperation, debt, and extremely vulnerable commercial strategies under heavy and ultimately futile state surveillance.

The activities monopolized by state enterprises in the process of spurring industrial economic development were thus proportionately quite numerous in Niger, owing in great part to the fact that this immense landlocked country was less attractive to neo-colonial mercantilism than small coastal countries with anciently settled markets (Cote d'Ivoire and Senegal, e.g.). However Niger was bordered to the south by the enormous Nigerian market which was the most important piece in West African market-seeking strategies ventures and already was quite advanced in local industrialization processes. Its multifarious competition, combined with the narrowness of a Nigerien market goaded by high prices and a strong mercantilist currency⁷ ensured that by the 1980s, Nigerien industrial facilities were all in systemic crisis.

In the thinking of Niger's cadres and international experts, national development was to be fed by large outputs of infrastructural and alimentary commodities such as coal, cement, flour or oil. But the commercial scales tilted against the investments put into these facilities, and brought them to suffocating halts in the early 1980s. The state of Niger had, for instance, planned for a yearly output of 200,000 metric tons of coal from the SONICHAIR's mines, but ended up producing only 40,000 tons yearly. The public cement plant in Malbaza was built to satisfy much of the potential national demand of 200,000 metric tons yearly, and produced only 30,000 annual

⁷ The African Financial Confederation (CFA) Franc, guaranteed by the French treasury, pegged to the French Franc (and now to the Euro) and set up initially to preserve French control over the post-imperial commercial zones in Africa.

tons of cement. The flour producing plant SOTRAMIL had capacity for turning out 10,000 metric tons yearly, but ran at a far slower pace, owing to commercial dilemmas. The three oil-producing plants opened with foreign capital to transform groundnut fat from the yields of Maradi's plantations went downhill and shut down by 1983, owing to steep rises in provisioning costs.

Without going into many other details relevant to this story, let us cut to the chase and indicate that by the mid-1980s, the Nigerien government was starting to acquiesce to the new vision proposed by international financial institutions, and adjusted to changes in the expansion plans of global capitalist firms. Capitalist growth had become linked with the scale of unified markets – and the substance that these give, in terms of producing savings and absorbing credit, to financial markets. The small protected markets tolerated and used by market-seeking strategies had, in this framework, to make way for wide regional markets with little tariff barriers, decentralized infrastructures, and minimal state surveillance and regulation. This new regionalization strategy framework, based on the imperatives of capitalist expansion, rewarded, in its own way, countries and regions which were capable of adjusting to its performance criteria, notably in terms of labor mobilization and technological sophistication.

In the global competition thus spurred by large capitalist firms (multinationals) with the assistance of Western states, sub-Saharan Africa in general and French-speaking landlocked countries such as Niger in particular, were at a considerable disadvantage – even as being advantaged actually meant subjecting one's society to a range of destructive forms of exploitation. The evolution was first felt at the level of the mercantilist upper structures, when high end production units shut down in places like Nigeria and when the commercial behemoths

started to desert lesser markets. CFAO,⁸ SCOA, UNILEVER (Dutch and British wholesaler of cosmetics and chemical products) and OPTORG (French wholesaler of farm and garden machinery and equipment) started to rapidly disinvest from Niger from 1984 onwards, heralding the period of economic crisis – or to put it in a more illustrative language, of economic desertification which picked up pace that year.

The main traits of interest of that economic desertification, for the purposes of this reflection, are as follows: first, the end of the policy of national development meant a related de-staffing of the state, burdened by debt and institutional weakness, a wide-ranging suppression or trimming of state services and liquidation or privatization of parastatals. This resulted in a drastic reduction or impoverishment of the middle-tier modern consumer class – chiefly state functionaries and formal sector business people or agents – which was the main customer of both the commercial wholesalers and their local retailers, and the large and variegated populations of professional or informal urban workers and traders. Second, measures were taken to create out of the newly jobless population a class of modern entrepreneurs. With assistance from the French treasury, the Nigerien government thus set up, in 1987, a Support Programme for Private Enterprise and Job Creation (PAIPCE), which subsidized functionaries to leave their position and create small businesses. I will allude later to a few vivid illustrations of both neo-colonial mercantilist disinvestment and the PAIPCE. Let us note for now that the key political and social consequences of all of this are on the one hand the constitutionalist agitation which started to gain momentum among certain Francophone groups in 1984, and a reshaping of the Nigerien social landscape which came about through a relative decline of the Francophones as the leading social and cultural community of the country. Of this latter point, the Francophones – as is the

⁸ On CFAO's history and activities in Niger specifically, see Hassane Gandah Nabi's recent study (Gandah Nabi 2004).

wont of dominant groups everywhere perhaps – were little aware, and it is only at the national conference that they will discover what had happened to their position in the country.

Now that the main background elements are in place, I will conclude this section with a narrative of the events which determined the national conference and sparked the resulting ideological division between Francophone modernists and Islamists around the issue of political secularism.

In 1984, two years after the Zinder seminar had exposed the failure of Nigerien national development schemes, the Supreme Military Council accelerated the pace of “normalization” (i.e., return to republican constitutionalism) by issuing a number of ordinances, including one in March which granted full rights of association to Nigerien citizens, excepting however in the case of regional and ethnic interests. The ordinance breached the hold which the state had on formal mobilization instruments, even if it did not immediately translate into sudden changes. The workers unions and the associations created in 1974 maintained their corporatist linkages with the state, thus keeping up the resulting monolithic character of the Nigerien public space. However, civil associations started to bud in the following years, veering in many cases toward the forbidden path of ethno-regionalist concern which defied Niger’s republican value of national unity.

During that period, a constitutional document called *Charte Nationale* (National Charter) was prepared and subjected to public discussion in view of a referendum concerning its adoption, and scheduled for 1986. The text did not register the crisis of the ideals of national development, but instead entered into the matter with a sequence of three chapters describing the philosophy, objectives and organization of a “*société de développement*” (a society organized for development) which would mobilize Niger’s populations in the “building of a prosperous

nation.” The political regime in charge of guiding the “society for development” was to be a “participatory democracy.”

The government’s campaign about the charter provided the opportunity for a certain class of intellectuals – namely leaders of national and local sections of the National Union of Nigerien Teachers (SNEN: this included university professors) – to attack state control over society. The charter itself was in fact an expression of Francophone ideology, combining all the freedoms that were listed in France’s liberal republican constitution with the idea of proletarian democracy characteristic of original Francophone thinking.⁹

But in the wake of the seminar of 1982, the ordinances of 1984, and the measures and speeches with which the government was trying to promote structural adjustment policies, its tone and provisions rang hollow. Authoritarian leading strings had clearly failed to achieve national development. Only “full democracy,” establishing multiparty competition, national representation and full freedom of expression was deemed up to the task of national development by SNEN’s orators. The latter point – freedom of expression – was especially important to people who were beginning to style themselves “opinion leaders,” and wanted to voice their ideas on how state and society should be organized independently of official orthodoxy.

Historically, the first Nigerien independent newspaper had appeared in 1952 under the title *Talaka* – a word characteristic of Francophone ideology in that it means, in all local

⁹ This is uncharted terrain, as there is not, to my knowledge, any synthetic analysis of African Francophone political thought extent. It seems that the object has not been identified and circumscribed as yet. But one of the necessities which compelled African Francophone intellectuals to produce an original kind of political thought despite French efforts at “molding” their minds is the dilemma of evolving a democratic system in conditions of poverty and destitution. Thus, the phrase “proletarian democracy” was coined by the Senegalese intellectual and politician Mamadou Dia (“démocratie prolétaire”) not – as it might sound – as a Marxist concept, but to mean simply “democracy in poverty.” It is possible to describe the uniformities and evolution of this body of political philosophy, to isolate its greatest authors and to anthologize its master texts. But this work would require a better and different organization of scholarly institutions in Francophone African countries than obtains today.

Nigerien languages, both “proletarian” and “citizen.”¹⁰ It was a union broadsheet intended to express local workers’ expectations in the context of the colonial regime as the French Overseas Labor Code was being prepared in Paris. Afterward, only one state-sponsored paper was issued under a succession of official sounding names (*Le Niger*, *Le Temps du Niger*, *Le Sahel*). After the charter was adopted in 1987 following extremely controlled referendum voting, the agitation around freedom of expression heightened, and in 1989, the government took the lid off the creation of independent newspapers.¹¹

In close sequence, three newspapers were founded, and bear testimony, by their title and orientation, to the emerging Nigerien ideological landscape. The first independent newspaper appeared in 1989 under the title *Iqra*. It was an Islamist monthly, founded by Ali Zada, a high school professor in Maradi who had accepted a government PAIPCE grant, left the civil service, and started a small business which was to help him disseminate his ideas. *Haské* followed suit in 1990: its title means “The Light” in Hausa, a direct reference to Enlightenment philosophy, and its banner proclaimed on each issue “There is no democracy without freedom of expression,” echoing the battle which made its existence possible. A year later, *Le Républicain* started to appear with a banner quote from Montesquieu’s *Spirit of Laws*: “To prevent the abuse of power, it is necessary that by the very disposition of things power should be a check to power.” The founder of *Haské*, Ibrahim Cheick Diop, was working for the government daily *Le Sahel* before taking, like Zada, a PAIPCE grant to start his politically-committed business. *Le Républicain*, on the other hand, was supported by a nucleus of union leaders (among which SNEN members were

¹⁰ When used as meaning “proletarian,” the word is opposed to the social antagonistic concepts of *magna* (Hausa: the grandees) or *bor hannay* (Zarma: the genteel folks). Rights defending organizations have striven to entrench, in educational manuals, alternative concepts for “citizen,” reflecting the liberal orientation toward nationalism and away from class antagonism: *labiize* (Zarma: country’s offspring) and *dan kasa* (Hausa: same literal meaning). But despite a certain success for these coinages, usual Nigerien talk still resorts massively to *talaka*, “the commoner”.

¹¹In 1984, a wealthy businessman had founded a cultural magazine, *Kazel*. It never ventured into political waters.

prominent) and of high cadres of Niger's more important public enterprises, and was from the beginning financially strong. The aim of the founders and promoters of these newspapers was the dissemination of the values of "*démocratie éclairée*" (enlightened democracy) through independence of opinion. Although the backers of *Le Républicain* will later found the Nigerien Party for Democracy and Socialism (PNDS), the quintessential Francophone modernist political party of the country, they were at the time uncontrolled by party interests, since there was not, yet, a party system.

Haské and *Le Républicain* were far more popular than *Iqra*, because of the way in which they seized upon the spirit of the period and were indeed founded to comment on its tumults and provide educated voices to dominant aspirations.

By the end of the 1980s, the financial crisis of the state of Niger had divested it of economic sovereignty. The Nigerien government had dragged its feet to implement structural adjustment policies which would hurt, in their very first strokes, the social constituencies of the state. However, the move appeared unavoidable, and a specific strategy was devised to walk a very tight rope: adopting a constitution which would grant the government extensive repressive instruments and powers of control over state institutions and then try to force the policies on key state constituencies. Certainly, Western states and international financial institutions were pressuring the government for increasing "democratic overture" as well as for more economic liberalization. However, on the ground, the two moves appeared antagonistic. It was virtually impossible to democratically implement policies that were sure to be widely unpopular. The government solved the dilemma by adopting a constitution which strove to fasten on authoritarian instruments the appearance of liberal democracy, while subscribing to all economic policy packages prescribed by the international financial institutions. This double move served

only to provoke widespread restlessness. The constitution was seen for what it was, an authoritarian fraud¹² – and the acceptance of structural adjustment sparked bouts of sectoral strikes in state services and parastatals.

Economic discontent and the rejection of the constitution formed two distinct discourses which could become explosive if they coalesced. This eventually happened when, in an already embittered social climate, the government attempted to pass a bill on education adopting a structural adjustment package called “*Projet Education III*.” This package was to spur the development of private education and to allocate education funds principally to primary education at the expense of secondary and especially higher education. The Nigerien Students Union (USN) rose against the bill and organized a demonstration on 9 February 1990, in protest. Security forces fired at the demonstrators, and three students died. The event shocked the country while putting the government in disarray. The president, who was out of the country, scrambled back but was hesitant to assign responsibility for the deaths.¹³

A week after the students’ demonstration, a general demonstration of all unions and civil associations took place in commemoration of the tragedy and in defiance of the government, while security forces were instructed not to show up. This impressive moment effectively set in motion the democratization process of Niger. It was the crucial moment when social demands and political aspirations coalesced to insist on radical change. In the same month, similar

¹² Jean-Jacques Raynal characterized it thus: “...with its bolted up opening, the new regime is an accumulation of paradoxes: identifying with democracy and freedom, it legalizes contestation but without going to the end of its logic and draw all the consequences; based on forceful institutions, it gives to itself the means to impose its system but is reluctant to use all its prerogatives to enforce its authority.” (Raynal 1993, 70).

¹³ Niger’s security forces were, at the time, very much used to repressing demonstrations, especially students’ demonstrations, and their actions never resulted in mortal casualties. They were not supposed to use real bullets, but real bullets were fatally used on 9 February 1990, either by one or several security agents. The facts were never clearly ascertained. The president eventually had to discharge the head of the security forces, who resigned with the flustered remark that he was “responsible but not guilty.”

developments in neighboring Benin had led the Francophone elite of that country to organize a gathering which they called Sovereign National Conference, and in which they effectively changed the political regime of the country into a liberal democracy. This unprecedented event struck political imaginations throughout Francophone Africa. It was in effect a civilian coup d'état which took a form strongly echoing the French estates-general of 1789, the founding event of modern French – and by derivation, Francophone – political culture. It is in these circumstances that, in May 1990, *Haské* started to appear. The next month, the Nigerien president travelled to the summit of French and African presidents at La Baule and listened to Mitterand's appeals, breaking longstanding French policy, to follow the path of democracy in Africa.

The free press, the Beninese national conference and La Baule emboldened unions and associations' leaders into forming a consistent "Democratic movement," complete with meetings, demonstrations and strikes. In December 1990, the government ceded on all points: the principle of full multiparty representative democracy, and the holding of a national conference in 1991. However, in the process, other forces had started to emerge, which revealed by way of contrast the specific ideology of the Democratic movement: peasants, women, and Islamists. I will limit my analysis to the two latter groups, as they will become central to situations presented later in this chapter.

In May 1991, a commission was created to prepare the national conference. Presided by a union leader, it comprised 68 members, drawn from the workers union, the students union, business leaders, the newly created political parties, and government officials. All 68 members were men. The fact angered women's associations. On the day when the commission was to be officially installed (13 May 1991) women's associations organized a demonstration which

gathered several thousand women. They marched to the building which was to host the commission and stood in front of it while their leaders stormed into the hall where the installation ceremony was being held, and clamored for representation. Stunned, the members of the commission decided on the spot to grant five commission seats to women, and 13 May was later declared the Nigerien Woman's Day.

The event shows that the Nigerien Francophone elite, on the whole, was and is still not naturally inclined toward recognizing rights and representation to women, and that women in Niger knew they had to engage in gender-based political militancy in order to avoid systematic marginalization and civil degradation. On 13 May 1991, at the beginning of the democratic process, feminine interest gained a form of political consciousness which was to take many different shapes and to engage in many battles over the coming decade.

As I have shown in the background narrative, political liberalization started in Niger in the 1980s, and toward the end of the decade, freedom of association and talk of an impending evolution toward multiparty democracy had prompted members of the Francophone elite to create formal groups which might evolve toward becoming political parties. Characteristically, most of these groups were culturalist, claiming to represent, for the two most famous at the time, Niger's two major ethnicities, Hausa and Zarma-Songhay: these were the Mutualist Association for Cultural and Artistic Action (AMACA, with a constituency of intellectuals mainly from Zinder) and Energy of the West.¹⁴

¹⁴ On this specific point, it is worth noticing that all culturalists are Francophone modernists. Culturalism (a variant of nationalism) is, like liberalism, socialism and indeed nationalism, a modern ideology. When the electoral system will be installed, in 1993, non-modernist Nigeriens would vote in general on the basis of "ethno-regional" divisions. Since they do not consistently adhere to any stable culturalist body of ideas however, it is clear that this electoral behavior is due, rather than to the "primordial identifications" of "tribalism," to the fact that Francophone politicians fail to offer them a different electoral discourse.

Less well known was a group called the Islamic Organization Front (FOI) which was also set up in view to becoming an Islamist political party (the acronym FOI plays on the fact that the French word for “faith” is “*foi*”). When multiparty arrangements were finally enshrined in the constitution prepared by the national conference, they were limited, however, by a prohibition on both culturalist (“ethno-regionalist” in Niger’s political vocabulary) and religious parties. AMACA and Energy of the West dissolved into parties claiming conventional liberal republican ideals of democracy and socialism, while FOI morphed into the first formally recognized independent Islamic association, the Nigerien Association for Islamic Summon and Solidarity (ANASI).

ANASI had emerged from a tendency of Francophone opinion which had started to develop Islamist consciousness in the 1970s. That process had culminated with the impact of the Iranian Revolution of 1979. We have seen, in the previous chapter, that both the colonial government and the first Nigerien political regime considered Middle Eastern influence on Nigerien Islam a security problem. The first Nigerien independent government had however embraced Islamic diplomacy and sent students to the Middle East, while at the same time discouraging the intervention of Islamic missionary organizations from the Middle East in Nigerien territory. In part, this negative attitude was an organizational issue for the state of Niger, which did not have an instrument of control to monitor the activity of such organizations.

By establishing AIN, the military regime provided the Nigerien state with such an instrument, and missionary organizations from the Middle East were soon allowed into the country. According to Alfa Halidou Djibo, the earliest such was the Pakistani *Jama’at Tabligh* Islamic summon (*dawa*) organization, granted, in the mid-1970s, rights of presence and activity by the AIN, which had found that it was an orthodox Sunni group congenial with Nigerien Islam.

Many other *dawa* organizations (some with Middle Eastern funding and connections) were allowed into Niger from Northern Nigeria by AIN in that period.

The late 1970s was thus a time when interest for “better” and “more rigorous” practice of Sunni Islam spread into Niger, especially through the open door of Maradi, the country’s commercial linkage with Northern Nigeria. These currents reached younger Francophones in high schools, where Islamic youth clubs started to sprout in that period. The Islamic Revolution of Iran seems to have accelerated this movement among the Francophones. The fact that it was a Shi’a revolution limited the direct impact of the Iranian Revolution among the non-Francophones— and indeed, prompted wealthy Sunni powers such as Saudi Arabia to amplify Sunni *dawa* in an effort to counter potential Shi’a inroads in these Sunni lands. The Francophones, however, dissociated the Islamic Revolution from the creed’s radical divisions. One Francophone Islamic club member at the time was Ali Zada – later the founder of *Iqra* and a founding member of ANASI. His involvement with Iranian fairs and other economic interventions in Niger, as well as his constant favorable presentation of Iran in articles written for *Iqra* and, later, for the Islamist newspaper *As-Salam*, had led many in Niger to suppose that he is Shi’ite. When I questioned him on this point however, he replied: “Look, you know that Shi’a is a religious doctrine, which has its specific practices and celebrations. Do I indulge in those practices and celebrations? No. I indulge in Sunni practices and celebrations. I am Sunni. However, the truth of the matter is that the Islamic Revolution gave political pride to Muslims, it woke up Muslims, and made them see the link between political and religious actions.”

In 1991, therefore, there was a Francophone Islamist community which strove to be heard at the national conference, in the interest of Islam. They were barred from participation on the basis that the Nigerien state was secular – *laïque*. During the months over which the national

conference took its course, Islamist intellectuals organized several meetings at which it became clear that the central problem for the invigoration of Islam in Niger was that specific concept and the hold it had on Francophone political imagination: *laïcité*. Excluded from the conference halls, they organized in informal lobbying groups (often the nuclei of future associations) in order to press specific demands on such conference delegates who were their friends or colleagues, or otherwise personally known to them. The first general demand was that Niger should be described, in constitutional texts, as a “*pays musulman*” (Muslim country). While they insisted that the phrase “*Etat laïque*” (secular state) must not be adopted, all interviewees insisted that the point was not at the time to proclaim an Islamic state – because, as Mahamane Souleymane, *As-Salam*’s editor averred, Nigeriens were “not ready” for such an evolution. The identity of the state should be left blank on that matter, while the Islamic identity of the “country” (the nation, the society) should be recognized and asserted. According to Zada, secularist lobbying quickly emerged at the time to counter Islamist lobbying, and the early formulation, in the draft constitution prepared by a national conference commission, stated that the Nigerien state was *laïque*. This word angered Islamist lobbyists, and it is worthwhile to briefly elaborate on the reasons for this.

The squabble on the subject of *laïcité* was based on specific perceptions that the concept embodied a peculiar kind of positive, prescriptive secularism, branded, for shorthand, as “French” – and often opposed, by Islamist intellectuals, to Anglo-American secularism which is seen as a milder and passive kind of secularism, tolerable as such. This range of perceptions curiously and significantly parallels Western judgments about “radical” and “moderate” Islam. In a very similar way, Niger’s Islamist intellectuals view French *laïcité* as radical secularism, while all other Western secularisms are perceived as moderate. In interview responses on this topic,

Ismael Mohammed, the current secretary general of ANASI, consistently referred to it as a disease, stressing that he could not understand why Niger should be made to “*suffer from* laïcité.” (Incidentally, if Zada was a former civil servant, Mohammed was a private sector cadre working for the CFAO before its disinvestment in the late 1980s. It should also be noted that the CFAO is back in Niger today). *Laïcité* means, according to Zada, the radical separation of state and religion. This, he pointed out, “might be suitable to France,” but in the case of Niger, where society is deeply religious and where religion is overwhelmingly Islam, “radical separation of state and religion” effectively means “radical separation of state and society.” Concretely, it means for instance that while most of the civil life of Nigerien individuals (baptism, marriage, burial, social transactions) is governed by Islamic rules, the state voluntarily prevents itself from having any significant influence on it. It does not build mosques, does not pay imams, does not finance religious charities and Islamic education, in short, does not organize a regime of Islamic regulations and interventions which would allow it to govern Nigeriens in relation to their subjective life as determined by Islam. It gives up the principal basis of its sovereignty over Nigeriens.

This discourse became public in 1992, when the conference commission in charge of preparing the constitution started a sensitization campaign prior to the referendum which was to adopt it in December of that year. The three Francophone Islamist associations which were created in late 1991,¹⁵ together with AIN, presented a memorandum to the commission in September, requesting that the concept of *laïcité* be removed from all “fundamental texts,” that the phrase “In the name of God the Most Forgiving, the Merciful” be placed at the beginning of the constitution, that the constitution affirm Niger’s Islamic identity, that all government schools

¹⁵ ANASI and ARCI, which we have already met, and the Nigerien Association Summoning for Islamic Unity and Solidarity (ANAUSI).

have an Islamic education component in the curriculum, and that the presidents of the Republic, of the National Assembly, of the Supreme Court, as well as the Prime Minister, all be required to be Muslim. Wishes were expressed for the funding of religious public services by state taxation, the recognition that religion and politics are not separable and a consequent repeal of the prohibition on religious parties. The memorandum formalizes thus a demand for an Islamic democratic constitution which the associations thought was required by the specific circumstances of Niger.

The associations organized their own campaign in support of their memorandum, and mobilized enough crowds to impress the fragile transitory institutions of the National Conference. The constitutional commission reacted to the pressure by what was apparently a very minimal concession. All of the demands of the associations were ignored, but the inflammatory word *laïcité* was replaced by the awkward phrase *non confessionnalité de l'Etat*, i.e. “non denominational character of the state.” The gesture provoked, however, an outcry among other Francophone leadership communities. “This”, wrote a columnist from *Le Démocrate* (another recently created newspaper) “is not just a semantic issue. If the country relents under these pressures, they will tomorrow insist on the proclamation of an Islamic republic. We must remember that, in the name of some misty majority principle, they are already demanding that our political leaders be all Muslim!” (Frère 2000, 237)

While, in hindsight, Islamic associations leaders consider, today, that the removal of the word *laïcité* was a first victory, they were not pleased at the time that it should be replaced, in fact, by its definition. They encouraged Nigeriens to boycott the referendum. All Francophone modernist newspapers, on the other hand, urged Nigeriens to vote, and to vote for the constitution. After the referendum approved the constitution, both Islamists and modernists

claimed the prize of victory. Islamic associations pointed out at the high rate of abstention (45%), which was, they boasted, the result of their boycotting campaign, while modernist newspapers reveled in heroic sentences upon the 90% yes vote from those who did vote (and who were still 55% of the electorate): “I prefer dangerous freedom to inoffensive servitude! Thus spoke Thomas Jefferson (...) By massively voting yes for the Constitution this 26 December 1992, Nigeriens chose the redemptive storms, freedom and its dangers, over old servitude,” *Le Démocrate* beamed. “The Nigerien people won, that much is sure!” cheered *Le Républicain*. *Haské* happily confided that “the present constitution is the most democratic which the country has offered itself since independence.” (Ibid.)

In the period since that critical event, the Nigerien people have had occasion to adopt two other constitutions: in 1996, and in 1999. The constitution of 1996 was adopted following a popular coup d’état, and did not change the formulation – “non denominational nature of the state” – coined by the writers of the 1992 constitution. By then, the Islamic associations, which had registered tangible victories on other fronts, had come to consider the phrase as a “necessary evil.” (Garçon 1998). In 1999, a new formulation was adopted, which did not change the essence of the matter. In its article 4, which defines the identity of the state of Niger, “separation of state and religion” is one of the two fundamental points that were inscribed in the constitution. Article 8 reinforces this point by stating: “No religion, no creed can be permitted to seek political power or invade the affairs of the state.” These are pure Francophone modernist formulations. To counter such principles, Islamist lobbyists pushed through the idea of taking oath of office on sacred book or object, under the phrase *serment confessionnel* (“denominational oath”), which modernist journalists derided as a *serment coranique* (“Qur’anic oath.”) I will revisit this issue in the third section of this chapter.

What has become clear through these explorations, I hope, is the struggle between Francophone Islamists and Francophone modernists to define the identity of the state of Niger, and ascribe therefore the seat of sovereignty to either the God of Islam or Republican Principles of Right. The struggle, while solidifying the positions of both parties in anger and antagonism, compelled them to make concessions and modifications which have become integral to Niger's national public space. It also led both groups to develop specific political cultures which resemble and are influenced by the cultures of international Islamism and international liberalism, but which are also intimately produced by the Nigerien national public space. I now turn to a broad description of these political cultures, which I will illustrate with comparative concepts (such as clericalism) and topical issues (such as the "denominational oath" question).

Advents of the Clerical Society

Islamic associations leaders and Islamist intellectuals all concur: "democracy is good for Islam in Niger." "We are free to develop our point of view and advance the cause of religion, especially thanks to freedom of association and of the press," explained Mahamane Souleymane, editor of the Islamist newspaper *As-Salam*. Ismael Mohammed, ANASI's secretary general, characteristically noted that before 1991, both *laïcité* and Islam were not matters of contention: they were separately cultivated by the authorities for their own reasons and had no political relevance. Now, things have changed, mostly for the better for Islam. Such pronouncements seem to indicate that if the democratic turn of 1991 prompted the development of republican liberalism, it has also led to the progress of an unnamed phenomenon – for which the word "Islamization" has been tentatively, but uneasily used by some interviewees, and which I propose to call here "clericalization."

Alfa Halidou Djibo, treasurer of the AIN, entered in greater details about this process, in interview responses. With a longer view on the history of Islam in Niger afforded him by his life

occupation and his institutional positions, Alfa Djibo has constructed a narrative of Islam's progress in the country, with a clear historical overview and some analytical conclusions. I will start with his general analysis, before localizing my own conclusions in specific contexts in Niamey and Maradi.

In Alfa Djibo's narrative, three factors explain the development of Islam in Niger: the decline of animism, influences from Northern Nigeria and Mali, and economic progress. Up until political independence and in fact through the 1970s, animism – which he curiously calls *bid'a*¹⁶ – was predominant not only in Niger's countryside, but as an accepted fact of life more generally. The notion is confirmed by colonial government reports, the historians' consensus, and more significantly, the unimpressive efforts of the more ideological Francophone Islamists to establish historical Islamic credentials for Niger.¹⁷

For Alfa Djibo, poverty was to blame for that situation: there were no centers in which learning materials could be found to teach and spread the faith, and the harshness of rural life made it impossible, in the mind of the people, to respect outward Islamic prescriptions such as the ban on feminine physical labor in the fields or the purchase of covering cloth for women. But

¹⁶ The usual categories which reference animism in the Islamic vocabulary of the zarma-songhay language of Alfa Djibo are *cafaritaaray* (derived from the Arabic *Kafir*) and *sirku* (derived from the Arabic *shirk* and usually translated in English as idolatry). The Arabic term *Bid'a*, which is new in the language, is more commonly reserved to damnable innovations introduced by Muslims into Islam – and often supposed to be drawn from animistic practices. In Niger, the term is mostly used under the influence of Wahhabi orthodoxy to condemn specific Sufi practices. Alfa Djibo gave it therefore a much broader meaning on the occasion of the interview.

¹⁷ The contention is in particular developed by Djibo Hamani, one of the two most distinguished Niger's historians (in 1991, he had withdrawn his candidacy to the presidency of the National Conference in support for the other distinguished historian of the University of Niamey, André Salifou). On 20 September 2008, *As-Salam* fêted its ninth anniversary and on that occasion presented to the public, in a *vernissage* ceremony organized in collaboration with ANASI, Hamani's new book *L'Islam au Soudan Central: Histoire de l'Islam au Niger du VIIe au XIXe siècle* ("Islam in the Central Sudan: A History of Islam in Niger from the Seventh to the Nineteenth Century"). The ceremony was opened by a speech by *As-Salam* writer and younger history professor Boubacar Seyni Gagara, who underlined its significance by stating the proverb "As long as lions do not have their chronicler, hunting stories will be singing the praise of hunters." Interestingly, while Hamani has become an Islamist authority figure for the Francophones, his colleague Salifou is today an active diplomat for the International Organization of the Francophonie! So consistent are the bifurcations of Nigerien destinies along the lines of Islam and the Republic.

as Niger was becoming more affluent, and people were travelling more often to neighboring countries where Islam was more advanced, things changed.

The notion of a comparatively affluent Niger is significant here. Alfa Djibo certainly considers Niger as a poor country, but one which was much poorer in the past. There are now, he stressed, a far greater number of wealthy merchants, who activate the circulation of Islamic goods – among others – and who, in general, buttress their social status through Islam: they all necessarily perform the *Umra* and *Hajj*¹⁸ pilgrimages, and they very often found mosques and subsidize clerics and associations concerned with the advancement of Islam.

Upon his return from Iraq, Alfa Djibo had made a short trip to Nigeria, where he witnessed the vibrant Islamic associational life in Sokoto and Kano. Once back in Niger, he probed his friends on the issue of creating similar organizations, but was discouraged – not however on account of state surveillance as might have been thought, but because the established Islamic elite was then under the influence of the *Jama'at Tabligh* missionaries.

