Political mobilization and the Shi'i religious establishment (*marja'iyya*)

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An analysis of the role of the Shi'i religious establishment in Iraq allows us to address two central sets of questions in the study of the contemporary Middle East. The first relates to the space for Islamisms: What is the role of religion in the public sphere? Should religion be a guiding or a governing principle within the state? Can Shi'i 'Islamists' in the region effect a shift towards a post-Islamist actuality in which they espouse democratic pluralism, forsake an executive role for clerics and develop social movements with a commitment to a strong civil society?[1] Will the religious establishment allow for the secularization of the Shi'i public sphere?[2] The evidence from Iraq is certainly worth taking seriously; for while stories of the conversion of the religious establishment to Enlightenment democratic principles are exaggerated,[3] there does seem little appetite for the replication in Iraq of the Iranian political system based on the authority of the Shi'i jurists. Influence and guidance, not executive control, seem to be the order of the day.

The second set of questions confronts even more fundamentally the identity of the 'new' Iraq since 2003. Is it a precarious nation-state in which religion and ethnicity take precedence as sources of identity? What forms of Iraqi nationalisms can we see emerging? Is it possible for political parties to be electorally successful by appealing beyond and across ethnicity and religious confession? Is there something distinctive about the commitment of the Iraqi Shi'is to confessionalism as a conservative response to the repression of the Ba'athist years? Are Shi'i voters (and indeed politicians) mere puppets in the hands of the religious establishment? A careful study of how that establishment is perceived and how it has performed in the public sphere should reveal important insights about the nature of these evolving identities.

This article will address these questions by exploring three issues. First, I will look at the nature of the religious establishment and attitudes towards politics in the modern period, focusing on 'activist' notions of the role of clerics in the

[1] Abdulaziz Sachedina, *The role of Islam in the public sphere: Guidance or governance?*, ISIM Papers 5 (Amsterdam and Leiden: Amsterdam University Press and ISIM, 2006); Asef Bayat, *Making Islam democratic: social movements and the post-Islamist turn* (Stanford, CA: Stanford University Press, 2007).

[2] Laurence Louër, *Chiisme et politique au Moyen-Orient: Iran, Irak, Liban, monarchies du Golfe* (Paris: Editions Autrement/CERI-Sciences-Po, 2008), pp. 119–33.

[3] Cf. Juan Cole, *The Ayatollahs and democracy in Iraq*, ISIM Papers 7 (Amsterdam and Leiden: Amsterdam University Press and ISIM, 2006).

public sphere and in governance. Second, I will examine the role of the paramount religious leader within the establishment, Ayatollah Ali Sistani, and his 'interventions'. Third, I will conclude with some comments on the impact upon political parties and wider issues of policy of the activism or quietism of the religious establishment within Iraq and consider whether it can be a force towards the development of a democratically pluralistic Iraq.

Activist notions of the religious establishment

The Shiʻi religious establishment in Iraq (particularly that located in the shrine city of Najaf) is often referred to either as the *marjaʻiyya*, a term that indicates the importance of senior clerics as guides, paradigms of practice and spiritual mentors, or as the *hawza*, the seminary in which the religious scholars are trained in the traditional curriculum. The *marja* is a senior religious and juristic authority with a following, and his office is known as the *marjaʻiyya*. The global media have become attuned to these terms, at least since the slogans in the streets of Baghdad and other places in 2003, when Shiʻi masses demonstrated in defence of the establishment and indicated their support for it and their desire to follow its lead. However, it would be oversimplifying to consider the *marjaʻiyya* as shorthand for the authority of a single individual in Najaf, namely Ayatollah Ali Sistani: there are many claimants to this authority and differing views of how clerics should intervene in politics.

How has the Shiʻi religious establishment functioned in the recent history of Iraq, and how have its proponents promoted their own brand of politics? Broadly speaking, there are three activist notions of the *marjaʻiyya* associated with Khomeini (or the Iranian model), known as the al-Sadr (Dawa and Sadrist) and al-Shirazi tendencies. Sometimes they are given prominence beyond their relevance to the average believer because the historiography of modern Iran gave rise to the notion that the jurists have essentially been oppositional figures, but historically this has not been the case. The boundaries between activism and quietism are not so clear-cut, and even in Najaf today one could argue that the four main *maraji* (religious role models) are quite activist, but in ways distinct from this notion, as I will discuss here.

The first activist notion of the *marjaʻiyya* is Khomeini's statist intervention promoting the theory that the authority the clerical jurists possess as representatives of the imams gives them the right to exercise power in the state. This is the theory known as *wilayat al-faqih* or the authority of the Shiʻi jurist to rule. It is no exaggeration to say that the history of the *hawza* and of *marjaʻiyya* in the last three decades has been one of conflict around the question of *wilayat al-faqih*. The key question posed to every major member of the religious establishment today is whether he subscribes to this theory and what exactly he means by it. The overwhelming consensus in its favour means that dissent and rejection are increasingly seen as heretical.

