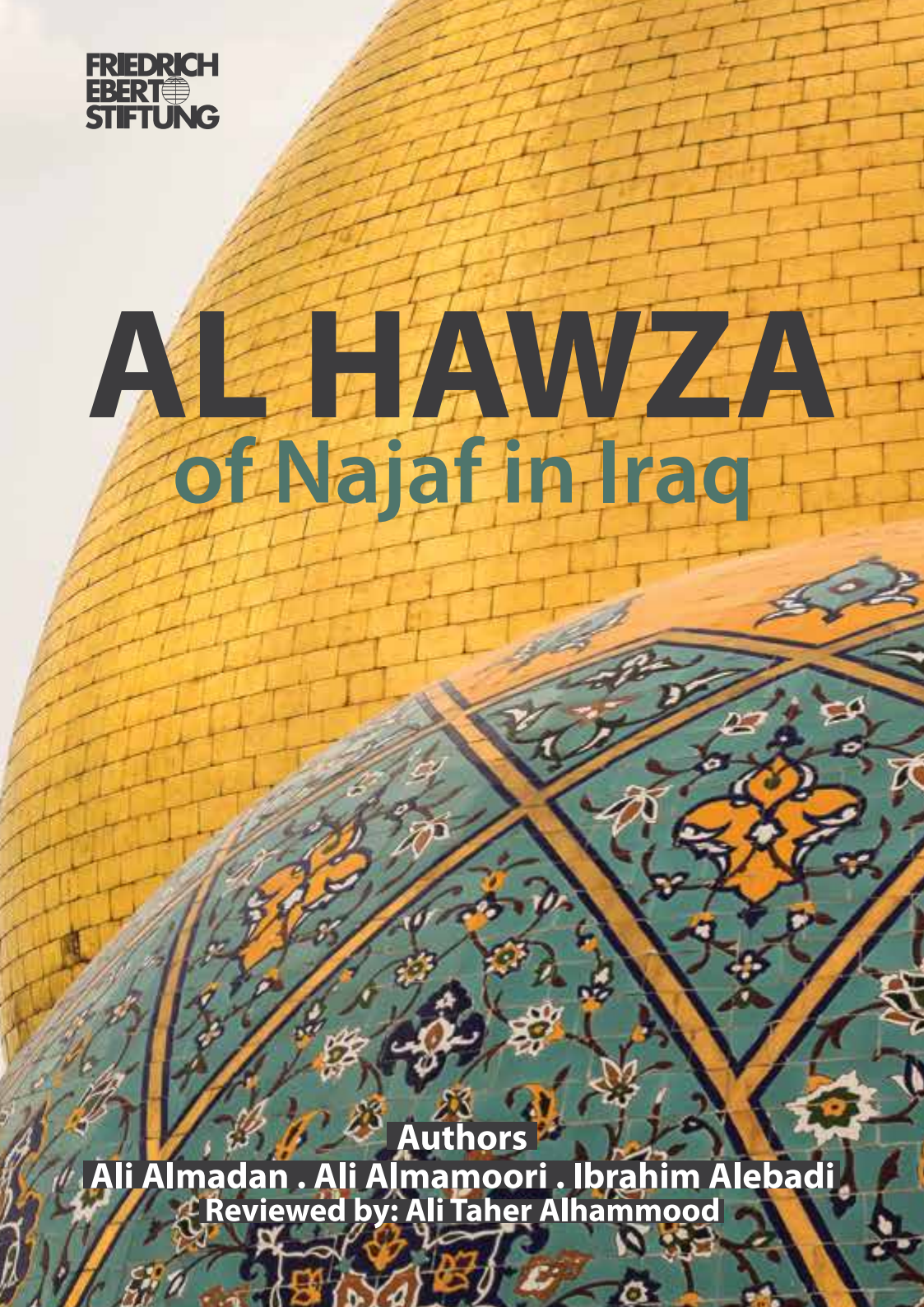
FRIEDRICH EBERT STIFTUNG

AL HAWZA
of Najaf in Iraq



Authors

Ali Almadan . Ali Almamoori . Ibrahim Alebadi

Reviewed by: Ali Taher Alhammood

AL HAWZA
of Najaf in Iraq

The Hashemite Kingdom of Jordan
The Deposit Number at The National Library:
(2023/9/4978)