The *Jama'at Tabligh*, as they appear in Niger, could be best described as an anarchic monastic itinerant community. Starting mostly from Pakistan, they travel the Islamic continent “with their pots and their rugs,” staying in chosen places where they engage in mild missionary activity. The key strategy seems to be that of connecting with local individuals of notable clerical reputation, and engaging in conversations with them, avoiding theological hot points and insisting chiefly on the examples of pious, unencumbered lifestyle. The interest that their presence in any area draws usually leads then to the establishment of a *markaz* (Arabic: center),

¹⁸ These are the two pilgrimages to Mecca organized each year in the Muslim calendar. *Umra* is a lesser event than the *Hajj*. In Niger, the title one earns from coming back from the *Hajj* (*Alhaj* for men, *Hajia* for women, in Niger's languages) has a greater social connotation than a religious one: it is a title of distinction for wealthier person. Characteristically, although a person of little means may have earned the right to the title by performing the pilgrimage, he or she will not be called by it outside of the narrow circle of those who – friends or relatives – know about it. Conversely, wealthier people who may not have yet performed the pilgrimage are routinely called “*Alhaj*” or “*Hajia*” by most people.

which is initially only a resting place for them, and which soon grows into an informal Islamic cultural center, where various activities are organized: night classes of basic theology, conferences, preaching sessions, scheduled seminars.

Jama'at Tabligh missionaries reprove however the establishment of organized associations, which necessarily bring about hierarchy, problems of power allocation, and the ultimate social evil of *fitna* (Arabic: violent division). The early *markaz*, in the 1980s, attracted the attentions of those whom Alfa Djibo called the “uneducated wealthy,” merchants such as Himadou Hamani, Ali Mossi and Amani, in Niamey, who were inspired to endow them with mosques and perform patronage obligations – paying for *Hajj* pilgrimage for instance – for the most enlightened local managers of *markaz*. While that evolution was strengthening Islam among especially (but not exclusively) the non-Francophones, the Francophones (whom Alfa Djibo designated using the term *commis*¹⁹) were being stimulated by events in Algeria, where the Islamic Salvation Front (FIS) had won multiparty elections in 1990.²⁰ They created ANASI. Other associations followed suit, and today, he notes, Islam has never been so flourishing in Niger. The best marker of that success, Alfa Djibo enthusiastically indicated, is how much more learned women have become about Islam– doing better, on this score, than men, and being generally more intellectually courageous (*himma gaabo beyrey ceeci yon ra*).

¹⁹ This word, as I indicated in the previous chapter, was applied to the budding modernist class in the colonial period, on account of the menial office work at which they were employed. It is now a Zarma word – like similar words derived from Arabic (*alfaga*, e.g.).

²⁰ When I questioned Ali Zada on the influence of the Algerian events on his political outlook, he dismissed them, insisting again on the Iranian Revolution, and explaining that both his outlook and the FIS were consequent on that event. However, I personally recall that the Algerian events excited many among the younger Francophones in the late 1980s and certainly played a role in the establishment of the university Islamist association AEMUN. In retrospect, the Algerian events seem to have played, in relation to Francophone Islamism, a role similar to the Beninois conference in relation to Francophone modernism.

In its details, this evolution, as described by Alfa Djibo, outlines three sequences: a period when animism was prevalent, roughly corresponding to the age of colonial government; a period when mechanisms favorable to the spread of Islamic civil conducts emerged and were actively established, and corresponding especially to the years of military rule; and lastly, the current period, when Islam has become pervasive in the civil manners of urban Nigeriens and is poised to transform the backcountry as well. This evolution means that the contemporary period presents in fact a novelty in Nigerien history, the consolidation of a new culture which various concepts predicated on analyses of international Islam characterize as “reformist,” “Islamist,” “fundamentalist” or “radical Islam,” and which I call here “clerical.” This analytical concept is based on two observations related to situations in Niger: the first is sociological and the second, political. It reflects changes in Nigerien civil conduct and language, as well as ideological organization vis-à-vis the idea of *laïcité*, and both changes are intimately interrelated.

To better understand this, I propose to consider again Nigerien Islamist angst in relation to *laïcité* from the specific point of view of Francophone Islamists. The identification of *laïcité* with France is, to be sure, a parochial post-colonial notion, which could be easily contested by the fact that Islamist intellectuals in Anglophone Northern Nigeria also bitterly reprove secularism, in which they see the foundation of the West’s nihilistic culture (Ado-Kurawa 2006). Secularism in general is construed by religious ideologues from all three Abrahamic faiths as the antagonistic “other” which enables the definition of enemies, friends, and allies. But the modes through which this happens vary greatly depending on the context. Thus, it is safe to state that in Niger, the bulk of non-Francophone Muslims simply do not recognize the existence of something of the order of “secularism,” a realm of human life in which religion is not a relevant factor. They might identify alternative faiths (Christianity and Judaism in particular) and Islamically

objectionable rituals (those of animism), but the category closest to secularism which they identify is *andunia* (Zarma) or *dunia* (Hausa): “the world,” as the temporal realm inferior to but intimately related to the spiritual realm.

Francophone Muslims with no ideological orientation toward Islam, for their part, tend to consider *laïcité* as a form of practical arrangement which does not need to be questioned as such – even though Islam necessarily influences their social and political expectations. *Laïcité* allows them to privatize religion, in a way analogous to how the principle of national unity calls for the privatization of ethnicity. Religion and ethnicity are important factors in family life and social gatherings, but are considered invalid orientations on the national public space. The concept of *laïcité* translates into the theoretical language of constitution and law the practical governmental devices which assure this compartmentalization, with regard to religion. And it is precisely as “practical arrangement” (and not only as a form of “atheistic” philosophy) that Francophone Islamists find *laïcité* to be intolerable. In other words, as a form of secularism, *laïcité* is a philosophical attitude indifferent to Islam and deemed acceptable for non-Muslims. However, as a form of practical arrangement which preeminently allocates a specific, limited, niche for Islam, formally excluding it from the public space, it is a threat.

Paradoxically, this contrasted perspective is indicative of the fact that Francophone Islamists are a sub-group of the Francophone community, to whom they remain tied by connections of culture, friendship or professional confraternity, and the hegemonic ideology among Francophones is republicanism. When I asked Ali Zada about his relations with other Francophones who are active in rights-defending associations, he replied curtly: “*un mépris courtois*” (“polite contempt”). However, his own explanation of the rise of Islamic ideals in Niger’s national public space was twofold: first, the fact that, in his opinion, national culture is

best grounded in religion because of the way in which the latter fosters national unity (a stable Francophone republican concern), and second, the fact that socialism had ceased to be a living ideology in the late 1980s, while liberalism is not a positive social ideology. National unity and socialism (earlier embodied in the concept of “national development”) remain the key concerns, but Islam appears to be better suited to these ideals than liberalism. In this perspective, *laïcité*, which is perfectly congruent with liberalism, is a hurdle when it comes to the advance of Islam in the national public space. Therefore, while *laïcité* does reflect the letter of Francophone ideology, it violates its spirit, or in any case, its objectives, in the Nigerien context. Moreover, such is the case because of the evident French quality of *laïcité*, which is the product of a very specific history and, as such, is not reducible to secularism. This is not the place to present, even briefly, that history, but the nature of the malaise that the genetic origins of *laïcité* create in the new Islamic culture of Niger must be characterized if we are to more fully understand Nigerien clericalism.

Contrary to the English and American revolutions, the French revolution could be very concretely characterized – among other traits such as liberalism or radicalism – as a laic revolution. The revolutionaries did not lay their hands only on the monarchical system, they assailed the Church, temporarily replaced the Christian God with a philosophical Supreme Being partly inspired from Free-Mason principles, seized most of the properties of the Church, and expelled priests from the state in a move which disabled them to ever return to it on the old footing. Many Francophone Islamists, while they systematically frown on the free-mason connections of the French revolutionaries, in approve fact these actions, which were justified in their opinion by the oppressions of the Catholic Church in France; they have all read Voltaire and heard of the Inquisition. This points in any case to the fact that the French revolutionaries

rebelled against a specific organization, which claimed on society a power older and more fundamental than royal power itself. The organization – the Church – was staffed by clergymen who took charge of the entire civil life of the laity from baptism to funerals through the various sacraments which dotted a Christian life, as well as the specific procedures which purified the Christian from sin and prepared him or her for true and eternal life after physical death. As such, the clergy ruled lay society – and it is not coincidental that the words “lay” and “laic” derive from a Greek word, *laikos*, which means “of the people.” The layman is an individual element of the group over which the clergyman has authority, by virtue of the care that he takes of his soul. In this sense, laymen and clergymen are distinct, and, in the relations of power which bound them together, opposed as rulers and ruled.

In the opposition between laymen and clergymen, the former were the impotent ones, in Ancient Regime France. Laymen were not organized outside of the relationship with clergymen, in view of ordering their civil conduct on the basis of non-religious principles. They paid taxes (the tithe, the oldest fiscal arrangement in France and Europe) to the Church, had to be deferential toward clergymen, were lectured and conducted by the latter, who were invested by the Church with the power to survey their conduct and chastise their failings. Clergymen were trained in colleges and convents along the lines of stringent curricula, and were inducted in exacting hierarchies. They were thus prepared to guide Christian souls and manage the moral bonds of society, using long-standing instruments, sometimes physically violent in nature. Justice was meted out to them through courts independent from the royal state (in France, the *officialités*) and their estates were governed by rules (*mainmorte*) which proscribed alienation. The Church was not quite a “state in the state,” given the careful formal and informal arrangements which, over the centuries, subordinated Gallican prelates to the French king, but it

had relations with society that were strikingly similar to those that the state itself had with society: it controlled specific governmental regimes through a parallel administration, which was at the same time national and international. The governmental authority of the Church was based on Christian spiritual doctrines, and clergymen were accordingly supposed to conduct a specific lifestyle, in imitation of Jesus Christ. That lifestyle translated – among other things – in practices of soft manners and speech, and more conspicuously, on the cultivation of a certain physical appearance: in eighteenth century France, short hair and long vestments for men, for instance.

The revolution which started in France in 1789 was therefore two-pronged: subjects rose against the king, and the laity against clergymen. Political clubs and societies organized Frenchmen not simply as subjects freely voicing their political aspirations, but also as laymen freely voicing their religious ideas or lack thereof – a situation well-documented two decades later by the Muslim visitor Al-Tahtawi, and which struck him as particularly difficult to explain to Muslim readers. At any rate, through the word *laïcité*, the French gave an abstract noun to their rebellion against the Roman Catholic Church. The word expresses the prescriptive modern value of resisting the power of the Church, just as “liberty” expresses the prescriptive modern value of resisting the power of the state – and in France, it ended up being wielded by the revolutionized state against the Church. In places like Niger however, it was bound to have very different effects, ones which, I argue, are almost the reverse of the historical logic which brought it to life.

The lands of Islam, in their variety, never quite knew a phenomenon comparable to the Catholic Church: a two-millennium old international organization of religion with rights of taxation and powers of control and government over society. The Sufi orders, in both Sunni and Shi’a Islam, present some similarities, but they are plural and can be, at least in theory, entered

or left virtually at will. Moreover, they do not have governmental regimes coextensive with lay society, as the Catholic Church theoretically does. Each Muslim community has clerics, and in certain circumstances, there is organization and functional hierarchy among clerics – usually under the influence of a temporal court or a university. But the boundary between the clergy and lay society, which is critical to the self-definition and the authority of the Church, never existed in Islam. Varieties of clerical conduct certainly exist, exhibiting certain symbolic traits which are similar to those generally found within the Church – for instance soft speech, reserved manners, long vestments. But the adoption of a clerical lifestyle is a matter of personal quest, rather than being a process controlled and sanctioned by an established church. In short, everyone, in Islam, is potentially a cleric, and the notion of a rebellion against clerics does not fit into the logic of Islamic processes in this domain. The concept of *laïcité* forces Muslims to think of their religion as if it were governed by a church organization, and my contention is that it actually stimulates the creation of clerical organizations as a method of resistance to the problems which it poses.

This argument needs to be nuanced, of course. Clubs and societies for the advancement of Islam started to appear in nineteenth century Middle Eastern countries not in reaction to secularism, but simply because such kinds of popular congregations of people, complete with general assemblies, commissions, executive bureaus, minutes and brochures, had become the prevalent method for organizing collective action in the world of modernity. If these kinds of associations were, in France, overwhelmingly secular in philosophy and orientation, they were very often based on the Christian religion in Western countries dominated by Protestant doctrines. However – and the difference between France and Protestant countries is important to note here – the Francophone situation is special. We have seen the reluctant usage of Islamic instruments by the first independent Francophone regime of Niger. We have seen also that the

military regime established an Islamic association in order to shape and control Islamic practice and expressions in the country. The military regime upheld *laïcité*, but the powers it allowed the AIN to develop were a step away from the original French practice of that principle. The AIN was apparently submissive to the state, but through its structures and functional logic, it evolved an independent constituency, which, for instance, backed its resistance to the first Family Code idea launched by the state-sponsored women's association (AFN) in the late 1970s, or to early family planning proposals in the 1980s.

On the one hand the French logic of using *laïcité* to control organized religion had little bearing in a space where there was no organized religion, and on the other hand this very lack of organization was intolerable to an authoritarian governmental regime which wanted substantial control of any important element of national life. It was implausible for the state to consider Islam as a threat to *laïcité*, given the fact that it was not strongly and visibly organized: measures to organize it were therefore considered as rather innocuous in this respect, and were taken given their political utility. But the policy, which essentially gave birth to AIN, led to the emergence of a potential threat to *laïcité*. Under the military regime, the state had some authoritarian means to control such threat. Even so, it is to be doubted that the upholders of *laïcité* in the military regime could prevent the AIN from becoming, on the dual basis of state administrative power and clerical moral prestige, a kind of Islamic established church in Niger. The association, for instance, succeeded early on in making of its seat in Niamey, close to the Grand Mosque offered by Libya and inaugurated by the "Muslim President Seyni Kountché" (as a commemorative stele proclaims it in marble), a full-blown governmental instrument. Staffed with clerics who belong to a number of illustrious clerical families, wear robes and Saudi-style headgears and burst into lively exchanges in classical Arabic when they meet, it is a central justice court for all kinds of

family issues, holding hearing days, conducting conciliations on the basis of *fiqh*, delivering divorce certificates, and resolving through an extensive network of religious judges throughout the country countless conflicts which reach neither customary chiefs, nor state justice courts. This was achieved thanks to AIN's unobtrusive parallel administration, subordinated to the state, but also deriving strength from a broad constituency.

In this way, AIN in fact set a model which was followed by Islamic associations after 1991. If main Friday mosques in all important localities are controlled by AIN, the newer associations, with the support of merchant patronage and Middle Eastern charity, have developed their own network of mosques and clerics. ANASI, for instance, is seated in a privately built mosque named after the nineteenth century Islamic revolutionary Usman dan Fodio. While the newer associations do not have the privilege of justice administration left by the state to AIN – illegally, insist state judges – they have their own techniques of conflict settlement, and consider themselves – as Zada stated about ANASI – as “intermediaries between the state and society.” This mission statement implies both having access to the state, and organizing resistance to such policies that the state may pursue that would be contrary to the tenets of Islam. Since the state is *laïque*, it is not, in principle, beholden to Islam, and the weight of the latter must be impressed upon its officials at certain junctures. This is achieved on an ordinary basis through organizational development. Formal associations thus attempt to be as “national” as possible. Typically, they will have a national Islamic committee in Niamey, a regional Islamic committee in each region, down to the local Islamic committee in the *canton* or the commune, and the *makaranta* (Qur’anic school) in the rural commune, the *groupement* or the village (we have seen the ARCI affiliated *makaranta* in Shadakori in the previous chapter).

This organization, which closely duplicates state administrative subdivisions, is obviously achieved to the end only by the better funded or better connected associations – and its expansion is the closest measure of their power, in the absence of public records. Moreover, Islamic associations position themselves not only in distinction from the state, but also from rights-defending associations. During research, my conscious, repeated efforts to elicit the assertion that they are both part of civil society, when interviewing both members of Islamic associations and members of rights-defending associations, systematically resulted in the same uneasy silence. The fact of the matter is that although liberal social science may conceptually include Islamist groups in civil society, no one in Niger considers that they are an obvious part of civil society.

This is concretely signaled by the fact that the types of associations considered to constitute civil society in Niger – and which will be studied in the next section of this chapter – identify with *laïcité*, mobilize around issues which often leave Islamic associations indifferent, and pursue agendas which are often adverse to those of the Islamic associations. So, rather than forcing Islamic associations into the category of civil society, I argue that they altogether form a different associational community which I call clerical society. The characterization derives from the opposition to *laïcité*, the methods of organization and constituency-formation, the implicit and explicit social and political agenda, and the specific mode of clericalism characteristic of Islam which ignores the Roman Catholic opposition between laymen and clergymen and postulates therefore that the entire society could become clerical. Thus, even though Niger's clerical society is not coextensive with Nigerien society, its ultimate objective is just that: the comprehensive clericalization of Nigerien society.²¹

²¹ Of course this deduction should be related to the fact that the civil society, on the other hand, aims for its part at *civilizing* (on the basis of modernism and secularism) Nigerien society!

In this light, it appears that the associations are only formal expressions of a greater social movement, which they represent to an extent. I call it here clericalism, to stress in particular its concern for a certain type of personal conduct, suffused with quotidian religiosity, and for the acquisition of rigorous and sophisticated Islamic learning. Outsiders, both in Niger's lay society and in the international scholarly community, view this movement essentially in terms of "Islamic radicalism." The vehicular terms in Niger are *intégrisme* (French) and *Izala* (local languages), which both refer to Islamic expressions which strike lay subjectivity as rigid and obtrusive: covered women, bearded men, and irate objections to the West and to sexual freedom. These perceptions are fragmented. The principal aim of these groups is to lead orthodox Sunni lives, and that goal was first expressed in terms of purification from heterodox conduct. For instance, if lay Nigerien society summarizes these and other traits by the word *Izala*, it is owing to the fact that the first name which upholders of Sunni orthodoxy gave themselves in Niger was that of *Jama'at Izalat al Bid'a wa maqamat al Sunna* ("The People who excise innovations and strengthen Prophetic Tradition"), shorthanded as *Yan Izala* in Hausa, *Izala* in Zarma and *Izalistes* in French. However, while that movement was indeed almost the only representative of Sunni orthodoxy in Niger in the 1980s, it has become today a rather outmoded self-definition in Nigerien clerical society – where it is now often described as foreign and Nigerian.

The movement appeared in effect in Niger's urban settlements which lay close to the Nigerian border, especially Maradi, in the late 1970s. Founded and organized in Northern Nigeria, it blends the historical influence of Dan Fodio's Jihad with the contemporary influence of Wahhabism, and became salient as the doctrine suitable to the times of hardness and competitive acquisitiveness introduced by structural adjustment and the triumph of liberal economics. Its common tenets are salafist in nature, gesturing toward the restoration of original

Islamic justice and the imitation of the Prophet's character and actions (*Sunna*). As such, *Izala* must identify all rites and practices that might be considered innovations (*bid'a*) in relation to that early period, and which may preclude the proper imitation of the Prophet by making of him an object of adoration – as do Sufi orders.

This quest to become lawful Muslims (*muminin*) is moreover a personal effort (inner Jihad), which, as such, creates the worth and merit of the individual engaged in it, irrespective of age, status, and gender. The notion of personal effort and merit in turn shores up acquisitive individualism and the rejection of sumptuary social expenses. Baptisms and marriages among the *Izala* are swift and cheap, in a general context where such ceremonies are necessary occasions for conspicuous consumption.

These general principles imply painful breaks from established manners and attempts at reforming people's conduct which, indeed, had to be radical. Hence a number of local conflicts, generally short, but some of them quite violent, which dotted the 1980s in Niger, and in which the state commonly took side with mainstream practice. In 1991, however, the *Izala* movement was sufficiently settled in Niger to apply for an association, when freedom of association was established. It is only in 1993 that the application was approved, leading to the creation of the Association for the Diffusion of Islam in Niger (ADINI Islam). This opened the doors to the organization of dozens of other associations and clubs, some – fewer in number – recognized by the state, and most only known as local groups which gradually worked out the typical environment which I will call here a clerical space.

The clerical aim of becoming a *muminin* through personal and mutual education is reflected, at a basic level, not so much by formal (state recognized) associations as by the emergence of specific clerical spaces which associate a *markaz* to a mosque and wealthy patrons

(usually merchants). These spaces are marked by the use and learning of the Arabic language and by the elaboration of specific social codes and individual manners inspired chiefly by aestheticized perceptions of Arab culture.

In the basic organization (the *markaz*), functions are assigned to individuals through a method of consensual designation based especially on reputation of learning and matrimonial status. The latter point appears to be extremely important, as higher functions are systematically reserved to married men and women. Functions commonly bear Arabic, and not French or local names: the chief manager of a *markaz* is thus an *Amir*, and his assistant a *Na'ib*. A secretary must be called a *Nanzir*. *Markaz* are policed by uniformed men called *agaji*. Increasingly, in these contexts, even the word for “mosque” tends to shift from the usual local terms (Zarma *jingaaray*, Hausa *masalaci*) to the Arabic *masjid*. Sartorial habits favor headgears spotted in the Middle East, and preferably in Saudi Arabia, a flowing robe for men, an ampler one, of dark or gray hues for women, and short pants for men. There is no uniform prescription however, and clerical appearance is as open to fads and the effects of class differences as is the modernist one. In 2006, for instance, a small cap, embroidered on the sides with stylized columns evoking a mosque, was all the rage in these circles, among especially young men with some formal school education and lower urban social class background. The caps, which came in many colors, were believed to be imported from Saudi Arabia, although systematic checking on the part of this researcher revealed that they were made in China.

The Arabic word *ustaz* (“teacher” and usually spelt in the French way, *oustaze*) which, previously, had no currency in Niger outside Arabic classes in state formal schools, is now borne by score of young men, in replacement of the indigenized *alfaga* and *malam*, still preferred by older Muslim clerics. But significantly, if *oustaze* tends to be the fashionable word for younger

clerics, a feminization of *malam* – *malama* – has become widespread to denote the emergence of a novel phenomenon: women clerics.

Generational rift is also characteristic of the fact that this is a new culture: religious learning, in theory, procures, in these spaces, more social authority than age and status, which are still paramount in the non-clericalized spaces of Nigerien society. I was personally harassed by a younger man, important in a *markaz* in a Niamey neighborhood which I must leave unnamed, and who insisted that I should pray when I visited him. He developed several arguments to persuade me to do so and failed to see the weight of my objections. His rhetorical challenge was extremely well constructed, and was not based on simple injunctions. At a loss, and reluctant to expose my purely laic motivations, I ended up falling back on the rather non-clerical challenge: “After all, you are younger than me and should accept my word!”²²

New words and new manners signal a new culture, or at any rate, modifications in the existing culture, which might transform it into something else. These clerical spaces offer potent avenues toward such transformation, while enabling observation of the ways in which it is occurring. However, it is not easy to give a statistical sense of their weight, owing to the fact that they are, in their greatest number, inherently fragile. Many crop up at a time only to dissolve a little while later. Organized on the basis of disinterested enthusiasm, they easily hit the shoals of an economic context dominated by poverty and its disabilities. In the triangle *markaz-masjid*-merchants, the moneyed element, the merchant, tends therefore to play the role of the anchor, but

²² Conversations with this man – a student of economics in Sudan – clearly showed me that he was neither *Wahhabi* nor *Izala*. He was quite contemptuous of Saudi Arabia and the Arabs more generally, he admired Western knowledge and thought that, in general, Islam should not be “mixed with everything,” in particular, with economics. He loved both the French and English languages, and showed me great personal affection because he had heard of good deeds from me. I approached him as I was developing my insights on the subject of clericalism and as he did fit most of the criteria I had at the time: sartorial appearance, knowledge of Arabic, activity in a *markaz* (he was simply a guest lecturer, since he was to return to Khartoum) and solid convictions in Sunni orthodoxy, similar to those of the *Izala*. Yet he was clearly of modernist, and not salafist orientations.

appears also to be the weakest link. The single common lament I heard from members of the “Young Muslim Clubs” which are generally at the origin of these spaces is the difficulty to secure the consistent merchant sponsorship necessary for the financing of their activities. These typically include the scheduled organization of conferences, sermons, preaching and seminars (i.e., periodical series of nightly religion classes lasting usually for a week), a program of *dawa* (preaching expeditions, often in the countryside) and the desired participation in the event which is symbolic of Niger’s new clerical culture, the *Wa’azin Kasa* (Grand National Sermon) organized each year in a different locality of the vast national territory. With good sponsorship, a *markaz* will be able to invite the most celebrated preachers, to secure better facilities and material for classes, organize greater numbers of *dawa*, and send delegates to the *Wa’azin Kasa* and other grand religious gatherings in neighboring countries.

Merchant patronage cannot cope with the demand, which is large and growing. On another account, dependence on merchant money is an effective threat to the emerging clerical culture. Merchants are usually older men, with high status but scant religious knowledge (the “uneducated wealthy” of Alfa Djibo): the *oustazes* are however compelled to court them, and to bow in this way to age, status and ignorance, in contradiction to the key assumptions of clerical authority. This is at the same time stressed and mitigated by another key tenet of the new culture: self-reliant individualism. Indeed, a key theme of the vindication of true clericalism is the rhetorical opposition between the “hardworking cleric” (concept of *kokari*: “courage in labor”) and the “vestibule cleric” (Hausa: *malamin zawre*) who waits in the anterooms of the rich. In the rhetorical tropes of sermons, the first concept (*kokari*) localizes the conception of lawful Islamic conduct as inner Jihad.²³ Stoic virtues of love of work (and here, menial and dirty work is often

²³ It also plays on Sahelian virtues of endurance necessitated by the harsh environment: in the early period of independence, when education was being “Africanized” or rather, here, “Sahelianized”, a popular reading manual

showcased) and repression of violent sentiments such as reactive anger or peculiar attachments are stressed as freeing the individual from the traps of society, of the world (*andunya, dunia*). In contrast, the *malamin zawre* is accused of being a corrupt courtier, who makes a living by exploiting the weaknesses (credulity, greed) of wealthier people. In this process, moreover, the *malamin zawre* must found his power on the notion that he has control over mystical forces which distinguish him from other people. Although the possibility of such control is recognized by the *oustazes*, the point remains that it is asserted for purposes of personal enrichment – and in many cases, it might indeed be false. In any case, plain adherence to Islam does not condone involvement with mystical forces in the pursuit of riches; hard work and commerce are the lawful method.

Two important sociological consequences of this configuration must be pointed out here before we go any further. The first consequence is that the bulk of participants in the Sunni orthodox movement are urban workers, people living by a variety of petty urban trades: small shop owners, mechanics, manual workers, butchers, barbers, and other similar occupations. Among those who were most active in the development of the movement in the 1980s, Maïkoréma Zakari (Zakari 2007) mentions, in Niamey, Yahaya Mohammed, trained as cleric in Northern Nigeria, and a watch repairman, Aboubacar Mossi Maissajé, a refrigerator repairman, who turned the courtyard in front of his house into the earliest *Izala markaz* in Niamey, and in Maradi, Shaibu Ladan, second hand auto parts retailer. All of these men were connected to merchants who, in the 1980s, were not all very wealthy: the Kasso brothers (Alhaj Amani and

issued by the government was titled *Alfa Kokari*. But characteristically, that title was secular, and simply meant: “Mister Courage,” “Sir Resilience.” Most Nigerien ethical concepts have dual Islamic and secular currencies, and by ignoring this, it is easy to fall into essentialist traps.

Alhaj Buzu), Alhaj Issa Shago. In Maradi however, the movement found a very wealthy and purposeful patron in the person of Alhaj Rabé dan Tchadoua.

A quite characteristic case, in Maradi, is that of *Oustaze* Yacoub, whose story in a sense summarizes the causes and characteristics and the trajectory of Nigerien clericalism in recent decades. Yacoub is Francophone, or rather, has a Francophone past. I met him in the vast courtyard of one of the newer Maradi mosques, product of merchant patronage and bearing an illustrious Arab scholarly name, Ibn Sina. He is a tall, slender, soft-spoken man wearing a white robe and the Bedouin keffieh, and sporting a long beard. The interview was held entirely in the Hausa language, as we reclined on a mat, in the shade of a neem tree. I met him as the director of the primary school in the Franco-Arabic educational complex *Moufida al-Islamiyya* (“The Useful Islamic Institution”), founded by Rabé dan Tchadoua in 1989, but it is only when I asked him about his occupations prior to working for *Moufida* that I understood that he is – or used to be – a Francophone by education. He earned a *baccalauréat* degree from one of Maradi’s high schools in 1983 and was sent to Senegal to study veterinary science at the Inter-State Veterinary School of Dakar, with a scholarship from the state of Niger. But he left after a year, “because I became greedy for the learning of Arabic and religious knowledge.”

Returning to Maradi in 1984, he wished to become the student of a Sunni orthodox (*Ihya us Sunna*) master, and heard that there was only one worth frequenting in the town at the time: the abovementioned Shaibu Ladan (now deceased), who ran an auto parts business at the town’s main bus station. He never succeeded in meeting him however and left for Kano, in Nigeria, after a few weeks – beginning therefore a typical career of *neman ilimi* (knowledge research) as still practiced in Niger at the time.

This led him from Kano to Lagos, to Lomé (in Togo), back to Maradi, and then on to Khartoum, in a period of three years. During that timeframe, he supported himself mainly by doing odd jobs, including shoe repairing and polishing, pot-making, masonry, agricultural hand, bonnet cleaner, and a few others. The thoughtful attention with which these menial employments were mentioned at each specific junctures showed the specific kind of pride that *oustazes* usually take in their character-building process. After his one year stint in Sudan, where he was attracted by the African Islamic Center which refused to take him on the basis only of his *baccalauréat* (and which recommended that he should try his chance at the newly created Islamic university in Say²⁴), he returned to Maradi in 1988, and having heard that dan Tchadoua was recruiting teachers for a modernized kind of Qur’anic school, applied for the function on the basis, again, of his *baccalauréat*. He was hired. At the time, the school consisted of three classes, and catered only for first level students: CI, “elementary instruction,” as it is called in the secular schools, and as the founders of *Moufida* purposely called it, to distinguish it from the conventional Qur’anic schools. His task was to give elementary Arabic classes and elementary Qur’anic exegesis.

In 1990, the Kuwaiti government awarded him a scholarship to study in a Kuwaiti college, but Kuwait was soon thereafter invaded by Iraq and the scheme fell through. Another opportunity to study in Yemen failed owing to administrative problems (lack of entry visa into Yemen) encountered at a connecting airport in Saudi Arabia. It is only starting in 2000 that he and some friends managed to go through a four-year course of Islamic studies at the University of Khartoum, without scholarship, but with a full tuition waiver from their college.