There is no need to rehearse the biography of Khomeini and deal with this issue in detail here since it is so well known. But a few points can be made. The theory

arose in Khomeini's lectures on the law of commercial transactions (*kitab al-bay*) in exile in the *hawza* of Najaf in 1970. These were transcribed by students and published as *Islamic government (Hukumat-i Islami)*.[4] It is significant that, because the *hawza* did not normally run classes in political theory or have a developed sense of public law, politics was discussed within the context of commercial law, because arbitration and jurisdiction on transactions require a recognized public authority. It is as an argument grounded in the language of Islamic law that *wilayat al-faqih* is best understood: it was only much later, in the 1980s and after, that the argument acquired the aura of Khomeini's interest in mysticism and the theological baggage associating it with the Shi'i imamate. It is as a theory of the imamate that the theory is particularly open to critique, although such a reading of *wilaya-al-faqih* is inspired by two central themes in Khomeini's life: the anti-imperialism that was articulated in his early attack on the Shah's government, *Revealing the secrets (Kashf al-asrar)*, in 1944, and the influence of Plato's model of government by the philosopher-king to organize a society rooted in justice.[5]

The mechanisms of Islamic government are not necessarily democratic but they are constitutional—enshrined in the republicanism of the Iranian constitution.[6] This reflects the victory of constitutionalism among the religious establishment, a process that had predated Khomeini's lectures by some 70 years. Revolution was necessary—for Khomeini, it was incumbent on believers to establish Islamic government to institute the divine law, a classic axiom of Islamism. The executive, the guardian jurist, manifests the divine law and requires administrative units to promulgate it and ensure access to and performance of justice. The guardian jurist therefore needs to have requisite knowledge of the law and be committed to justice. Nowhere is *marja'iyya* made a condition. The totality of the political authority of the imams devolves to the jurist. The success of *wilayat al-faqih* lies less in the intellectual persuasion of its argument than in the fact of the 1979 revolution and the political system established in Iran. This is demonstrated by the increasingly maximal claims made by Khomeini, leading to the theory of the absolute authority of the jurist that placed him above the law as ultimate arbiter and in effect beyond the constitution and even the Shari'a. This shift in 1987 and 1988 led to Khomeini's break with Montazeri and signals a shift from the legal argument to a metaphysical one. The whole political edifice created has made Iran a religious state and as such both a model and a warning to others.

While there has developed a consensus on *wilayat al-faqih* and the voices openly speaking against it are being more and more isolated, it is still being criticized from a traditional, cultural Shi'i perspective within Iraq and in South Asia and from within the *hawza* by those interested in Shi'i political thought. Much of the initial debate in *hawza* circles revolved around a simple dichotomous choice: either one continued with some mode of secular rule, monarchical or republican, in which

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the *ulema* had at most the limited role of advising believers on religious matters and issues around the normal religious life cycle, or one followed the theory and insisted that the authority of the jurists entailed their claim to executive power. Mohsen Kadivar's book entitled *Theories of state in Shi'i fiqh* (*Nazariyya-ha-yi dawlat dar fiqh-i Shi'a*), originally published in the liberal period of President Khatami's first term in 1997, suggested that the twentieth century was more productive.[7] He outlined nine conceptions of political theory of which *wilayat al-faqih* was only one, divided into two strands reflecting Khomeini's earlier conception and the more maximal conception of the mid-1980s. The purpose of his work was to contextualize the theory and also to demonstrate that the maximal position was not substantiated either in the scriptural texts or in the legal tradition, as Khomeini and his followers claimed. In this sense, it is quite an academic work with a political message: no single political system is prescribed in Islam, especially in the absence of the Imam.

Increasingly maximal claims are being made and communicated. But the linkage between the theory and the person of Khamenei, Khomeini's successor, is severed: a number of individuals and jurists in Iraq and the Gulf support the theory, but for themselves. The legacy of Khomeini is contested, but the fact that everyone claims to be a faithful follower of the 'Imam's line' (*khatt al-imam*) is a victory for his mode of thinking and political efficacy.[8] The 'Imam's line' remains a striking and important model for the role of the *marja'iyya* in directing politics, although even its closest supporters, the Supreme Iraqi Islamic Council headed by Sayyid Ammar al-Hakim, are wary of advocating a view that seems more loyal to Iran than to Iraq.

The second activist conception of the *marja'iyya* involves the Iraqi Sayyid Muhammad Baqir al-Sadr (Sadr I).[9] From a prominent, originally Lebanese family of scholars and religious leaders settled in Baghdad, Sadr I was a precocious talent who wrote his first work on logic at the age of eleven. In 1945 he entered the seminary at a time when the Iraqi Communist Party was at the height of its popularity. He challenged communist world-views in a significant quartet of ideological works: *Our philosophy* (*Falsafatuna*), *Our economy* (*Iqtisaduna*), *Our society* (*Mujtama'una*) and *The Logical foundations of induction* (*al-Usus al-mantiqiyya li-l-istiqra*).[10] 'Our' refers to the Islamist programme that he espoused. Sadr I was involved in three important projects that reflected his activist approach: he managed the school Madrasat al-'Ulum al-Islamiyya, was pivotal in the establishment in

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[7] Mohsen Kadivar, *Nazariyya-ha-yi dawlat dar fiqh-i shi'a* (Tehran: Tarh-i naw, 2001); for a discussion, see Mehran Kamrava, *Iran's intellectual revolution* (Cambridge: Cambridge University Press, 2008), pp. 161–7.

[8] Daniel Brumberg, *Reinventing Khomeini: the struggle for reform in Iran* (Chicago: University of Chicago Press, 2001), is an excellent study of this.

[9] See Chibli Mallat, *The renewal of Islamic law: Baqer al-Sadr, Najaf, and the Shi'i International* (Cambridge: Cambridge University Press, 1993); Adil Ra'uf, *Muhammad Baqir al-Sadr bayn al-diktaturiyatayn* (Damascus: al-Markaz al-Iraqi li-l-i'lam wa-l-dirasat, 2001); Dar al-Islam, *Muhammad Baqir al-Sadr: dirasat fi hayatihi wa-fikrihi* (London: Dar al-Islam, 1996); Talib Aziz, 'The political theory of Muhammad Baqir al-Sadr', PhD diss., University of Utah, 1992.

