

The Making of a *Marja'*: Sīstānī and Shi'i Religious Authority in the Contemporary Age

Sajjad Rizvi

Institute of Arab and Islamic Studies, University of Exeter, Stocker Road,
Exeter EX4 4ND, United Kingdom
s.h.rizvi@exeter.ac.uk

Abstract

Anyone considering the question of religious authority among the contemporary Shi'a not least in Iraq will recognize the paramount significance of Ayatollah Sīstānī, described as the most important *marja'* in the world. This paper examines the phenomenon of *marja'īyya*, considers how one becomes a *marja'*, and traces the rise of Sīstānī to the pre-eminent position that he now holds and juxtaposes his model of leadership with other modern Shi'i models of religious authority articulated by Ayatollah Khomeini in Iran and Bāqir al-Ṣadr in Iraq. *Marja'īyya* is a multivocal and in many ways a quintessentially modern institution that has proved to be highly resilient and adaptable in the face of challenges coming from globalizing modernity. In Iraq and in the region, Sīstānī has proven to be the most effective non-state wielder of authority and influence not just among believers but more widely in society and constitutes the most successful example of the Shi'i *marja'īyya* in modern times.

Keywords

Shi'i – *marja'īyya* – Sīstānī – political theology – authority

While it would be an exaggeration to argue that the traditional Shi'i religious leadership (usually called the *marja'īyya*) in Najaf is politically quietist and conservative, the edict issued on June 13, 2014, by Sayyid 'Alī Sīstānī in response to the threat posed by ISIL to the Iraqi state and its people was a strikingly

significant move.¹ It represented a major development in Shi'i political theology: it conceived of the Shi'i community as part of a wider national whole and thus reflected a recognition of the sovereignty and legitimacy of the Iraqi nation-state; it expressed the growing sense of the authority and exigency for the religious leadership to act in a statesmanlike manner; and it created, or perhaps legitimated, a major paramilitary organization. Although the statement called for people to volunteer for the Iraqi Security Forces, in effect it led to a great drive to absorb volunteers from various religious denominations into the "Popular Mobilization Forces" (*al-ḥashd al-sha'bī*).

Of course, the ubiquity of social media and access—in which everyone and no one is an "expert"—led to a prolonged discussion on such outlets about whether the edict constituted a sectarian act or support for the Iraqi state above sectarian difference. These polarizations are not unusual in a world in which nomenclature is important: whether one refers to Sīstānī as Āyatullāh (lit. sign of God) or Āyat al-shayṭān (lit. sign of Satan) tells us much about sectarianized discourse, and this is despite Sīstānī's attempts to quell sectarian tensions in Iraq and elsewhere.² Given the popularity and influence of Sīstānī across the world in Shi'i communities, it is worth considering how he attained that position. With his many rivals in Qum and elsewhere in Iraq, and even further afield in Beirut with Faḍlallāh, it is instructive to see how Sīstānī's authority has in fact grown immensely since 2003, and has led to a situation of complete hegemony in Najaf, Iraq, and widespread influence far beyond.³

1 Much of the research for this paper was conducted in Najaf, Karbala, Bahrain, London, Kuwait, and Dubai from October 2008 to January 2009, and on subsequent visits to the region in December 2011, December 2012, and again in March 2016. This chapter follows two earlier pieces on religious authority in Iraq and Bahrain, see Rizvi (2010: 1299–1313); and Rizvi (2009: 16–24). The focus on this paper is Sīstānī and his network. Other important recent interventions on other networks include (Corboz 2005) focusing on the Khū'ī and al-Ḥakīm networks from Najaf, and Mauriello (2011) on the Āl al-Ṣadr; For the text within the Friday sermon delivered in Karbala on June 13, 2014, see the official website, www.sistani.org/arabic/archive/24918. For a useful discussion at a time and then a reflection a year later, see Kadhim and Al Khatteeb (2014) and Al Khatteeb (2015).

2 See Sīstānī's important statements on Sunnis as the "selves of the Shi'a" during the height of the sectarian battle for Baghdad in 2007 and again in 2014 during the fight against ISIL, see ***; and Mamouri (2014). Sīstānī's official website (www.sistani.org) has a number of statements from 2014 on the rules of conduct in the fight against ISIL, forbidding any harassment of civilians or mistreatment of prisoners, or any violations of property and dignity of those in retaken lands. At the height of the civil war, his representative in Baghdad and Beirut published a series of his political statements and interventions. See Al-Khaffaf (2007).

3 The comparison to Sayyid Muḥammad Ḥusayn Faḍlallāh (d. 2010) could be valuable. Faḍlallāh was a key figure in the Da'wa Shi'i International emanating from Najaf. He became

The delicate relations and balances between religion and politics, between the acquisition and dissemination of knowledge, and between authority and power in Shi'i Islam have a checkered and consistently evolving history ever since the occultation of the Twelfth Imam Muḥammad al-Mahdī in 941.⁴ The charisma and authority of the religious establishment is delegated and routinized from that of the Imam. Shi'i politics and empires intermittently punctuated the history of West and South Asia as institutions of learning, culture, and power developed as an oppositional discourse and countervailing force to majoritarian and Sunni communitarian conceptions of power and legitimacy. Shi'i Islam, predicated on the jealous protection of the truth held by the few, produced a counter-narrative of sacred history and a theology that articulated modes of accommodation and opposition to the powers that were. The fear of the recent flexing of Shi'i political power is no doubt related to concerns of containing Iran much like the previous round of such engagements following 1979, particularly in the Gulf, and also increasingly linked to concerns of a new Shi'i Iraq spreading its model of governance since 2003. This requires us to understand the nature of authority, leadership, and the perpetuation of power in the Shi'i religious institutions, among those who define what Shi'ism is. The Shi'i crescent, whether a myth or a reality, animates policymakers and draws attention to the religious leadership sometimes in a desire to orient US or UK policy in a positive role of supporting the "rising Shi'a" or in support of their allies in the region in countering the "Iranian threat" (Nasr 2007; Saudi National Security Assessment Project 2006).⁵ Unlike some commentators (Reidar Visser among others), I do not want to argue that to understand Shi'i political positions and the "Shi'i street" and its demands we need to focus on what the religious leadership says and does. The "Shi'i street" is as deferential and neglectful of men of religion as the Sunni street is. But there can be little doubt of the political influence and power asserted by the most important Shi'i leader (*marja'*, pl. *marāji'*, lit. "point of reference") in the world today, namely Sayyid 'Alī al-Ḥusaynī al-Sīstānī (b. Mashhad 1930).

The authority of the *marja'īyya* in the Twitter age remains remarkably resilient, perhaps more so because of its avoidance of engagement in social media.

involved in pro-Iranian politics after 1979, was known for his liberal and open-minded approach in the pluralistic context of Lebanon, and was arguably the first *marja'* online with his official site (www.bayynat.org) and various social media platforms. See Sankari (2005). Faḍlallāh is also an intriguing example of an institutionalization of a *marja'*'s office to endure after his death. See Clarke (2016: 153–86).