²⁴ Thus do we return to some of the details and locations of the story of Alfa Halidou Djibo’s own “*beyrey ceeci*” (Zarma for “*neeman ilimi*”). The career of Cheikh Boureima Abdou Daouda, whom we will meet in the next chapter, is more closely similar in terms of the evolution from Francophone education toward clerical subjectivity.

In 2004, he thus returned to Maradi with a Masters in Islamic Studies and was appointed director of *Moufida* primary school. Between 1989 and 2004, the school had developed impressively, and comprises today a primary school with all the six levels of the Nigerien school system, a college (secondary school) and a high school. *Moufida* is integrated into the Nigerien educational system as a formal private educational complex, with a denominational curriculum tacitly accepted by the state (officially opposed though it is to the teaching of religion in formal schools). The main course personally taught by *Oustaze* Yacoub is indeed *Tarbiyya* (Islamic instruction), which comprises *Sira* (lessons from the life stories of Muhammad and the *Sahabs* – his companions), Qur’anic exegesis and *Fiqh* (Islamic jurisprudence). This is a classic Sunni orthodox curriculum.

The career of *Oustaze* Yacoub outlines the ultimate logic of the development of clericalism in Niger. The influence of Sunni orthodoxy, which started to be felt in Niger’s high schools in the early 1980s detached him from secular, modernist education, even despite degree-sanctioned success and scholarship, to launch him into a life of quest and hardship. Through these years, he forged his character on the basis of self-reliance and the understanding of the Salafic sources of Islam. He then returned to the fold, with learning and experience, to better participate in an enterprise of clericalization which has virtually made of his tribulations in the 1980s a tale of antiquity. *Moufida* and similar schools have created such an entrenched clerical social space in today’s Maradi that when I asked *Oustaze* Yacoub about developments in Northern Nigeria – the previous beacon of Maradi’s Islamic knowledge seekers – he exhibited indifferent lack of information. He is more occupied in participating in *dawa* excursions in Maradi’s backcountry, in order to contribute to the spread of Islamic manners and clerical conduct there, as well.

The second sociological consequence of clericalism is the professionalization of certain clerical functions, paramount among them: preaching. *Muminin* intervene in the public space, in normal circumstances, openly through preaching, and covertly through a practice called in Niger *shawara* (from the Arabic *shura*), an exchange of counsels, a private conference. *Shawara* is the preferred lobbying method of Islamist leaders when opposing or pushing through certain decisions at the National Assembly, and is rather secretive.

Preaching however is a public performance, which has become the key way of reaching all Nigerien social spaces. If schools such as *Moufida* instruct children and young adults, and if *dawas* target specific groups – mostly lower urban orders and country folks, with the exception of the University of Niamey where colleges and departments receive *dawas* – preaching targets everyone who understands any of the three effective Nigerien national languages, Hausa, Zarma and French. Preaching in French is no longer uncommon, partly under the influence of the Swiss scholar Tariq Ramadan’s widely circulated preaching tapes, but Hausa and Zarma remain the dominant preaching languages. The situation evolves rapidly, but the word “preaching” is applied here to several kinds of performance which vary in duration, and also, to some extent, in nature. Conversational preaching is the most typical: after a detailed and generally lively lecture on a certain topic, the preacher responds to questions and engages in discussion with the audience, telling and receiving anecdotes and playing on a range of rational and emotional outlooks. We shall see an example of this in the next chapter. This is almost always an after dark event, with sessions sometimes open only to women – even if men are not formally prevented from attending. Others are “seminars”, that is to say sessions of topical lectures developed over a few days. But the type of preaching which is most effective is in the form of radio shows, where the preacher interacts lively with callers and is heard across the board in a large radius around the

radio station. Preaching genres and occasions cannot be exhaustively listed, especially because the clerical movement is still at a very creative stage; I give these details only to show that preaching has become an abiding and rigorous affair, which leads toward professionalization.

Because of the demands in mastering one's speech, timing one's performance, and satisfying on the spot a variety of queries and expectations, preachers have professionalized their methods, and the most celebrated among them derive substantial profits from the activity. In theory, preaching is a gift from Muslim to Muslim, and preachers do not receive fees or rewards. But money reaches their purse through some appropriately decent channel. This explains why the members of a young and poorly sponsored *markaz* in one of Niamey's popular neighborhoods could not, as they told me, afford certain preachers, even as, they insisted, they will "not take money from us."

Arguably the most famous Hausa-language preacher in the period of research is Malam Falalou, whose name started to become nationally famous after his alleged participation in Maradi's FIMA riot. Malam Falalou is a high school dropout who surfed the mounting wave of Maradi's clericalization in the 1990s and has become today a celebrity in Niger and in West African countries with large Nigerien communities (such as Ghana and Cote d'Ivoire where he travels several times each year). His preaching sessions in Maradi or Niamey attracts large crowds, and their taped records are instant street best sellers. His style is mordant and warmhearted, and is especially seductive owing to the personal attacks on Niger's current president in which he indulges since at least the election of 2004. Malam Falalou has risen in any case from the destitute popular neighborhoods of Maradi into visible ease and affluence, marked by a large home, two wives and a busy schedule which stalled all my attempts at interviewing him. This ascent is quite rapid, since the man is in his mid-thirties. Moreover, his Zarma-

language equivalent, Alfa Abdel-Aziz, and him are both noted for their groomed good looks, which is openly appreciated by many among the women who attend their preaching sessions. All of these details reveal professional care and ambition. Preachers like Malam Falalou, Alfa Abdel-Aziz and a number of others must perhaps become wealthy, given the fact that they are also nuclei of economic opportunities. The intense merchandising which develops around their performance and productions is not copyrighted, but much of it is controlled by their friends, and their success attracts donations from wealthy admirers.

Professionalization of clerical functions entails also that an older barrier of Islamic clericalism has fallen in this context: women preachers have carved a space in the lecturing market for themselves. The entrenched Nigerien masculinism and the preference of Sunni doctrines for gender-specialization ensure that their recognized public is feminine: but radio waves are gender-neutral and their voice, in that way, reaches everyone. Malama Zaharaou, a daughter of the founder of the *Tijaniyya* order in the town of Kiota and Malama Houda, a woman of Egyptian origin who came to Niger as the wife of a Nigerien graduate from the Al-Azhar University, are the most famous in the country. This detail is important in that it seems to point to the fact that while the *oustaze* may come from every walk of life and indeed tend to emerge from the lower orders of society as we have seen, their feminine equivalents tend to come from more well-to-do classes. Malama Zaharaou's social milieu is spectacularly opulent,²⁵ while Malama Houda is married to one of the higher cadres of the Franco-Arabic educational system,

²⁵ The *Tijaniyya* order of Kiota branched off from the Niassene *Tijaniyya* order of Senegal and has replicated, in that Nigerien region, the characteristic organization of the Senegalese Sufi congregations. This in particular entails specific mechanisms of wealth extraction, accumulation and redistribution, described by Suret-Canale in their historical dynamism (Suret-Canale 1962) and by Villalón in their political intricacies (L. A. Villalón, *Islamic Society and State Power in Senegal: Disciples and Citizens* in Fatick 1995), which, among other things, supports princely lifestyles for the *Khalifes* (as they are called in Senegal, although in Niger the word *Cheick* is preferred) and their close dependents. Malama Zaharaou is also currently a university student in Sudan, while assuming official functions in the newly created High Islamic Council of Niger.

who now lives in retirement, with her, in one of Niamey's suburban – in the American sense of that word – neighborhoods, Kwara Kaano (Zarma: “the Delightful Quarter”).

In about fifteen years, clerical culture has therefore emerged in Niger's public space, at first shocking the dominant group of the Francophones as “*intégrisme*”, and today normalized as a stable, generally unobtrusive and growing presence in that public space. In the concluding section of this chapter, I will show that the category-oriented description that I had to make here does not mean that the phenomenon is monolithic and autonomous. It presents in fact some crucial divisions, and is dependent on shifts and evolutions in other Nigerien public spaces and in the international world. Moreover, despite its impressive strides forward, it remains inferior in many respects to the Francophone civil society in terms of governmentalizing the country. Before we could draw firm conclusions on these and related arguments however, I must provide a general sense of the Francophone civil society and of some of its key perceptions of clerical society.

The Guardians of Right

An interview response which I encountered at least twice from Nigeriens who are conversant with both Islam and liberalism – namely *As-Salam*'s editor Mahamane Souleymane and the University of Niamey Islamologist Moulaye Hassane – is: “But Islam is liberal!” The statement was explained to me in more detail by Moulaye Hassane, in the following manner: Islam has no fixed legal codes of justice, but rather judicial schools of thought, which provide examples and methods, not rigid prescriptions. This means that Islamic public government is by definition minimal, and its sovereign principles, negative. Islamic public government must provide the infrastructures which render Islamic individual conduct possible, but the only rules that it must enforce are those which preserve social peace (the avoidance of the ultimate problem of *fitna*). These include and are, in his opinion, limited to “blood crimes” and administrative

corruption. All other rules and prescriptions belong to the wide sphere of private government, that is to say to solutions found in transactions between individuals mediated by an Islamic judge, cleric or any truly learned faithful, whose task is arbitration and counsel, rather than sentencing and enforcement. The former procedures are oriented toward alleviating resentments and therefore preserving peace, while the latter allocate “right” and “wrong,” thereby feeding pride and humiliation, the two emotional sources of social discord. The basis of private government is the system of rights and duties which constitute the *Shari’a*, as well as the moral bonds which these create among the members of a community. As a result, while the state must be strong in its organization, the scope of individual freedom in relation to it is extensive and individual relations in society are ruled by a moral system which finds authorized voices in learned individuals, not in public codes and institutions. In contrast, Niger’s lay associations, which want the state to adopt prescriptive codes that it will have to enforce, on the adversarial bases of “right” and “wrong”, are not as liberal as they may think.

These interview responses were shaped by the fact that I used the term “liberal” in my questions. But the word is in fact uncommon in Niger’s public vocabulary, and laic Francophones do not claim to be liberal. This point, as well as the relevance of Moulaye Hassane’s explanation of Islamic liberalism (which I have considerably condensed), are not as slight as they might appear at first blush. Nor is Hassane’s argument about Islam being more liberal than Francophone republicanism as paradoxical as it might sound. Certainly, his take is about a specific conception of Islam which is predominant especially among non-ideological Francophone Muslims. But it does have some strong historical and practical justifications, and in any case, the opposition that it stresses between Islam and Niger’s republicanism in relation to

liberalism uncovers some fundamental issues of this case. So much will become clear toward the end of this section.

I will first briefly characterize Nigerien republicanism, in order to provide some necessary background information for the arguments I will be developing. I will then examine its relations with ideological Islam on two specific topics: the issue of the denominational oath mentioned earlier, and the interactions between liberal and Islamic conceptions of rights and obligations in the government of family life. These being vast and complicated topics, I have isolated specific moments or events through which it seems possible to circumscribe the bearing that they have on the arguments of this work: first the organized opposition of unionized state judges to the denominational oath in 2005, and second, attempts at reaching common grounds on the issue of codified rules on women's rights between a Francophone rights-defending association and Islamist women, in August 2008.

These two events will be put in perspectives which underline the specific kinds of contradictions which exist both between and within the positions of Francophone modernists and Islamists on these issues.

When Niger acquired political independence in 1960, it moved from being a colony into being a republic. Regime organization has tended to diverge attentions from this fact, and records of Niger's independent history insist on the single party government of the first fourteen years and the following military rule, which together form an authoritarian sequence ended – perhaps only temporarily – by liberal democratization in 1991. This kind of general perspective ignores the specific evolution of places like Niger, which, as I have previously indicated, is governed by the opposition between colonial *commandement* and republican political theory.

Throughout this work, I have alluded to republicanism and indicated some of its stable principles without detailing its philosophy. This is obviously not the place for doing so, but a few things must be noted, to underline the significance of the concept in Niger's public space.

First, the word "liberal" is currently used in Niger only in its economic sense, and is very rarely added as an adjective to "democracy." As such, it is a negative word, conveying impressions of capitalist domination and the cold rule of money. The politically valuable concept for democracy is "*république*," which prescribes "national unity," "participation," "equality" and "fraternity" and guarantees a certain number of freedoms: expression, opinion and religion. Nigeriens must have an "*esprit républicain*" (republican mindset), defined in opposition to "*esprit féodal*" (feudal mindset), "*obscurantisme*" (benightedness as determined by religion) and "*esprit clanique*" (tribalism). Two articles in the constitution (4 and 5) define the moral basis of the republic as well as its repulsive antagonists. These articles lump together figures of the *commandement* ("personal rule"), threats to national unity ("regionalism," "ethnocentrism"), figures of the Ancient Regime ("feudal mindset," "clan mindset"), the flaws of the post-colonial state ("corruption," "illicit acquisition of riches," "influence peddling") and religion.

Although these articles, in their concrete specifications, reflect the Nigerien experience and are not copied from French constitutions, the combination of these varied elements in one single negative category signifies the common Francophone republican conception of democracy inherited from France. While we have seen Islamist intellectuals vainly petitioning for the inscription, at the head of the constitution, of a submission to the God of Islam, the Anglophone constitution of Ghana quietly opens with the phrase "In the name of the Almighty God," that of Sudan with the phrase "In the name of God, the creator of man and people, the grantor of life and freedom, and the guiding legislator of all society," and that of Uganda with the phrase "For God

and my country.” With the exception of Nigeria, all the Anglophone constitutions reviewed by this researcher integrate openly or through special provisions express the idea of God’s sovereignty – and the Nigerian exception is obviously a reflection of the bouts of civil war which hostility between Christian and Muslim communities spark in many towns and regions of that country. As a result, the current (third) Nigerian constitution pronounces, in a provision constructed for the second constitution (adopted in 1979): “The Government of the Federation or of a State shall not adopt any religion as State religion.”

By contrast, Francophone constitutions systematically avoid mentioning God and religion in preambles and insist, as a rule, on the separation of state and religion in the very definition of state sovereignty. Francophone constitutionalism is therefore republican and laic, and this has some consequences that are adverse to prevailing conceptions of liberalism as a minimalist and pragmatic organization of political and civil life.

In fact, it is not too much to say that the movement reflects some key ambiguities of French republican political theory in relation to liberalism, which made of France, in the opinion of people like François Furet (as mentioned in the previous chapter), an “exception” in the liberal West. In particular, the notion that political culture is wedded to the nation and cannot tolerate invasions from sub-groups (ethnicities, clans, denominations) has consistently led French and Francophone governments to the adoption of homogenizing codes in matters of public and private life, through a method characteristic of continental European Romano-Germanic law. The codified principles derive for the most part from the liberal philosophy which developed in France after the Napoleonic episode,²⁶ but the issue lays less in the principles themselves than in

²⁶ The task of assigning a single specific meaning to the French Revolution, which Furet and his friends undertook, is implausible, in my opinion. However, it is an uncontroversial datum that after the rule of Napoleon, the French political landscape became dominated by people who called themselves *Libéraux* and *Ultra*. Both reacted to Napoleon’s era (“The despotism of glory” as it was aptly summarized by the writer Stendhal, at the time): the

the method – comprehensive codes – used to propagate them, and in their underlying objectives. Codified principles become non negotiable, or in any case require contention and publicity in order to be modified or adjusted to new demands and circumstances. They are even less negotiable when they seek to produce a comprehensive specific effect – in this case, modern conduct – and are therefore formulated to transform a civil order considered “traditional” or generally outmoded using state institutions: the administration and justice courts.²⁷

Republicanism is based on a singular conception of Right (“*Le Droit*”) which disposes things in favor of “progress” and “enlightenment” through such comprehensive codes. While however its philosophy educates the Francophones, they have not been very successful in translating it into social realities, in their post-colonial contexts. In Niger, it is only after 1991 that a marked evolution got under way, through an invigoration of republicanism by liberalism. The key mechanism through which this is occurring is a newly created professional class of judges and related law professions intent at judicializing Nigerien society – for principles and profit.

As it happened, the Nigerien Francophones’ attempts at making of Niger a modern republic were generally impractical in the first two decades of independence. For instance,

Libéraux by emphasizing the freedoms enshrined in revolutionary constitutions and suppressed by Napoleon, and the *Ultra* by emphasizing the Ancient Regime principles (including those which tie the state to Roman Catholicism) which both the revolutionaries and Napoleon had combated. But the *Libéraux* were only the vanguard of a movement which included the *Républicains*, whose ideals were sharply anticlerical and socially radical. Ancient Regime conservatism seems to have never recovered from the fall of Charles X’s regime in 1830, but *Libéraux* and *Républicains* still dominate France’s political landscape under a variety of names and a succession of constitutions. It is this uneasily blended liberal republican France which created the colony of Niger, exporting there its ambiguous makeup.

²⁷Codes are also of course suited to the civil law system characteristic of the Romano-Germanic legal system, in contrast with the Anglo-Saxon Common Law legal system which builds through case law. In the civil law system, law-making and law application are separated, and precedents do not therefore build into a law as a rule. The law is inscribed in publicly available statutes (the codes) which the judge must use for his interpretation in every specific case. This limits the possibilities of judicial activism, and greatly explains the requests for material consistency in law-making and legal codification which permeate the discourse of Nigerien judges, notably in the pages of SAMAN’s journal, the *Revue BEN SAMAN*.

Niger's civil code, which replicates the French civil code in the state in which it was in the late 1950s, is neither abrogated, nor updated, nor consistently applied, even though it is supposed to govern the vast realm of family ties, inheritance and private transactions. It was written to manage the interests and manners of the pre-1968 French bourgeoisie, on the basis of the ideals and methods of continental European Romano-Germanic law. But rather than to the inadequacies that certainly derive from this, its failure in Niger owes much to the fact that until the late 1980s, the country did not have a broad and specialized class of lawyers and technical personnel to endorse the text and seek solutions for its applications in this very different setting. In fact, at independence, Niger did not have one single modernist judge, and French judges were asked to stay in the post-colony until they could be replaced by Nigeriens. Civil servants were also appointed as judges on the basis of crash courses in legal cases, while versions of customary laws were worked out, without however any written *coutumier* to give them some stable frame of reference. In parenthesis, this has had the practical effect of making of customary law the default source of law in most civil legal matters, a fact which was ultimately turned into a state law providing Niger with a tentative "dualistic legal system," at the same time French and customary.

The first modernist Nigerien judges came out of school only in 1974, just in time for the coup d'état which suspended all instruments of the rule of law and then replaced them with special courts. In the early 1980s, however, the "normalization" process picked up pace, as I have indicated previously, and the policy of training judges was re-launched, with consistent assistance from France. In the first period, all students were sent to French universities, and after their number grew, those with average profiles were sent to Dakar, the former imperial capital of French West Africa where a magistracy school had been long established. By 1988, judges had become an active professional class, under statutes (adopted that year) which organized their

theoretical protection from the executive branch of government. More significantly, the policy of producing a professional class of magistrates gradually led to some interesting results, not unlike those described in relation to clericalism in the previous section, though in an opposite direction.

The coming of age of Niger's magistracy was marked by the creation, in May 1991, of the Autonomous Union of Niger's Magistrates (SAMAN), and a few months later, of the Democratic Rally of Niger's Women Lawyers (RDFN) and the Association of Niger's Women Lawyers (AFJN). The SAMAN is a professional association, while the RDFN and the AFJN are civil associations founded to defend women's rights. The SAMAN, in this sense, symbolizes the republican concern for the principles of Right, while the RDFN and the AFJN represent the new, liberal movement of claiming individual or sub-group rights against discriminations tolerated or even actively promoted by the republic. The magistrates who drafted Niger's first constitutions were members of the SAMAN, and it is they who, with great reluctance, replaced, at the time, *laïcité* with the phrase "non-denominational character of the state." They also staffed the commission which worked out the 1999 constitution with its rigorous language on separation of state and religion, but, as was indicated to me by the union's secretary general Saadou Aladoua, that constitution was drafted under a transitory government run by the military, and is not quite the thing for magistrates. Indeed, the circumstance accounts, in his opinion, for the fact that the magistrates were unable to prevent the introduction of a denominational oath provision in the constitution. I shall elaborate on this in a moment.

Most members of RDFN and AFJN are of course also members of the SAMAN, but their objectives differ. The point here is that RDFN and AFJN were founded as part of Niger's community of rights-defending association – the civil society – which was vigorously assisted by funding, counsels, networking opportunities and sponsorship by international Western liberalism.

The large and open transfers of monies and capabilities which sustain civil society formation in Niger has gradually birthed, among the Francophones, a liberal culture in which older republican principles have taken a new salience.

The evolution is best accounted for in those cases when republicanism and liberalism encounter – generally in an antagonistic fashion – Islamism. Various authors have documented these issues in relation to Niger’s attempts at adopting a Family Code.²⁸ Here, I am studying two different events, the second of which is closely related to the Family Code quandary: SAMAN’s successful resistance to the adoption, in the statutes of the magistracy, of a denominational oath, in 2005, and discussions around the African Union Protocol on the rights of women held at the seat of the Nigerien Association for the Defense of Human Rights (ANDDH) in August 2008.

Of all Nigerien professional classes, the magistrates played the greatest role in the practical reestablishment of republican rule in 1991, and until 2004, they have been central to the institution – the National Independent Electoral Commission (CENI) – which arguably contributed best to its effective maintenance.²⁹ Magistrates staffed the National Conference Fundamental Texts Commission which drafted the constitution and the codes which were to organize restored republican life, and they were attributed the presidency of CENI branches in all electoral districts in times of elections. In 1999, Islamist lobbyists led the military and certain party officials to push through constitutional articles which require the president, the prime minister and the members of the Constitutional Court “to take an oath on the holy book” of their denomination. In 2004, the government introduced in the electoral code a new provision

²⁸ See in particular Villalón (Villalón 1996) and Coles and Mack (Coles 1991).

²⁹ Niger’s political institutions – the National Assembly and the Government – were, throughout the 1990s, centers of bitter feuds and rash behavior which led the country into several institutional gridlocks and two coups d’état in a space of only six years (1993-1999). Remarkably, however, these problems were never caused by electoral contestations, the results produced by the CENI being consistently appreciated for their honesty and fairness by national and international observers and, more significantly, by losing parties themselves.

requesting that CENI presidents take a similar oath prior to surveying elections. The reaction of the SAMAN was immediate: they announced that they were rejecting “unanimously and unreservedly” the provision. Since however the magistrates recognized that by introducing the provision the government did not, technically, violate its rights, they decided that they will simply not take the oath and will thereby forego CENI presidencies. Thus, at the time of the 2004 municipal elections which started the electoral season that year, only three out of the country’s 113 magistrates took the oath to preside CENI antennas. Other members of the civil service had to be hastily contacted to replace the magistrates. The Justice ministry then decided to reform the statutes of the magistracy and to include in it, alongside the personal oath of conscience enshrined in the international statute of the magistracy, a denominational oath. The decision was prepared to be submitted at the 2005 National Assembly session. But the SAMAN immediately engaged, in response, in intense deputy lobbying and press campaign in newspapers and on the radio, and when the National Assembly convened in June 2005, the government tacitly admitted that it had dropped the matter – since the decision was not submitted to voting.

Let us dispose first of the latter point. It is somewhat immaterial for the discussion in this section. The Justice minister, Maty Alhadji Souley, had been angered by the organized resistance of the judges – who are agents of his ministry, and who seemed to demonstrate that he did not control his department as imperiously as his captain, the prime minister, wanted. By reforming their status he attempted to impose on their profession itself something which they had rejected as electoral commissioners. He managed to corral a few magistrates into a new union, the Independent Union of Niger’s Magistrates (SIMAN) and invoked, in defense of the policy, Nigerien attachment to Islam as well as the corruption of judges. When I tried to interview him

on the subject, however, I was ordered out of the building of the ministry by his advisors – an event which, in itself, is an interview response.

I interviewed magistrates from both the SAMAN and the SIMAN, and none expressed acceptance for the denominational oath. Moreover, their responses were remarkably consistent on the theme of judges as guardians of the Right, in a predefined system of Right. Magistrates consider, in their majority, the denominational oath as a juridical problem, which creates a conflict of interpretation between the articles which proclaim the separation of state and religion, and those which oblige state leaders to take a religious oath. This juridical contradiction, pointed out Aladoua, is however indicative of a larger problem, especially if it has to be extended to the magistracy as well. Requiring judges to take an oath will not mend Niger's justice system, since judges are only an element in the management of justice, alongside the police and gendarmerie, other judicial professions and court administrations. If a change is to be made on the basis of religious creed, then it must apply to the entire justice system, and must therefore encapsulate a change in the principles of Right themselves.³⁰

"The state must make a choice," he said. "It would have to, in this case, accept to straightforwardly (*carrément*) introduce religion in the justice system. And then instead of the OHADA code,³¹ or the civil code, which you can see here in front of me, it will be the Holy Qur'an or the Holy Bible which will govern relations between people and which will proclaim

³⁰ The entire response of Aladoua on this point is interesting in that by justice system he obviously means also all Nigerien state organizations as they relate to the administration of justice, and, as I described them, with the specific articulation between traditionalist and modernist legitimizations: "the judicial system is a system. It is a chain. There are many people who take part to the administration of justice. In our country for instance, there is the neighborhood chief, the village chief, the *chef de canton*, the *chef de groupement*, the sultan, and then you have the gendarmerie, the police, the counselors, the *huissiers*, the notaries, and the judges, the *greffiers*, and all the others, who intervene at some point, for instance the experts, doctors, topographers, accountants, all of them take part to the administration of justice, since they influence the judge's decisions, given the fact that there are many sciences that the judge doesn't master."

³¹ The OHADA (Organization for the Harmonizing of Business Law in Africa) code is an integrated Francophone code governing business matters and valid in most Francophone African countries.

the right of the citizen (*qui dise le droit du citoyen*³²). In short, it would have to accept the installation of an Islamic regime, with the full application of the *Shari'a* as it happens in some countries. In that case, any person who wants to be a judge will have to subject himself to the Holy Qur'an and take a religious oath. If the state takes this course, I am convinced it will find many people ready to take the mantle. The state makes the law, not judges, but judges are the guardians of Right, and as such, they don't appreciate being ceaselessly bombarded with laws that are not consistent with each others." The magistrates who prepared the constitution of 1999, he stressed, created the contradiction only because their autonomy was curtailed by the military, who wanted things done with little care for either Right or religion and whimsically bowed to the pressures of Islamist lobbyists.

Moreover, argued Aladoua, Niger does not live in isolation, and its codes are sometimes integrated into international codes (such as the OHADA code) or modified by provisions and instruments from international conventions. If a Nigerien litigant must bring his or her case to the OHADA justice and arbitration court, "the case will have a good chance to be judged by, say, a Burkinabe or Beninese magistrate, free from a religious oath." The religious oath also divides the conscience of the magistrate, since his personal conscience, which embodies his independence as magistrate, derives from his sense of integrity and rationality, while the religious oath will compel him to consider specific scriptural injunctions, thereby impairing his independence.

This latter argument appeared extremely important to Aladoua. That must be so, since it defines the role of the judge as the guardian of the Right, which is the ultimate ethical position of magistrates in a republican perspective. Even the sacred word of God is not above personal conscience of Right. Speaking for the SAMAN and as a neutral state agent, Aladoua did not

³² The phrasing is of course reminiscent of the French Revolution's proclamation of the "Right of Man and of the Citizen" – even in relation to the Qur'an and the Bible!

want to express any ideological preference for a republican state over an Islamic state: his professional culture however is obviously deeply republican. Other judges were less self-controlled at expressing this cultural orientation. In a town famous for being an ancient Islamic center, I asked the local judge about his relations with the *Kadi* (Islamic judge): “minimal,” he said. “I find him useless and will in any case not let him trudge on my *imperium*.” This Latin word, which used to designate the supreme power of Roman political magistrates, has been accommodated by Romano-Germanic law to characterize the authority of the judicial magistrate. It is alive in today’s rural Niger.

Their leading intervention in Niger’s constitutionalism and in public debates which relate to their profession shows that Niger’s magistrates are key upholders of *laïcité*. We will see that they play also an important role in the civil society, and that the legal professions, in general, are the main mission bearers of rights-defending associations. However, there is a gender-based rift between members of the professions, especially at the level of the magistracy. Women magistrates accuse men magistrates of applying and promote the law in ways that are biased against female litigants, thereby imperiling republican Right. That is so, stressed Satou Adamou Moussa, president of AFJN (and member of the SAMAN) especially in cases of disputes about landed property and real estate. In such cases, it is easy to resort to the customary wing of Niger’s divided legal system, which is consistently biased against women since it assumes – invoking Islam – that men are superior to women.

Men magistrates reject the accusation, although all of those (not many) whom I questioned on this personally confirm that they themselves married under the customary regime, which confers many discretionary powers on men, including that of repudiation. More generally, despite the SAMAN’s irritation at the Nigerien state’s duplicity in relation to the principles of

Right, Niger's republican law appears to be taken, roots and branch, into that duplicity. While the legal professions may succeed in protecting their statutes from the consequences of this, vulnerable social groups such as women consistently fare far less well. The strategy adopted by AFJN, RDFN and other modernist women associations, under the encouragement of international liberalism,³³ is to further liberalize republican law, in particular by grafting on its colonially inherited codes international liberal conventions such as the Convention for the Elimination of All forms of Discriminations Against Women (CEDAW) and the Protocol to the African Charter on Human and People's Right on the Rights of Women in Africa (henceforth, the Protocol). For AFJN, however, the ultimate goal is a Nigerien Family Code which protects women from the specific brutalities of the Nigerien context. "As long as we don't have our code, I won't think our job is done," said Satou Adamou Moussa.

For AFJN and other modernist women's associations which had become targets for clerical groups in the 1990s, the main obstacle to the code is Islam as practiced in contemporary Niger. The angst about Nigerien Islam has become a staple of these associations' public discourse, creating a great deal of self-consciousness on the matter, in certain Islamist circles. The newspaper *As-Salam* thus periodically runs dossiers on specific categories of feminine problems, in which it takes pains to secure contributions from both clerical and laic authorities. In May 2005, it devoted an issue to the subject of polygamy, and published on two full pages an interview of a University of Niamey sociologist, Souley Adjé. *As-Salam*, like all Nigerien newspapers, has a specific "editorial line," which, in its case, is a doctrinal defense of Islam. In his interview, Adjé, therefore, while not mincing words on the brutal conducts of Nigerien men,

³³Most active in Niger, in this domain, are the Embassy of Canada, OXFAM Québec, the United Nations Development Program, the United Nations Population Fund and the International Federation for Human Rights' Defense.

states, or is made to state,³⁴ that it is in violation of the spirit of Islam. Be that as it may, Adji's take on Nigerien polygamy was thoroughly negative, and the burden of guilt was insistently put on men's shoulders, with a long list of solid evidence. *As-Salam's* writer had to comment on the interview with the countervailing evidence of the West, where the absence of the practice is believed to increase noxious alternative practices and the destruction of social bonds.