[10] Muhammad Baqir al-Sadr, *Falsafatuna* (Beirut: Dar al-ta'awun, 1982), translated by Shams Inati as *Our Philosophy* (London: Muhammadi Trust, 1991); idem, *Iqtisaduna* (Beirut: Dar al-ta'arruf, 1982); idem, *Mujtama'una* (Beirut: Dar al-Murtada, 2008); idem, *al-Usus al-mantiqiyya li-l-istiqra* (Beirut: Dar al-adwa', 1982).

*Political mobilization and the Shi'i religious establishment (*marja'iyya*)*

Iraq in 1960 of the Jama'at al-ulama (JU), a Shi'i umbrella organization set up to coordinate theological and cultural activities after the 1958 revolution, and played a leading role in the Faculty of Theology (Kulliyyat Usul al-Din), which was one of the outreach fora for the *ulema*, linking it to secular academia.[11] There was a considerable overlap in the clerical constitution of the JU and Hizb al-Dawa, the most prominent Shi'i Islamist party before 1979, with which Sadr I was particularly associated as the main ideologue. He identified four stages for the development of Dawa: first, it needed to be constituted as a party and develop a mass base; second, it needed to act as an effective political opposition and develop an alternative; third, it need to gain control of the state apparatus and establish an Islamic political order, not necessarily by democratic means; and fourth, it needed to serve the interests of the community and of the faith.[12] The *marja'iyya* needed to develop alongside Dawa, with an executive and a consultative wing, to effect five central duties: to disseminate the teachings of Islam as widely as possible; to found an ideological movement; to meet the educational needs of the community; to take guardianship of the movement; and to ensure that the religious establishment is involved in the affairs of the community and is best placed to serve their interests.[13]

The key themes that emerge from Sadr I's works stress issues of ideology, constitutionality and power. He provides the conceptual tools for the ideology that would underpin an Islamic state, insisting upon the authority of the *marja* as the supreme executive power in the state because of his expertise in juridical matters and because he is the representative of the Hidden Imam, and outlining the social, economic and financial features of this state. The absolute power vested in the *marja* also reflected the will of the people and as such he had the authority to designate a consultative assembly. What emerges is a conception of a polity that is far from democratic, and yet some of his later followers have not been shy to embrace elections and democratic divisions of power and accountability.

After his execution in 1980 Sadr's legacy splintered, mirroring the splintering of the Dawa party after the suppression of the 1980s. First, there is the direct influence of his thought on the Dawa party and on the Islamism of all three of its factions, down to the ruling members of the Iraqi government. This strand is primarily non-clerical, or at least has been since the late 1980s—in 1987 the jurist leading the party, Sayyid Kazim al-Ha'iri, stepped down with some of his followers, partly owing to the interference of the Iranian government which some Dawa members were not willing to tolerate.[14] In purely electoral terms, this has been the most successful legacy of Sadr I, albeit with clerics in an advisory and guiding rather than a governing role: the Dawa-led State of Law (Dawlat al-qanun) coalition won 126 out of 440 seats in the provincial elections of February 2009, and 90 out of 325 seats in the national elections of March 2010.

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[11] Faleh Abdul Jabar, *The Shi'ite movement in Iraq* (London: Al-Saqi, 2003), pp. 110–13.
[12] Talib Aziz, 'The political theory of Muhammad Baqir al-Sadr', in Faleh Abdul Jabar, ed., *Ayatollahs, Sufis, and ideologues: state, religion and social movements in Iraq* (London: Al-Saqi, 2002), p. 235.
[13] Aziz, 'The political theory of Muhammad Baqir al-Sadr', p. 238.
[14] Abdul-Halim al-Ruhaimi, 'The Da'wa Islamic Party', in Abdul Jabar, *Ayatollahs, Sufis, and ideologues*, p. 159.

1303

Second, there is the so-called Sadrist tendency in the person of his nephew Sayyid Muhammad Muhammad Sadiq al-Sadr (known as Sadr II, executed in 1999), who possessed a similar charisma and in the years of the vacuum of leadership after 1992 took on the role of an activist, socially engaged *marja* in Kufa and in the large suburb of Baghdad which since 2003 has been renamed after him as Sadr City.[15] From the early 1990s he built up his organization, ostensibly collaborating with the Ba'athist regime. A number of features of his *marja'iyya* are important because they now define his school and the Sadrist tendency: establishing institutions of representation and networks of offices in the southern towns and in Baghdad, and stressing the need for the *marja'iyya* to cater for the requirements of the Iraqi people; engaging with the tribes; posing subtle, not overt, opposition to the state while officially complying with it; establishing Friday prayers and sermons as mobilizers and disseminating them through new media, for example Sadrist websites such as www.manhajalsadren.com and www.alsader.com; promoting morality in society through social intervention; promoting a strong sense of Shi'i identity by encouraging the pilgrimages to Karbala and Najaf (the success of which was especially clear from the huge numbers at major commemorations from 2003 onwards); encouraging political activism towards a just society and state, and eschewing dissimulation (*taqiyya*) and preservation of the self in the face of political force; defending national integrity, with a strong anti-imperialist, anti-Israeli and anti-American rhetoric expressed in Friday sermons that has continued among the Sadrists; and raising messianic fervour.