4 For a study of normative and historicizing Shi'i political theology, see Rizvi (2016: 204–12).

5 For comparison see Burke (2006).

In fact, when it comes to the persistence of the traditional authority of the *marja'* it seems that the more one tweets, the less authority one possesses. Globalization poses challenges to religious leadership. Whereas earlier sociological theories assumed that tradition, a historical category in which religion was placed, would give way to modernity, the contemporary world demonstrates that tradition and modernity exist side by side. The relationship between self and community (whether local or transnational), and state and society is much messier and does not concur with such theories (not least among a minority such as the Shi'a). A critical aspect of Sīstānī's authority is the fact that he is a *sayyid*, a descendant of the Prophet indicated by his black turban and his name, and surrounded and represented by many other *sayyids*, including those from the families that produced previous *marāji'*. The inherited charisma of the bloodline of the Prophet, given the popular devotion of the Shi'a and many other Muslims to the family of the Prophet, cannot be underestimated. That charisma is then augmented by renown for scholarly excellence.

In this paper, I consider the question of how one becomes a *marja'*, with reference to the authority of Sīstānī, and how one might see that model of authority shift and develop in the age of social media and the "post-truth" world in which perceptions increasingly outwit realities (Al-Qarawee 2018). Globalization has both increased the power and reach of the *marāji'* and yet ironically made their significance more local. Arguments over the authority of the *marja'* take place in the usual real world locales of religious centers, institutions, and the perceived "centers of authority," but they also increasingly take place in the "non-places" of online chat rooms, and other places of transience and anonymity outlined in the hyperreality of our world, as articulated by Marc Augé (2009).

The increasing consensus of the political role of the *marāji'* which, at least in one version, is known as the theory of the authority of the jurist (*wilāyat al-faqih*) expounded by Khomeini is clear in Qum, Najaf, and beyond. It has fundamentally changed the nature of Shi'i Islam. But the recent developments in Iraq have also shown that the theory is no longer just an Iranian one, nor does support for it signal a disloyal support for the Iranian state and its jurisdiction (Ra'ūf 2007: 2002). What is properly Iranian and Iraqi in the contemporary world cannot be so easily compartmentalized, complicating the question of the role of "Iran" in Iraq. Just as the study of Shi'ism and politics reveals that the question is much more than the influence of Iran. Similarly, a study of the *marāji'* demonstrates that there is more than one conception of *marja'iyya* and of the *hawza* as well as multiple claimants and potentially centers of power for the *marāji'*. The *marja'iyya* is traditional and local as well as dynamic and

transnational, quietist and conservative, as well as politically engaged and reforming. The key question that has been asked is whether it will survive. The answer has to be an emphatic yes. Before 2003, one could argue that Najaf and its institutions were slowly dying, only kept alive by the Ba'thist regime's need for finding new sources of legitimation in the 1990s. Nowadays, when the Iraqi Prime Minister does not announce any serious policy change or embark on any campaign without referring to Najaf, it is difficult to argue that the Shi'i religious institutions are in their final days.

Marja'iyya is a multivocal institution and a set of processes. There are many different types of *marāji'*, and the willingness of the hierocracy to adapt is evidence of its perpetuation and continuation. Globalization and postmodernity has not led to the marginalization or even the extinction of the traditional form. Processes are clearly discernible. First, Sīstānī remains the most important figure in Iraq, and indeed in the Shi'i world, and his commitment to constitutional politics and the preservation of the hierocracy are the key themes of his *marja'iyya*. Whether this makes him an enlightenment figure in the mold of Rousseau, as Juan Cole has argued, or shows his delicate negotiation between the role of religious authority as a principle of guidance or governance in a state remains moot (Cole 2006; Sachedina 2006). Second, *marāji'* are reconciled to the nation-state and transnational networks do not negate this; the "Shi'i international" links members of the hierocracy and disseminates ideas but does not effect change in political action. Third, the *marāji'* rarely venture into the major cultural battleground for the reform of ritual, which remain as valid as they were in the 1920s and earlier. The practice of *taṭbīr*, or cutting the head and shedding blood on 'Āshūrā, has become a key conflict between more progressive and more conservative forces; it has become a key political issue. Fourth, relevance in the contemporary world is another big issue as is globalization. The *marāji'* are trying to grapple with this. But as is the case of politics generally, among many believers there is an increasing realization that old men sitting in the old city in Najaf have little to contribute to their understanding of life, especially as long as jurisprudence retains a traditional scholasticism that divorces compliance from moral agency.

How does someone become a *marja'*? In many ways, the traditional *marja'iyya* based on the knowledge, probity, and piety of one individual to whom believers are drawn has been weakened by the challenges of globalized modernity and objectification of Muslims, but also by various political attempts at manipulating and using the *marāji'* for political ends in Iraq and Iran. The official lists produced in Iran, and the attempts by Saddam's government of promoting some, and in effect assassinating others, has led to a situation in which believers can be said to be losing confidence in the institution, especially

in Europe and North America. No doubt this is exacerbated by stories of corruption among the representative offices of the *marāji*'.

The relationship of the *marja*' and the *muqallid*, between the leader possessing authority and those required to make their moral agency conform to his edicts, is mutual. Believers have the duty to fulfill their moral obligation, and to refer some questions to specialists. They also need to render their religious taxes, especially the *khums* (a fifth of all savings in a year), half of which is the right of the descendants of the Prophet (*sahm al-sāda*) who are in need, and the other half is the right of the Imam (*sahm al-Imām*) in whose absence his representatives, the *marāji*', collect and disburse those funds. The *marja*' needs those funds from the lay people to run his organization and he, of course, requires their questions to fulfill his epistemic obligation to provide *responsa*. Philanthropy has become a recognized activity of the *marja*' with the Khoei Foundation probably the best recent example (Corboz 2005: 94–118). Even if the *mujtahids* decided on the *marāji*', without popular acceptance their *marja*'*yya* would be ineffective.

Khums constitutes one of around four potential sources of finance for the *marāji*' (Litvak 1998: 35–36). The others are: various services administered to believers when they bring their corpses to be buried in Najaf and Karbala, for dealing with issues of inheritance and endowments, and other types of religious trusts; money paid in lieu of rituals unfulfilled in the lifetime of a believer as compensation (*ṣawm wa ṣalāt*) and related money paid in expiation of vows honored and unfulfilled; and direct contributions to the institutions that are run by *marāji*' such as the shrines themselves, libraries, seminaries, hospitals, schools, information technology concerns, and charitable organizations. Without finances, no *marja*' can survive. The amounts concerned are significant. The largest sources of finance come from the Gulf (especially Kuwait), Britain and other parts of Europe, and North America. London and New York account for *khums* revenue just for Sayyid Sīstānī that anecdotally is considerably more than \$100,000,000 dollars per annum (Khalaji 2006: 9).⁶ As accounts are not made public—and certainly will never be made available for researchers and those outside the immediate inner circle—it is difficult to know for sure. Of course, in the case of the Iranian *marāji*' there is the support of the state, and it is equally the case that without the acquiescence of the Iranian state, the *marāji*' in Najaf have little room for promotion. One suggestion is for the Iraqi

6 Khalaji claims that Sīstānī's annual income is between \$500 million and \$700 million and the value of assets is around \$3 billion. The latter claim may be true given the value of properties in particular, but the figure for annual income is difficult to verify.

state to take a more active role in supporting and bankrolling the *marja'yya* in Najaf, which would allow for a counterbalance to Qum (‘Ali ‘Allawi interview, London, November 13, 2008).