But the more crucial response consists in presenting Islamic principles in the form of a comprehensive code. At the beginning of this section, I mentioned Islamologist Moulaye Hassane's opinion that by leaving principles open to discussion on the basis of learning and life contingencies, Islam was proving more liberal than French republicanism. In an earlier intervention in *As-Salam* (As-Salam, 2002), Hassane did lament the Nigerien "propensity to prefer secular texts to genuine monotheistic texts that are thought too restricting." But he believed that "Islamic socialization" was more important than textual conformity and that rigid codification of any sort was unwise. Such positions are defeated by the sense that since a "text" is being proposed or imposed by the enemies of Islam, a "text" should be opposed to it. The idea of the "text" or "code" of laws draws moreover its weight from the fact that the republican public space is built of codes. In 1999, Islamist intellectuals contested the adoption of the CEDAW by Niger's transitory government in the following terms: "The Islamic associations have pointed out that the Council for National Reconciliation had heard all political parties, unions, all organizations and associations of this country, and did not adopt one single text related to their affairs, without consulting them first. Muslims do not understand why they should be excluded [from this procedure]." (H. Souley 1999).

³⁴ "Editorial line," in the Nigerien written press language, means that statements and comments are easily doctored beyond recognition. For that matter, this is not proper to the Nigerien written press, but the point had to be underlined on this occasion.

More recently, Cheikh Boureima Daouda, a cleric influential especially among the University of Niamey's students, insisted: "Islam is adopted, not adapted. We must adopt Islam as a code for life, if we want to stay Muslims, and never seek to adapt Islam. Or, in other words, the context may be Islamized, but Islam may not be contextualized." (Daouda 2005).

This language echoes that of liberal conventions, like the Protocol, whose article 17 specifies that "Women shall have the right to live in a positive cultural context and to participate at all levels in the determination of cultural policies." The Protocol was drafted after Cheikh Daouda's assertions quoted above, but Cheikh Daouda was summarizing a lesson drawn from the history of Niger's clerical society's fight against the CEDAW and more generally the underlying idea which considers Islam as a "cultural context" and not as a "code of life."

In the same logic through which the assertion of the principle of *laïcité* has solidified, through dissent and resistance, an Islamic clericalism in the country, the codification of liberal principles is prompting the codification of Islamic principles. The evolution is at a stage in which it must be characterized as, by and large, a form of negative codification. Islamic principles are asserted, in this framework, as they serve in the rejection of liberal prescriptions. A brief narrative of a meeting held in Niamey in August 2008 will illustrate this point.

In yet another effort to secure commitment to the international liberal conventions on women's rights from its key opponents, the ANDDH organized, on August 11-13, 2008, an "advocacy workshop on women's rights" to which a group of Islamist women, led by Malama Houda, took part. The workshop was divided in two groups, one which worked on the CEDAW and the other on the Protocol. The mission of both groups was to brainstorm on the articles of the conventions in order to list the problems of understanding and their possible solutions. The aim was to discover whether, in the absence of agreement on principles, the documented plight which

women suffer as women could receive pragmatic solutions. The workshop teams were divided between, on the one hand, ANDDH militants and women involved in laic feminine organizations, including a woman deputy at the National Assembly, and, on the other hand, women from Islamist organizations and a retired civil servant who had become a cleric. He was referred to as “*le marabout*,” “the Islamic cleric.” The more vocal interveners turned out to be the lead figure of the Islamist women, *Malama* Houda, the elderly *marabout* and the two ANDDH-affiliated judges who were in attendance, one of them being the new secretary general of SAMAN, Yacouba Soumana.

After the brainstorming sessions, results were reported during a public session, and I will present only the session devoted to the Protocol. The Protocol teams had agreed to disagree on the meaning of “discrimination” (art. 1 and 2 of the Protocol). Islamists contended that men and women had fixed characters and nature which determine the rules that apply to each. What liberals call “discrimination against women” is often the result of the necessarily different way in which women should be treated from men. That is not discrimination, but a result of the fact that women are different from men and cannot be expected to have the same rights and the same duties. They agreed that women are exploited, notably in rural areas, and that their condition in Niger is generally deplorable. Both the clerical and the laic teams thought that sensitization (which Islamists viewed in the form of *dawas*) should be performed to fight women’s exploitation and attendant violence. But the Islamists wanted to preserve the right of the man to beat his wife under certain conditions and with controlled violence.

No consensus was reached on the subject of conjugal rape, or the system of judicial assistance advocated by the judges in cases of excision. *Malama* Houda learnedly developed the point of view that while there are cases in which a woman could refuse sexual relations with her

husband, when she is menstruating or if the husband insists on intercourse in a public space, “like animals,” in all other cases, she must comply. Failing that, she endangers the salvation of her husband, because he might be tempted to sin by running after other women and go to hell for it after his death. The husband therefore only fulfills his right if he forces a non-consenting wife to have sex with him. “You may call rape, if you wish, the two cases I mentioned, but apart from that, there can be no rape between husband and wife.” (Against art. 4 of the Protocol). As for excision, the ablation of the clitoris is forbidden, but something must be done with the clitoris of certain women, because they are drawn too much to men and sex. What the Prophet instructed was not to cut the clitoris, but to reduce it (the point was not quite clear, because Houda did not use a specific word, but rather a gesture, as of pruning or trimming.) The *marabout* had rejected the notion of judicial assistance for excised women, because that would mean prosecuting the practitioners of the operation (“*exciseuses*”: they are women), who are performing a task that is legitimate, since it is condoned by the Prophet of Islam. About the minimum age of wedding (art. 6), there was mention that the Prophet had married Aisha when she was nine years old. The Islamists rejected the idea of a set age, insisting instead on the idea of physical and mental maturity, which could appear at any age, including below ten. Regarding abortion, while the Protocol had (art. 14) permitted it under the cases of threat to the life of the mother, incest and rape, only the first case was considered legitimate by the Islamists. Moreover, the notion that the decision to abort or carry on a pregnancy is the sole right of the woman is rejected. The father has to be implicated. About inheritance (art. 21), all agreed that there is no consensus possible.

The main attacks against the Islamists came from the judges. The women from the feminine organizations were apparently swayed both by the clerical prestige of Houda (enhanced

by her television show, her Arab ancestry and a trenchant eloquence) and the fear of being labeled feminists.³⁵

One of the judges present said that a set age must be found for wedding, and physical and mental maturity are scientifically demonstrable. He said he saw nothing in Islam which condemns resort to set figures in order to sort out common practices. Neither the *Qur'an* nor the *Hadith* have determined for instance the exact hours for prayer: yet in Niger, hours of prayers are set down to the minutes by clerical authorities in each town and neighborhood. He also mentioned the case of the Kanuri customary practice: a girl was said to be mature through a shorthand concept, “*dubu'u*”, which means 5000 days. A girl of 5000 days could be married off, not below that (5000 days is an age between 13 and 14). Someone interjected that that was a customary practice (implying its inferiority to both Islam and modern French law), but he retorted that his point was that the Kanuri had found out through their experience that a girl of that age is generally mature, as far as marriage in their society was concerned. So they set the minimum age for marriage at about 14. Today, it should suffice to ask experts to measure, on the basis of scientific criteria, such as nutrition, standard living conditions and other parameters in the country, at which age girls are generally mature and ready for marriage as practiced by and large in Niger.

His colleague Soumana concurred with a legal-practical point. Legal texts, he said, are “general and impersonal”. Therefore the wedding age must be standard: not necessarily 18 as indicated in the Protocol, but there must be a set age, because common practices as governed by law cannot be dealt with case by case. That would be too messy and unpredictable.

³⁵ Although some Nigerien feminine leaders, especially perhaps those in the legal profession, are proud to be feminists and claim the name, that is not the case of many others who shrink from the adversarial connotations of the word and call for consensus.

About excision, he noted that the most recent version of Niger's penal code (2003) formally forbids excision and severely punishes the practice. "Recognize that I work on the basis of this text. You should have talked about this when the law was being made at the National Assembly. Now, we have this text. Therefore, as far as I am concerned, excision no longer exists. If someone practices it, he must be prosecuted and punished." As for judicially assisting excised women, he put the question to the old *marabout*, in a conciliatory tone (calling him *papa*): "Well, I am persuaded that Islam has nothing to say against helping those in need who ask for it. I was using the phrase 'judicial assistance' in that general sense. The idea is not to imprison excisers, but to succor those who wish to be helped. That is the meaning of 'assistance.' If a woman asks for such assistance in an excision case, or in whichever other kind of difficulty, surely she should receive it, don't you think so *papa*?" The older *marabout* rejected the plea, indirectly but clearly, when later on he was allowed to speak: "I will not take into account those who want to confuse a general abstract idea of Islam with the specific injunctions and precepts of Islam. Assisting others is required by Islam, and provisioned in the *Zakat*, that is a treasury prepared by Islam for those who need help."

Houda started her responses by stating that she rejected the Protocol and the CEDAW ("all 61 articles combined of those two things have absolutely nothing to do with me") because she was a follower of the *Qur'an*. She also rejected the penal code mentioned by Soumana. As she spoke in a curious mix of Hausa, French and Arabic, she called the penal code (*code pénal* in French) *code final*, almost certainly because of her accent, but giving thereby the impression that she understood it to mean "the final code." "*Adinin na mu, Qur'anin na mu, shine a wajan mu dustur*" (Our religion, our *Qur'an*, that is our constitution), she intoned in Hausa (although "*dustur*," which means constitution or code, is Arabic), adding mordantly in French: "*Parole de*

Dieu, monsieur le juge, monsieur les droits de l'homme, madame les droits de la femme, monsieur l'ONU! Code pénal, à côté de Code de Rahmane, haba! Un vrai musulman, M. le juge, qui ne connaît pas l'Islam, mais qui connaît le code pénal, la charte nationale..." (Word of God, Mr. Judge, Mr. Rights of Man, Mrs. Rights of Woman, Mr. United Nations! Code penal next to *Rahman*³⁶'s code, well, well! A true Muslim, Mr. Judge, who does not know Islam, but who knows the penal code, the national charter³⁷...)

While the substantial oppositions in the debate seemed to be between liberal and Islamic conceptions of "women's rights," they were also very much, and more importantly, between two specific conventions, one which is liberal, and another which clerical. The judges who contended for the liberal side were after all both practicing Muslim, but would not accept the idea that Islam was a code that could not be "contextualized." Yet the conventions also advance equally non-contextual codes of conduct in the name of universality and equality of rights. That is so because both the Islamist and the liberal codes outline aestheticized realities absent from Niger's civil order, and poised to transform it in order to make it just and pleasurable to either clerical Islamic or liberal laic subjectivities.

After the meeting, Soumana told me: "I could not attack these women in person, but I am pretty sure that none of them would ever accept to marry off her eight year old daughter to a grown man." However, Houda described marriage as a "delightful" institution which prevents girls from becoming prostitutes or single mothers. Protesting against a 2003 law against "precocious marriage," she had ironically observed, in an interview with *As-Salam*: "Now our deputies must adopt a law which forbids girls to become pregnant before the age of 18!" (As-

³⁶ *Rahman* is the first attribute of the God of Islam: "the Most Forgiving." It means therefore God.

³⁷ The reference to the National Charter is perhaps indicative of how far back in the past Houda and her friends' ideas were brewing, since that document was proposed to Nigeriens in 1986 and died in 1988.

Salam, 2003). The liberal-inspired law might indeed be unrealistic in a Nigerien context of high juvenile population, and the attendant imbalance between scant educational framework and facilities and demographic growth. However, a clerical-inspired ban on age-limit for marriage, opponents such as Souley Adjani realistically point out, will only legalize patterns of sexual consumption detrimental for the health and prospects of girls. Such quandaries point toward the fact that comprehensive codes might need comprehensive contextualization. But again, as Cheikh Boureima Daouda asserted for his own reasons, codes are not really about the context.

This work, however, is very much about the context. In the next, short concluding section, I will assemble the key actors, in both the civil and clerical societies, who will attempt to animate, in a variety of ways, the deep Nigerien context – to which I will turn in the next and last chapter of the work.

The Nigerien Question Redux

Niger's clerical society is more heterogeneous, and, to an extent, more divided than its civil society: this, in fact, is a measure of its success in becoming a leading presence in the national public space. The heterogeneity is partly doctrinal, but also – given the objectives of fostering specific conducts and governmentalize society – more clearly ideological.

Alfa Halidou Djibo of the AIN offered, during his interview, a complacent description of Niger's clerical society. He started by mentioning the three radical divisions of the Islamic creed, the Sunni, Shi'a and Khawaraj, and indicated that although all three are present in Niger, the Shi'a are a negligible minority, chiefly of foreigners (Nigerians) sponsored in part by the Iranian Embassy.³⁸

³⁸ Evidence for this was however not offered – nor was it asked in the circumstances. Alfa Djibo might simply be voicing here Sunni biases against the patronage capabilities of the Iranian state – much as a similar angst is felt in relation to the financial powers of Christian missions in a land of poverty.

In Alfa Djibo's view – which characterizes central Nigerien clerical perspective – the Shi'a are intolerable because they reject the authority and example of the *Sahab* and *Salaf*. The *Sahab* were the companions of the Prophet, and the *Salaf*, those who were alive in his times and were able to collect his actions and words in a tradition (*Sunna, Hadith*). As such, knowledge of and obeisance to the prescriptions defined and worked out during that period are the fount of Sunni culture and true Islam. To reject the guiding authority of the *Sahab* and the *Salaf* as do the Shi'ites – who, moreover, believe that “Arabs” are miscreants – is tantamount to rejecting the religion.

The Kharejite movement in Niger also originates in Northern Nigeria, and is popularly known today by a Hausa phrase, *Kala Kato*, which means, “The words of some guy.” The “some guy” in question is the Prophet Muhammad, who, the Kharejites believe, was just a person like any other and must neither be revered (as do the Sufi) nor imitated (as prescribe Sunnites). Only the word of God, as it flows in the Qur'an, is essential. As a result, while orthodox Sunnism in Niger has taken the various names *Ihya us Sunna* (Revivification of Prophetic Tradition³⁹) and *Kitab wa Sunna* (“Book and Prophetic Tradition”) or *Sunnanke*⁴⁰, Kharejites call themselves *al Qur'aniyun* (“The Qur'anists”) and have as their name call, *Kitab!* (“Book!”) Although their position is even more extreme than the Shi'ite – since the latter, despite their central reverence

³⁹ This name is clearly inspired from the title of a treatise of Usman dan Fodio, the *Ihya al-Sunna wa ikhmad al-Bid'a* (“Revivification of Prophetic Tradition and Destruction of Innovation”), completed in 1793. According to Ousmane Kane (Kane, *Intellectuels non europhones* 2003, 32), the phrase “is another formulation of the ordering of good and the prohibition of evil [a central Muslim tenet]. It inspires the struggle against the Hausa kings and the various categories of people they oppressed.” In contemporary Niger, the word “*bid'a*” as used by orthodox Sunnites designates especially specific Sufi rituals. Dan Fodio himself was Sufi (*Qadiri*) and Kane's interpretation shows that he used “*bid'a*” in a political sense. Alfa Djibo used it, as earlier mentioned in this work, in relation to animism. All of this shows that the word is marked by some polysemy and has strong political potentials, which transpire in the speech of some orthodox Sunnites in Niger.

⁴⁰ This is a Zarma way of saying “Sunnite,” novel in the language and based on the desinence “*anke*” which signifies cultural, doctrinal or ethnic belonging. The word is new, and is still unknown to many Zarma-speaking Nigeriens indifferent to clericalism, as I have noticed. Francophone students of the University of Niamey also use the French neologism *sunniste*, with the desinence “*iste*” usually appended to ideological orientations.

for the *Sahab* Ali, still respect the Prophet as a teacher of life – Alfa Djibo judged them with mildness, given that they did not have, like the Shi'ite, “foreign money” (Iran) behind them.

The Sunnites are divided in two main groups: on the one hand, the orthodox Sunnites, who, under a variety of names (*Sunnanke*, *Izala*, *Kitab wa Sunna*, and so on), advocate active knowledge of and strict obedience to the Islamic way (*Shari'a*) through a lifestyle inspired by the models of the Prophet, the *Sahab* and the *Salaf*, and, on the other hand, the Sufis who, while upholding Sunni tenets, emphasize in addition specific rituals of adoration (*ibada*), propitiation (*istikhara*) and visitation (*ziyara*), and gather around a blessed guide in liturgical congregations (*zawiya* performing *zikr*). These congregations are often loose and small in Niger, with the exception of the Kiota *Tijaniyya* order. As a result, as we shall see in a moment, while most Nigerien Sufi practice their liturgy as a matter of private rite, the Kiota order has become an active force in Niger's clerical society and therefore on the national public space. All these groups, assured Alfa Djibo, have their good and their bad, but they are all generally praiseworthy, and doing good work for Islam in Niger.

The difference between orthodox Sunnites and Sufis has important consequences, in the Nigerien context. The Sufi concentration on the rituals which create their identity and produce their specific culture – often in artistic expressions such as chants, sartorial elegance and the quest for architectural beauty in mosques and mausoleums – leads them to de-emphasize both Sunni legalism and the notion that personal conduct should be patterned on a model with fixed rules. As a result, Sufi subjectivity is affronted by the orthodox Sunni attempts at framing a comprehensive Islamic code of conduct for Niger's Muslims. This does not mean that Sufis are opposed to the project of clericalizing Niger: rather, they offer a different form of clericalism, through alternative instruments.

Barham Cheick, one of the sons of the founder of the Kiota order, Cheick Boubacar Hassoumi, told me that the Sufi method is culture, rather than law. Thus, the *Maoulid* – the celebration of the Prophet’s birthday – should become a key event in Niger’s national life, competing with both the *Wa’azin Kasa* and the FIMA. Contrary to the Sermon, which consists in preaching the law and recalling our mortality, the *Maoulid* is a celebration of life and a remembrance of our spiritual nature. In this way, it is also superior to the FIMA, which is exclusively carnal. Barham Cheick therefore founded, in 2007, a short-lived weekly (*Al Maoulid*) whose “editorial line” was openly directed at countering the influence of *As-Salam* and other media (the Radio and Television *Bonferey* in particular) inspired by Sunni orthodoxy.

Moreover, while Islamic associations sympathetic to Sunni orthodoxy often accuse rights-defending associations of being Trojan horses of the West, backed by “foreign money,” Sufi discourse often denounces the “foreign money” (Arab) which allegedly backs Sunni orthodoxy in Niger, and criticizes the resulting Arabization of manners and language propagated by their brand of clericalism. Reliance must be put in local ways of accumulating capital, which is the only guarantee of cultural autonomy. In response, Sunni orthodox clerics underline the exploitative hierarchies of Sufi organizations. A final significant point that must be added on this score is that while Sufis are generally reluctant to work or assemble with Sunni orthodox groups, they are far more open to cooperation with rights-defending organizations or with Christian communities.

In the current Nigerien clerical society, orthodox Sunnites are predominant, and have made the more impressive progress during the 1990s decade. The stories I told in this work were therefore chiefly about them. The Sufi reaction to this predominance is fairly recent, and is still relatively unorganized. Indeed, the key impression I drew from my meetings with Sufi leaders –

most of them in their twenties and thirties – was a sense of belatedness and urgency in creating competitive organizations and public media and celebrations, in order to advance the Sufi cause on the national space. This reaction is coalescing especially around the Kiota order, which emerged in the 1950s and have large constituencies of villagers, petty urban craftsmen and traders and wealthier businessmen in the Western regions of Niger.

While clerical groups are buttressed by strong popular constituencies in urban areas and the outlying countryside, the civil society lacks stable social bases, outside the narrow pool of Francophone culture where its activists are recruited. The Francophones are an international class, spread wide and thin⁴¹ throughout the former colonies of French West Africa, and separated only by their independent republican citizenships. The states they have organized share the same currency, virtually the same school programs, and analogous political institutions, and their thrust is visibly toward transnational “harmonization” or “integration,” recreating in independence the imperial ensemble which broke down in post-colonial pieces in 1960. The bases of this movement – which develops without the framework of a recognizable political theory – are the republican ideals and the specific modernist culture brewed in Francophone school systems along parallel lines. Incidentally, this internationalism of the Francophones is also pertinent among Francophone Islamists. They participate in the activities of the International Colloquium of the Francophone World’s Muslims (CIMEF), which in particular channels the influences of the Swiss Islamic modernist preacher and scholar Tariq Ramadan and the Islamic

⁴¹ How many are the Francophones in Niger for instance? On the basis of a definition which does not stop at basic literacy, but would begin minimally at early secondary education (college), where social appearance and active identification with Francophone ideals clearly start to set an individual apart from his or her generational cohort, this would be a very small percentage, although certainly much more important than what it was in the 1960s. However, the number or proportion is less important than the fact that while Niger’s population is mostly scattered in the rural areas, the Francophones are mostly concentrated in the urban centers. In this way, in typical pre-industrial manner, they occupy the axis of the national public space, monopolizing most citizenship rights and administrative services, and securing premiums from their hold on the post-colonial state. The point of extreme contrast, here, is Ngourti.

convert and former Marxist theoretician Roger Garaudy. The CIMEF's 2004 congress was held in Niamey. This class identity separates the Francophones from other cultural groups in particular post-colonies, especially on account of two cultural orientations which, in their own opinion, make Francophone different from and superior to non-Francophones: "*formalité*" and "*esprit laïc*."

Formalité ("formality") is used in Francophone language with a meaning that is absent from French as spoken in the West (in France, Belgium and other Western French-speaking lands). It designates the specific organizing and modernizing skills which Francophones are supposed to derive from their modernist education, or the result of such skills. An example of the usage comes from an email response of a *Tijan* leader, whom I must leave unnamed:

Je vous assure que ce groupe de jeunes a les mêmes objectifs que KL, sauf que les intellectuels sont peu nombreux. Ils sont majoritairement commerçants et talibés. Je crois qu'avec un peu de managing et une remobilisation de quelques membres clefs du groupe (...) on peut essayer de joindre nos efforts pour faire une voie de jeunes forte et efficace. Ce qui est sûr, c'est qu'avec l'implication actuelle des jeunes intellos, la formalité du groupe sera plus facile et plus organisée. (I assure you that this group of youths has the same objectives as KL, except that the intellectuals [i.e. the Francophones] are fewer. They are in their majority businessmen and talibés [i.e. Sufi students]. I think that with a bit of managing and a remobilization of some key members of the group (...) we could unite our efforts and set up a strong and efficient youth pathway. This much is certain, with the implication of the young intellos [shorthand for intellectuals] the formality of the group will be easier and more organized.)

"Formality" is therefore, in this very peculiar meaning, "modern organization."

Traditionally, the conventionally accepted competence of Francophones in creating and managing modern organization, which imparted on them the quality of leaders in modernization for other cultural groups, was wedded to laic subjectivity. From the laic viewpoint, culture – either ethnic or religious – is a private matter, with no consistent bearing on the public space. Modernizing other cultural groups meant therefore leading them to civil conducts in which such separation is made in predictable ways and at any rate, accepted as an abiding norm. As the

example just quoted shows, however, “formality” could very well be disconnected from “laic mindset,” thereby offering to Francophone leadership a non-Francophone cultural constituency with non-modernist objectives.

What happened in 1991 was a division of the Francophones in two main adaptations of “formality”: Islamic organizations and rights-defending organizations – ethnic organizations having been, from the outset, excluded from legal expression. Francophone Islamic associations were set up to organize, modernize, or formalize the emerging clerical society, while rights-defending associations remained wedded to the traditional Francophone objective of formalizing modern citizenship in an international (West African) framework. The laic outlook of most Francophones prevented them at first from understanding the creation of Islamic associations by fellow Francophones otherwise than under the categories of betrayal or lunacy. In the early 1990s, they pursued the expected Francophone struggle between liberalism and radical republicanism, spawning on the one hand human rights associations – called at the time the DDD, or Democracy, Human Rights (*Droits de l’homme*), Development, associations – and on the other hand the radical *Groupe Alternative* associations.

Most early DDD associations were founded by Francophones in the period of intense economic crisis which had started in the mid-1980s and culminated with the devaluation of the CFA Franc in 1994. As a result of this perhaps, they were conceived as business ventures to attract donor money, with often no professional skills or consistent commitment to back up their “formality.” International liberalism, intent at aiding the spread of liberal democracy, sustained however the movement despite its failings, and the organizations which survived the early fret or were born in the late 1990s and early 2000s are generally better organized, run more professionally, and are more proactive regarding human rights ideals.

In fulfillment of their self-granted mission, the Francophones had provided the Nigerien state with a series of codes in 1991. The resistance of Islamic associations led to the failure of the Family Code, and, in following years, of the CEDAW (adopted in 1999 with reservations introduced by Islamist lobbyists) and the Protocol (signed by Niger at an African Union gathering, but not ratified by the Nigerien National Assembly, and therefore not adopted). Given that the other regional Francophone countries with Muslim majority populations have either a Family Code (Senegal) or in any case adopted the conventions (both Senegal and Mali), Niger's Francophones often describe their setbacks in terms of affronts inflicted on them by "their" Islamists in front of other (West African) Francophone publics: "We are always the last to do things!"⁴² grumbled AFJN's president Satou Adamou Moussa, in relation to the failure of the Protocol at the National Assembly in 2005. These repeated failures have led the Francophones to the realization that instruments for affecting the civil conduct of non-Francophones must be worked out in ways which the latter will embrace. Given that their authority derives from the fact that they are the central state constituency, rights-defending Francophones use state law as the central method of access to non-Francophones. They founded judicial clinics and popularized the concept of judicial assistance, against brutalities from both the state and society. The key strategy consists in publicizing state-sanctioned law, in direct opposition to its various violations, but also in ways which seek to establish it as a liberal-republican legal regime aimed at annulling the customary domain that is attached to it. This, again, is an important claim deserving of a specific study of its own, but we shall see some examples, in the next chapter, of how it plays out in the arguments of this work.

⁴² At the time of research (Fall 2006), 20 countries had ratified the Protocol, and 4 more were completing the ratification process. Of Niger's seven neighboring countries, only three did not ratify it (Algeria, Libya and Chad).

Francophone leaders also aspire to imprint the concept of *Francophonie* in more material ways in the Nigerien environment. In 2005, despite a devastating food crisis in many regions of the country, the state of Niger invested – with much local money (Youngstedt 2008) – in the organization of the Fifth Games of the Francophonie, building for the purpose a vast housing complex under the name “*Village de la Francophonie*.” Even after the Games were over, the complex recalls the name and the purpose to the people of Niamey and to other Nigeriens.

In the competition to prevail in Niger’s public space, we could establish, as a visual help, the following tabular correspondences defining competition over Niger’s public space. The two upper rows correspond to the clerical society and the two bottom rows to the civil society:

Groups	Methods	Key Media	Key Events
Orthodox Sunnites	Sermon /Preaching	As-Salam/Bonferey	Wa’azin Kasa/Preaching sessions and lectures
Tijaniyya	Adoration/Visitation	Al-Maoulid (discontinued)	Maoulid/Adoration sessions and lectures
DDD Associations	Legal sensitization/Judicial Assistance	Most of Niger’s written press	FIMA, Francophone cultural events
Groupe Alternative	Strikes/Demonstrations	Alternative (intermittent)	Forum Social Nigérien

Figure 5-1. The Civil and Clerical Societies and their media fields

In the next chapter, I will examine the effects of Row 1 and Row 3 on the Nigerien public space, based on the study of preaching actions in a dawa and in oral texts collected at the Radio and Television Bonferey, and of the work of ANDDH’s judicial clinics of Niamey, Maradi and Agadez. I will especially outline the extent to which the Nigerien story is made interesting by the fact that these effects are in a great deal mutually constitutive, despite open antagonisms.

CHAPTER 6 COMPLICIT DISPUTES

On 6 September 2006, Niger's minister of the Interior – then Mounkaila Modi – communicated, at a press conference, new state dispositions on the issue of preaching. Modi alluded to a letter he had sent to the Islamic associations recognized by the state, and in which he noted that “certain clerics (*marabouts*) indulge in provocations in their preaching, thus not only fostering disagreements among the faithful, but also, and more importantly, tending to disrupt public order.” He emphasized that “it is not uncommon to hear tendentious claims which overstep the prescriptions of the Qur'an and the Hadiths. This cannot be condoned any further, in so far as the objective is to stimulate the development of Islam in Niger.” He then moved to announce the creation of a High Islamic Council of Niger, with branches throughout the country. The new body will henceforward be in charge of delivering all preaching authorizations on the basis of “objective criteria” of learning and appropriate “line of conduct” determined both by the Council and the association to which the preacher belongs. Moreover, he announced, he had instructed the president of the Council of the Urban Community of Niamey, as well as the mayors of the community, to henceforth include in all new plans for the “*lotissement*”¹ of Niamey's neighborhoods, a mosque, in order to remedy for the anarchic building of street mosques and anarchic prayer and preaching gatherings.

A few months later, in early 2007, the government announced the creation of a ministry for Religious affairs and Humanitarian action. The name of the ministry seeks to retain a secular binding, and “humanitarian action” may open it up to connections with the civil society. But in the process of creating it, missions were sent to Tunisia and Morocco, which both have

¹ For the specific political meaning of this term, see Chapter III, Sect. 1, iii.

ministries of religious affairs (called “ministry of the *Habous* and religious affairs” in Morocco) obviously instituted to governmentalize Islam in some measure.

The Tunisian ministry is a department in a government with deep roots in the secular modernization project, reaching back to the nineteenth century. Three governments in Arab-Islamic lands were especially prominent in engaging, at that time, the issues of modernity as they were evolving in Western Europe: the Ottoman divan, Muhammad Ali’s dynasty in Egypt, and the beys of Tunis. The Tunisian engagement, although less studied, was perhaps the most consistent. With little of the conflicts observed in Ottoman and post-Ottoman Turkey, Tunisia has succeeded, after independence from France, to adopt in an almost uniformly Islamic context many elements of a modern regime of legal and social conduct. The most emphatic of these is the legally enforced practice of monogamy. Its ministry of religious affairs would certainly best be characterized as a ministry of *Islamic* affairs. For instance, it lists, among its attributions, “taking care of the Qur’an” (i.e., publish and propagate an authorized version of the holy book), “organizing the *Hajj* and the *Umra*”, and “strengthening cooperation among Muslim countries, organizations, and organisms.” However, its modernist orientations are also very clearly indicated, as the ministry vows to “contribute, through the rationalization of the *Kouttab* (the Qur’anic schools)², to the education of the younger generations, in a spirit of open-mindedness and mutual understanding,” and to “struggle against intolerance, faith-based discrimination and benightedness (*obscurantisme*).”

The Moroccan ministry, on the other hand, is rooted in the processes of legitimization of the royal state, and therefore in the specific religious claims of the ruling dynasty, the Alawis.

² This parenthesis (*les écoles coraniques*) is not added by me, but is present on the document presenting the ministry. The information on organization of the Moroccan and Tunisian ministries was transmitted to me by a member of the Nigerien diplomatic missions to those countries, but is also available on their websites.