Politically, the Sadrist tendency today is headed by Sadr II's son Sayyid Muqtada al-Sadr (known as Sadr III).[16] At the moment, he is believed to be in Qum studying until he achieves the requisite status of a *marja*. Muqtada's leadership represents an anti-clerical twist to clerical leadership of the *marja'iyya*. He took on the Najaf establishment in 2003 and 2004 and thereafter in a number of armed encounters, not least the infamous murder of Sayyid Abd al-Majid al-Khoei, a scion of the *marja'iyya*, in Najaf on 10 April 2003, hacked to death by an angry mob allegedly deployed by Muqtada al-Sadr.[17] The murder remains a point of contention and surfaced as an electoral issue in February and March 2010 involving Maliki and Iyad Allawi as Sayyid Abd al-Majid's family objected to the attempt at rehabilitating Muqtada by quietly forgetting the arrest warrant in his name for the crime. Politically Muqtada supports and criticizes a bloc of MPs in parliament, although the performance of the Sadrist bloc in the elections of December 2005 and January 2009 was lacklustre. However, the provincial elections have led to Dawa and Sadrist coalitions in many southern provinces; in many ways this

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[15] There is an emerging literature on Sadr II. The best existing works are Fa'iq Shaykh 'Ali, *Ightiyal sha'b* (London: al-Rafid, 1999), and Adil Ra'uf, *Muhammad Muhammad Sadiq al-Sadr: marja'iyyat al-maydan* (Damascus: al-Markaz al-Iraqi li-l-i'lam wa-l-dirasat, 1999). In English, useful sources are: Patrick Cockburn, *Muqtada al-Sadr and the fall of Iraq* (London: Faber, 2008); Ali Allawi, *The occupation of Iraq: winning the war, losing the peace* (New Haven, CT: Yale University Press, 2007), pp. 54–61; Juan Cole, 'The United States and Shi'ite religious factions in post-Ba'athist Iraq', *Middle East Journal* 57: 4, 2003, pp. 550–54.

[16] I am ignoring for the purposes of this piece other rival Sadrist claimants and tendencies, of which the most important is the Islamic Virtue Party (Hizb al-fadila al-islamiyya) led by the *marja* Shaykh Muhammad al-Ya'qubi, which won 15 seats in the December 2005 elections and 6 in the 2010 elections.

[17] Patrick Cockburn, *The occupation: war and resistance in Iraq* (London: Verso, 2007), pp. 95–9.

1304

represents a natural alliance of two elements of the legacy of Sadr I and could lead to further partnership, despite the legacy of the bitter conflict in 2008 over Basra and Baghdad, when Maliki deployed forces against the Sadrists and eliminated them as a military threat. Core Sadrist support remains strong: the group won 43 seats in the 2009 provincial elections and 40 in the 2010 national elections. Muqtada is unlikely to become a *marja* like Sistani, but his political appeal, based on the legacies of the Sadrs and underpinned by a critical and even anti-clerical adherence to the hierocracy, will remain as long as there are political upheavals in contemporary Iraq and certainly as long as there is a perception of occupation.

The third tendency was represented by Sayyid Muhammad Baqir al-Hakim until his death in 2003 and is currently represented by the Supreme Islamic Iraqi Council (SIIC, al-Majlis al-a'la al-Islami al-Iraqi), a member of the United Iraqi Alliance (UIA) coalition which has slowly tried to detach itself from affiliation to the Iranian government, having spent the 1980s and 1990s as its client.[18] Although he tried to promote his *marja'iyya* in the 1990s with scholarly works, he was not taken entirely seriously because he was too close to the Iranian authorities. But between his return to Iraq from Iran in 2003 and his assassination in August that year, his tone changed to a nationalist one, and a number of people in Najaf still revere him as a true nationalist. Since that time the SIIC has tried to redefine itself, at some times promoting federalism and what is perceived to be an Iranian agenda, at other times speaking the language of the tribes, espousing their interests, and Arabism and Iraqi nationalism. It has successfully embedded itself in the structures of authority in Najaf, where it is now dominant. During the provincial election campaign in January 2009 the SIIC stressed its work among the Arab tribes of the south and shifted the iconography of the photos of its patrons, replacing Khamenei with Sistani and using pictures of the late patriarch Sayyid Muhsin al-Hakim (d. 1970) as well as the martyred Baqir al-Hakim, who is known as the 'martyr of the prayer-niche' (*Shahid al-mihrab*)—indeed, the election list that ran in January 2009 was called the Martyr of the Prayer-Niche list. Even so, they still fared quite badly at the polls. The change in policy does not seem to have worked for them. Few people take seriously their attempt to link up to the Sadr legacy, and electors have not been convinced by their new nationalist rhetoric, especially given their strong promotion of federalism in 2005 and 2006, a policy seen by many as promoting the break-up of Iraq.[19] From 36 seats won in December 2005, they have been reduced to 18 MPs in the present Council of Representatives.

The third activist conception of the *marja'iyya* emerged in Karbala and is especially prominent in the Gulf region; it is associated with Sayyid Muhammad Mahdi al-Shirazi (1928–2002) and hence is known as the Shiraziyya.[20] While Sayyid

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[18] See its official website, http://www.almejlis.org, accessed 22 March 2009.

[19] See Reidar Visser, 'The two regions of southern Iraq', and Fanar Haddad and Sajjad Rizvi, 'Fitting Baghdad in', in Gareth Stansfield and Reidar Visser, eds, *An Iraq of its regions: cornerstones of a federal democracy?* (London: Hurst, 2007), pp. 27–50, 51–70.