Second, there are technical conditions for being a *marja'*. The most important is arguably *a'lamīyya*, being the most knowledgeable, which is also the most difficult to demonstrate. It clearly stems from the role of the privileged knowledge of the imams in whose place the *‘ulama*, as a class of religious leaders, stand. But it is also more of an ideal than a practical criterion, not least because it is difficult to determine (Corboz 2005: 23). Others include being male, sane, pious, possessing integrity, shunning the open performance of minor sins and social defects, and other such issues. The question of having training in the secular sciences and being aware of current affairs and what is happening in the world is increasingly articulated by critics of the traditional *marja'yya* and supporters of some new claimants. For example, promoters of Sayyid Khomeini insist his authority is not just that he is the *valī-yi faqīh*, but that even if he is not the most knowledgeable in jurisprudence, he is the most politically aware and judicious jurist. Even further, some claim he is mystically in touch with the higher intelligible realm such that his authority is practically divinely mandated and hence trumps any *marja'*.

Third, a *marja'* needs a social and political organization and network if he is to survive. Weak *marāji'* lack this. A case in point is Shaykh Fayyād in Najaf who is widely recognized as the best teacher of jurisprudence in the *ḥawza* and even as the *a'lam*, but he is little known. Not many people visit him, and his web presence is quite basic. The social presence of his office—or his *bayt* as it is called—is rather restricted. This is put down to his inability to develop a social constituency for himself as he comes from a simple, peasant background in Afghanistan and does not have the family or class connections of others. This is also given as a reason for why he will not succeed Sīstānī as the paramount *marja'* but rather that al-Ḥakīm will because he has not only family and roots in Najaf but also a political party (ISCI) supporting him. To top it all, Fayyād is not an Arab. The critical issue of recognition—the acclamation of the *marja'* by senior students and *mujtahids* who comprise the so-called *ahl al-khībra*—is therefore not a dispassionate appraisal by good minds of the knowledge, piety, and probity of senior figures, but is colored by issues of class, race, political affiliation, and taste. A successful *bayt* draws upon the family—including those co-opted by marriage into other *ulema* families and merchant families, which is critical to make sure the finances are secure—and draws in members of previous successful *bayts* that have been dissolved after the death of the *marja'*. One can see this clearly in the establishment of Khū'ī and with Sīstānī as well (Corboz 2005: 50).

Fourth, there is an assumption that follows from *al-lamīyya* that a *marjaʿ* will be both an active teacher—especially of the classes on jurisprudence and legal theory, or *uṣūl al-fiqh*, which is considered to be intellectually superior to positive law or *fiqh* itself—and a writer. Not everyone teaching the advanced classes (*baḥth al-khārij*) is a *marjaʿ*, but there are no *marājiʿ* who have never taught such a class. The would-be *marjaʿ* will often first write a gloss on the manual of his main teacher or a recognized *marjaʿ*, which will earn the approval of that existing *marjaʿ*, and then will issue his own manual of rulings based on his own *ijtihād*. Up to this point, having completed the advanced class and gained his license to practice *ijtihād*, the scholar would not have been following anyone. Once he has written the gloss and issued his own manual, he has demonstrated that his individual *ijtihād* is worthy of dissemination. Alongside the manual—which is designed for the laymen and is the result of the legal reasoning (*istidlāl*), which is only for the specialists—the *marjaʿ* will often write works in jurisprudence, such as a gloss on a classic text like the *Kifāyat al-uṣūl* or on a specific issue such as a version of tort, which in Islamic law is called the rule of *Lā ḍarar wa-lā ḍirār*. But the main work is the manual (*risāla ʿamalīyya*) on the basis of which others can follow him.

The manual will begin with an affirmation of the institution of *ijtihād* and *taqlīd* and will be prefaced with a declaration that it is permissible for followers to act according to these rulings. In practice, these manuals rarely differ in the majority of the issues that they address, and a quick perusal of a selection from the middle of the twentieth century to the present will demonstrate this. Claims to authority are sometimes made based on the unique features of these texts. For example, the late Sayyid al-Shīrāzī's encyclopedia of some 130-odd volumes of *fiqh* was part of the claim that he was the most knowledgeable. The fact that Shaykh Bashīr al-Najafī carefully considers “modern” questions in finance and bioethics is part of his claim. In the present age, the web presentation of the manuals and the web portal for processing questions and *responsa* are critical. These presences force us to question the simplistic dichotomy of activist and quietist notions of leadership as some continual never-ending process since the tenth century.

At first, we need to be clear what we mean by *marjaʿīyya* and the person of the *marjaʿ al-taqlīd* (and also the related term *al-marjaʿ al-dīnī*).⁷ The senior jurists in the *ḥawza*—whose advanced classes are necessary for producing

7 One question that I asked was whether these two terms have a different nuance and whether one is more encompassing than the other. Most respondents insisted that they were identical. But the usage of the terms especially by claimants suggests that there are multiple *marājiʿ al-taqlīd* and people are free to choose, but the *marjaʿ dīnī* like the *valī-yi faqīh* ought to be

further *mujtahids*; who have an organization and networks of representatives; and to whom believers refer in their quest for answers to moral, social, and ritual problems—are known as *marāji'* literally because they are sources of reference. There are four distinct concepts worth separating.

First, there is the leadership (*zi'āma*) of the *ḥawza* and its institution. This may be a *marja'* but he may not be the most popular, which is akin to the role from Sayyid Gulpāyigānī (d. 1993) in Qum from the early 1980s to his death. Second, there are individual *marāji'* with their organizations, charitable institutions, stipends, and residence for their followers and students, and so forth. Third, there is the notion of the *marja'īyya* as a common institution that requires adherence of believers, which clearly emerged in the nineteenth century with Shaykh Muḥammad Ḥasan al-Najafī (d. 1850) and Shaykh Murtaḍā al-Anṣārī (d. 1864) in Najaf (Moussavi 1996: 185–216). This does not mean that believers did not refer to jurists or even pay their religious taxes to them before. The difference is the recognition that one establishes one's *marja'* and connects to his network and makes an intention to stick with the choice in that person's lifetime. This does not entail the idea that there is only one *marja'* at a time; *marāji'* tend to have a quite ethnically distinct following, and Iraqis did not follow Khomeini (d. 1989) nor did many Iranians follow Sayyid Muḥammad Muḥammad Ṣādiq al-Ṣadr (d. 1999). Fourth, there is the *walī al-faqīh*, the political role of the jurist who wields power but may not fulfill the conditions of being a *marja'*. The conditions of modernity have allowed *marāji'* to extend their influence and control into communities through the promulgation of their manuals of practices and through their representatives who collect religious taxes on their behalf. At the same time, the key condition of *al'amiyya* has become nuanced and contested, not least in an academic context where rival claims to the status are made with equally qualified supporters on each side. Deciding who is the most knowledgeable is not so straightforward or even a process devoid of political expediency.