While, for instance, the Tunisian ministry seeks to “rationalize” (i.e., modernize) the *Kouttab*, the ministry of the *Habous* wants to strengthen what it calls “traditional education,” and which has a very specific definition: “the diffusion and permanence of the Arabic language, the *Maliki* rite and the *Ash’ari* doctrine.” These orientations structure the Moroccan clerical community in support of the royal ideology which traces the lineage of the Alawis dynasty back to the Prophet and makes of the head of the family (and King of Morocco) a Sunni *Maliki* commander of the faithful (*Amir al-Muminin*). They make of the Moroccan ministry an element in a unique framework, with activities geared, for instance, to highlight the religious attributes and rights of the Alawi monarch, and not limited to the management of general Islamic affairs, such as pilgrimage organization and preaching regulation.

Characteristically, one leading expert of the Nigerien missions told me that the Tunisian model was preferred over the Moroccan, mostly on account of the strong dynastic-state tenor of the Moroccan ministry’s organization, but also because of its traditionalist orientations. The mission statement of the new Nigerien ministry therefore virtually replicates that of the Tunisian.

So by summer 2007, sixteen years after the National Conference, Niger has both a High Islamic Council and a Ministry of Religious Affairs, aimed at controlling and regulating activities and movements based on Islam, but thereby creating a formal space in which clerical groups could advance their agendas through state channels. These institutions indicate that secular republicanism has lost its monopoly over state organization, in spite of the constitutional checks which separate the state of Niger from any marked formal connection with such groups. Clearly then, leaving the realm of sovereignty and principles under the nominal control of republican law, Niger’s clerical society has penetrated the realm of governmentality and regimes.

The 2006-2007 creation of special governmental bodies is a stark sign of the achievement, but the evolution had started some years earlier, in the regime of education.

In effect, in 1998, the Nigerien government had reached an agreement with the Islamic Development Bank (IBD) to finance executive projects in charge of further developing and structuring the Franco-Arabic school system, the *Projet d'Appui à l'Enseignement Franco-Arabe* (PAEFAN). At a certain level, not too much must be made of this: the PAEFAN is a component of larger efforts piloted largely by the United Nations System in order to help Niger reach the United Nations Millennium Development goal of universal education. The resources devoted to it are only a smaller fraction of those which are allocated to the Decennial Development Program for Education (known as PDDE in Niger) funded mostly by the European Union under French leadership. The policy rationale is based on a scheme that builds on greater parental acceptance of Franco-Arabic education, for purposes of advancing literacy and the sustained acquisition of professional skills among children especially of the countryside. However, the embrace of this rationale by both international experts and Franco-Arabic system professionals in Niger is a response to the mass appeal of Islamic learning which had evolved in the 1990s. Despite some similarities – notably the notion that Franco-Arabic education must be of service to national development – it is very different in meaning from the usage of the *medersa* concept by Niger's first governments, which I described in Chapter 4. The idea in the 1960s was to foster an Arabophone elite at the service of the state, while the PAEFAN and its departments seek to harness a mass demand for education in order to affect vital population statistics (in literacy and sectoral professionalizations).

It is the same mass demands which, some nine years after the PAEFAN agreements were signed, led the Nigerien government to create the ministry of religious affairs. In the previous

chapter, I have essentially shown, through specific stories occurring mostly at the level of the more formal organizations, how that mass movement came about. In this chapter, I will attempt to better characterize it in its grain, by adopting a larger definition of education than the United Nations and a more specific concept of preaching in the Nigerien context than the ministry of religious affairs, and by focusing again on the theme of women's rights. This will be done in the second section of the chapter, chiefly through the analyses of audiotapes of preaching in the Zarma and Hausa languages, purchased at the library of the Radio Television *Bonferey*, in Niamey. In the third section, I will then turn to a parallel examination of the minutes of judicial assistance tasks performed by ANDDH judicial clinics in Niamey and other locales. But before getting there, I would like to propose in the next section of this chapter the analytical frame through which this dual exploration will be assessed afterward – that is, in the last and concluding section. I will start by describing two events falling within the categories of the *dawa* event and the legal sensitization session (see table at end of previous chapter).

Two Trips to the Country

In July 2007, the *markaz* “Ihya us Sunna of the Sikia mosque” in Niamey organized a *dawa* excursion to a village about ten miles away from the city, on the road to Say. The *amir* (director), the *na'ib al amir* (assistant director) and a number of uniformed *agaji* (order service men) were the organizers, although that day, the *amir* was not to make it to the *dawa* spot. That was the second *dawa* they organized in that month, and I was invited to attend.

Three seventeenth-place minibuses were rented for the occasion, and every passenger had to pay a thousand franc (about two dollars) to help defray the costs of rental and gas. The minibuses were packed and many other attendants were riding motorcycles, at two and sometimes three on the vehicle. Most individuals on my bus were young men wearing white robes and stylish caps, and chatting lively in a Zarma language purged of profanities and studded

with unusual Arabic loanwords. Although they called each others *oustaze*, the occasional juvenile tease led them to style the person who invited me – a Franco-Arabic high-school student and a cousin of mine – “Alf,” a French inspired shorthand for “Alfa.” This clearly underlined the ambiguous middle-ground status of Franco-Arabic education, seen as both French (and therefore laicizing) and Arabic (and therefore clericalizing). The *markaz* also rented a heavy-duty battery, purchased light bulbs and brought its own microphone, loudspeaker and mats. We were leaving at dusk, and the event would be happening in the early parts of the night, since daytime in the village is devoted to agricultural work and social or trade errands. “Alf” told me that they had hoped to secure the participation of one prominent cleric, but he had recently travelled to Benin. As it was, however, they had two well-known *cheicks* coming with them, one for Zarma language, and the other for Fulani language. In *terroirs* around Say, while the Zarma language is preponderant, many, especially among older people, better understand Fulani or, in some cases, do not quite understand Zarma.

The event was extremely well planned. We arrived at the village about thirty minutes before the dusk prayer, and relaxed by strolling in the gardens on the bank of the river Niger. The *oustazes* demonstrated clerical kindness to children playing or working in the gardens, asking their names, patting their heads and exchanging words with them. The prayer was called and everyone rushed back to the village and gathered at the mosque. After this duty was expedited, mats were quickly laid on the ground, the battery was installed, the loudspeaker fixed at the top of a pole which was then rooted in the ground, the light bulbs were placed at strategic points and the microphone tested out. The villagers had assembled and sat in throngs on the mats, men and women separated. For the occasion, the latter wore head covering cloths called *bongum*. The *na’ib al amir* of the *markaz* announced the program of the night: one sermon and two preaching

sessions in Zarma and Fulani. He gave the names of the preachers, eliciting appreciative murmurs from the *oustazes*, which in turn duly impressed the villagers on the merits of their guests. The sermon then started: it was a lecture on the issue of *sirku* (*shirk*: idolatry), which is supposed to be a key sin in the countryside, where animistic practices are indeed more ordinary than in urban areas. The lecturer was accompanied by a singer, who interspersed his comments with well-contrived psalmodes in Arabic, quoting the Qur'an. Sometimes, the sung sentence was not completed by the singer, but taken over by the speaker, who ended it and translated it into Zarma before commenting it. The sermon was thus clearly an artistic performance intended to impart aesthetic prestige on statements geared to sink fear and submission in the heart of the listener. After the sermon, a drink (light millet porridge) brought by the organizers was circulated, the last prayer of the day was performed, and the preaching started. They were comparatively short, lasting each about thirty minutes, but they were followed up with extensive questions and answers sessions. During this period, people kept coming, either from nearby hamlets, or latecomers from Niamey, on motorbikes. At the end of the *dawa* event, the population in the village had more than doubled, by casual estimates.

When it was over, the organizers quickly folded the mats and packed up their equipments. Buses and motorbikes roared and moved carefully among the crowds of pedestrians and excited children, and the occasional noctambulist donkeys, before hitting the paved road to Niamey. Not long thereafter, silence and darkness shrouded the village for the rest of the night.

Markaz such as this one assess the results of such periodic *dawa* in the countryside by their popularity. Some individuals from this particular village had been requesting the event for a few months, after having attended *dawa* in other villages in the *terroir*. For many, the event has the appearance of a show from the city. In places where electric current is rare or absent, the

paraphernalia of light and sound, and the introductory sermon with singing (which is a staple of *dawa* events) is a welcome break from the ordinary village night entertainment of *faajikaaray*.³

The preaching itself frequently becomes a moralist conversation on village manners, and is never a theological debate. It is strictly about common household problems, issues of neighborliness, rights and obligations of individuals in relation to contractual commitment in trade and marriage, illustrated by exemplary anecdotes and related to the conduct of the Prophet in many similar occasions. I will describe this more elaborately in the next section: here, it is useful to note that, in this way, preaching sessions gain the intimacy and relevance of the *faajikaaray*, and appear to be in fact formal and “formalized” (in the sense of that word that was highlighted in the previous chapter) *faajikaaray*. The form (conversation) and time (early night) both allow it to occupy that cultural space, while the content (religious tropes and references) and the organizational pattern (schedule, division between performers and audience) bestow on it the weight and rigidities of “formality.”

It is then interesting to compare this type of event with something which is very much its laic correspondent, the legal sensitization (*sensibilisation juridique*) session. I did not attend any such session at the level of a village as small as the one in which the *dawa* event just described occurred. The session which I am now going to describe happened in February 2007 in the town of Dakoro, thirty miles north of Maradi. In the spectrum of Niger’s administrative geography as I have deployed it in Chapter 4, Dakoro falls closest to Tillabery: it is about the same size and could be best described as a small town.

³ *Faajikaaray* of *Faakaray* (Zarma. See Hausa “*hiira*”): night conversations often involving tales, adventure narratives and sometimes music playing – displaced in the city by television and clubbing. In his Zarma dictionary, Isufi Alzuma Umaru extends the meaning of the word to “class lecture.”

The session was organized by the ANDDH branch of Maradi. ANDDH branches are divided between the bureau of the association, which is elected from and by the membership, and a technical salaried staff comprising a lawyer who is in charge of running the judicial clinic with the title of “technical assistant,” a treasurer and a secretary. The lawyer is at times assisted by law and psychology students sponsored by the United Nations, and by locally recruited paralegals. The technical assistant of the judicial clinic generally organize activities such as legal sensitization sessions and others, with sometimes members of the bureau in attendance. At the time of research, Laouali Moussa was the technical assistant in Maradi.

In that day in February 2007, the technical assistant, the president, the secretary general and I departed early in the morning for Dakoro, in a car owned by the Maradi branch of ANDDH. The car was fitted for urban traffic and paved roads, and was ill-suited to the laterite road which branches off from the Unity Road, a few miles out of Maradi, to veer north to Dakoro, but the association could not afford four-wheel drivers and/or their gas consumption. We did not pick up any special equipment. ANDDH is an association respected by local authorities, and we would find, in Dakoro, the equipment (microphone and loudspeaker) needed, put at the disposal of the team by the commune. ANDDH in fact has a local branch in Dakoro in charge of gathering the attendance and setting up the equipment prior to our arrival. When we arrived in town, we first paid a visit to a relative of the ANDDH president. We then made way to the *Maison des Jeunes et de la Culture* (Youth and Culture Hall) which, in all Nigerien communes, serves for public good meetings. We found that the equipment and the table and benches were set up in the courtyard of that public building, but there was no attendance. This resulted in a rather tense discussion between the committee from Maradi and the local bureau: it appeared that the latter were not very efficient in getting people in, and were still busy

communicating with townspeople about the scheduled event. While waiting for things to settle, the members of Maradi's bureau and some other local members organized a little *pétanque* competition: *pétanque* is a quintessential French boules game, and a staple of Francophone culture worldwide. Slowly people trickled in, and at some point, the numbers appeared important enough for the event to start. Significantly, local officials had quickly made their appearance: the local judge, the mayor and the local head of the gendarmerie, in uniform. The elderly *chef de canton* and his court also came over.

Throughout the event, people would come and go, divided between their interest in it, and daytime business. In particular, all the women present were elderly, owing to the fact that younger women had to stay home for cooking and other household chores. Like the Say *terroirs*, the Dakoro *terroirs* have important Fulani populations, under the preponderance of the Hausa language. The Hausa language was used throughout, which is not however likely to have hurt much, since most exclusive Fulani speakers rather reside in the outlying countryside. The event was somewhat stark, being based on the Western model: the lecturer sat at the table, facing the audience, sitting on benches and chairs in an arc in front of him. The officials were slightly separated from the rest of the audience by the disposition of their chairs, in a manner which showed that they will be called on to assist the technical assistant, since the law that was being publicized was the law of the state. The only breach of formality came from children who came in and climbed in the tree which shaded the gathering: but they remained silent and attentive and were thus barely noticed.

The conference – for such it appeared to be – was an extensive presentation of the recently adopted penal code (2003) about which I have shown Malama Houda and the SAMAN's secretary general having a clash in the previous chapter. Laouali Moussa started by

describing the process of adoption of the code at the National Assembly, in ways which insisted on the fact that it was an effect of the Nigerien people's sovereign decision. Submission to the instrument was thus shown to be indisputable. He then went through several major dispositions, reading the text written in French, but speaking only in Hausa. Toward the end, the strain of this disjuncture showed in the pace of his speech. He made a few pauses to allow the judge to intervene. The latter was a personable man in his late thirties who elaborated truculently on Moussa's information, giving examples of cases in which they might apply and eliciting bursts of laughter. Moussa insisted especially on domestic violence: at that point, all the women present applauded, and none of the men, apart from the officials.

The conference was followed by a question and answer session. At that point, a man who appeared to be leaving in frustration came back in haste and said: "I must make this statement! You said, all of us being present, that if we catch a sorcerer we do not have the right to punish him. I say we have it, I say we must strip him naked and make him jump across his victim. Everyone here knows that is the only way to deal with sorcerers.⁴" Here everyone, men and women, applauded, and in a rather prolonged manner, with exclamations saying: "*A koy mayta!*" ("Sorcery does exist!"). They did understand that the penal code was not simply forbidding punishment of sorcery: it was denying its very existence. When the applause subsided, Moussa said, in French (a language understood by only a few in the audience): "*C'est une opinion, on n'en discutera pas*" ("That is an opinion, and not worth discussing"), the judge smiled and the head of the gendarmerie said with a wooden face that whoever brutalizes someone else on the

⁴ The kind of preternatural being alluded to here is called *maye* in Hausa (or *carkaw* in Zarma), and is believed to be a ghoulish being who sucks up the life out of his victim's body, after he has captured its vital principle in the form of an animal. These names (*maye*, *carkaw*) are translated as "*sorcier*" (sorcerer) in Niger's French. Rituals for exorcizing victims of the power of the ghoulish being differ from region to region. Given that justice meted out to people accused of being such ghoulish beings is not sanctioned by the state, it takes on the form of a popular lynching, especially in the region of Maradi. Unlike in many similar customary beliefs, Niger's ghoulish beings are not exclusively women, but they overwhelmingly tend to be underprivileged individuals.

pretence that he was a sorcerer will be guilty of “*voies de fait*” (battery) and punished accordingly.

On this note the meeting disbanded. Large trays of food were brought in, prepared by the local bureau, and anyone still present was invited for the luncheon. We then left Dakoro, and on our way back on the laterite road, burst one of our inadequate tires. This researcher changed an automobile tire for the first time in his life.

The session I just described is not altogether typical of ANDDH’s legal sensitization sessions, but it shows very well in what ways such session typically differ from *dawa* events. These could be summarized in at least three major points: the interference with daytime activities which created a selective and unstable audience, the involvement of state authorities, and the lower level of genuine interactivity. Compared to the particular rural *dawa* I described above, it was also organized with lesser efficiency – although this was greatly attributable to the novelty and lack of experience of the Dakoro bureau, at the time. In any case, allowing myself to indulge in some word play, I would indicate that while it was more formal, it had less “formality.” Lastly, the affluence and enthusiasm demonstrated in the setting up of the *dawa* event indicates that it is part of a mass popular movement. This is less true with ANDDH, although we shall see that its actions are not wholly without popular bases as well.

On the side of similarity, both events were urban productions,⁵ and both were lecturing lines of conduct enjoined by superior spheres: the law of Islam, and the law of the Republic. In particular, both were attached to an image of civil order which excluded animistic rituals (*sirku*) or arrangements (*voies de fait* against alleged sorcerers). The *Sunnanke oustaze* blamed the rites

⁵ The perception of the ANDDH event as an urban, Francophone production was in particular marked by a rather unobtrusive incident: some young men who were in the courtyard at the start of the meeting disappeared to reappear a little while later wearing jackets and ties, an accoutrement used in small towns such as Dakoro very rarely and only to honor European-like moments.

as a mortal sin and the laic lawyer dismissed the belief as worthless opinion. In both instances, albeit in different manners, these legal prescriptions were presented in ways that remove them from discussion and statements of opposition: the *dawa* animators isolated theirs in the genre of the sermon, which, unlike the preaching, is closed in its aesthetic and unilateral delivery, and the sensitization animators declined to respond to challenges to theirs otherwise than by derision and stern warning.

Not all *dawa* take place in rural areas, and perhaps the majority of them occur in urban neighborhoods, where the organizing consumes less resources and less time. Legal sensitization is also frequent in the cities, where it seeks to target specific groups, such as mayoral councilors or women self-improvement groupings. This only highlights better the fact that they are of urban making, reflecting manners and social and economic parameters proper to cities and large towns and often absent or unworkable in the countryside, given the contrasts inherent to the context of non-industrial political economy.

More broadly, I must pinpoint the fact that *dawa* and legal sensitization are both governmentalizing devices produced by larger projects of governmentality, one clerical Islamic, and the other liberal republican. Both of these projects use a governmental language essentially axed on the notions of rights, obligations and prescribed conduct in a specific kind of civil order. In so doing they tend to conflict, precisely because of their similitude. Since methods and objectives are similar in nature, yet not identical in their ultimate end, friction will occur, alongside with contamination. It is easy to understand this by comparing both projects to their enduring opponent, animism and customary rules. The latter seem to inhabit a very different philosophy – one which I have not attempted to portray or even approach in this work – and appear to succumb here and now only to re-emerge in other guises and spaces, resilient and

unflappable. From the point of view of Islam and the Republic, they thus obdurately taint Nigerien conducts with *jahiliya* (Arabic: “ignorance” – of the law of Islam) and *obscurantisme*. Defenders of the ideals of Islam or the Republic therefore advance codified principles as the substance of their mission to reform Nigerien conducts.

While codified principles do not suffer compromises, it is possible, if we look at the grain of the governmental discourse that they supervise, to find numerous points of contact between the two projects, and to delineate in which sense, and with what kinds of weight they are tracing areas of convergence or coalescence. In the next two sections, I will try to capture this by examining certain texts (oral and transcribed in the case of preaching) and contexts especially around these notions of rights, obligations and conduct. As a background rod of evaluation, I will use preaching and ANDDH documents relating especially to the feminine question. One dual important premise of this task is that, on the one hand, the orthodox Sunnites’ position is grounded in the notion that Niger has an Islamic or in any case a rapidly Islamizing society, a notion which is borne out by the fact that even laic defendants of republic Right often privately profess Islam and may assent to many of their conceptions, and on the other hand, the republican Francophone’s position is grounded in their control of the state with whose language and organization even clerical propagators of the faith must comply. This dual overlap goes a long way to explaining the phenomena of conflicted contamination which will be the object of the two next sections.

Islamic Law and Nigerien Disorder

Most of Nigerien preaching may be categorized in the genre of moral and (more rarely) political philosophy, grounded in the Sunni *Maliki* canon. Preachers are interactive oral essayists, a phrase which will become clear, I believe, after we have gone through the text translated below. It is a transcription of an audio-taped preaching session recorded in 2005 at the Radio

Television *Bonferey*, on the subject of the rights and duties of women, and it is characteristically subtitled “a debate.”

Before I offer the text, I must say a few words contextualizing it. Thanks to audio-taping, preachers have become the most “read” authors in the context of Niger non-literate social culture. The text of their preaching – a comparatively short lecture followed by questions and responses, usually with the intermediation of a “*rapporteur*”⁶ –, especially when it takes place at the Radio Television *Bonferey*, is recorded and given a title and number. The tapes are then stored in *Bonferey*’s tape shop, and customers come specifically to purchase such titles from such and such preachers. Tapes are catalogued by genre and topic (“*sermon*”, “*prêche*”, “*droits de la femme en Islam*” and other such). Each preacher has his or her own style and opinion, signaling the lack, in Niger, of an established and controlled doctrine, beyond the core tenets of Sunni orthodoxy. We shall see for instance, in the text below, that the Zarma language male preacher Alfa Abdallah Oumar has a rather different opinion on wife beating than the Hausa language female preacher Malama Houda encountered in the previous chapter. As regards personal style and outlook, Oumar is mild and jocular while Houda is trenchant and austere.

The transcriptions used here are the work of a sociology Master student at the University of Niamey – and incidentally, sister of this researcher – Roukaya Idrissa, whom I persuaded to write her thesis on the subject of women’s rights in Nigerien Islam (Idrissa 2008). We purchased together the relevant tapes at *Bonferey*, and she made the transcriptions under my supervision. It was her decision, however, to use an attendance style transcription, rather than a direct, word-by-word transcription as I advised: meaning, instead of reproducing in French written text the

⁶ This is a person used by certain preachers to collect questions from the audience and relay them to him. The *rapporteur* is especially useful when the preacher has no command of many languages. Most Nigerien preachers speak both Hausa and Zarma, and an increasing number sporadically use French as well. But once the preacher does not feel he has sufficient proficiency of one of the main languages, he relies on the *rapporteur* (the French word is used for this function name) chosen to that effect.

Zarma oral text, she described what she was hearing as if she were in the attendance. My English rendition of her transcription is therefore not a direct translation of Abdallah Oumar, although most of the words do come from his original Zarma. Rather it translates a text produced by Roukaya Idrissa on the basis of her listening to Oumar's preaching, which I have confronted with it. Since the text is thereby shorter, it becomes manageable to insert it in this work and thus give a fuller sense of this specific object – the Nigerien Sunni preaching – to which I made so many allusions previously. The portions that are translated exclude the interventions of Roukaya Idrissa, or, when necessary, indicate them in parenthesis.

After translating and commenting on that text, I will weave a textual/contextual analysis of the issue of rights, obligations and correct conduct in contemporary Nigerien Islam in ways which highlight the peculiar relations they have developed with liberal modernist perspectives. I chose this particular preaching precisely because its rich language on rights, obligations and conduct facilitates that enterprise.

Alfa Abdallah Oumar: A Debate on Women's Rights

Regarding polygamy, not all women like it, but it is possible to tell those who do from those who do not, and why.

So for instance, a woman with an unmarried daughter, fretting about the fleeting of time, will not hesitate to give her to a man who already has two or three wives, claiming that the law of God allows men to have up to four wives. While the truth of the matter really has to do with the fact that her daughter does not have a husband. But supposing that her daughter is the first wife of a man, she will resent him marrying another woman. First wives do not very often accept polygamy, but those who are still unmarried never reject it completely.

Well, God is witness to all the deeds of human beings.⁷ God rewards or punishes according to good and bad deeds committed on earth. Once a man walked by a strange couple: an extremely beautiful woman, and a starkly ugly man. That man was as ugly as the woman was delightful. The woman was working for the man, though! So the passersby was surprised and said: “God knows best how to do anything! Why is it that such a beautiful woman is with such an ugly man, and will even toil for him to boot? I must know the reason for this!” He therefore greeted these people and the woman responded. Boldly, he asked: “What is that man with regard to you?” The woman said he was her husband. The passersby then said again: “God knows best how to do anything!” and fell silent. The woman told him, “You are surprised, aren’t you? I very well understand what you’re thinking. But I have grown beyond what you’re thinking. Perhaps this man whom you despise lives by the laws of God and follows the path of the Prophet, and I am given to him as a divine reward. And perhaps I perpetrated a wrong out of human passion, and he is given to me to teach me patience until the last day. We all have our deserts, but the difference in the eye of God is what we do with what we have come to deserve, either good or bad.

You people in this debate should consider this story as an example: it is only as you work that you are rewarded on this earth.

(The rapporteur reads, or rather, reports, in Zarma, on a letter written in French and sent to the preacher by a woman in Niamey):

“The woman says that she had a husband whom she loved and admired, and that he loved her so exceedingly that he was used to washing her clothes. But she did not help wronging

⁷ The Zarma noun for persons, people, etc., “*boro*”, is not gendered. Neither is the Hausa (*mutun*). While my translation is gendered (I use “he”, “his” for instance) for convenience sake, that does not reflect the Zarma usage and the fact that Zarma is gender-neutral at the level of articles and pronouns. In a discussion involving gender, the point must be signaled.

him so badly that he repudiated her. She is requesting prayers to the effect that she may return to him.”

(The rapporteur insists on this, saying that the sender of the letter recognizes, herself, that she had never seen a man washing the clothes of his wife, or performing things of this sort, unless she had malignantly charmed him. And yet she had to push things to a level where the man had to repudiate her. But he adds that these are things happening on both sides. He had heard of the story of a man who sold the property of his wife in order to marry another woman. That is a behavior so unworthy of a true Muslim that it may be ground for excluding a person from the community of the believers. Whatever the temptations, Muslims must resist. The person who resists wrongdoing is stronger than the person who inflicts it on others. Master your heart and subdue your anger, that is the measure of your true strength. Roused by this speech, women in the audience claim that they are no longer getting consultations from the zimma.⁸ The statement rejoices the preacher. He expatiates on the progress that women are doing everyday in their ordinary conduct. Then he went on:)

Good ordinary habits are important because of their consequences. A person who has the habit of succoring, protecting and helping other persons without seeking remuneration, as is advised by the religion of Islam, has not the right to start taking money from one such person if the person in question was not in the habit of giving him money in the past. If, before he starts helping that person in any way, the person was already in the habit of giving him money, then he may accept money offered after an action of assistance, when the offer is obviously not connected to the action. Otherwise, such money offers may serve as ways of corrupting people,

⁸ Zarma word for ritual healers, soothsayers and charmers (Hausa: *boka*, local French: *marabout*). Some of them rely on techniques and practices inspired by aspects of Islamic culture, as their French designation (*marabout* is also used for Muslim clerics more generally) indicates. Women are believed to be their main customers.

and our religion is against corruption. The Prophet, peace and salvation be upon him, said, “Whoever accepts gratifications for an act of assistance has accepted to make profit out of a service which ought to be free.” That is forbidden by our religion. People easily think that it is really nothing to accept small gifts for acts of assistance and service, and don’t see that in this way, they will end up being unable to refuse more important services one day. So the religion forbids the taking of gratifications for services performed in relation to a paid profession, as a dangerous habit. Functionaries are paid to do the work, and not to accept cadeaux⁹ from people. Of course, this is difficult to prevent, for the goat grazes where she is tied, but that is a misfortune for those who do this. Work is the pathway to paradise and work well done always brings rewards here and in the hereafter.

(The rapporteur brings the debate back to women’s issues by relaying the following concern: a woman leaves her home because of problems with her husband, and returns to her parents’ home. But the latter refuse to take her in, and order her to go back to her husband without even asking for the reasons of her leaving.)

That is a bad thing, because it gives too much power to the husband. Tomorrow, he could brutalize his wife, and be certain his actions will be tolerated by the wife’s parents. Of course, leaving one’s marital home is a bad thing to begin with. But then, when a woman marries a man, the result is twofold: either she loves her husband, and they live in peace, or she actually doesn’t love him and will try to break the marriage in any way. It is one or the other. If she loves her husband, she will not leave her home under any easy pretence. She will know then that leaving her home in this way is a grave sin in Islam, when in any case the cause of complaint she has is not recognized by our religion as ground for the extreme action of leaving one’s home. If a

⁹ The French word for gift was used here.

problem arises in the marital home, it must be tackled following a set procedure. First, wife and husband must try to sort out the problem between them. When that doesn't work however, the wife must not leave at once. They must find a third person who would examine the case, and of course this cannot be any person. First that person must not be a friend of the husband, or a friend of the wife. The person must be wise and intelligent, since stupid persons cannot arrange their own affairs, let alone those of other people! Second, the person must be learned, for an ignorant person tends to disturb matters instead of settling them. You could for instance fancy him saying to the husband that if it were him he would just beat the woman, and then, because of such ignorance, the case will be even worse off than before. Third, the person must be a worthy and honest follower of Islam. These are the three criteria God wants for this person. It is also important that the person sincerely intends to solve the problem, and before meeting the couple, he must make some ablutions and request God's help. Then when he meets them, he should listen to each in turn, whoever begins the talking, keeping the other silent until the party talking is done presenting his case. After this, he must give advice and recommendations, until peace is back again in their heart, and then the wife shall no longer feel the desire to leave the marital home.

If the parents order their daughter to return to her home, then they must follow her there after a short while and talk with the couple. That is how they will deserve God's rewards. They may fear that their daughter might take the habit of leaving the place for little reason, which is a sin, but they must also try to understand what has happened.

(The rapporteur reports on the letter of a woman who is asking whether it is obligatory for a wife to ask for the permission of her husband before going out.)

There are two kinds of going out for a married woman. There are those which always require permission from the husband, and those which require permission only once and for all. For instance, if the woman works, then she is not obliged to ask permission to go out for her workplace every morning. It is enough that the husband has accepted that she works. For visits and errands, however, she must ask permission. Moreover, if the wife asks permission for a certain visit, she must not then take advantage of this and go elsewhere afterward. There are places where a husband does not wish his wife to go, and there are places where he prefers that she goes along with him. That is in fact the reason for asking permission to go out. However, she always has the right to go out without permission from her husband, or if her husband is absent, in the cases when her parents are sick or have suddenly died. There are things that are more important than permissions. We know also that there are men who tell their wife that she could go wherever she wants, that they trust her, because she does so many good things for them. The man who behaves in this way is a good man, but he is not quite following the ways of Islam. There are a certain number of things for which a wife must consult her husband and ask for his permission. There is a purpose in the fact that God made man the head of the home. It is ignorance which leads some men to give absolute freedom of action to their wife.

(A woman complains that men tend not to grant to women all of their rights, but that she thinks that she might lead her husband to be a rightful husband by praying.)

That is true, but then women also don't grant all their rights to men. Many men come to see me privately, asking me to preach on this fact, on the fact that women don't respect their rights. But as far as I can see, the rights that are withheld are few and insignificant, and things may be sorted out by honest conversation.

Marriage is an act of adoration of God, and people must understand that. The Prophet said that, for women, it is not only that, it is also a jihad. A woman must love her husband and take care of him, and assist him in his actions. For this, her reward will be tantamount to that of jihadists fighting miscreants. Marriage is as tough as a jihad war, and at the same time it is an act of adoration in which giving rightfully incurs receiving rightfully. [Then follows here a passage in which he elaborates on this.]

(The rapporteur then asks for guidance about two verses of the Qur'an which seem to contradict each others, although that is only an appearance, since Qur'anic verses never contradict each other. One verse says that the man who knows he cannot treat fairly and equally several wives must remain monogamous, while the other verse says that a man can never treat fairly and equally several wives. What do these verses teach about polygamy?)