[20] The best studies of the Shiraziyya are Laurence Louër, *Transnational Shia politics: religious and political networks in the Gulf* (London: Hurst, 2008), pp. 88–99, 120–29, 156–68, 273–5; Fouad Ibrahim, *The Shi'a of Saudi Arabia* (London: Al-Saqi, 2006), pp. 73–177; Ahmad al-Katib, *al-Marja'iyya al-diniyya al-Shi'iyya wa-afaq al-tatawwur* (Beirut: Dar al-arabiyya, 2007).

al-Shirazi was the spiritual leader of the movement, the main political leader and ideologue was his clerical nephew Sayyid Muhammad Taqi al-Mudarrisi (supported by his younger brother Sayyid Muhammad Hadi). In 1968 al-Shirazi established a political organization, the Movement of the Preaching Vanguards (Harakat al-risaliyyin al-tila), and appointed al-Mudarrisi as its head. By the late 1970s this was the Movement for Islamic Action (Mun'amat al-'amal al-Islami), exiled from Iraq and promoted by the Iranian government seeking to spread the revolution. Al-Shirazi promoted the authority of jurists as a collectivity and suggested that the *marja'iyya* as a consultative body (*shura*) should have executive power in a Shi'i state.[21] Although the process involved is equally undemocratic, this concept differs from *wilayat al-faqih* in that the concept of the *marja'iyya* is not central. Just as Dawa was influenced by Sunni Islamism, so Shiraziyya shows the influence of the Egyptian Islamist Sayyid Qutb's notions of a struggle against *jahiliyya*, the state of ignorance, and the need to establish an Islamic polity against the backdrop of the failures of secular nationalism. Its members set about converting people to their mission, focusing on the fluid communities of the Gulf, especially Kuwait, which became a major centre. Al-Shirazi openly criticized the traditionalism and quietism of the *hawza* in Najaf. He also opposed Dawa, insisting that the *ulema* should be in charge and should not allow control to devolve to political parties.

Political failure and marginalization have fragmented the Shiraziyya. It has failed electorally in Kuwait, Bahrain and Iraq, no doubt because the ideology of the movement focused on seizure of the state and its deliverance into the hands of the religious establishment. The Shiraziyya still insists on the political leadership of the *marja'iyya*, but is far too strongly focused on the charisma of a single family and is now retreating into the defence of cultural authenticity. Social conservatism is a key feature of the Shiraziyya today.

Sistani

Where do Sistani and the *marja'iyya* in Najaf now stand with respect to these activist tendencies? Many analysts argue that there are two schools of thought with respect to the *marja'iyya* in Najaf: a quietist trend associated with Sayyid al-Khoei (d. 1992), and an activist approach advocated by the Sadrs. It is important, however, not to accept the rhetoric of the Sadrists at face value; nor is Najaf's quietism absolute.[22] Sistani arguably is continuing both Khoei's and, earlier, Muhsin al-Hakim's approach to leadership, willing to intervene in major political issues as they are seen to affect believers. Al-Hakim, after all, issued *fatwas* condemning communism and acquiesced in the formation of the Dawa party. He was also in touch with the revolutionary government in the early years after 1958, before opposing its espousal of communism. His work in the public sphere included developing links with Shi'i military and political figures, extending networks into

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[21] Ahmad al-Katib, *Tatawwur al-fikr al-siyasi al-Shi'i: min al-shura ila wilayat al-faqih* (Beirut: Dar al-jadid, 1998); Mohsen Kadivar, *Nazariyya-ha-yi dawlat*, pp. 97–106.

[22] Cf. Jawdat Qazwini, 'The school of Najaf', in Abdul Jabar, *Ayatollahs, Sufis, and ideologues*, pp. 250–54.

the tribes, establishing educational and cultural institutions, and supporting Arab causes, for example in respect of Suez in 1956 and Algerian independence. On these issues, he was followed by Khoei. The latter took an even more radical step by not supporting either side in the Iran–Iraq war.

The emergence of Sistani as the leader of the Shiʻi community has been a gradual and highly politicized process led by his supporters inside and outside Iraq. This process, which gained new impetus after 2003, began in the mid-1990s and was coordinated primarily in Iran and London. It emerged out of a chaotic and confusing period in which there was a lack of clear guidance, partly owing to the isolation of Najaf in the 1990s and partly owing to the absence of authoritative figures in Qum. In recent years, in response to widespread criticism both in Iraq and abroad, Sistani's supporters and their established global network have tried to imply that Khoei in effect appointed him by asking him to replace himself as the prayer leader at Jami al-Khadra in the shrine complex of Imam Ali in Najaf from October 1988. But this is problematic. *Marjaʻiyya* is not bestowed by one individual on another of his own choice, but in theory at least is supposed to be conferred by public acclamation of the learned scholars, or at least those whose learning is close to that required to practise independent legal argument. It was a network associated with Khoei that pushed for Sistani's leadership after 1992 and especially from 1994. This involved the office of Sayyid Jawad al-Shahristani, Sistani's son-in-law, in Qum; the Khoei Foundation in exile in London, led by Sayyid Abd al-Majid al-Khoei from 1994; and the World Federation of Khoja Shiʻa Ithna'ashari Jama'ats, representing the significant mercantile Khoja communities, originally from western India and East Africa.[23] Sistani's other son-in-law, Sayyid Murtada al-Kashmiri, based in London (where he established the Imam Ali Foundation) and Dubai, is his representative for Europe; he has also played a leading role promoting Sistani in the diaspora. The wider constituency included those dissatisfied with the official *marjaʻiyya* in Qum and those who oppose *wilayat al-faqih*.

Sistani's office claims that he directed the *hawza* through the difficult days of 1991 and 1992 and was the one who led the funeral prayers for Sayyid al-Khoei. They also claim that he struggled against Saddam Hussein's regime. It is freqently alleged in the websites and literature produced by various claimants to the *marjaʻiyya*, regardless of whether the particular *marja* is known for being apolitical or not, that after 2003 he conducted a *Jihad* against the Ba'athist regime. This is clearly designed to shore up the credibility of the individual. But in this case there is little evidence to suggest that Sistani was anything more than an academic and a punctilious scholar before 2003. After 2003, perhaps because of the events of that year and the pressure exerted by the Sadrists in Najaf, Sistani officially retreated more into his home while his office extended its wider network and influence.