There are two related activist notions of the *marja'īyya* associated with Khomeini and al-Ṣadr. Sometimes they are given prominence beyond their relevance to the average believer because the notion that emerged out of the historiography of modern Iran assumed that the jurists have essentially been oppositional figures, but historically this has not been accurate. The boundaries between activism and quietism are not so clear cut, and even in Najaf today one could argue that the four main *marāji'* are quite activist but in ways distinct to these notions.

one whose commands are of a higher order. In this sense, both Sistānī and Khamenei are more important than the mere numbers of their actual followers suggest.

The first is Khomeini's statist intervention promoting the theory that the legitimacy of authority that the jurists possess, as representatives of the imams, entails their right to exercise power in the state. This is the theory known as *wilāyat al-faqīh* or the authority of the jurist to rule. Significantly, it is not called *wilāyat al-marja'* because the distinction between *marja'* and *faqīh* is clear. There is no requirement for the cleric who is the head of state to be the most knowledgeable jurist. It is not an exaggeration to say that the history of the *hawza* and of *marja'iyya* in the last three decades has been one of conflict around the question of *wilāyat al-faqīh*. The key question posed to every *marja'* and major member of the hierocracy today is whether they espouse it and what exactly they mean by it. The overwhelming consensus in its favor means that dissent and rejection is increasingly seen as heretical. The most interesting suggestion in recent times for a successor to Khomeini posits a convergence of the two roles: Sayyid Maḥmūd Hāshimī Shāhrūdī (b. 1948), a student of al-Ṣadr, declared his *marja'iyya* in 2010 and opened an office in Najaf in 2011, and has been widely touted as a possible *faqīh*. This convergence is also an expression of two further convergences that he has in his person: Najaf and Qum, and Iraqi and Iranian nationality (Khalaji 2017).⁸ Through his deputy Ra'īsī, he combines the legacies of Khomeini and al-Ṣadr. He possesses the charisma of being a *sayyid*, is arguably the most prominent student of the martyred al-Ṣadr, and is in proximity to the high politics of Iran. But thus far his attempts to establish his scholarly authority in Najaf have been rather limited. Given the political nature of the office, it is hard to imagine the Islamic Revolutionary Guard Corps (IRGC) not playing a major role in determining Khomeini's successor.

Khomeini and His Political Theory

There is little need to rehearse the biography of Khomeini or to deal with this issue in detail 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 (*kitāb al-bay'*) in exile in the *hawza* of Najaf in 1970. These were transcribed by students and published as *Hukūmat-i Islāmī* (Islamic government). Because the *hawza* did not normally have classes in political theory or a developed sense of public law, it is significant that politics were discussed within the context of commercial law because arbitration and jurisdiction of transactions requires a recognized public authority. It is also as a *fiqhī* argument that *wilāyat al-faqīh* is

8 The best advocate is Mehdi Khalaji, *The Future of Leadership in the Shi'ite Community* (2017).

best understood. It is only much later in the 1980s and after, that the argument acquired the mystical aura of Khomeini's interest in *'irfān* and the theological baggage associating it with the Shi'i imamate in the works of Muntazirī and Javādī Āmulī. It is at this level that the theory is open to critique. The theory was inspired by two central themes in Khomeini's life: anti-imperialism that was already articulated in his early attack on the Shah's government with his book *Kashf al-asrār* (*revealing the secrets*) in 1944, and the influence of Plato's model of government by the philosopher-king to organize a society rooted in justice (Dabashi 1993: 412–13).

Islamic government for Khomeini is incumbent on believers to establish 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 and performance of justice. The guardian jurist therefore needs to have requisite knowledge of the law and be committed to justice. Nowhere is *marja'īyya* made a strict condition. The totality of the political authority of the imams devolves to the jurist. The success of *wilāyat al-faqīh* 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 that led to the theory of the absolute authority of the jurist (*wilāyat al-faqīh al-muṭlaqa*) and placed the jurist 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 Muntazirī and signals a shift from the legal argument to a metaphysical one. The whole political edifice created has made Iran a hierocratic state and, as such, both a model and a warning to others. Sīstānī's silence on the controversial issue of *wilāyat al-faqīh* is very much an expression of his authority and the lack of need to pronounce on such an issue that also broadly follows Khū'i's generally subdued position (Gleave 2007: 74).

Khamenei has taken the conception much further through a more aggressive strategy of centralized authority and power. He has brought the seminary under his control through the reforms of the structure and the establishment of the Jāmi'at al-Muṣṭafā for organizing international students and local students through 'Alī-Riżā 'Arafī from 2009, and the largest foundation in Iran, namely the Āstān-i quds, associated with the shrine in Mashhad through Sayyid Ibrāhīm Ra'īsī. In 2014, Khamenei's office leaked the news that he pays around \$6 million a month to clerics for sustaining the seminary and its institutions, and that the stipend he provides to students in Najaf is only second to Sīstānī—\$103 to the latter's \$145 (Khalaji 2016: 1–3, 8–9). Of course, one must be somewhat cautious about taking such figures at face value, but the harnessing of state power and finance to bolster Khamenei's authority is quite clear.

Bāqir al-Şadr and Activist *Marja'iyya*

The second activist conception of the *marja'iyya* involves the Iraqi jurist Sayyid Muḥammad Bāqir al-Şadr (exe. 1980, henceforth Şadr I).⁹ From a prominent, originally Āmilī, family of scholars settled in Kāzimiyya, Sayyid Muḥammad Bāqir b. Ḥaydar b. Ismā'īl was born in 1935 in Kāzimiyya, the shrine city in the suburb of Baghdad, into a family who had been *marāji'* for three generations. He was described as precocious at school and wrote his first work on logic at the age of eleven. In 1945, the family moved to Najaf and he entered the seminary at a time when the Iraqi Communist Party was at the height of its popularity. He would later challenge communist worldviews in his significant ideological quartet: *Falsafatunā* (our philosophy), *Iqtisādunā* (our economy), *Mujtama'nā* (our society), and the *al-Usus al-mantiqiyya li-l-Istiqrā'* (logical foundations of induction). "Our" refers to the Islamist program that he espoused. He had quite a traditional seminary education studying law and jurisprudence with his maternal relative Shaykh Muḥammad Riḍā Āl Yāsīn (d. 1950) and Sayyid Abū-l-Qāsim al-Khū'ī (d. 1992), and philosophy with Shaykh Şadrā Bādkūbihī.