Polygamy really is simpler than what people make it to be, and in any case, it is better to let its doors open than to close them, despite inequality among wives and people's ignorance.[Then follows a passage in which he presents an aestheticized portrait of marriage and polygamy in the time of the Prophet and the Sahabs.]

Regarding the first verse, God says that it is permissible to take one, two, three, four wives, but that if a man cannot be just with them, he must take only one. This has to do with the legal pillars of marriage in Islam, which instruct that a man must take complete care of the material needs of his wife. If a man cannot cloth, feed and house a woman, he must not marry her. If he cannot cloth, feed and house two women, he must not marry two women, and so on. The second verse, on the other hand, is about personal love and affection, and everyone can see that we cannot love different people to the same degree. That is not true just for wives, but also for friends, or even for one's children. Most of the time, the heart beats for that which is

beautiful, clean and intelligent, and if a wife has more of these qualities than another wife, she will be inevitably preferred. That is why God said that we can never like our wives in the same, equal way, but then, God also said that we must try to hide our preference as much as we can. Whenever the Prophet came back home with gifts and things, he would share them equally between his wives, confiding in God: "I share what I can share, and that which I have command over, but pardon me if I cannot share that which is in my heart, and over which only You have command." Everyone knew the Prophet preferred Aisha to his other wives, but he was not blamed for it, because he did not show it in his actions toward them. So these two verses do not contradict each others, they address different issues. [Then follows a series of questions and answers to reach the conclusion of the preaching].

Ignorance is the key cause of all problems, not only in marriage, but in all aspects of our lives. Ignorance is the enemy of the religion of Islam. And then, marriage is a very difficult thing, much more difficult than managing a large business, a corporation, because marriage is indeed like a very complicated corporation, which ignorance ruins utterly. People sometimes fail to act right and adopt the prescribed conduct simply because they don't know what it is, and one cannot blame them for not doing what they don't know. But this means that they must seek knowledge, understand the religion, and find out its many sound rules about marriage. The key rule which makes everything simpler is patience, patience of the husband with the wife, and of the wife with the husband. Wife and husband must also find out that there are things that they cannot ask from each others, because everyone has his limitations, they must learn the practice of forgiveness and how to sit and talk. But we tend to burden marriage with things that are actually foreign to it, and many among us contract it with the notion, back in their mind, that it is going to be a heavy, constraining affair. In fact, it is only the conciliation of our imperfections.

The real problems do not come from things such as polygamy, but rather from how people treat each others, even in monogamous marriages.

When you wrong someone, the consequences are generally reaped in this life, and the husband who denies her right to a wife will end up seeing his own rights denied as well. It is as with civil servants¹⁰ who squander public goods, for instance letting water run from the faucet when doing their ablutions, and wasting ten liters of water just to wash their hands and feet. And then when they come back home, they find a hefty bill for something broken, or a painful medical bill for a child, and they wonder what on earth they did to deserve this. But God knows best!

The first thing to note about this translation is that the word which I rendered as “right,” following established usage, has, in Nigerien languages, semantic effects that are very different from the word “right” in English (or “*droit*” in French). The word is *alhakku*, whose first meaning is “deserved outcome,” either positive or negative (as in punishment and reward). However, the weight of the negative is greater in common understanding than that of the positive, especially given the fact that the root of the word, *alha*, means “offense”, “wrong.” More precisely, *alha* refers to the rights of a person not in themselves, but rather as they may be wronged or violated. This has banal occurrences, as when saying “pardon me”, “excuse me”, to a person who is in one’s way: “*alha nan*” – literally, “give up your ‘*alha*’”, “give up your ‘right to claim that I have wronged you’.” The other person, if polite, will respond, “*alha si*,” “no wrong is being done.” To purposely and consistently wrong someone else is described by the phrase “*alhakku sambu*,” which literally means: “to prepare one’s punishment by wronging someone.”

¹⁰ The preacher was several time tempted to digress on the misdeeds of state functionaries, echoing a strain of popular social critic of which the Francophones (all civil servants are Francophones) are very much unaware.

This semantic field is thus very different from the one in which the English word “right” emerges, as a positive, natural attribute of any being with individual will and interests.¹¹

That sense exists in the Zarma word *alhakku*, since it implies, as indicated above, a kind of personal right, and it is on this account that *alhakku* is used to translate the liberal concept of “right,” for instance in rights-defending Zarma-language campaigns. However, the Western, liberal concept translates only a portion of the meaning of the Zarma concept, while carrying other semantic effects of its own. Important disjunctions therefore occur in the circulation and translations of these words in Nigerien languages (including local French). I do not wish to engage here in comparative philology, but at least two of these disjunctions must be emphasized, in order to better understand the points of convergence and divergence which the clerical Islamic text presented above exhibit in relation to Niger’s alternative liberal republican culture: the implicit concept of interpersonal relationships deriving from *alhakku* and “right,” and the implicit system of justice in which each concept is embedded.

Alhakku is essentially a relational concept, which premises two individuals at least, and an amount of reciprocity – while “right” is a personal and individualizing concept justified by the uniqueness of every human being. Both concepts by and large address the same issue – the protection of a person against the actions of other persons – but their methods for doing this, implied in their substantial differences of meaning, are distinct. For the Zarma concept, rights are necessarily granted or violated: they do not stand by themselves. Human relations are therefore a tissue of transactions in which rights are constantly being granted or violated: no one is ever fully protected from this, and no one is ever fully innocent of this. Laws and customs attempt to regulate and order the frequency and the degree of both right-granting (*alhakku hi*) and right-

¹¹ This now extends to non-human animals, but not to trees and stones, despite the attempts of some environmentalist currents.

violating (*alhakku sambu*), but for the most part we must rely on good habits and patience. That is so because most of the rights granted and violated are insignificant. When violations and granting are significant, we are often aware that we might either be punished by the government, or rewarded by social consideration.

Consistency of violation and granting of rights shapes however human relations in such ways that may bring about deserved outcomes. For instance, in the case of the preaching text, the woman who leaves her home without any visible reason from the exterior (symbolized here by her parents) may be responding not to significant *alhakku sambu*, but to consistent little *alhakku sambu* which ended up exhausting her patience. When the situation has deteriorated to this extent, only the outside intervention of someone clean (with no *alha* relations with either the wife or the husband), intelligent and (given that this is a clerical text) lawful in the path of Islam could sort out the matter. Affection and admiration or strength of character often ease the acquisition of patience and good habits, but outstanding violations of rights will always be punished somehow.

This point brings us to the second disjuncture. If we resort to philosophical language, we might say that *alhakku* imbues our lives with immanent justice, while “right” belongs rather to the order of transcendental justice. Let us note briefly that I am using here, in a not too inappropriate manner, Kant’s concept of the transcendental. The concept is very different from the concept of transcendence which is more usually opposed to immanence, and means that which is beyond immediate reality.¹² For Kant, the transcendental qualifies our perceptions or knowledge of objects *a priori*, that is, our knowledge of them before we have experienced them.

¹² This concept is of course important in Islamic theology or theosophy, as describing in particular the exaltation of God and divine attributes (including, for many, the *Qur’an*) above and beyond the world of immediate perceptions and occupations in the human world. It also pertains to Christian theology. Human rights, however, cannot be described in this way – even if Kant’s concept of the transcendental has some genealogical ties with Aristotle’s transcendental categories which were used by medieval Catholic scholarship.

In Kant's language, the concept is epistemological rather than ethical, but knowledge and ethics are intimately related in his philosophy, and he is one of the key shapers of the modern concept of right. Human rights belong to the realm of transcendental justice in the sense that they exist *a priori*, before we grant or violate them, and their fulfillment is a reward in itself and the key to progress toward higher, more enlightened civilization.

Alhakku, on the other hand exists only in our doings, but creates a sense of pervasive justice, suffused with fears of retribution and hopes of rewards, in this world and (from the Islamic viewpoint) in the hereafter as well. As a result, being governed by the concept of *alhakku* will tend to emphasize, again, in a person, the consistent adoption of good habits, and their organization into correct conduct. This will increase the probability of rewards and decrease the probability of reckoning. Through correct conduct we will avoid being oblivious of the moments when we may be violating rights, like the civil servant who squanders ten liters of water for his ablutions, harming the state through higher water bills and the people by disregarding the fact that Niger is a very dry country.

Now that this has been clarified, we may return to the text. I will examine it using the frame which organizes most analyses in this work, the sovereignty/governmentality frame. The preaching text is indeed at the connection point between the two realms, organizing a transition from God's word to Nigerien manners. Categories such as "sin" (*zunubi*) and "ignorance" (*jahiltaaray*) signal the potency of the law of Islam, but the manners described are grounded in a sociological knowledge of Niger, for instance of Nigerien marriage. The preaching is an Islamic criticism of Nigerien marriage, steeped in "ignorance." That category covers the world of "customary usages" (*naamay*¹³), which the preacher indicted in a passage not translated above.

¹³ This Zarma word is also translated in French as "traditions" – and as such, the opposite of modernity. The term means more literally "the manners of our forefathers," like the Roman "*mos maiorum*." And although these

Oumar notably implies that wife beating is of the order of such ignorance, an interpretation with which many other preachers will not concur. Some explicit effects of Islamic legal sovereignty may be indicated: polygyny is licit, man is the head of the household.¹⁴

Other effects are only implicit. If man is the head of the household, the woman always should have at least two homes: her husband's, and her parents'. She could herself own a house as personal property, but as a wife, she has the right to live in her husband's home, and as a daughter or sister, she has the right to live in her parents' home. These are religiously sanctioned rights. According to these, for instance, when parents who have children of both sexes de cease, their home becomes a usufruct property of the brothers, who may not sell it because their sisters might need it as a refuge in case of trouble with their husbands. Incidentally, by the same token, the brothers inherit double the parts of the sisters, since they have the obligation to take care of them in case of trouble with their husbands.

All of these effects of Islamic legal sovereignty conflict with liberal conceptions of right based on equality of legal rights, gender neutrality and, in relation to another theme of the preaching text, the notion that marriage is a contract between two individuals, not an act of divine adoration involving jihadist character-building. More profoundly, the conflict derives directly from the fact that clericalism orders a human lifespan in ways that are very different from liberalism. Despite possible Kunderian angst, the literary, anecdote-rich, psychologically complex texture of Islamic preaching shows that "the novel" may not be stifled by Islam after

forefathers are generally unnamed, their influence seems to be of the same sort as that of the Prophet and the *Sahabs*, or indeed that of the American founding fathers.

¹⁴ The practice of asking permission to go out which is the key indicator of that law in the text appears rather lax in today's Niger, and varies greatly in accordance to social and ethnic background. It is perhaps more respected in the Hausa regions than in the Western, Zarma-Songhay areas. But it might be compared to the practice of having a male guardian when going out, that is current in many places in the Middle East and that is virtually nonexistent in Niger. For many different reasons, variations in the implementation of Islamic rules are extensive, showing the tension between codified principles and contextual regimes.

all: however, Islamic clericalism – like all clericalisms – considers life not as the constant, groundless creation of self permitted by liberal freedom, but as self-development oriented toward death and the return to the fold of the Creator. Marriage is a necessary part of that self-development, and as such, is central to the consideration of the rights of women. In fact, it is central to the rights both of women and men, since (given in particular the effects of the concept of *al hakku*) these cannot be considered separately.

What makes of preaching the connecting point between God’s sovereignty and local manners is especially the concept of summoning – “*appel islamique*” in Niger’s French, “*ceyon*” and “*kira*”, in Zarma and Hausa, and *dawa* in Arabic. It is by summoning each other that Muslims become *muminin*, since none of them has the knowledge and perfections which would render him or her self-sufficient in that regard (incidentally, this is another reason for Sunni orthodoxy to reprove Sufism). The preacher lectures in the name of God only on the basis of his recognizable individual merits (knowledge and skills), but he will also listen to others preaching in order to compare his abilities to theirs, and learn further from them as the case might be.

More to the point, the fact that preaching is an act of *dawa* – we have seen that it is the central component of the *dawa* event – has very specific implications. Although I have used the words “mission” and “missionary” to characterize *dawa* efforts, especially, in previous passages of this work, in relation to the *Jama’at Tabligh*, the *dawa* is in fact substantially different from a Christian mission. While the mission is an organization aimed at converting non-Christians to Christianity, the *dawa* is a service rendered from Muslim to Muslim, summoning to the conduct of a rightly guided life. The *dawa* presupposes that the listener is already a Muslim, but a Muslim tainted by ignorance and under sway of non-Islamic usages. It therefore urges, summons Muslims to abide by the laws which order the life of the *muminin* in this world, and thereby

prepare him for the hereafter. Concretely, this means that the *dawa* seeks to displace local manners considered antithetical to Islam, and fosters thereby the expectation of an Islamic legal regime administered at specific state organizational levels (AIN, *kadis* where they exist) or in informal ways (arbitrations by clerical persons, such as the one described in the preaching text in relation to the sorting out of conjugal problems).

Moreover, while Islamic groups rest their case on the claim that Nigeriens are massively of the Islamic religion – advancing percentages in the order of 95 to 99 % – the heartfelt necessity of summoning Nigeriens to Islam does indicate that they are more confident in the *extent* of the faith in Niger than in its *depth* and *solidity*. When I asked the president of Radio Television *Bonferey*, Chaibou Mahamane, about the agenda of his organization, he responded briskly: “For now, preaching, preaching, preaching.” And in his office at a floor below, the editor of *As-Salam* told me that “although we desire an Islamic state, Nigeriens are not ready for such a thing.” He went on: “We are the only country in West Africa, with Mauritania, to be almost a hundred percent Muslim, but unlike Mauritania, we are still not an Islamic republic.” *Dawa* and preaching do not therefore so much signal the entrenched national legitimacy of the clerical movement, and its eventual impact on the political regime itself, as an effort to build momentum toward such goals. The objective is to make Qur’anic learning authoritative, and to make of clerical persons social authorities capable of indicating what other Muslims must desire and accomplish, and what they must detest and refrain from¹⁵ – thereby reinventing Niger as a Muslim nation organized by clerical institutions and ultimately Islamic sovereignty.

¹⁵ This has a formulaic expression, found in the Qur’an: *Amr bil mar’uf wa nahi an al munkar* – “enjoin the good and forbid the evil.” An interpretation of the exhortation which highlights its political overtones would point out that it means, in the context of a Muslim community, “enforce that which the community accepts and forbids that which the community rejects.” (*ma’ruf* does have the sense of “popular”, “celebrated”, and not just good). Conclusions equally favorable to democracy and totalitarianism could be derived from this meaning.

In this effort, the clerical movement has clearly adopted successful and efficient strategies, as the description of the *dawa* event in the previous section demonstrates. These strategies take up common Nigerien cultural habits (the *faajikaaray*, the consultation of an impartial third party for solving interpersonal problems, e.g.), appropriate common Nigerien concepts (such as *alhakku*) and adjust to the organization of Nigerien time (daytime is for business and night time for entertainment and instruction) to buttress a message which is, in the last instance, of a theologico-political nature. However, it is safe to say that the movement would be more successful still, were it not for the fact that it encounters, at specific junctures, the liberal republican judicializing movement of rights-defending organizations.

Aspirations toward Islamic sovereignty come decisively into contact with aspirations toward liberal republican sovereignty in their common object and targets: Nigerien moral misconduct (such as civil service corruption), customary usages, animistic beliefs and national divisions. Here however Qur'anic learning is confronted with the daunting effects of the Western scholarly paradigm.¹⁶ The contextual problems of Niger are denounced by preachers in the language of morals and exemplary anecdotes, but they are exposed by Western-educated experts in that of statistics and methodic research. This is considered *ilimi* (world knowledge) par excellence by most Nigerien publics, including within the clerical movement itself. But while this *ilimi* prides itself on value-neutrality, it is hospitable to liberal republican categories and

¹⁶ Comparing Islamization and Westernization, William Miles remarks: "Yet if global Islamization is to be a worthy competitor to Western globalization as some claim (...), it must also hold itself to equivalent standards. Western globalization is redeemable through the benefits that accompany it, especially in terms of technology." (Miles 2003, 68) This kind of inferiority is indeed felt among Islamist intellectuals in Niger and characterizes more generally the experience of modernity of Islamists. However, as I will indicate in the concluding chapter, I find Miles' language of Islamization and Westernization quite improper, since Islamism is a modern ideology, largely *born from the colonial extension of the West in the Islamic continent*. It opposes not so much the West as liberalism, as certain movements of convergence with Christian clericalism demonstrate. Indeed, unlike other ideological alternatives to the dominance of liberalism, Islamism is also a clerical ideology, with adverse relationships to both modern science and those cultural expressions which escape the grid of its central tenets, such as those which Miles calls Africa's "communal soul."

concepts in ways which preclude its association with Islamic subjectivity. The problem that this poses to the clerical movement appears clearly for instance in the pages of the newspaper *As-Salam*, a product of Francophone Islamists mindful of the value of Western modern expertise, yet unsympathetic to most of its underlying subjective orientations.

In an effort to educate its readership on the problems of Nigerien society, *As-Salam* therefore quite often publishes interviews with University of Niamey social scientists – such as the sociologist Souley Adjé mentioned in the previous chapter, or the corruption expert Jean-Pierre Olivier de Sardan (of dual French and Nigerien citizenship) and many others. In most cases however, such interviews are either slightly doctored to impress them with Islamic subjectivity, or commented at the end in ways that reinstate the paper's line after such lengthy display of secular information.

In this and similar processes, however, modernist categories become familiar to clerical individuals, even beyond the French language. Oumar's preaching, for instance, has clearly internalized the criticism of polygyny which comes from liberal voices, and this shows at at least two junctures in the translated passages. When he states: "*Polygamy really is simpler than what people make it to be, and in any case, it is better to let its doors open than to close them, despite inequality among wives and people's ignorance*", he is directly reacting to proposals at abolishing or phasing out the practice made implicitly or explicitly by upholders of a Family Code, blaming the key argument of inequality among wives on "ignorance", and not Islam as do liberal anti-polygamists. Since the latter invoke two Qur'anic verses to indicate that the Qur'an itself really meant to proscribe polygyny by stressing the fact that men could not treat their wives equally, the *rapporteur* drew his attention to that point, and he countered with his own interpretation.

The concept of equality, especially as it relates to gender, has thus entered normal clerical discourse, most usually so that it be opposed, but not always so. In interviews with students of the University of Niamey affiliated to AEMUN, while both men and women accepted precepts such as “man is head of the household” and “the wife should ask for permission when going out on errands,” all women rejected the notion that men are superior to women, insisting instead that they are neither inferior, nor superior, but equal and different. All men, on the other hand, thought that men are superior to women. However, the interesting point here is not so much this expectable difference of opinion as the fact that made it possible at all: the emergence of the concept of gender equality in clerical discourse.

On 10 September 2006, Islamist women demonstrated against the Protocol and one of their leaders read out a declaration on the *Place de la Concertation* in which she emphasized that “Islam has elevated woman and made her equal to man in rights and obligations. It made of her man’s sister and companion. It gives her full individual rights, full access to civilization, full political emancipation, and considers her a responsible individual with rights and obligations.” (Harouna 2006). In response to concepts used in the text of the African Union’s Protocol, the language is markedly liberal while the cause is Islamic. The instance is unexceptional among Francophone Islamists. And the degree of homogeneity in Niger’s clerical society ensures that while at first such concepts, transferred from modernist expertise and language, are alive only among Francophone Islamists, they rapidly spread to the non-Francophones as well, as is demonstrated by the use of the concept, in Zarma language, by Alfa Abdallah Oumar.

In relation to the rules of marriage, the concept of gender equality has little effects, since the predominant opinion is that Islam strictly followed advantages women over men in a marital union, while compensating men by the legal direction of the household. This is generally

assumed to be fairer than what a liberal code might propose – and especially consistent with the centrality of heterosexual marriage in contemporary Nigerien social culture. The issue of equality in inheritance causes more serious rifts, especially over fields in rural areas and real estate in urban areas. A strong masculine interest in combating the idea of gender equality has solidified in order to simplify succession issues by excluding women or assuming exclusive masculine stewardship of real estate property. This interest is in the main relayed by preachers and clerical groups more generally. In reaction, women, including in the *terroirs*, have become quite open to the message of gender equality propagated by rights-defending groups, despite the counteracting messages of clerics and preachers. While the latter are not wittingly seeking to help men defrauding women of their rights, but merely want to reaffirm the law of Islam on inheritance, they contribute in that way to the systematic negative consequences, for women, of the contemporary Nigerien political economy. Women feel this in their condition and are responsive to efforts to organize and assist them.

So, the concept of gender equality has clearly compromised the integrity of clerical discourse by producing questions about the meaning of masculine superiority and objections to the inheritance law of Islam in relation to real estate, in the Nigerien context. While it is certainly not accepted by the masses in the movement – even as a few members of the Francophone Islamists' associations do not object to it – it has opened in it a breach through which rights-defending groups can now advance their own principles, presented in defense of women. The clerical discourse must address criticisms which rights-defending groups base on their control of expert knowledge, and this defensive stance signals its key limitation: the lack of a productive knowledge paradigm which will back up Islamic judgments with research and methods attuned to Islamic concerns. Given this key shortcoming, clerical opinion makers must, for instance,

resort to the routine practice of “cheap shot” arguments. A consistent finding in both preaching tapes and *As-Salam* articles in this relation is that criticism of negative situations created by tentative Islamic legal regimes in Niger is not denied, but generally followed up with – or sometimes preceded by – by a repulsive and largely fictional portrait of similar situations in Europe or the United States. The claim that the problems tied to Islam are less serious than those tied to Western modernism thus puts the troubling expertise in a more gratifying perspective.

Another breach which creates a similar point of contact between the clerical and the civil societies emerges from the issue of democracy, and I will elaborate on that in the concluding section of this chapter. Since democracy and its derivatives – human rights, republican constitution, and liberal law – are the ground upon which the civil society deploys its own strategies, we must beforehand study some of its impacts on Nigerien society through civil society instruments. In the next section, I will examine some of the ways in which ANDDH attempts to oppose republican legal regimes to both Islamic legal regimes and customary usages through its key method, the judicial assistance. Through judicial assistance, liberal republican principles are effectively soaked into the murky waters of Nigerien contextual problems, and are thus at times, as we shall see, colored by Islam.

Republican Codes and Nigerien Disorder

On 17 October 2006, I met the ANDDH judicial clinical in Niamey, the technical assistant Binta Massaoudou, for an interview. In the middle of our conversation, her cell phone rang, she excused herself and responded. Before the interruption, Massaoudou was explaining that many in the larger Nigerien society view ANDDH judicial clinics as a kind of public service set up by the state as a connection between the *talaka* and the judicial system. While the belief was erroneous, she pointed out that it did give them in many cases a kind of weight and authority

that they would normally have completely lacked as a simple association of concerned citizens – their true identity.

After she hung up her phone, she reported on the exchange she just had, and which I had half understood already by overhearing. It was a call from the technical assistant of the ANDDH judicial clinic of Diffa – a town 1,300 km east of Niamey, not far from Ngourti – who was giving an account of a task she had requested from him. A gendarme had divorced his wife in Niamey prior to being appointed to Diffa. He had a daughter with the woman he divorced. During the process, Massaoudou had served as counsel for the woman and the divorce court had granted her child support and alimony. Once in Diffa however, the gendarme stopped payments to his former wife, and the latter came to the judicial clinic to apply for assistance. After an inquest certifying the facts, Massaoudou contacted her colleague in Diffa who, in turn, called the gendarme to confront him. The gendarme rushed to the Diffa clinic, apologized profusely, asking that his “honor and secret” (*asiri*) be protected, and promised to restart payments. Massaoudou – who is very critical of Nigerien masculine misconduct – was beaming, and I was impressed. That was a rather stark confirmation of ANDDH’s authority: enforcing the law on law enforcement (a gendarme).

Before going further then, let us use this specific case to put the association’s authority in perspective. Three points in particular should be underlined.

First, ANDDH is not an administrative authority, and cannot legally “convoke” (the word used by Massaoudou in this case) a citizen, and least of all, one would think, a law enforcement agent. However, a simple call from a technical assistant was sufficient for the gendarme to “rush” to ANDDH’s premises in Diffa. That is so because ANDDH has in fact very special relationships with law enforcement agents, for two reasons. On the one hand the latter are

frequently branded (“*indexés*”: pointed out with the finger) in ANDDH’s reports and public communiqués as human rights violators, and on the other hand law enforcement corps are the greatest applicants to ANDDH’s human rights training seminars, partly owing to lobbying of ANDDH’s national bureau with the government, and partly because ANDDH’s human rights training certificates are accepted by the United Nations when recruiting among Niger’s armed forces for its interventions in Africa’s troubled spots and elsewhere. United Nations’ salaries and advantages considerably dwarf what the state of Niger normally offers, even though the job is also much tougher. Moreover, given its penetration of the law enforcement and armed forces world, ANDDH in fact is often called upon by lower rank agents and officers in case of certain kinds of conflicts with “the hierarchy.”¹⁷ Because of this range of oversight and service performance, law enforcement agents have developed to an extent the notion that being “*indexé*” by ANDDH is a “shame.” In this particular case, the feeling of shame is heightened by the fact that conjugal affairs might be exposed in a report or a press communiqué: the concept of *asiri*, used by the gendarme in his apologies, refers specifically to “intimate business that one shares only with especially trusted friends.”

Second, owing to its extensive territorial implantation, which parallels state administration, ANDDH can and does act in a coordinated manner throughout the country. This creates the impression that it has the powers of a state organization, and that impression is empirically correct, given the linkages of ANDDH with the judicial system – both through its network of affiliated attorneys, and its strategic alliance with the SAMAN.

¹⁷ During my research I moved about a great deal with ANDDH’s technical assistants and bureau members, and they were almost always greeted by policemen, gendarmes, republican guards and sometimes soldiers whenever they were recognized in public.

Third, the latter indication stresses the fact that the law which ANDDH helps to implement is republican law and Right – although this will need some important nuancing as we shall see. The case at hand is particularly revealing of this fact: the gendarme had in fact wanted to repudiate his wife. That action – which was open to him given the heterogeneity of Niger’s legal regime in matters of marriage – would have required that he take care of the needs of his former wife for only three months after their separation. If he had so wanted, the wife would have had to take care of the child until she is seven – his only obligations being to pay for child support. After seven, typically, the child is removed from the mother to live at the father’s home, or to be entrusted to his relatives. That is the right of the father under Niger’s Islamically shaped customary rules. But Massaoudou had urged the wife, in this case, to bring the problem to the state divorce court, where the rules applied are those of the civil code, inherited from the French colony of Niger. Theoretically, the divorce court must decide on alimony and child guardianship, but in practice, its rulings mix the French principle with the customary principle: the mother keeps the child until he or she is seven, but the father pays both alimony and child support through that period (while under Islam, alimony *per se* is restricted to three months) – unless the woman marries again, in which case alimony is dropped. Not only is original republican law (in this case the French civil code) therefore modified by its association with customary rules, but at times, Massaoudou resorts also to the divorce court of the AIN, which applies Islamic *Maliki* jurisprudence in a very sophisticated manner.

Although state judges reject the authority of AIN’s rulings, they are widely accepted by the population, creating problems only when litigants attempt to use AIN’s decisions in state

courts and discover that they are, there, held to be invalid.¹⁸ Despite its principled adherence to state law, however, and given the fact that the state does not intervene to suspend AIN's activities, ANDDH's technical assistants resort to AIN when they find it expedient. In most cases, they find that AIN's conception of Islamic law is indeed much closer to the human rights ideal (the ultimate standard for ANDDH) than conventional customary rules. In matters of divorce, for instance, AIN holds long sessions of hearing at specific days during the week, with the primary view to mend the marriage and avoid the divorce, in a formalization of the role of the third party problem-solver described in Oumar's preaching text. When the "repudiation letter" is granted to the husband after conciliation hearings have failed, the material advantages assigned to the former wife are greater and better described than in the case of simple customary repudiation. But what is far more important is the fact that the husband is then made to swear on the *Qur'an* that he would fulfill his duty.

In Niger, such oaths carry immense weight, given the real, widespread belief in the Qur'an's preternatural powers and the retribution element integral to the concept of *alhakku*.¹⁹

¹⁸ The general vagueness which shrouds the customary domain of Nigerien republican law in fact validates by default AIN's *kadis* rulings on marriage and inheritance matters. However, AIN does not intervene in other civil matters, and penal law is strictly reserved to state courts.

¹⁹ In an interview with *Le Démocrate*, Djibril Abarchi, a Law professor at the University of Niamey, a leading member of the commission which drafted the 1991 constitution and, incidentally, the first vice-president of ANDDH, made interesting revelations which show that attachment to *laïcité* was only one reason for excluding a constitutional oath in 1991, and others pertaining to Nigerien Islamic and customary beliefs might have been even more important. The Nigerien proceedings of 1991, he said, were very much influenced by what was happening in Benin (see Chapter 4, Section 1): "At the time, we went through the Beninese constitution, which mandated that the president of the Republic should take an oath on the manes of the ancestors, and we wondered if we should do something like that in Niger. Well, given the fact that the Beninese did something specific to their country, what would be suitable for Niger? We thought of a Qur'anic oath, given that the AIN had a representative in the commission, but someone convinced us that the oath would be too strong. Others suggested that the president should swear on the tomb of his father or the milk of his mother. But this is so strong in the Nigerien context that the risk that the president will end up forfeiting any action whatsoever, lest he violates his oath, was too great. So the idea of an oath was eventually dismissed." (*Démocrate*, Interview de Djibril Abarchi 2005). It might well be the case indeed that non-Islamic rituals carry even more weight with the understudied African cultures of Niger, as is shown for instance in some detail by Thomas Kelley (Kelley 2006)

Both the formal procedures and the rights-based principles are, at any rate, in agreement with the “defense of human rights.” But obviously, AIN’s clerical system is not consciously wedded to that ideal: it rejects customary rules only on the basis that they are inadequate applications of Islamic *Maliki* law, steeped in Nigerien “ignorance.” That shows that ANDDH’s resort to AIN is in fact purely pragmatic, for its own preferred method for combating the “barbarity” of customary rules is the propagation of state law, i.e., of republican codes.

Before getting into the gist of this matter however, a short presentation of ANDDH is in order. The *Association Nigérienne de Défense des Droits de l’Homme* was created in October 1991, by the same category of people who founded *Le Républicain* and *Le Démocrate* and the Nigerien Party for Democracy and Socialism (PNDS): high school and university professors, and high ranking cadres of strong parastatals.²⁰

These are the élite of Niger’s Francophones, priding themselves especially on the intellectual identity of that social group.²¹ ANDDH was part of the first crop of DDD Associations, and is the only one which survived the corruption and inefficiencies of that early period to grow and consolidate in a position not unlike that of AIN on the clerical side – although with complete financial independence from the state. ANDDH did develop linkages with the Nigerien government when the government was briefly in the hands of the PNDS, in 1993. On that occasion, for instance, ANDDH was offered real estate in Niamey, on which it located its current national seat. But PNDS has never returned to power since then, and ANDDH has developed a strong non-partisan identity.