How, then, did the meticulous student of al-Khoei become the pivotal figure of Shiʻi politics in Iraq—even today, with, arguably, a short blip of declining

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[23] The best account of this is Mehdi Khalaji, *The last marja: Sistani and the end of traditional religious authority in Shiism* (Washington DC: Washington Institute for Near East Policy, 2006); cf. Qazwini, 'The school of Qum', p. 277.

influence in 2007? Primarily, the process was facilitated by the efficacy of his organization, his network of representatives, publishers and media outlets, and his financial power. After the event, Sistani's supporters point to two reasons why he is the most important *marja*. The first concerns the 'modernity' and efficiency of his organization and his awareness of the contemporary world, its concerns and its exigencies. The second relates to the depth of his knowledge, the precision and care of his scholarship, his attention to a historical understanding of juristic issues and his emphasis on the importance of Arabic and relating the language to culture. The last point is particularly interesting, given the widespread criticism of his ability in speaking Arabic. Sistani is clearly *primus inter pares*, and in fact there is little the other leading figures can do or say in contrast to him. It would be rare and unusual for the other three main clerical leaders to follow an independent political line or to engage more directly in party politics. Clearly, the *marja'iyya* in Najaf works as a collectivity run by Sistani.

Sistani's *marja'iyya* has a virtually royal status in Najaf. Access is carefully guarded. His home and office in the old town are in the closest building to the shrine and have the strictest security retinue. Every morning from 9.30, queues form in the main street of well-wishers, followers and visitors wishing to meet him (in practice usually just to shake and kiss his hand in a ritual manner). The stream of people is closely regulated. More significant individuals enter the office through the back entrance in the Suq al-Huwaysh: these include not only major members of the hierocracy and of Sistani's global network, but also significant political figures, both members of the Iraqi government (including the prime minister) and foreign politicians. In November 2008 these included a senior Turkish military and political delegation as well as the UN Secretary-General's Special Representative to Iraq, Steffan de Mistura, visiting to discuss the provincial elections and the status of Kirkuk. In late February 2009 Shaykh Muhammad Ali al-Sitri, a prominent adviser to the Bahraini king, visited Sistani, no doubt to discuss the deteriorating situation in Bahrain; a representative of the Red Cross has visited, as have Amr Musa, the Secretary-General of the Arab League, and Akbar Hashemi Rafsanjani, the former Iranian president who is now head of the Expediency Council. More politicians came and went before and after the Iraqi elections of March 2010. Judiciously, Sistani does not allow photographs to be taken of him with visitors, although his office and web presence advertise these meetings. But it is a commonplace to see on the satellite channels pictures of visitors holding impromptu press conferences in the street after meeting Sistani. The very claim to have spoken to Sistani confers some authority on lesser political and social figures. He has possibly the most extensive system of representation of any *marja* in history.[24]

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[24] Some prominent representatives of Ayatollah Sistani in Iraq are: Sayyid Hamid al-Khaffaf, his brother-in-law and representative in Najaf and in Baghdad; Sayyid Ahmad al-Safi, general representative for Karbala and scion of a major clerical family; Sayyid Muhammad Rida al-Ghurayfi, representative in Najaf in charge of the shrine of Imam Ali and cousin of the major Bahraini cleric (and successor to Fadlallah) Sayyid Abdullah al-Ghurayfi; Shaykh Abd al-Mahdi al-Karbala'i, the representative at the shrine of Imam Husain in Karbala; Shaykh Abbas al-Rubi'i, one of the representatives in Baghdad; and of course, his son Sayyid Muhammad Rida, who runs his office in Najaf and controls access there.

*Political mobilization and the Shi'i religious establishment (*marja'iyya*)*

Who controls access and whose politics dominate? A popular notion is that his son Sayyid Muhammad Rida, who controls his office, in effect speaks in his father's name; he is certainly prominent in the political pronouncements relating to the status of Iraq, politics and constitutionality in the post-Saddam era. Visser among others has criticized those who rely on anecdote and rumour: to understand Sistani, he argues, you need to pay attention to his actual published works and statements and the *fatwas* which carry his seal.[25] Some people dispute this—Khalaji claims that his main advisers are Jawad Shahristani, Sayyid Hamid al-Khaffaf (Sistani's brother-in-law and one of his most prominent representatives in Najaf and Baghdad), Sayyid Ahmad al-Safi (his main representative in Karbala) and Dr Husain Shahristani, the oil minister in the Maliki government.[26] The facts on the ground seem to corroborate this. Al-Khaffaf edited an important collection of the statements of Sistani on the situation in Iraq; al-Safi often expresses Sistani's views on politics through his Friday sermons in Karbala; and Shahristani was thought to be the main conduit between Sistani, the UIA and the Americans.[27]