Şadr I was involved in three important projects that reflected his activist approach: he managed the school *Madrasat al-'Ulūm al-Islāmiyya*, was pivotal in the establishment of the *Jamā'at al-'ulamā'* (JU), a Shi'i umbrella organization in Iraq in 1960 to coordinate theological and cultural activities after the 1958 revolution, and his role in the Faculty of Theology (*Kulliyat Uşūl al-Dīn*) was one of the outreach fora for the *'ulama* linking them to secular academia. There was a considerable overlap in the clerical constitution of the JU and Da'wa with which Şadr I was particularly associated as the main ideologue. He identified four stages for the development of Da'wa: first, they needed to be constituted as a party and develop a mass base; second, they needed to act as an effective political opposition and develop an alternative; third, they needed to gain control of the state apparatus and establish an Islamic political order—this need not be through democratic means; and fourth, they needed to serve the interests of the community and of the faith (Aziz 2002: 235). The *marja'iyya* needed to develop alongside 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 hierocracy are involved in the affairs of the community and are best placed to fulfill their interests (Aziz 2002: 238).

9 See Mallat (1993), Ra'ūf (2001), and various studies by Aziz, such as his doctoral dissertation (1992).

Şadr I's activist approach to his *marja'yya*, which effectively was declared in 1976 and 1977 with the publication of his new approach to jurisprudence (*Durūs fi 'ilm al-uşūl*) following his earlier introductory work (*al-Ma'ālim al-jadīda fi-l-uşūl*), and his manual *The Clear Rulings* (*al-Fatāwā al-wāḍiḥa*), significantly changed the genre.¹⁰ His activism lay in three clear areas: educational reform and leadership at the level of schools and beyond; an ideological and cultural defense of the faith in the face of the challenges of modernity and modern ideologies such as communism, Ba'thism, and nationalism; and his political commitments to the role of the hierarchy in the public sphere. His link to Da'wa makes clear his espousal of Islamism and the role of faith in politics. He welcomed the 1979 Iranian Revolution and the concept of the authority of the jurist and wrote three short treatises in response, which demonstrated the role of the *marja'yya* in his conception, *Lamḥa fiḥiyya tamhīdiyya ḥawl al-thawra al-Islāmiyya* (A preliminary juristic note on the Islamic Revolution), *Manābi' al-qudra fi-l-dawla al-Islāmiyya* (Source of power in an Islamic State), and the *Khilāfat al-insān wa-shahādat al-anbiyā'* (Vicegerency of man and the testimony of the Prophets) (Mallat 1993: 59–78). These were published in a series entitled *al-Islām yaqūd al-ḥayāt* (Islam guides life).

The key themes that emerge from these 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 *marja'*, as the absolute power, also reflected the will of the people and had the authority to designate a consultative assembly. What emerges is a conception of a polity that is far from being democratic, and yet elements of his legacy have not been shy to embrace elections and democratic divisions of power and accountability.

However, perhaps the most successful form of activism is the guidance and moral authority of Sīstānī following an earlier Najaf model exemplified in Sayyid Muḥsin al-Ḥakīm and also Khū'ī (Al-Bahādī 1993; Kadhīm 2012). The emergence of Sīstānī as the prime *marja' al-taqlīd*, and indeed as the leader of the Shī'ī community especially since 2003, has been a gradual and highly politicized process led by his supporters outside of Iraq. This process began in the mid-1990s and was coordinated primarily in Iran and in London. But it emerged out of a chaotic and confusing period in which there was a basic lack

10 In 1975 he had already published a gloss on Sayyid al-Khū'ī's manual *Minhāj al-ṣāliḥīn* which signaled his intention.

of clear guidance, partly due to the isolation of Najaf in the 1990s and partly due to the absence of seriously weighty figures in Qum.

The demise of Sayyid Abū-l-Qāsim al-Khū'ī in 1992, followed by Sayyid Muḥammad Riḍā Gulpāyigānī in 1993, and Shaykh Arākī in 1994, led to a situation of crisis in leadership. While processes in Iraq were cut off from the outside world following the failure and brutal repression of the Sha'bāniyya uprising in 1991, various individuals were jockeying for position, and claims for *marja'īyya* were being made. Within this context, the powerful *ḥawza* establishment in Qum represented by the Association of Seminary Teachers (*Jam'īyyat al-mudarrisīn*) issued a list of acceptable *marāji'* for believers to follow on December 2, 1994 (Al-Qazwīnī 2005: 41–12 and Corboz 2005: 65). Seven *marāji'* were named as those who fulfilled the conditions of being a *marja'* and who were worthy of being followed: Sayyid 'Alī Khāminihī (the first serious claim made), Shaykh Muḥammad Fāzil Lankarānī (d. 2007), Shaykh Muḥammad Taqī Bahjat, Shaykh Ḥusayn Waḥīd Khurāsānī, Mīrzā Jawād Tabrīzī (d. 2006), Sayyid Mūsā Shabbīri Zanjānī (who was little known even in Iran), and Shaykh Nāṣir Makārim-e Shīrāzī (an old stalwart of the *ḥawza*). There were notable absences from this list: Sayyid Muḥammad Muḥammad Ṣādiq al-Ṣadr and Sayyid 'Alī al-Sīstānī in Iraq, and also Shaykh Ḥusayn 'Alī Muntazirī, Sayyid Muḥammad Rūhānī, and Sayyid Muḥammad al-Shīrāzī, among others, in Iran. The list was a wholly political act and seen by believers as an intolerable interference. The exclusion of important figures also made it somewhat risible. The Iraqi government under Saddam had been supporting Ṣadr II, but increasingly that was fraught and problematic as he asserted more independence, such that in effect the Najaf *marāji'* were totally isolated by 1999 except for Sīstānī who had a network and apparatus established by then outside of Iraq.

The Emergence of Sīstānī

How did Sīstānī, who was one of many of Khū'ī's students, and not necessarily the best one, emerge as a *marja'*? His supporters and their established global network have in recent years, in response to the many criticisms that emerged in both Iraq and abroad, tried to imply that Khū'ī in effect appointed him by asking Sīstānī to replace him as the prayer leader at Jāmi' al-Khaḍra in the shrine complex of Imam 'Alī in Najaf in October 1988 (Walbridge 2014: 97–99). But this is problematic. *Marja'īyya* is not bestowed and designated from one to the other. In theory, it is supposed to be a recognition from public acclamation of the learned *mujtahids* or at least those whose learning is close to the qualification to practice *ijtihād*, the group known technically as the *ahl*

al-khibra. In practice, in the 1980s, many expected Sayyid al-Khū'ī's son-in-law Sayyid Naṣrallāh al-Mustanbiṭ to succeed to his role, but then he died in 1987 and things were much less clear. But even more than that, in the 1990s there was not a *ḥawza* left to run in Najaf.