²⁰ I call strong parastatals those enterprises which had to survive Niger’s economic collapse of the late 1980s, for instance mining companies. The chairman of PNDS, Mahamadou Issoufou, was indeed a high cadre in the Nigerien Society for the Exploitation of the Mines of Air (SOMAIR), which organizes the exploitation and commercialization of Niger’s uranium.

²¹ PNDS is popularly known as “*Le parti des intellectuels*”, the intellectuals’ party.

The association has executive bureaus – a national one at the top and branches closely paralleling Niger’s administrative subdivisions – which are elected at each level by active members. The national president – Khalid Ikhiri, a chemical science professor at the University of Niamey – has never lost on elections since 1991, but the more active position is that of vice-president, which was initially occupied by jurists, but which has been filled for the past ten years by a philosophy professor, Badié Hima, who characteristically wrote his dissertation at the University of Dakar on Kant’s principles of right. The executive bureaus do not offer paid positions, although ANDDH offers many opportunities of grants, stipends and subsidies for a variety of activities for its members. Most of the funding comes from Danish donors, but ANDDH’s record of financial integrity and effective delivery of services shelter it from donor fatigue. Funds are chiefly allocated to the payment of the technical staff, and the maintenance of buildings and equipments.

Unlike with Western NGOs, all of these do not have a grand showing: pay rates follow the paltry Nigerien salary scales and city cars routinely venture on tough Nigerien backcountry roads and trails for faraway meetings with peasants. But this shows at least that ANDDH’s enduring success is based largely on sincere commitments – as well as hopes of building careers in the comparatively affluent world of international human rights and humanitarian action.

In Niamey, ANDDH has several premises at different locations: the office building of the national seat, a documentation center with a conference and seminars room and the offices of Niamey’s local executive bureau, which also comprise the office of the judicial clinic. In other towns, ANDDH owns or rents buildings hosting the local bureau and judicial clinics. Local branches are headed by regional coordinators, and judicial clinics by technical assistants.

The judicial clinics are the central instrument through which ANDDH conducts judicial assistance. An ANDDH document defines it as an “office for judicial information, orientation, consultation and documentation, working to promote fundamental rights by spreading knowledge about citizenship rights and obligation. It is directed by a technical assistant, who is a jurist.” This definition covers a broad mission which even includes the “amelioration of the rate of tax assessment and collection,”²² a range of varied activities which includes regular radio programs and the training of “customary chiefs” in human rights matters. The numerous points and categories covered by the judicial clinic do not exist only on paper. The pace of activities is intense, and they are recorded in minute sheets and standardized tables, with numbers of completed actions – e.g., completed radio programs, completed legal sensitization sessions, etc. – aligned in relation to target numbers. The results form periodic reports which are sent to Niamey and synthesized by the principal manager for the final national report prepared by the national bureau and presented to the government, other DDD Associations and Western NGOs, and foreign embassies which request it (mostly from Western countries).

Because of the bulk that may result from this paper trail, ANDDH came up with standard tables recording numbers and minimal descriptive writing. Early local reports were, however, narrated – sometimes extensively – and they thus offer a more vivid image of judicial assistance at work. In the same way as I used the text of a preaching in the previous section, I will here use reports from the ANDDH judicial clinic of Agadez, where the technical assistant persisted longer than elsewhere in narrating cases and thus reporting many contextual details (It bears noting that Agadez’ technical assistant was at the time the only one who was a paralegal, and not

²² Anecdotally perhaps, Moussa Tchida, then ANDDH’s general manager (the top salaried staff position in the association’s organigram), first wrote a thesis on Rousseau at the University of Ouagadougou (Burkina Faso) and then a management thesis on Nigerien fiscal issues at the University of Geneva, in Switzerland – Rousseau’s homeland and a *lieu de mémoire* for Francophone republicans.

a degree-holding jurist). I will first present some of the tables – which all relate to the problems of conjugal life, to again echo the preaching text – before examining in more detail a case which was exposed with particular emotion by the technical assistant, and then offering my analysis, based on this and other reports. I have translated the content of the tables, but left blank the numbers and dates of the files:

Complaint #: XXXX

Complaint date: XX XX XXXX

Complaint filer: Mme A K, jobless, living in XX

Complaint's object: Rights reclaiming

Nature of the complaint: civil/oral

Date at which complaint examined by ANDDH: XX XX XXXX.

Complaint Summary:

The woman personally asked me, as one who knows her husband as a friend, to intervene so that her problem might be solved. Seeing me recording the case and writing down her name and surname, she insisted that she did not want to sue her husband in a courtroom.

Then the case got into newer developments and we had to talk with the husband. The Regional Coordinator and the AT [the technical assistant] attempted twice to get ahold of him, but he is constantly travelling for his work.

Our approach: Get the version of the other party and then work to appease the conflict.

Our action:

ANDDH Members involved in the case	Goals:	Results:
AT, Coordinator	Put complaint filer back into her rights.	After hearing the husband, we have come to conclude that ANDDH might find it hard to resolve this case.

Figure 6-1. ANDDH Complaint Card AK

Complaint #: XXXX
 Complaint date: XX XX XXXX
 Complaint filer: Mme A A, living in XX
 Complaint's object: Rights reclaiming
 Nature of the complaint: civil/oral
 Date at which complaint examined by ANDDH: XX XX XXXX.
 Complaint Summary:
 She claimed that she had been swindled by her in-laws after her husband died among them, without telling her. They allegedly wanted to lay hand on his estates, before she knew it. We led an inquest.
 Our action :

Investigator : AT	Goals :	Results :
After inquest, we found out that the woman wanted to defraud us. The justice of peace told us that she had declined to swear on the Qur'an that her husband had repudiated her before his demise. That was the allegation of her in-laws. Seeing this, she said she rest her case with God.	Put the complaint filer back into her rights.	The complaint filer was put back into her right. She was offered another opportunity to take an oath, but could not do it.

Figure 6-2. ANDDH Complaint Card AA

Complaint #: XXXX
 Complaint date: XX XX XXXX
 Complaint filer: Miss H H, eighteen, secondary school student, living in XX
 Complaint's object: Rights reclaiming
 Nature of the complaint: civil/oral
 Date at which complaint examined by ANDDH: XX XX XXXX.
 Complaint Summary:
 Her father wants to force on her a man who lives in Niamey, and whom she does not like. She prefers another man, living in Agadez. The case was first brought to the justice of peace, who appears to have ruled against the girl. She then contacted us. We brought her to the Kadi. There, she asserted that we and other people being witness, and her being of age, she has chosen her Agadez suitor, with whom she had been bonding for three years now.
 Our action:

ANDDH Members involved in the case :	Goals :	Results : Solved.
AT	To manage the conflict between the two parties through counseling.	It was decided that the girl should be left alone to pursue her education.

Figure 6-3. ANDDH Complaint Card HH

These series of case all three demonstrate in a variety of ways the enframing of the liberal concept of rights by entrenched local customary and Islamic concepts and practices.

In the first case, Mme A K was clearly seeing in the technical assistant the third-party problem solver of Islamically-sanctioned procedures, and not the human rights defense militant. For instance, she wanted to avoid the adversarial setting of state courts, with their transcendental philosophy of right and wrong, because she thought that while her husband might have wronged her, she also might have wronged him. But we will never know, because the matter was, for the technical assistant, of the kinds which ought to be covered by respect of *asiri*, even in a bureaucratic report. The fact that he personally knew the husband as a friend and was thus trusted by him as such explains this. Moreover, by consulting him, Mme A K did not respect a

key criterion for choosing a third-party problem solver for conjugal matters: he should be friend to neither the husband, nor the wife.

The second case exposes the consequences of customary cavalier repudiations – and the relative insensitivity of the technical assistant to these. Despite his demonstrated attachment to the human rights ideal, the technical assistant considers the instruments of repudiation and Qur’anic oath-taking legitimate. The woman who clearly considered herself a victim of circumstances had tried to lie about the repudiation, and thereby avoid the loss of an inheritance she felt entitled to by marriage. But she could not lie on the *Qur’an*, and had to rest her case in the ultimate justice of God.

In the third case, a full blown father-daughter conflict opposes an arranged marriage to a romantic affair. The report does not say why the justice of peace (in theory, a representative of state justice and modernist law) found against the daughter, but the specific procedure followed at the AIN-affiliated *kadi* court found against the father. *Maliki* jurisprudence rules out compulsion in marriage. The bride to be must be asked, in the presence of witnesses, whether she consents to the union, and her response settles the matter. In cases when the girl is strong-willed or plucky, she may withstand her parents’ pressures, and that is what happened in this case. The next case is less edifying, in that sense.

The case started with a mysterious phone call received by the Coordinator, and a text message received by the technical assistant, both alerting them on a shocking situation : an eight or nine year old girl had been forced to marry a wealthy older businessman (an *Alhadj*) who was about to whisk her away to Cote d’Ivoire. The matter was urgent as the *Alhadj* was about to depart with the girl the next day. Coordinator and technical assistants met and after an investigation, they were able to locate the house of the girl’s family. It turned out that the girl

was not eight or nine, but fourteen, and Agadez' customary usages authorize the marriage of a fourteen years old. The father was absent, for unreported reasons, but the girl had two older brothers who had both attended local ANDDH legal sensitization seminars: it was they who contacted the coordinator and the technical assistant. They opposed the marriage, which the mother was organizing. The two ANDDH leaders at first thought that given that the girl was underage according to the civil code, the marriage was illegal. But they were told, at the justice hall, that customary rules were as valid as the civil code in matters of marriage, and that if the girl consented to the union, there was nothing else that could be done. Under perceptible pressure from her mother, the girl was consenting to the marriage. The Agadez technical assistant – who, exceptionally, was not a degree-holding jurist – called an ANDDH-affiliated law professor at the University of Niamey, in an effort to find technicalities that would allow him to outmaneuver the mother and customary usages. But nothing was on offer. The girl was married to the *Alhadj*, and left for Cote d'Ivoire.

This case reveals the real life stakes which are behind discussions about the legal age of marriage in Niger. The issue is less that there is no set age, as that there are too many of them: on the one hand, each customary usage has a set age or range of marriageable ages, generally very low and sometimes infantile, and on the other hand the civil code has its own set age, eighteen and above. Customary usages are determined not only by locality, but sometimes by ethnicity as well. This dense plurality of rules fosters an instability of rights, and, more generally, an impossibility of homogeneous legal expectations which state judges find particularly challenging for their project at judicializing Nigerien society.

Be that as it may, ANDDH's success is to a large extent consequent to an expansion of state law which, like the clerical movement, took rapid pace in the late 1980s. We have seen, in

the previous chapter, that it was then that the Nigerien magistracy took its current shape. But other legal professions also started to develop. At the time, Niger had only very few attorneys and notaries, all moreover living in Niamey. Over the 1990s, the ranks of the legal professions have swollen and are still on the increase, and “*plaques avocat*”²³ have become common sights in Niamey, while they have started to make their appearance in other towns, like Maradi. Clerks of court and notaries have also grown in numbers. All of these professions depend, for their livelihood, on state law, and have direct vested interests in its spread and consolidation as primary or exclusive law of the land.

There have not been studies of this judicializing movement, aside from a monograph by a LASDEL researcher on the magistracy (Hamani 2008), and I cannot describe it in any detail here. However, ANDDH clearly participates in it by presenting state law as a rights-defending instrument, and by its many side activities which promote it in innumerable ways. Its performance rubrics include not only training seminars, judicial assistance and legal sensitization, but also something called “*appui-conseil*” (counseling support) which in fact covers all kinds of actions not taken into the definition of the other rubrics. Sometimes this verges on social work, but in most instances, it is a case of helping individuals organize their concerns in formal, so that they can be addressed by state law. For instance, from the technical assistant of Dosso, in a 2006 quarterly report: “A counseling support was given to Mr O G, as he is building an application file to secure state agreement for the creation of a non-governmental organization,” or again, “a counseling support was given to Mr Yarou Garba Modibo, candidate to elections for the chieftaincy of Sirifidey, who is contesting the gendarmerie inquest which validated the candidacy of his rival, whom he says has no right to the chieftaincy. After we met

²³The French language name given, in Niger, to standard billboards advertising the cabinet of an attorney.

the administrative and customary authorities, the inquest was conducted again in the most transparent fashion.” ANDDH reports offer, across the years, evidence of the steady judicilization of Nigerien society throughout the vast territory, but it is not the mission of this work to study this topic.

Rather, I wish to point out at this juncture that all of ANDDH services – except for certified trainings in human rights – are free of charge. This is due to the fact that its conception of human rights defense is defined and buttressed by the propagation of republican state law. ANDDH has exactly a liberal republican identity: the liberal ideal of human rights defense is upheld by the propagation of republican codes. These codes were mostly inherited from the French colony, with the exceptions of the rural code, the electoral code and the un-adopted family code. The main debate in articles published by judges in the *Revue BEN SAMAN* (the SAMAN’s periodic bulletin) and by judges and other legal professionals in the *Bulletin de l’ANDDH* bears on the inadequacies and inconsistencies of these codes, owing chiefly to both their obsolescence and the influence of customary usages and Islamic principles in the very mechanisms of republican law and Right. Publicizing them and assisting individuals and groups in taking advantage of their resources helps, in the thinking of ANDDH, in pushing through updates relevant to the human rights standard.

The task ahead for these liberal republican organizations is indeed to shape the action of lawmakers in ways which would further modernize republican codes and disconnect them from non-republican inconsistencies. In this view, their militants are critical of certain mechanisms of Nigerien democracy, namely those which had unsettled the hold of the Francophones over state organizations. A common opinion in rights-defending organizations such as ANDDH, AFJN or RDFN is that if Niger is failing to adopt codes and conventions defending liberal women’s rights

for instance, it is mostly due to the fact that non-Francophones are now predominant in the National Assembly²⁴ – merchants who leveraged their way into the institution by funding electoral campaigns. They are therefore lobbying a new provision to the electoral code to the effect that the minimum of a secondary school degree must be part of the file of any candidate to the National Assembly. And despite the fact that the National Assembly is dominated by people with no degree at all, the idea sticks, a testimony to the prestige of the Francophones and their connections with *ilimi*.

On the other hand, the clerical movement seeks also to reform customary usages and successfully compete with – and ultimately – displace republican law and Right. We have seen that both movements come into close contact with each others in tentative governmental regimes, even as they strive to solidify their principles in opposition to each other. But militants in both movements are also very aware of the fact that the prize of victory will be determined by the identity of the political regime, and the final definition of a sovereign whose face, is, at this point, partly Islamic and partly republican. In the next section, I will examine some salient effects of this situation in connection with the nature of the political regime, and I will draw some key conclusions.

The Nigerien Question Finale

This work has woven something which is more of the order of the baroque tapestry (or maybe Oriental rug) than of the classical tableau favored by mainstream social science's

²⁴ It is indeed the National Assembly which rejected the African Union's Protocol after it has been signed by the government, in 2005. However, the issue is more complicated in the sense that even Francophone MPs voted massively to reject it. One of the latter (Sanoussi Jackou) justified his voting in an interview with *As-Salam* where he upheld the Huntingtonian line of a "civilizational clash," claiming that the West wants to impose its values on Niger. The fear of homosexual marriage and the "spread" of homosexuality, which were thought to lurk behind the Protocol, were in particular very real, including among women deputy, who embraced the defense of women's rights but did not recognize the legitimacy of "abhorrent" gay rights. What could be said, in any case, is that the ambience at the National Assembly is certainly determined by the massive presence of non-Francophones, which then contribute to strengthen the conservative proclivities of many among the Francophones.

preference for parsimonious and elegant patterns and models. In part, this is a consequence of the the project of analyzing the actions and ideas of categories of people which are generally studied in tightly separated niches: to arrange and cluster as correctly as I could their voices and the threads from which they emerge, I had to trace lines which, at times, must have appeared too intricate at a glance.

Yet even this wide embrace had to exclude other agents who are almost as important, in the definition and occupation of Niger's national public space, as the ones who have been here the main objects of study. The Kiota *Tijaniyya* and the *Groupe Alternative* in particular were not taken into account. I wish to start this concluding section by giving a hearing to their voices. Sideline somewhat by the mainstream engagements of the dominant groups of the clerical and the civil societies, they offer perspective views that might have a refreshing clarity with regard the central issue of the definition of the "seat of power" in Niger.

I will therefore first examine two texts published in the newspapers *Alternative* and *Al-Maoulid*, before reprising the thread of the Islamic and the republican states based on a comparison with the situation as it has evolved in Northern Nigeria. I will afterward end this section with a short reflection on the contextual prospects of Nigerien modernity.

The *Alternative* text is an article written by one of the key intellectual leaders of the *Groupe Alternative* – the radical leftist modernist wing of Niger's civil society – Cheffou Ligari, in reaction to the disturbance around the FIMA fashion show of 2000. The article took the form of an essay which strove to bring out the specific contradictions of Nigerien subjectivity, insisting that these are the underlying factors which made the turmoil possible. The title says as much: "*Pagaille des islamistes: tous coupables...*" (Ligari 2000) ("The Islamist Mess: Everyone's Guilty..."). In this view, Ligari attacks the "duplicity" of the state and the

“ambiguity” of the citizen, highlighting thereby the Nigerien inability to comprehend their own condition:

Niger is a secular state where the *Qur'an*, the holy book of Islam, serves as the law of the Republic. Both the president and the prime minister take their oath on it! Niger is a non-denominational Republic which is also a member of the Organization of the Islamic Conference, where diplomacy must speak the language of Islam. This short, non-exhaustive list is enough to incriminate the duplicity of the state. (...)

But the ordinary citizen himself is attached to Islamic culture, at least when it comes to the bulk of the population. And despite some signs of manifest evolution,²⁵ he is still unable to move away from reflexes acquired at a low age. The Nigerien is (for the most part) Muslim by inheritance, and thus finds himself confused and conflicted in the current democratic context. Fearing confusedly the possible loss of a religious tradition which goes a long way toward shielding him from social upheaval, the Nigerien is certainly not “the perfect Muslim” and remains ambiguous with regard to the Islamic question. So while he might find some actions quite unhealthy, he does not know how to react to them when they have religious connotations. Both our intellectuals and the members of the civil society shy away from a clear stance, when they do not simply utterly blind themselves. This creates a terrain that is very favorable to all kinds of extremisms, in particular those based on Islam.

Al-Maoulid, a single-handed venture of a *Tijaniyya* intellectual, Barham Cheick, was a newspaper²⁶ aimed at celebrating contemporary Sufi virtues – tolerance and taste for celebratory culture and social action, coupled with distaste for direct involvement in politics – and at undermining “the Islamists” (i.e., the Sunni orthodox-dominated clerical society). This is very much a political stance, but one that may be characterized as negative – in the sense that it does not propose a substantive political project. The stance is in particular defined by opposition to the ideals of an Islamic state and of a comprehensive code of conduct based on Islam. In the very first issue of the newspaper, Cheick thus published the full interview of a Moroccan Sufi

²⁵ For the sociopolitical meaning of this word, see Chapter 4, Section 1, iii. Characteristically, Ligari implies that Islam hampers modernist evolution.

²⁶ *Al-Maoulid* is discontinued at the time of writing, but its founder/editor told this researcher that the interruption is momentary.

intellectual Faouzi Skali²⁷ under the provocative headline “*L’Islam politique est une hérésie*” (“Political Islam is a Heresy”). The interview reasserts the Sufi claim that religion should never be the source of political opinion, confining itself instead to social action and the development of spirituality. To the straightforward question, “Are you then saying that Sufism has no responses to political issues,” Skali responded:

In the opinion of spiritual guides, Sufism constitutes a framework for the social and spiritual refinement of the Muslim, but they will never claim to respond to every question that there is. That is why the illustrious Muslim thinker Al Ghazali said that the *faqih* does not offer political guidance. (...) Every citizen has his own political opinion, but it is clear that politics is a profession, something in which one specializes. The religion which says that there is a correct response to every single problem is heretical. In fact, it is a delirious disconnect with context and reality. (...) That is why someone rightly said that Islamism is the disease of Islam. (Al-Maoulid 2007)

This strong language, not exceptional in the pages of *Al-Maoulid*, denotes both the militant engagement in favor of Sufism, and an embattled sense of the advance of the more ideological objectives (Islamism) of Sunni orthodoxy which, reliving the initial seizure of Arabia by Wahhabism in the 1920s, seems to threaten Sufi positions throughout the Islamic world – both in Niger, and in Morocco for instance. But Skali’s response is also a rejection of the notion that a form of Islamic sovereignty may impose general order on human reality. In this view, Sufis are non-political in the fundamental sense of “the political” with which I introduced this work.

But then, recalling the tableau I have drawn in the second chapter of this work, it might seem odd that Sufi groups in Niger are in essence refusing any direct action on the country’s governmental regimes. And yet the Kiota order’s leadership does reject the concept of an Islamic state – and was shocked when *As-Salam* famously doctored, in July 2000, an interview with the

²⁷ Skali belongs to the *Qadiriyya*, but Morocco is the native land of the *Tijaniyya* itself. The issue devoted another full page to the biography and virtues of the founder of the liturgy, Shaykh Sidi Ahmad Tijani (see Chapter 2, Section 1).

leader of the order to make him say that he wanted one. It equally rejects state-sanctioned application of the *Shari'a*, seeing in that legal corpus a set of jurisprudential social rules rather than a codified legal regime.

Such public positions certainly go against the more powerful trends of Sufi history in West Africa, in the nineteenth century, and the intervening colonial decades might help to explain the contemporary course. However, it is also likely the case that the Sufi jihads of nineteenth century Sudanic Africa went against the trends of the longer and larger Sufi history, and occurred for the specific reasons which I indicated in the second chapter of this work. Besides, even then, certain side events draw our attention to the fact that more habitual Sufi patterns were also at work at the time. I mentioned, for instance, the historian Fuglestad's bafflement at the peaceful installation of a *Qadiri* order in Say. The fact of the matter was that unlike dan Fodio and Umar Tall, Diobbo did not feel the need to excite a political revolution against the contemporary *koytaray* of the Zarma and the Songhay – even as the influence of his order gradually impregnated local populations with much of the social and spiritual virtues advocated by Abd al-Qadir al-Jilani and his followers. In a very similar fashion, that is how the Kiota order was founded in the 1950s, and that is the kind of influence it is developing among the same populations, through a network of rural congregations and a calendar of celebratory gatherings. Furthermore, it should be remembered that after he had conquered the Hausa states, dan Fodio himself resigned all political powers in order to lead a saintly life in a common house in Sokoto – confirming his claim that government was not his ultimate ambition, but only a necessity he felt drawn to under the circumstances.

These two examples point to a central element which defines the contemporary Nigerien context: neither adherence to *laïcité* or to Islamism (or “political Islam”) is preponderant in the

larger society. A duplicitous state and an ambiguous civil society uphold *laïcité* but shy away from excluding Islamic instruments and regimes from the public arena altogether. At the same time, Islamic political governmentality is rejected as an absurdity (both pathological and unrealistic) by a strong if unobtrusive Islamic current, reflecting widely held opinions. It is this ambivalence which makes of the Nigerien national public space a terrain where political democracy opens up the difficult experimentation of a plural governmentality. The experimentation is as yet unsatisfactory both to those who claim to represent the society, while not holding the state, and to those who claim to hold the state while not leading the society. While Hassane Souley, the leading founder of the newspaper *As-Salam* contends, hegelianwise (in the words of Harold Laski) that “Islam authorizes and poses state organization as the fount of all actions and the most important phase of human organization,” and that “Islam has a philosophy of the state and a philosophy of governance,”²⁸ (Souley 1999) Soly Abdourahmane, the dean of Niger’s magistracy states that “men govern themselves and govern other men without reference to God. The power they exert does not flow from divine power: they were voted in, or took it by force, or inherited it. That sets things for *laïcité*. This does not imply that the state is indifferent or hostile to religion, but rather that it is free to protect all religions and creeds.”²⁹ (Soly 2005)

In this context, the sequence of political democracy in which Niger entered in 1991 becomes an effective quest for the “seat of power”, the sovereign. And the failure or success of Niger’s democratization may not be measured by the extent to which it replicates, or fails to replicate, models in Western lands, but rather by the extent to which it productively solves this

²⁸ This essay, programmatically entitled “the Citizen in the Islamic City”, was featured in what was *As-Salam*’s very first issue.

²⁹ This is from an interview synthesized in *Le Démocrate* and entitled: “A Denominational Oath in a Secular Republic is not a Good Thing.”

particular dilemma. This is what, in its comparatively short history, Niger has inherited, and this is how it is working out a path to something that might be, quite simply, Nigerien modernity.

A similar experimentation has taken an instructive path in nearby Northern Nigeria. There, political democratization enabled states in which Muslims are numerically preponderant to adopt *Shari'a* as a source of civil and penal state-sanctioned law, and other instruments and organizations were instituted to governmentalize Islam. The evolution is in no small part due to the efforts of the Muslim clerical leadership in Northern Nigeria to bestow on that part of Nigeria a specific Islamic identity in competition with the Christian clerical leadership of much of Southern Nigeria – which engages in the same effort for Christianity. But it has led to the effect that while in Niger instruments such as preaching and *dawa* are private endeavors, they have become, in Northern Nigeria, the purview of state organizations. The state of Kano, arguably the most important in that region, has developed, alongside the older secular institutions and the local branches of the federal government, a number of clerical state institutions: the Societal Reorientation Program Office, the *Shari'ah* Commission (in charge of surveying the implementation of legal regimes synthesized from Sunni conceptions of the *Shari'ah*) and the *Hizbah* Board (in charge of monitoring manners and conducts and ensure that they are agreeable to the clerical establishment).

Famous cases of thieves losing their hand to amputation and women threatened to be stoned to death made the headlines following these innovations, and in the main, the enterprise has created new problems while not eliminating those which are fundamental to Kano's context: extreme poverty, high birth rates producing a very juvenile population in a world of little educational and occupational opportunities, decaying infrastructures and elite corruption. At the same time, local charitable care is better organized while some of the ills of living in Kano's

boisterous environments are mended by fuller government employment (the clerical institutions employ non-qualified labor) and significant decrease in crime rates. Because the bulk of Niger's populations in the eastern regions share the same languages and customary usages as those in Northern Nigeria, Nigeriens are aware of most of these developments, and they are unattractive for those outside of the clerical society. The latter, on the other hand, attempt to take inspiration and stimulation from the political victories of their Northern Nigerian colleagues, who now participate in great numbers to the Nigerien *Wa'azin Kasa*.

Comparison with this case – which, admittedly, has been presented here in a very simplified manner – better indicates the course that Niger may follow in the future. Unlike Nigeria, Niger has no sizable Christian population, nor active Christian groups within the clerical society. Protestant minorities exist in a space with no public impact, although they are incurring considerable hostility from the more ideological members of the clerical society at a popular level, on account of their missionary activity. However, much of the anti-Christian rhetoric of Niger's Islamic clerics replicates the Northern Nigerian discourse, and indeed, the more extreme anti-Christian orators have either lived extensively in Nigeria, or are even Nigerians living in Niger. This might explain why the Catholic Church, historically tied to the French colony (and not to the British colony of Nigeria) and lacking a policy of missionary conversions, is relatively sheltered from these attacks.³⁰ The extreme minority position of Christians in the public space (and also demographically) paradoxically means that the urge to define national identity in Islamic terms is far less intense in Niger than in Nigeria.

Moreover, the fact that Niger lacks an ethnic hegemony of the kind Hausa ethnicity exerts in much of Northern Nigeria, and certainly in the state of Kano, hampers discourses of

³⁰ During the FIMA riots in Maradi, missionary Protestant temples were damaged but the sprawling buildings and church of the Catholic Mission were conspicuously spared.

cultural determinism. Prominent members of Kano's intellectual elite try to establish, in rhetorical as well as expert discourse, Hausa ethnicity as inextricably bound up with Islam, and the state attempts to induce or compel populations in rural areas who did not hear those news to live up to these claims. On the other hand, the more common consensus of Niamey's intellectual elite is to recognize, from a secular point of view, the diversity of Nigerien creeds and usages: the state has thus recently started to send officials to attend and acknowledge an annual animistic festival in the town of Massalata (of Hausa ethnicity), in the Arewa³¹ region of Niger.

Lastly, unlike Nigeria, Niger is a centralized state. The policy of decentralization currently implemented, largely at the behest of international authorities, does not impair that core institutional reality. As a result, governmentality evolves from the central institutions and organizations, in Niamey – and Niamey, like most national capitals in Africa, is a point of contact between a variety of national ethnicities, and also the place where international influences affect more directly the national public space. Therefore, unlike Kano, it does not have the kind of social hegemony which greatly helps in the establishment of new governmental regimes and the wholesale adoption of new policies. The “duplicity” of the Nigerien state is largely a consequence of this fact.

While an evolution even to the conditions of Kano – where Islamic governmental regimes and institutions coexist with secular ones and the *Shari'a* is a central source of civil and penal law – is improbable in Niger, the consolidation of the Islamic clerical society as a significant opinion-shaper and political actor is effective on its contemporary national space. The value put in Sunni Islamic norms, clerical conduct, trust in God and retribution here and in the

³¹ Ironically, while Arewa, which also means “north” in Hausa, is the generic name through which Northern Nigerians designate the states of the North of that country, and therefore the Islamic component of Nigeria, the Arewa region of Niger is the main stronghold of animism of that country. Moreover, Massalata, the de facto animistic capital of Niger, means, in the Hausa language, “the Islamic prayer (*salla*) place”!

hereafter is today an important dimension of the Nigerien experience, not least because of the fact that these notions, mundane and numinous alike, contribute to imparting stability, resilience and the possibility of moral cleanliness to lives spent mostly in conditions of rampant poverty and elusive modernist ideals.

In its more material sense, culture is chiefly a set of coping habits which endure, and sustain a horizon of ideals. Here, these habits and ideals are both, in their various guises, Islamic and *laïque*, and are adjusted to images and artifacts of a Nigerien modernity which is not ordered by any distinctive political sovereignty. Nigerien modernity is neither Islamic, nor *laïque*, and as such, appears to exist in the very quest of a definition in which it is engaged. The quest started in earnest when Niger moved into its political democratic sequence in 1991, and that sequence has certainly not yielded all of its fruits yet. Threads and realities can be studied to gain compelling understanding of the present, but the future is not written.

CHAPTER 7 CONCLUSION

Two important conclusions can be drawn from the present work. The first one points toward an interpretive theory of the relationships between liberalism and Islamism as projects for modern order, and the second foreshadows an explanatory theory of governmentality in complex situations. In this final, concluding chapter, I will only briefly sketch each of these perspectives (a fuller treatment must be left to another effort) and I will relate them to the federal issue of the politics of modernity.