How are we to interpret Sistani's *marja'iyya*? One interpretation is to see Sistani as leading a 'reformation' in values, aligning the Shi'is with democratic and democratizing politics in the Middle East, championing elections and popular sovereignty.[28] This is an adaptation of the 'quietism' thesis and its proponents are keen to distance Sistani both from *wilayat al-faqih* and Iranian politics of religion and from the desire to promote 'Shi'i secularism'. The spectrum of political options is in fact more subtle than this interpretation might suggest. The acknowledgement of the possibility of conferring legitimacy on the state does not represent a rejection of the Khoei school. The activist interference in politics in 2003 and 2004 could be analysed more pragmatically. The promotion of free elections after the Ba'athist period and in the face of occupation could be interpreted, to quote the late Benazir Bhutto, as following the principle that 'democracy is the best revenge'. It also demonstrated the role of the *marja'iyya* as a guiding institution, not a directing one. On 20 April 2003 Sistani even issued a *fatwa* warning members of the hierocracy against seeking political office, although this did not prevent members of the SIIC and the Sadrist tendency from doing precisely that.[29]

Sistani has been consistent in his support for constitutional politics in Iraq and the need for the Iraqi people, regardless of differences in confession or ethnicity, to decide their own fate.[30] In this endeavour, he fits within a tradition of constitutionalist Shi'i clerics dating back more than a century to the 1906 constitutional

[25] Reidar Visser, *Sistani, the United States and politics in Iraq*, NUPI Paper 700 (Oslo: Norwegian Institute of International Affairs, 2006), pp. 5–6.

[26] Khalaji, *The last marja*, pp. 10–12.

[27] Author's interview with Ali Allawi, London, 13 Nov. 2008.

[28] Yitzhak Nakash, *Reaching for power: the Shi'a in the modern Arab world* (Princeton, NJ: Princeton University Press, 2006), pp. 7–15; Cole, *The Ayatollahs and democracy in Iraq*.

[29] Sayyid Hamid al-Khaffaf, *Al-Nusus al-sadira an samahat al-Sayyid al-Sistani* (Beirut: Dar al-mu'arrikh al-arabi, 2007), pp. 11–12.

[30] In numerous statements, rulings and responses to the press, for example the *New York Times* and Associated Press in March and April 2003: see al-Khaffaf, *Al-Nusus al-sadira*, pp. 10–19.

1309

revolution in Iran.[31] Since 2003 he has advocated constitutional politics and made interventions on its behalf, never explicitly recognizing the presence of foreign troops in Iraq. His criticisms of the legitimacy of the Interim Governing Council and of the Transitional Administrative Law of March 2004 were practical interventions to support a constitutionality devoid of external interference and to prevent sectarianism and the breakup of Iraq.[32] In *fatwas* issued in June and November 2003 he insisted that constitution formation be based on the deliberations of elected representatives of the people.[33]

The culmination of his activism was arguably the formation of the UIA in the lead-up to the elections of January 2005, and his support for voting on the referendum on the constitution in October 2005, overwhelmingly supported by Shi'i voters. Ali Allawi and others have said openly that it was Sistani who formed the UIA, which won the two elections in 2005.[34] Others have suggested that it was formed with his blessing and that leaders such as Dr Ibrahim al-Ja'fari met him before forming the government. Sistani spoke through the *hawza* and the *marja'iyya*, and the Shi'is responded by voting overwhelmingly for the UIA. The Shi'i list of the UIA won 140 out of the 275 seats in the assembly in the January elections, a result that was widely seen as a victory for Sistani's political intervention, mediated through al-Ja'fari.[35] He clearly did not want to associate himself with a single party, unlike other claimants to the *marja'iyya* who need the Shi'i vote associated with certain parties to shore up their legitimacy. Attempts by members of specific parties to gain the approval of Sistani in December 2005 and 2006 similarly failed, as he adhered to his official position that he supports and respects all Iraqi political movements. The UIA won 128 seats in that election, and Sistani did not officially endorse anyone—although he was again seen as the spiritual leader of the UIA. He did, however, play a role in the negotiations which led to Nouri al-Maliki becoming prime minister and openly received him as a tacit endorsement.[36] Perhaps one element in the decline in political enthusiasm in favour of confession was the rapid rise in sectarian violence in Iraq in 2005, exacerbated by the bombing of the shrines of the Imams in Samarra in February 2006. Sistani's statements consistently attacking sectarian violence and defending Christian and Sunni people and places of worship do not seem to have curbed the violence significantly.[37]

Sistani's subsequent relative isolation from politics, especially at the height of the civil war, did not prevent further interventions. Statements around the 2009 provincial elections and the State of Forces Agreement (SOFA) in 2008 suggest that his main concerns are with constitutional politics. His support for a refer-

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[31] Abdul-Hadi Haeri, *Shi'ism and constitutionalism in Iraq: a study of the role played by Persian residents of Iraq in Iranian politics* (Leiden: Brill, 1977); Said Amir Arjomand, 'Islamic constitutionalism', *Annual Review of Law and Social Science* 3, Dec. 2007, pp. 115–40.
[32] Al-Khaffaf, *Al-Nusus al-sadira*, pp. 96–103.
[33] Al-Khaffaf, *Al-Nusus al-sadira*, pp. 28–31, 74–80, 117–18; Cockburn, *The occupation*, pp. 182–3.
[34] Allawi, *The occupation of Iraq*, p. 343.
[35] Cockburn, *The occupation*, pp. 187–8.
[36] Al-Khaffaf, *Al-Nusus al-sadira*, pp. 149–50.
[37] Al-Khaffaf, *Al-Nusus al-sadira*, pp. 242–9.

endum confirming the agreement was made clear through the Friday sermons of his representative in November 2008, although little opposition materialized when the referendum did not happen. His concern seems to be less with the daily run of party politics and administration than with major issues of constitutional importance relating to the nature of the Iraqi state, its integrity and its functioning democracy. He clearly does not want to associate himself with a single party; attempts by members of specific parties to gain his approval in December 2005 and 2006 failed. In the run-up to the 2010 national elections Sistani's office made it clear that he opposed closed lists of candidates—a point which was made even more vehemently by his colleagues in the *marja'iyya*, as evidenced on their respective websites from November 2009 onwards.[38]