Sayyid 'Alī al-Ḥusaynī al-Sīstānī was born in 1930 in Mashhad, Iran, into a family who were established members of the hierocracy. After his early education, in 1949, he moved to Qum and studied with Sayyid Burūjirdī, and then onto Najaf in 1951, where he studied with Sayyid al-Khū'ī and Shaykh Ḥusayn al-Ḥillī. Of course, according to his supporters and followers he was the best of al-Khū'ī's students. He received licenses from them both and briefly returned to Mashhad in 1960, but, perhaps because he could not become established there, he returned to Najaf in 1961. In the same year, he began to teach advanced classes in law, and, in 1964, jurisprudence, which he continued to do off and on, according to some until 1999 and to others until 2002 (Khalaji 2006: 8).¹¹

Al-Sīstānī's office claims that he directed the *ḥawza* through the difficult days of 1991 and 1992 and was the one who led the funeral prayer of Sayyid al-Khū'ī.¹² They also claim that he struggled against the Saddam regime. It is commonplace among the websites and literature produced by various *marāji'* and claimants to the *marja'īyya*, that in the post-2003 period—regardless of whether the particular *marja'* is known for being apolitical or not—the *marja'* had conducted a *jihād* against the Ba'ṯhist regime. This is clearly designed to shore up the credibility of the individual. But in this case, there is little evidence to suggest that Sīstānī was anything more than a very academic and careful scholar before 2003. After 2003, perhaps because of the events of that year and the pressure exerted by the Ṣadrīs in Najaf, Sīstānī officially retreated more into his home while his office extended its wider network and influence.

But how did we get from a meticulous student of al-Khū'ī to the pivot of Shi'ī politics in Iraq today (with arguably a short blip of decreasing influence in 2007)? Three organizations were at the forefront of promoting his cause as *marja'*, as mentioned above (Al-Qazwini 2002: 277). First, there was Sayyid Jawād al-Shāhristānī (b. Karbala, 1954). He married Sīstānī's daughter in 1975, and in 1977 migrated to Qum where he established *Mu'assasat Āl al-bayt li-ihyā' al-turāth al-Shī'ī* (Āl al-bayt institute for the revival of the Shi'ī heritage).

11 Khalaji claims that he stopped teaching in late 1998 following the increasing pressure on Najaf. But various informants in Najaf and Sīstānī's office claim that he taught at home until 2002 when he completed the cycle of advanced classes on jurisprudence for his students.

12 The video of Khū'ī's funeral available on YouTube corroborates this: www.youtube.com/watch?v=zxmiff-N3SA.

The Institute was one of the first to see the opportunity of the internet, and established prominent websites including www.al-shia.com, one of the best Shi'i websites available in multiple languages. It was concerned with spreading its message among non-Arab and non-Iranian Shi'i communities, something that the Khū'ī network had done before successfully.

The existing Khū'ī network in Qum, especially the Madīnat al-'Ilm complex, was an invaluable resource. Qum, and Iran generally, has always had people who have looked to Najaf for *marja'īyya*. Anecdotally, even in the 1980s, there were more followers of Khū'ī in Iran than there were of Khomeini.¹³ The official Qum institution, the *Jāmi'at al-mudarrisīn* blocked Sīstānī's promotion and we have seen already that his name was not on the list they issued in 1995. Nevertheless, the tireless efforts of Shāhristānī led to most of Khū'ī's former representatives switching to Sīstānī. Part of the process was to recognize them in their existing roles and make the transition smooth by clarifying the few differences in the rulings of the two *marāji'* (indicated in the Persian and English translations especially). Sīstānī's independence was emphasized, and Shāhristānī developed links with the dissidents in Qum and elsewhere, such as Muntazirī and 'Abdol Karim Soroush. Money also played a role. Those following Sīstānī's program in Qum and elsewhere were given better stipends, which is still the case in Najaf, and his representatives around the world are more comfortable; some would argue that they have enriched themselves beyond their wildest dreams. The charitable works of the Khū'ī network were also taken over and continued good causes that promoted the name of Sīstānī. Khalaji claims that the office of Sīstānī on Bolvār-i Amīn in Qum was the first official presence of a Najaf *marja'* in Qum since the re-founding of the seminary in 1922 (2006: 10). While this may be the case, Khū'ī did have strong representation in Qum through his complex, and his manual of practice was widely available and followed.

Second, the Khoei Foundation, which was led by Sayyid 'Abd al-Majīd al-Khū'ī from 1994 to his death in 2003, and which represents the charitable wing of the Khū'ī network, has been prominent in promoting Sīstānī.¹⁴ One anecdote about its role dates back to the early months after Khū'ī's death. As Khū'ī was the patron of the Khoei Foundation (KF) in his capacity as the paramount *marja'* of Najaf, the foundation needed to find a replacement. The story is that

13 This has been confirmed over the years by many informants from within the hierocracy in Qum and elsewhere.

14 The Khoei Foundation and the Khū'ī ḥusayniyya in London gathers together many Najafis and hierocracy-related individuals. Much of the direction of their work is run by Sayyid Yousif al-Khoei, the son of 'Abbās Khū'ī, although the titular head is now Sayyid 'Abd al-Šāhib al-Khū'ī.

they turned to his most prominent former student and colleague, the established *marja'* Sayyid Muḥammad al-Rūḥānī (d. 1997). In response to the offer of patronage, al-Rūḥānī wanted a more hands-on role and demanded to see the accounts and to manage and oversee the finances. The KF's leadership refused, and they turned to someone who would be more malleable and who would give them free rein. Sīstānī was offered the post and he accepted without conditions. I first heard this story in Tehran in 1996 and heard it again in Najaf in November 2008. While it may be the result of a malicious rumor promoted by anti-Sīstānī circles, there does seem to be elements of truth in it. But even before this period, the KF's magazine *al-Nūr* ran a series of pieces on Sīstānī from 1990 onwards, promoting him as a possible successor to Khū'ī on the grounds that he was a "liberal" and could relate to younger generations and to the special challenges that Muslims face in the West. This propaganda has in recent years—with the massive controversy on moon-sighting in particular, where Sīstānī's position is more conservative than that of his teacher Khū'ī—led to discord in communities of his followers, especially in Britain and North America.