In his characterization of the rule of colonial difference, to which I alluded in the final section of Chapter 3, Partha Chatterjee describes modernity in terms of a discursive field which, at the same time, theoretically includes non-Western humanity as subject for education – even for coercive education – yet ultimately excludes it on the basis of culture and race.¹ The politics of modernity, understood primarily under the prism of liberalism – with potent coryphées such as John Stuart Mill or Alexis de Tocqueville – evolves despotic instruments as it seeks to pervade colonized societies. In the case of Niger, we have seen the stark instances of the *Indigénat* regime and of the requisites of the *commandement*, but also the subtler strategy of educational discipline, developed on the notion that local cultures were inferior and disposable. In Patterjee's analysis, even after independence, the rule of colonial difference continues to apply, since the end of Europe's empires does not mean the end of what I am calling here the politics of modernity.

¹ In a conference paper presented in 2006, Mark Brown uses Chatterjee's rule of colonial difference but argues that "character and conduct" were in fact the true metric underlying the rule, and not race (Brown 2006). This take is fairer to theorists like Mill and Tocqueville who were critical of racist thinking in the colonial enterprise, and therefore to liberalism during the colonial period more generally. But it is not true to historical reality and to the complexity of liberal opinions which often submitted to racist thinking in their own, devious ways.

To the colonial framework in which the fault line ran between the governing race – holding the full array of liberal rights and civic commitments – and the dominated races – relegated to varied spheres of despotism in proportion to their proximity or usefulness to the governing race – a post-colonial framework divided between the “civil society” and the “governed” was substituted, giving substance to the “conflict that lies at the heart of modern politics in most of the world.” (Chatterjee 2004, 4). Chatterjee describes that conflict as

the opposition between the universal ideal of civic nationalism, based on individual freedoms and equal rights irrespective of distinctions of religion, race, language, or culture, and the particular demands of cultural identity, which call for the differential treatment of particular groups on grounds of vulnerability or backwardness or historical injustice, or indeed for numerous other reasons. The opposition, I will argue, is symptomatic of the transition that occurred in modern politics in the course of the twentieth century from a conception of democratic politics grounded in the idea of popular sovereignty to one in which democratic politics is shaped by governmentality.

On the surface, this description evokes much of what was uncovered and narrated in this work, but Chatterjee’s purposes and arguments are in fact quite different from those pursued here. Let us first address that difference, and then reprise the directions to which his reflection is pointing, and which are centrally relevant to this work.

Chatterjee wants to oppose political liberalism as a value-neutral, universalizing organization of the civic nation, to governmentality which is adjusted to the heterogeneity of culture-bearing populations. While the civil society – conceptualized as “the closed association of modern elite groups, sequestered from the wider popular life of the communities, walled up within enclaves of civic freedom and rational law” (Ibid.) – retains the ideal of liberalism as the correct form of democratic governance, it is best, in most of today’s world, to think in terms of “those who govern and those who are governed.” That relationship forms something very different from the civil society, and which Chatterjee calls “the political society.” The political society exists in the West, in the sense that governmentality – rule by expertise, pragmatic

instruments, programmes – lies at the heart of modern politics, but is more characteristic of, or characteristic in a different way, in post-colonial societies.

In post-colonial societies, governmentality precedes the nation-state, instead of being generated by it as in the West. This creates a kind of disjuncture between the civil society and the political society which makes of the invention of nation-state order, based on popular sovereignty, an elusive proposition. What obtains instead is fragmentary politics, in which the project of democratic modernity, to which Chatterjee adheres, must be led through a thicket of everyday life contestations and illegalities. Then modalities of participation in politics, which would arguably let “some of the squalor, ugliness and violence of popular life” into politics (Chatterjee, 50), could be imagined beyond the “sanitized fortress” of civil society and the restrictions of capitalism, secularism and statism.

In developing these arguments and propositions Chatterjee was intervening in a particular conversation on the nation (as theorized in particular by Benedict Anderson), liberalism and republicanism (as theorized by Pocock and Pettit, not as presented in this work), and he was building on his previous reflection on colonial domination as a ruling dyad of deferred political liberalism and actual governmental despotism. The accounts I offered, although apparently similar, are in fact different in their meaning, because of my key philosophical premise that political order and human reality are necessarily disjunctive.

In considering liberalism as a claim to sovereignty, I adopt a position of greater theoretical distance than Chatterjee and most social scientists, from the political theory of liberalism. Instead of examining its particular claims as if they could actually translate into what they aim at achieving (a certain kind of ordering of human reality) and ultimately reaching the conclusion that, as such, they are either failures (as in the colonial period) or delusions (as in

post-colonial civil society), I take liberalism as an active matrix of ethical ideals, aesthetic stories and governmental instruments which produce certain effects on human reality depending on the context in which they are occurring. The context might be (diversely) more congenial to such ideals, stories and instruments, notably owing to the existence of an industrialized capitalist market or (as in France) the destruction of old regime clerical authority, but it is never entirely ordered by the doctrinal claimant to sovereignty. The elegant predictability of the anthill is above, or below humanity (according to one's persuasions) and we shall never know the Baudelairean country where "all is order and beauty, luxury, calm and voluptuousness." The West/Rest divide is unwarranted here, stressing the point I developed in the third chapter of this work about our need for an epistemological concept of the world for the social sciences. Thus, if we consider for instance the contextual cultural category of secularism, liberalism may be more active in the Nigerien state than in the American state, while, under the contextual political-economic category of capitalism, it is vastly more active in the United States than in Niger.

This particular point brings us to the issue of the politics of modernity, which I conclude here to be the distinctive universe of ordered political relationships in which both liberalism and Islamism take root. In chapter 3, I emphasized the fact that liberalism is one of the main subjective groundings of modernity. It is especially the one which influences contemporary social sciences (as a scholarly formation) the most – at the expense, in Western countries, of socialism. However, the Nigerien story shows just how much we cannot reduce modernity, or the quest of modernity, to liberalism, even if we lump together its doctrinal antagonists, cultures, religions and ethnicities in a non-modern universe. Islamism appears here, in its organization and its agendas, "walled up" in an equivalent of the civil society, which I called the clerical society. Moreover, it is, very much like liberalism, the product of the same processes of standardization,

codification and state-Weberianization which we call modernity in politics. It is the modern state as it emerged from the administrative absolutism of late Ancient Regime France and the French Revolution which created the colony and state of Niger, bestowing on that specific political territory the desire to organize just this kind of state, at the behest of liberal republicanism or Islamism. The Islamic state sought by Islamists is not, in effect, a reproduction of Ancient Regime states which ruled predominantly Muslim political societies in the past (states such as the Sultanate of Morocco or the Noble State of the Osmanlis – the official name of the Ottoman Empire) but rather an Islamized Weberian state.

In a study of the Ottoman Empire as an absolutist Ancient Regime state, Ariel Salzmann considers that

although modern notions of sovereignty (just as the ideology of absolutism and “reason of state” in the past) might require that political scientists maintain this fiction,² there is no reason for the historian to accept the category of the unitary state at face value.

As an anthropologist of law, Sally Falk Moore reminds fellow social scientists that even the contemporary state is an ‘organization of organizations’ whose integration (and disintegration) over time occurs through competition and negotiation. To put this in an early modern context, we might say that despite the growing concentration of coercive powers, autonomous behavior, and increased agility in coordinating its parts, the pre-modern state (...) operated within a limited range and with varying degrees of efficiency. Rather than a monopoly of powers in the Weberian sense, the absolutist sovereign relied on a plurality of force: the early modern state ruled, but did not govern. (Salzmann 2003, 19-20).

However, my point is that the Weberian monopoly of powers does not exist even today, and is only the ideal state of modernity. The differences between the Noble State of 1750 and the Turkish state of today lie in the spectacularly improved infrastructural organization provided by

² Salzmann is referring to the unitary Weberian state, and quotes, in a footnote, Laski’s *Studies in the Problem of Sovereignty* (1917) where the celebrated British political scientist states that “Hegelianwise, we cannot avoid the temptation that bids make our State a unity. All groups within itself are to be but the ministrants to its life; their relativity is the outcome of its sovereignty since without it they could have no existence.” This was prior to Weber’s fame, and points toward the earliest philosophical theoretician of the modern rational state, G. W. F. Hegel, with whom (and against whom) I started this work. I very much believe that we *can* avoid the temptation which Laski indicated

modern material civilization, rather than in the nature of the state itself. As regards such organization, for that matter, the contemporary Nigerien state is much closer to the Noble State than to states at the center of the modern world economy.

Governmentality itself is not a function of monopoly of powers, but rather the result of a certain adjustment of expert knowledge to the conduct of the governed.

To understand the character of the relationships between liberalism and Islamism as projects for modern order, we will therefore need to consider at the very least the following three points, presented here by means of syllogism: 1. The image of modern sovereignty is the modern state, and as such, it is desired by modern ideologues (both liberals and Islamists); 2. If the desired outcome – the modern state – is the same, the matrix – liberal, republican, Islamist, socialist, etc. – is different and 3. Therefore the governmental instruments which produce real effects on the population and on society are different.

In his study of governmentality in India, Chatterjee considers for instance mathematical devices as a key form of expert knowledge – in a sense because, following the “reformation of the mind” current, the application of computative devices in government has become a hallmark of modern statecraft. In this work, I used legal codes and hinted at sociological statistics – but it was also clear that, from the point of view of Islamists, a codified conception of Islamic legality is a form of expert knowledge that could be enshrined in modern statecraft and produce adequate governmental instruments. The historical chapter of this work even reveals that, in this region of Africa, the notion may not originate exclusively in the influences of the French state, since this kind of codification was attempted by Usman dan Fodio – for instance in his *Letter to the People of the Sudan*, and in other works which deserve to be fully studied in this light.

And indeed, if in Niger the training and expansion of republican legal professions has provided the *laïque* state and liberal agendas with a proactive resource in suitable expert knowledge, the lands which were under the sway of the Empire of Sokoto in the first decades of the nineteenth century have advanced remarkably in the development of Islamist governmentality.

Yet if sovereignty interacts with reality through governmentality, then something else must be taken into consideration – the effects of reality on sovereignty through governmentality. This leads us to my second conclusion, which I will preface with a story about Islamism. The failures and delusions of liberalism in post-colonial modernity have been extensively studied, but if, as I am claiming here, Islamism is in fact on the same boat, then it is interesting to take here at least a cursory look on the ways in which it fares for its part in the same context.

In a chapter of *Contemporary Arab Thought*, Ibrahim M. Abu-Rabi chronicles the career of the Islamist intellectual Rashid Ghannushi, a bitter opponent of the idea of secularism which he disparaged by noting that it “came to [Muslims] on the back of a tank, and it has remained under its protection ever since.” (Abu-Rabi 2004, 203). Ghannushi fervently strove to use the resources of the *Shari’ah* and of an exclusive canon of Muslim legal and political thinkers of the past to create a doctrine which would successfully oppose “Western modernism and secularism” in Arab countries, and especially in his native land of Tunisia. His effort towered in a book written in Arabic, *Public Liberties in the Islamic State – al-Huriyyat al-ammah fi’l dawlah al-islamiyyah* (1993) – after an itinerary of prison and exile. Despite his solidly demonstrated commitment to Islamist ideals, Ghannushi came however under accusation, by Salafist orators, in London, of harboring “Western concepts that are alien to Islam, such as democracy and public liberties, for whose benefit he seeks to alter Islam’s concepts, claiming that they are flexible and

capable of modifying whenever we want, depending on our interests or according to our own reasoning.” (Abu-Rabi, 222). *Hurriya*, we must recall, is the way in which the translators of Bonaparte’s proclamations in Egypt rendered the French word “*liberté*” when Bonaparte’s army (which had no tanks but was not less forceful for that) occupied that country. From these Jacobin dazibaos, the word propagated and took its meaning in modern-day Arabic. Ghannushi has thus in effect selectively rejected *laïcité*, but not *liberté* – something which we have seen at work among Niger’s own Islamists.

In opposition to such language, in any case, the critics of Ghannushi and other writers of a similar cast of mind found nothing better than to insist that the entire theoretical vocabulary must be “Islamized.” Thus, “natural law” must be replaced by “God’s deputyship,” “human rights” by “the legitimate rights stipulated by the *Shari’ah*,” “democracy” by *shurah* or consultation, “parliament” by “the body of influential people.”

Such a tallying set of concepts is revealing, at the level of international Islamism, of the effects of the issues I have studied in the case of Nigerien Islamism. The modern Islamic sovereign must be critical of the West – and especially of liberalism – in the name of Islam. But the criticism must be couched in a language that is modern, and that reflects, in this way, the language of liberalism – even as the objective is to refute liberalism. As a result, Islamism develops the same dilemma as liberalism, under clerical garb: it proclaims universal divine rights that must be worked out in a framework of religious nationalism and order the conduct of everyone through specific legalities. Contextual realities may help in the implementation of the kind of order it seeks to produce, but here too they will be more congenial in certain places than in others. While clerical leaders in the larger cities of Northern Nigeria actively promote the

notion that the Hausas are essentially a Muslim nation or ethnicity and must therefore be governed as such, a similar course of action is less viable on Niger's public arena at the moment.

Reflecting on his masterwork *Arabic Thought in the Liberal Age*, Albert Hourani remarked that

there are also books to be written about thinkers of quite a different kind: those who still lived in their inherited world of thought, whose main aim was to preserve the continuity of its tradition, and who did so in accustomed ways, writing and teaching within the framework of the great schools, the Azhar in Cairo or the Zaytuna in Tunis, or of the Sufi brotherhoods. (...) In many ways it was such writers who continued to be dominant throughout the nineteenth century, since most Arabs who acquired literacy and culture still did so within schools of a traditional kind and continued to be affiliated to one or other of the Sufi orders. In the present century they have lost much of their domination, or so it seemed at the point in time when I was writing my book: it is clearer now than it was then, at least to me, that the extension of the area of political consciousness and activity, the coming of 'mass politics', would bring into the political process men and women who are still liable to be swayed by what the Azhar said or wrote, and what the shaykhs of a brotherhood might teach. (Hourani 2007, ix).

At the end of my study of Nigerien issues, I feel that I agree with Hourani. The squabble between Ghannushi and his critics shows the radical extent to which they are both taken in a discursive field (as Patherjee would say) fashioned by the age of modernity. Doctrinaire Islamists speak a language that is novel and foreign to most Muslims, but which resonates with the concerns of doctrinaire liberals, as well as (and perhaps more worryingly) with those of the upholders of the romance of purity who have been steadily created by the modern age since at least the early nineteenth century.³ The ambiguity of Nigerien publics in relation to Islam, as deciphered for instance by Ligari, is a way of belying the fictions of modernity. The tidy evolutionary separation between an age of religion and belief and an age of reason and science is generally representative of such fictions, but the Islamist reverse contention that the age of Islam

³ Or yet again, as was the project of Roxanne Euben (Euben 1999), they may be related with the modern upholders of anti-rationalism. Darrin McMahon (McMahon 2001) presents clerical reactionaries in eighteenth century France as the origin of the *modern* right, and that, not only in Catholic countries. One indeed hears, in the anguish and irritation of French clerical writers faced with the triumphs of *philosophie* the tone of contemporary Islamists and ideological Christian groups in relation to the perceived encroachments of secularism and modern rationalism.

represents the true progress in relation to the age of secularism is also a modern fiction. What both kinds of modern political fictions have in common is the denial that religion and reason, belief and science, Islam and secularism, are in fact simultaneous, contemporaneous and often alive at the same time to the same individual. The fiction of modernity calls this untidy simultaneousness “ambiguity.” If Ligari – a Francophone modernist – criticized that ambiguity in relation to his own ideals of rational modernity, Islamists do so in relation to their ideals of religious modernity.

In this work, I opened the Nigerien stage with the FIMA fashion show controversy because it was at that time that I started to suspect this fact, in relation to Islam in Niger. One leader of ADINI Islam, whom I quoted, and who might be characterized as an “old regime Muslim” in the sense adumbrated by Hourani’s words, claimed that the Islamists’ demonstration was not quite the Muslim thing to do. He sincerely believed that Muslims do not demonstrate, they consult and advise. He might have been shocked by the behavior of many Muslim faithful over a decade dotted with Islamist demonstrations. More to the point, most ordinary Nigeriens seemed also to be disoriented by the demonstrations: students and unionists demonstrate, the thinking went, not clerics. That was indeed a distinctively modern behavior (readily identified in students’ and unionists’ manners in contexts such as Niger), further compounded by the creation of formal associations, the notion that there is a strict Islamic code of conduct, and that the fulcrum of politics for Muslims must be an Islamic state. In this perspective, I have concluded that Islamists are in fact even more at variance with Nigerien society than the promoters of liberalism and republicanism. Their main opponent is not the latter, it is Islam itself.

If this is hard to understand, it is partly because Islamists *are* Islamic leaders. The notion that your main opponents are precisely those who you intend to govern is counterintuitive,

although very characteristic of the necessary disorder and messiness of politics. But this messiness can be parsed somewhat, on the basis of the cases I explored.

I have shown the difference, in the clerical society, between Sufi and Orthodox Sunnites. But as many other indications showed, the Sunni orthodox clerical society itself is not monolithic. It is first, and importantly, divided between Francophone Islamists and other groups. And secondly, those other groups have varied tendencies, which I have not documented at length, but which may accommodate a very great number of opinions and lifestyles; I shall come back to this detail in a moment. All of this means that the more unbridgeable divisions in the clerical society are those which stem from the nature of the cultural capitals of the various Sunni Orthodox groups.

Francophone Islamists, because of their proficiency in French (and sometimes English) and the Internet, in particular, participate in the international Islamist debate, animated by people like Ghannushi and his critics on the more rigid sides, and Tariq Ramadan on the more pliable side. Such debates do not translate, for the more substantial parts, into the popular universe of local Nigerien languages, such as Zarma and Hausa. But Zarma-speaking and Hausa-speaking faithful also differ in terms of cultural capitals, since the latter come easily under the direct influence of developments in Northern Nigeria – much more structured than those in Niger as we have seen. The issue of cultural capital should also draw our attention to avoiding, at this stage, the methodological blinders of not seeing beyond the subject at hand. In both language universes, for instance, profane oral and performance-based genres (epic legends in Zarma, romantic movies in Hausa) compete rather successfully with the austerities of preaching and sermon. The repeated attacks of the Kano clerical establishment on the Hausa movie industry is a significant measure of that success. Much like the Christian Ancient Regime French society, contemporary

Muslim societies are also lay societies, and the attempts of clerical groups at governing them on the basis solely of religion discount this fact.

The secular aspects of Nigerien society are not expressed only in entertainment culture, but also in customary rules, non-Islamic religious beliefs and rites, and the particular ways in which Nigerien publics, in various locales, and on the basis of their own past history, adapted Islam to their mores. While Francophone Islamists claim therefore to represent society against the state, the claim of better representing the diversity of Nigerien society is being made by the *laïque* state, and this, with at least equal weight. Certainly, the civil society, as we have seen, in connection with the pragmatism of ANDDH, does not hesitate to resort to resources which contradict, in the absolute, its missions, but which may come in handy in many contexts. This imparts on ANDDH and the civil society more generally the ambiguous identity pointed out by Ligari, and which alters its original, ideological identity – a clear case of being governed by the governed.

Similarly, the fact that the Nigerien state alters its organizations and compromises to an extent its constitution in response to the effects of the clerical society on the larger society further signals that organized power is indeed transformed by those upon which it claims to exert its power. But then, this truth is equally valid for the clerical society itself. Its more ideological members (Francophone Islamists in particular) may despise popular preachers who address chiefly issues of everyday life in Nigerien towns at the expense of theology, civil order, and the Islamic state. But these are the issues which interest Nigerien publics, and therefore those who delve in them are those who impart much of its weight to the clerical society.

These three rather unobtrusive facts are related to the ways in which the civil society, the state and the clerical society all strive to shape the standardized Nigerien opinion suitable to their

projects and their underlying subjectivities. Standardization of mass opinion is a process, and not an event (like, for instance, mobilization): it takes time, it is inconspicuous and it has a reciprocal impact on those who strive to control it. The sequence of “mass politics” ushered in by the National Conference has brought into the political process a wide heterogeneity of opinions and “humours,” which are not ordered by any prior hegemony and were organized only by state corporatist bodies in the previous sequence of Niger’s history. Faced with this specific human reality, in which, as we have seen, both Islam and the Republic cohabitate with other forces groups with governmental ambitions are compelled to understand not only their expertise, but also the social realities at hand.

Accessing state power greatly reduces the difficulties involved in this kind of work, given the reach of state organizations and the symbolic values of state bodies. But nothing is preordained, as the variety of current results indicates. In taking a comparative view on other countries where similar issues develop, we may note contrasted situations as regards for instance the role of the state. Thus, we have seen that while in Niger the civil society has greater access to state power, in Kano, it is the clerical society which, today, holds that prize. The situation in Senegal is apparently intermediate. We may multiply the examples on this frame, but at any rate, the key strategy in this perspective for all such groups is to play on issues which potentially standardize mass opinion in the long run: family life, education, government. Conditions of subjective crises (such as those created by economic desertification and the National Conference in Niger) stimulate efforts to develop the desired public perspective on such concerns. Civil society groups have employed the strategy by serving as intermediary between state law and the governed. Clerical society groups, on the other hand, appear to need liberal agendas in order to

spur the standardization of mass opinion – in a reflection of the issue I pointed to, earlier, when presenting the case of Ghannushi and his critics.

Specifically clerical political mobilizations occur almost only around issues brought up by liberal actions and agendas, such as the condom-based campaign against AIDS or the campaign against gender discrimination. Without such issues, Islamists will lack arenas in which to voice specific ideological platforms to larger publics. Maybe the most significant current example of this behavior is the attempt by Islamist groups to *preempt* liberal agendas, as evidenced by mobilizations against especially male homosexuality and the possibility of legalizing gay marriage. Most dominant social groups in Sub-Saharan Africa appear to despise and lack understanding for homosexuality – especially in its masculine variant – and there does not seem to be supportive movements in Sub-Saharan civil societies toward the social recognition of that form of sexuality. In fact, in some cases, the suspicion of “homosexual epidemics” has created a moral panic even among lay publics. Nevertheless, in various places, most recently in Senegal and Nigeria, clerical groups have quite successfully mobilized against the notion of “gay marriage.” With the combined support of clerical Islamic and Christian groups, a law has been adopted in Nigeria to preemptively ban gay marriage in January 2009 – likely in inspiration from a similar legislative action taken in certain American states – and in Niger where the subject is hardly a staple of public opinion, Islamist opinion-shapers strive to draw attention to the impending danger. Thus, *As-Salam* titled its first headline against the Protocol, “*Le Protocole lesbien*” (“The Lesbian Protocol”), with the clear intention – failed in this instance – to spur a moral panic.

By creating their public identity on such issues, clerical societies are effectively attempting to govern (and not simply oppose) civil society. The battle for the codification of

women's status is, for instance, waged in the language of liberation (even though the objectives are non-liberal) because of the fact that standardized liberal opinion on the matter has been entrenched both by local secular scholarship, and by national and international civil societies. Clerical ideologues cannot avoid using such language, because using another – the one which Sufi orders or the Zaytuna may prefer – will condemn them to the irrelevance of un-modernity and informality. If modernity is not necessarily liberal, the language of modernity is prevailingly liberal. But to demarcate themselves from the liberal project while using liberal concepts, clerical ideologues must come up with a doctrinal project similarly codified, embodying modern rationality in the historical language of Islam and installing thereby an ambiguous malaise among the masses of old regime Muslims – who can neither accept it, nor reject it. The hallowed Islamic tendency to keep most personal transactions (even including marriage) away from direct governmental instruments such as codes and laws is in fact vexed not only by republican codes, but by Islamist counter-codification as well.

An area for subsequent research related to this second conclusion would therefore be about the following statement: *civil and clerical societies, in their wrangling, are creating among the masses of the governed a kind of consciousness which, ultimately, is defeating their respective projects in their current form, and will therefore transform them much more than they will transform the governed.* We may perhaps call this the paradox of Arnold Bennett, which would be reduced to the simpler formulation: *to govern also means to be governed.* I believe the paradox applies to a large extent, under the formulation pertinent to the Nigerien case, to most contemporary Muslim societies and may apply, under different formulations, to other societies as well.

But the fact remains that people are governed by their opinions, and it is their opinions which, once standardized in public instruments, enable the creation of the categories of crimes for which they will be punished, the scales of their punishment, and the rules through which they will accept – or will not resist – being conducted. Groups such as the Nigerien civil and clerical societies offer to publics in a given country an ensemble of legal categories and rules through which they will govern their private and public dealings. They resort to the strategies that their resources afford them, they use the media fields available to them, and in their grappling actions with their target publics, they create new governmental fictions of which they are never, as they wish, the sole demiurgic narrators. This continuous dialectics ensures that there is neither terminal defeat, nor final victory for anyone. Order does not settle and history has no end.

This does not preclude the task of charting the specific relationships which are characteristic of the moments in which our own contemporary issues evolve, and which I call here the politics of modernity. The particular problems studied here are not in themselves “modern,” and have characterized, under other forms, this part of the world (the Sahel) for over a millennium. In a study of the origins of clericalism in the Western Sudan, Lamin Sanneh compares two figures of power and authority in the kingdom of Wagadu (which dominated the Western Sudan between the eighth and the eleventh centuries AD), al-Hajj Salim, founder of the clerical movement of the *Jakhanké*, and Magham Diabé Sisé, founder of the secular-animistic state of Wagadu, and he notes:

Traditional sources make of al-Hajj Salim a contemporary of (but more probably a man of equal stature with) Magham Diabé Sisé, the Serakhullé founder-king of Wagadou, i.e. the ancient Ghana of written sources. Although these accounts place some emphasis on al-Hajj Salim being a contemporary of Magham Diabé Sisé, they should not be pressed for their chronological value only. What they might be saying is that if Magham Diabé Sisé can be made to represent a secular/political impulse in Serakhullé history, so al-Hajj Salim can be made to represent a contrasting and independent religious/clerical line. Magham Diabé and al-Hajj Salim are thus two stylistic representations, in oral traditions, of a differentiated

line of political innovation in one direction, and, in another, of an autonomous clerical establishment in Serakhullé history. (Sanneh 1976)

In that era, the *Jakhanké* did not compete with secular kingship – moreover solidly established on animism – but lived in separate quarters (or in fact a separate, twin city of the Wagadu capital of Kumbi Saleh) and they ended up gradually dispersing through the Western Sudan, carrying with them, in a way similar to that of the contemporary *Jama'at Tabligh*, the words of Sunni Islam to other populations. But the conditions of modernity have transformed this Sahelian pattern, especially, as has been demonstrated in this study, through the idea of the national state, the practice of government as political fiction rationalized in codes, and the hegemony of the Western paradigm in the production of expert knowledge.

These transformations made, for instance, the unitary national state into the central organization in the process of codifying people's lives, and they displaced older knowledge for a new kind of expertise characterized by a rationalist separation between the subject and the object of knowledge through a comprehensive concept of order and sovereignty. In *Rule of Experts*, Mitchell offers an example of this kind of displacement through the construction of fiscal expertise in Egypt, on the basis of new, rationalized cadastral mapping. Among other things,

the old cadastre rested on the knowledge of the village surveyors. These men possessed a vital skill, especially in the south, where the Nile flood still inundated most of the fields each year. After the floodwaters had drained away, the surveyors marked out the plots along the dikes. The same expertise produced the old cadastral registers, and was still relied upon for local assistance in producing the new cadastral maps. The maps were made in the same years as the building of the first Aswan dam. As we know, the dam was to reorganize the distribution of expertise, taking away most of the local knowledge of flood basin irrigation, distributed along the length of the river, and concentrating technical control at one site. (...) The map contributed in its own way to a similar redistribution of knowledge. The cadastral knowledge of the village surveyors was now to be transferred into the map. The reason for the 'mechanical' level of accuracy in the survey work was that the map had to be precise enough to allow the area of a plot, and thus the tax liability of its owner, for the first time to be calculated from the map itself. Instead of measuring the land, tax officials will measure the map. (Mitchell, 91-92)

This kind of evolution occurred on the social space in precisely this way, with codification. In the Nigerien case, such codification, owing to the particular procedures of Romano-Germanic law, takes quite straightforwardly the form of comprehensive codes covering certain domains of social activities and relations. But codification pervades the politics of modernity from the universalization of the concept of the written constitution, without which the modern state is unimaginable, to the infinite regulatory texts which govern, in various forms, private and public transactions in the time of modernity and international conventions defining rights and obligations.

As regards states, even the apparent exception of Britain – allegedly a modern state with no written constitution – is very much a stark confirmation of this phenomenon: Britain, or rather England, is arguably the first land to have been integrally subjected to modern cadastral mapping and codification: the *Domesday Book* and the *Magna Carta*, which combined to differentiate it from continental Europe, and may well go a long way toward explaining the early emergence of capitalism and liberalism in that country – especially insofar as they were political expressions of more general contractualist practices and societal codification of human relationships. According to the historian André Maurois (Maurois 1967), that is in part due to the fact that England's government by the conquerors who came from the duchies of Normandy and Anjou had many of the traits of a modern colonial regime *avant la lettre*, very much comparable to what happened in Egypt as studied by Mitchell – although Maurois compared it to Morocco. In any case, the state history of England is dotted with subsequent codifying texts (the Petition of Right of 1628 and the Bill of Rights of 1689 in particular) which were contemporaneous with the founding charters of the American colonies and foreshadowed the constitutions of the United States and of the various French republics.

The codifying process as such was not limited to England in historical times and occurred outside of Europe as well, including at the level of state organization. In the second chapter of this work, we have seen instances of this in nineteenth century West Africa. It is however in Europe – and probably at first in England – that it acquired the character which has made it integral to the politics of modernity.

More specifically, it is the mutually constitutive relations which it develops with the unitary national state and the technologies of modern expertise (secular or religious as the case may be) which bestow on it characteristics and consequences that are original to our time. Like the Egyptian maps which permitted a vastly more efficient method of tax assessment but ignored the realities of the land, codes, constitutions and regulatory texts, as governmental “maps,” produce a rigorous expertise of rights and obligations in society, and expect human realities to adjust to them. “We must adopt Islam, we cannot adapt it,” said Cheick Boureima Daouda, effectively describing the constitution of Islamism in that respect. But that statement describes equally well liberalism and other modern matrices of individual conduct and civil order. Our successes and our failures, as denizens of the time of modernity, depend a very great deal on how we cope with the problems and quandaries which derive from this, and which the Nigerien quest of political order illustrates.

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BIOGRAPHICAL SKETCH

Abdourahmane Idrissa was born and grew up in Niger, where he completed his primary and secondary education. In 1991, he went to college at the University of Dakar, in Senegal, where he first studied law, then philosophy (MA) and political science. In 1999, he returned to Niger where he taught philosophy in a high school in Niamey. After successful application for a Fulbright fellowship, he undertook master's studies in political science at the University of Kansas in 2001, and, at the end of his program there, moved to the University of Florida where he entered the PhD program in political science, in 2003.