Conclusion

The *marja'iyya* has not been innocent of political involvement, at least in advising, guiding and sometimes implementing political ideas; there are even rumours about the role of Najaf in the current horse-trading over the formation of the new Iraqi government. The espousal of Islamism itself has not been unusual since the 1950s; however, there is little involvement in party politics or in direct governance, and a broad acceptance of the constitutional secular public space in which religion has a voice. The recent history of Iraq is therefore not one of Shi'i Islamism in power as such; the reality is far more nuanced. The general sense in Najaf is that, unlike Qum and perhaps because of the negative experience of Qum and the Iranian constitution, the *marja'iyya* is beyond the tussles and conflicts of everyday politics. The esteem and credibility associated with the office are such that it would be sullied by association with politics, especially at a time when the perception and reality of corruption among Iraqi politicians loom so large. Even the role of the *marja'iyya* in forming the UIA is seen as a negative development, while engagement in the process of elections and constitutional reform without an end to occupation, and the *marja'iyya*'s tacit approval of the suppression of the military wing of the Sadrist movements, are seen as acts of betrayal—in the famous phrase bandied around in 2007 and 2008, especially in the tribal market towns of the south and the cities of Basra and Baghdad, *qashmaratna l-marja'iyya* (the *marja'iyya* betrayed us). Yet there is still little evidence of the development of cross-confessional parties or the willingness of Shi'i electorates to vote for non-Shi'i candidates.

Since 2003 the *marja'iyya* has supported constitutionality and the holding of free, democratic elections based on universal suffrage. But I would argue that this is not because of a turn towards Enlightenment values on the part of traditional and conservative Shi'is. It reflects a pragmatic realization that the interests of the Shi'i communities in Iraq, who have been suppressed and manipulated for so long, are best served in a democratic system in which sheer numbers will tell. The tyranny of the majority is therefore not feared. Perhaps the key political development of the twentieth century among the clerics was acceptance of the nation-state and

[38] See www.sistani.org; www.alfayadh.com; www.alnajafy.com; and www.alhakeem, org.

the Westphalian model, with the implication that politics would always be local and national.[39] While transnational networks still exist, the autonomization of *marjaʿiyya* politics works counter to pan-Shiʿi appeals. The lack of purchase of Khamenei in Iraq is one such factor. Ever since 2003, no Shiʿi cleric has sanctioned the presence of foreign troops in Iraq. In fact, Sistani's interventions in 2003 and 2004 opposed the imposition of forms of non-democratic imperial governance. But the debate on SOFA was more subtle than an argument over the mere question of sovereignty. The new-found confidence of the Maliki government, especially after spring 2008, meant that while one may have some reservations about the controlled debate in parliament and the vote in November 2008 with the idea that it 'restored' sovereignty to Iraq, there is little doubt that Sistani's office and others understand that this is a process that will lead to a withdrawal of foreign troops. As numerous television and online commentators pointed out, against the Sadrist position, an immediate withdrawal was just not practicable; and what, exactly, was the alternative?

The ambivalence sometimes felt towards the religious establishment is encapsulated in the work of the Iraqi intellectual Adil Ra'uf who has written extensively on the relationship between clerics and politics in recent history. In a prescient and acute book written just before the invasion, *Iraq without leadership*, he strongly criticized the lack of leadership provided by the Shiʿi religious establishment in recent Iraqi history.[40] His study draws some significant conclusions. First, the Shiʿi religious leadership suffers from a problem common to other forms of Islamism, namely the inability to square its theories of governance with realities on the ground and, furthermore, to fit the most suitable and able candidates to the requirements of effective leadership in the real world. Second, models of leadership are unstable because there are basic tensions between notions of leadership associated with a particular person (which by definition will lapse with his death) and those associated with parties or movements. Often the two are confused, a problem that highlights the lack of sustained institutional development. Third, as a result of these shortcomings one ends up with a multiplicity of individual leaders but no coherent and institutionalized leadership structure. Fourth, the personal style of religious leadership, predicated as it is upon privileged access to God, tends towards dictatorial tendencies and a stifling of pluralism: the language of the supreme leader or the ultimate head of the *marjaʿiyya* (*marja aʾla*) hinders independent and critical engagement with political theory and agency. Fifth, the critique applies equally to those engaged in political activism as well as to the establishment that guides believers. Personal styles of leadership and the questionable means by which such leaders emerge remain a source of concern. Sixth, there is little to check the power of the religious establishment in Iraq because, unlike in Iran, there is no class of religious intellectuals (such as Soroush, Kadivar and others) who can criticize and restrain the claims to authority and sanctified

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[39] On this point, Visser is correct and Khalaji wrong—Sistani does have a clear notion of the state.
[40] Adil Ra'uf, *Iraq bi-la qiyada: qira'a fi azmat al-qiyada al-islamiyya al-Shiʿiyya fi-l-Iraq al-hadith* (*Iraq without leadership: a reading in the crisis of Shiʿi Islamic leadership in modern Iraq*), 9th imp. (Damascus: al-Markaz al-Iraqi li-l-iʾlam wa-l-dirasat, 2005), esp. pp. 539–59.

1312

charisma. The basic problem remains a conflict between institutionalized structures of authority that are replicable and charismatic claims that are replicated within confined networks, often defined by blood relations. The totality of this critique applies to any analysis of the Shi'i religious establishment, and the office of Sistani and the *marja'iyya* on the one hand and the Shi'i political parties and electorates on the other still need to negotiate the delicate balance between these two directions.