The World Federation of Khoja Shi'a-Isna'asharī Jamā'ats catered for communities that had always supported a quietist notion of *marja'īyya* and who traditionally followed Najaf, but the death of Khū'ī in 1992 left no clear sense of a successor and led to a crisis. Pragmatically, they shifted allegiance to Gulpāyīgānī until his death in 1993 and then to Arākī in 1994. But this shift was expedient—the *taqlīd* of Qum was not something desirable, but since it involved those who were apolitical, and at least did not openly advocate *wilāyat al-faqīh*, it was palatable. The World Federation's (WF) primary clerical leader was Mullā Aṣghar 'Alī M.M. Jaffer (1937–2000) ever since its inception in London in 1976. Fluent in Arabic and Persian as well as a number of Indian languages, and of course English, he was personally close to Khū'ī, and in fact spent some months in prison in 1982 to 1983 in Baghdad after he was arrested, accused of carrying messages between Khū'ī and the diaspora.¹⁵

The period after 1992 was fluid. In a conversation in early 1994, the leadership of the WF was discussing the question of *marja'īyya* and someone raised the name of Sīstānī, to which Jaffer replied that he had been going to Najaf for many years but did not know him (Mahmud Habib interview December 3, 2008).¹⁶ Yet within a year, in 1995, the WF began to promote the *marja'īyya*

15 He later wrote about this experience in a book published in London in 1984 entitled *I was Saddam's Prisoner*.

16 Interview with Mahmud Habib, a Canadian pilgrim guide who was a member of the WF's Council and has been taking groups to Najaf since the early 1980s, Najaf, December 3, 2008.

of Sīstānī and published the English version of his manual of rulings. Jaffer's independence from the official politics of Qum—he had, for example, held open mourning at the deaths of Ayatollah Sayyid Sharī'atmadārī in 1986 and Sayyid Muḥammad al-Rūḥānī in 1997, despite their status as undesirables in official Iranian discourse—may have been a factor in promoting a quietist in Najaf. He also understood the significance of the WF's action as the Khoja community was liquid and its *khums* and other financial contributions could make or break a *marja'*.

Post-facto, Sīstānī's supporters point to two elements for 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 claims of him being most knowledgeable because he is precise and careful in his scholarship; that he attends to a historical understanding of the problem; and that he emphasizes the importance of Arabic and relating the language to culture. The latter point is interesting especially given the many common criticisms of his ability to speak Arabic—he clearly cannot speak colloquial Najafi and his *fushā* is heavily accented and cumbersome.

At the time when the *marja'iyya* as an institution is at its most centralized and controlled, criticisms are rife both in Shi'i communities in North America and Europe, as well as Iraq and the Middle East. But unlike Khalaji's prognostications, the institution is not doomed. The situation in Iraq after 2003 has exacerbated this criticism. As one member of a forum wrote in April 2008, “servant of al-Ḥakīm” put it:

There are many *marāji'* but little is done, and we don't know who is qualified to issue fatwas, one hides and one takes away, one bastard (steals) oil and another bastard gas, and we don't see any attempts at alleviating the problems of the Iraqi people who remain hungry while the bellies of the *marāji'* are full with oil and gas and only water remains for the Iraqi people...

[He quotes a fatwa of Qāsim al-Ṭā'ī authorizing the stealing of gas]

So good—your brother al-Ya'qūbī the bastard (steals) oil while you (steal) gas.¹⁷

The cacophony of claimants and the accusations of corruption and the dissonance of many of the representatives of Sayyid Sīstānī do not detract from the basic significance of the latter. There is little doubt that both in Iraq and

17 See www.yahousein.com/vb/showthread.php?t=98161.

outside, Sīstānī is the most powerful *marja'* there has ever been. Ministers visit him to gain blessings for policies and election campaigns, and the world listens to the statements of his office. As many interviewees said, including Arajī, Allawī, and Qāsim, despite rejecting the theory of the absolute authority of the jurist, he in fact wields it. Similarly, despite the strong dislike expressed by the Sadrists, Sīstānī remains popular with the tribes in the south and with a wide range of sections of Iraqi society, including many moderate Sunnis. This popularity is no doubt due to his earlier isolation from the public and his retention of credibility.

Sīstānī's *marja'īyya* is practically regal in Najaf, and access is carefully guarded. His home and office off Shāri' al-Rasūl on Shāri' al-Hindiyya in the old town is the closest to the shrine of any *marja'* and has the strictest security retinue. This proximity to the shrine is an element of the mystique of his office. Every morning from 9:30, queues of well-wishers, followers, and visitors wishing to meet him form in the main street 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 Sūq al-Ḥuwaysh; not only major members of the hierarchy and of his global network, but also significant political figures from the Iraqi government, including the prime minister, and foreign politicians. Judiciously, Sīstānī does not allow photographs to be taken with him, although his office and web presence advertise these meetings. But it is commonplace to see on the satellite channels pictures of visitors holding impromptu press conferences in the street after meeting Sīstānī. Pictures of Sīstānī are everywhere in Najaf. The very claim to have spoken to Sīstānī confers some authority on lesser political and social figures.

In Najaf and indeed globally, it is his manual of rulings that outsells others by around a factor of fifteen,¹⁸ and at pilgrimage time in Mecca, his office receives the most questions—the estimate is that perhaps eighty percent of followers of the *marja'ī'* follow him (Khalajī 2006: 6). He has the most extensive system of representation of any *marja'* possibly in history (Visser 2006: 5–6).¹⁹

18 Estimate is based on various conversations with Abū Layth, the proprietor of Dār al-Andalus, one of the best bookshops in Ḥuwaysh in the old city of Najaf, November 2008.

19 Some prominent representatives of Sayyid Sīstānī are:

- 1) Sayyid Jawād al-Shahristānī: son-in-law and the head of the Qum office in Iran, perhaps the most influential and from an established clerical family.
- 2) Sayyid Murtaḍā Kashmīrī: roaming representative in London, Europe, but based in Dubai—he is increasingly being sidelined in favor of:
- 3) Sayyid Munīr al-Khabbāz, originally from a notable *'ulema* family in the Eastern province of Saudi Arabia and the new representative at large in “the West.”
- 4) Sayyid Aḥmad al-Khaffāf: representative in Najaf and in Baghdad.

It is precisely the carefully controlled element of access to him, his guarded persona, and the cultivation of an image of a pious and aloof figure that accounts for his charisma and authority.

Who controls access and whose politics dominate? A popular notion is that his son Sayyid Muḥammad Riḍā, who controls his office, in effect speaks in his father's name and is 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 rumor: to understand Sīstānī, he argues, you needed to pay attention to his actual published works and statements and the fatwās that carry his seal (Visser 2006: 19). Some people dispute this. Khalaji claims that Jawād Shāhristānī, Sayyid Ḥāmid al-Khaffāf (Sīstānī's brother-in-law and one of his most prominent representatives in Beirut and Baghdad), Sayyid Aḥmad al-Ṣāfi (his main representative in Karbala), and Dr. Husain Shāhristānī, a member of the Iraqi government are his main advisors. The facts on the ground seem to corroborate this. Al-Khaffāf edited an important collection of the statements of Sīstānī on the situation in Iraq; al-Ṣāfi often expresses Sīstānī's views on politics through his Friday sermons in Karbala, and Husein Shāhristānī is thought to be the main conduit between Sīstānī, the United Iraqi Alliance (UIA), and the Americans ('Ali 'Allawi interview November 13, 2008). Ali Allawi and others have said openly that it was Sīstānī who formed the Shi'ī UIA, which won the elections in 2005 (Allawi 2007: 343). Others have suggested that it was formed with his blessings, and leaders such as Dr. Ibrahim al-Ja'fari met him before forming the government. Sīstānī spoke through the "*ḥawza*" and the *marja'iyya* (both were common phrases in demonstrations and public discourse ever since 2003), and the Shi'a responded by voting overwhelmingly for the UIA (Cockburn 2006: 187). His support among the tribes is also evident because of the impression of what Ṣadr I called objectivity—even among Sunni tribes. When the Ṣadrīs were

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- 5) Sayyid Aḥmad al-Ṣāfi: general representative for Karbala, and himself a prominent figure from a major *ulema* family in the shrine city.
 - 6) Sayyid Muḥammad Riḍā al-Ghurayfi: representative in Najaf in charge of the shrine of Imam 'Alī.
 - 7) Shaykh 'Abd al-Mahdī al-Karbālā'i: the representative at the shrine of Imam Ḥusayn in Karbala.
 - 8) Shaykh Fāḍil al-Sahlānī: the main representative in New York.
 - 9) Sayyid Sa'īd al-Khalkhālī: one of the representatives in London, a member of a Najaf family closely related to the Khū'i.
 - 10) Sayyid Fāḍil Milānī: grandson of a *marja'* and a major scholar in his own right, based in London at the Khoei Foundation where he leads the prayer at the mosque.
 - 11) Shaykh 'Abbās al-Rubī'i: one of the representatives in Baghdad.

putting pressure on him to leave Najaf in 2003 in the aftermath of the murder of 'Abd al-Majīd al-Khū'ī, it was a tribal levy later calling itself the *Fidā'īyyīn al-marja'īyya* who defended him.

How are we to interpret his *marja'īyya*? One interpretation being presented is to see Sīstānī as leading a “reformation” in values of aligning the Shi'a to democratic and democratizing politics in the Middle East, championing elections and popular sovereignty (Nakash 2006: 7–15; and Cole 2006). This is an adaptation of the “quietism” thesis that is keen to distance Sīstānī from *wilāyat al-faqīh* and Iranian politics of religion, and the desire to promote “Shi'i secularism.” The spectrum of political options is subtler. The possibility of conferring legitimacy on the state is not a rejection of the Khū'ī school, as accommodation with power has been the norm in the Shi'i hierocracy. A number of interviewees suggested that if Khū'ī had the opportunity to act, he would have been more politically engaged like Sīstānī clearly is.²⁰ The activist interference in politics in 2003 and 2004 could be analyzed more pragmatically. The promotion of free elections after the Ba'thist period and in the face of occupation could be interpreted as, to quote the late Benazir Bhutto, “democracy is the best revenge.” It also demonstrated the role of the *marja'īyya* as a guiding institution not a directing one. On April 20, 2003, Sīstānī even issued a *fatwā* warning members of the hierocracy from seeking political office, although this did not prevent members of the Islamic Supreme Council of Iraq (ISCI) and the Sadrist tendency from doing precisely that.

His criticisms of the legitimacy of the Interim Governing Council and of the Transitional Administrative Law of March 2004 were again practical measures to support a constitutionality devoid of external interference and to prevent sectarianism and the break-up of Iraq. The culmination of his activism was the formation of the UIA in the lead-up to the elections in 2005, and his subsequent, relative isolation from politics until the revival earlier in 2008 in the run up to the provincial elections and State of Forces Agreement, which suggests that his main concerns are constitutional politics. After another period of withdrawal, his role since 2014 and the ISIL crisis in Iraq has been prominent. There is therefore little concern with the daily run of party politics and administration, but concern with major issues that tend to be constitutional, 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, unlike other claimants to the *marja'īyya* who need that constituency to shore up their

20 For example, interviews with Shaykh Nāṣir Āl 'Uṣfūr, al-Ālī, Bahrain, January 25, 2009; and Sayyid Muḥammad Bāqir al-Muhrī, Kuwait, November 14, 2008.

legitimacy. Attempts by members of specific parties to gain the approval of Sīstānī in 2005, 2006, and again in 2010, similarly failed as the official position was that he supports and respects all Iraqi political movements.

Alongside his support for constitutionalism, his other main concern seems to be the preservation of the hierocracy and the standards and values of the *ḥawza*; hence his criticism of Ṣadrī attempts to set up institutions in Najaf, his condemnation of messianic movements, and his assault on Akhbārī and neo-Akhbārī tendencies. His defense of the Khū'ī conception of the hierocracy is clearest in his tacit victory over Muqtadā al-Ṣadr in 2004 (who had anyway tried to draw on his legitimacy) and again in 2006 and 2008. However, the Sadrist are politically far from dead and their precarious alliance with Da'wa remained in place broadly since 2010. They would then still be in a position to pose a challenge to Sīstānī, whom they hate. The preservation of the hierocracy is clear in his statements on the fight against ISIL and most recently on his advice to preachers at the beginning of the month of Muḥarram in October 2016.²¹

Visser has argued against both the notion of Sīstānī as a quietist and as a scheming political activist. But his interpretation of the spasmodic and reactive nature of his political interventions does not take into account the suggestion of principles of procedure. I would argue that the twin principles of defending and promoting Iraqi constitutionalism in the interests of the Shi'ī community and defending and perpetuating the hierocracy are central to his "mission."

So what might happen after Sīstānī? The *marja'īyya* cannot survive without the people who support it, ask the questions, and fund the organizations. If it cannot cater to their needs, then people will find alternatives. One can also glimpse it in the practical approach to the *marja'īyya* of many in the Iraqi south—listen and obey when the *marāji'* corroborate your worldview, ignore when they do not, and strongly oppose when they challenge.²² For those who see Sīstānī as the singular *marja'* there will clearly be a return to plurality. But the confusion that may arise will not heighten the present situation in which so many figures are staking their claims. Practically, the Najaf hierocracy will

21 See www.sistani.org/arabic/archive/25463.

22 After the 2005 elections that brought in the first Maliki administration and more of the same corruption and inability to provide basic utilities and resources, a slogan became popular in the Shi'ī south: 'ghashmaratnā l-marja'īyya wa-ntakhabnā l-sarsariyya'—the *marja'īyya* deceived us and we ended up electing these vermin. I heard this from a number of people from 2008 up to 2012. This reflected a perception that Sīstānī and others actively intervened to support the Shi'ī electoral lists in 2005.

defend and promote its own, especially Sayyid al-Ḥakīm and Shaykh Fayyād. No doubt the institutions set up by Khū'ī and Sīstānī will prevail and will take on new leadership. They will need to establish their *bayt* and link it into the various transnational networks, take on the leadership of the seminary, negotiate their relationship with the state, win the trust of believers willing to disburse funds to them, and ultimately satisfy and convince the populace that they possess the necessary charisma to be the true representatives of the Hidden Imam.

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