Al-Hammood, Ali Taher
Almudn, Ali Abdulsayed
Ibadi, Ibrahim Taha
Al-Mamooritite, Ali Abdulhadi and other
Al Hawza of Najaf in Iraq
Amman: Friedrich-Ebert-Stiftung, 2023
(100) p.
Deposit No.: 2023/9/4978
Classification No.: 320.557
Descriptors: /Shiites//Religion Movements//Political Aspects//Political History//Iraq/
Edition data: First Edition

Published in 2023 by Friedrich-Ebert-Stiftung Jordan & Iraq
Sven Schwersensky: Resident Representative
FES Jordan & Iraq P.O. Box 941876 Amman11194 Jordan
Email: amman@fes.de
Website: https://jordan.fes.de/

Not for Sale

Cover design: Beyond Design House
Design of interior: Beyond Design House
Translated by: Brain Powell
ISBN: 978-9923-759-42-4

AL HAWZA
of Najaf in Iraq

Authors
Ali Almadan . Ibrahim Alebadi . Ali Almamoori
Reviewed by: Ali Taher Alhammood

2022

CONTENTS

CONTENTS

About FES Jordan & Iraq:

The Friedrich-Ebert-Stiftung (FES) is a non-profit organization committed to the values of social democracy and it is the oldest of Germany's political foundations.

FES was founded in 1925 and owes its formation and its mission to the political legacy of the first democratically elected German President (Friedrich Ebert).

FES-Jordan & Iraq aims to promote democracy and political participation, to support progress towards social justice and gender equality as well as to contribute to ecological sustainability and peace and security in the region.

FES-Jordan & Iraq supports the building and strengthening of civil society and public institutions in Jordan and Iraq. FES-Jordan & Iraq cooperates with a wide range of partner institutions from civil society and the political sphere to establish platforms for democratic dialogue, organize conferences, hold workshops and publish policy papers on current political questions.

INTRODUCTION

Ali Taher Alhammood

Although the system of Shi‘ite jurisprudence *(fiqh)* is replete with rules, rights, and obligations for individuals, it is lacking in social elements. There are several reasons for this. For one thing, Shi‘ites are a Muslim minority who have been unable to exercise power or participate in governing as they ought throughout Islamic history. Then there is the fact that Shi‘ite political thought has had no sense of a need for growth, especially with the school of thought that has grown during the Twelfth Imam’s occultation since the 9th century. This school of thought says a ruler must be infallible and appointed by God[1], and those who seek power during the occultation are merely raising the banner of error[2]. With this in mind, Shi‘ites have shied away from the imperatives of a theoretical basis for the state, abandoning the social sphere and management of social affairs.

We note that during the first age of the jurists, between the occultation of the Twelfth Imam in 260 AH / 874 AD and the death of shaykh Abu Jafar in 460 AH / 1068 AD, the jurists were unconcerned with the legitimacy of the ruling authority. The idea of waiting transformed gradually into a pillar of Twelver Shi‘ism, while the jurists were interested only in compiling hadiths and texts to supplement the Sunnah, in addition to giving fatwas on individual questions[3].

The cities of Qom in present-day Iran and Baghdad in Iraq were important centers of Shi‘ite schools of jurisprudence by the time of the Major Occultation in the

[1] Al-Hasan ibn Yusuf ibn al-Mutahhar (al-‘Allama al-Hilli), *Tadhkirat al-Fuqaha’(Memorandum for Jurists)*; electronic version at the Shi‘ite Library; p. 452.

[2] Muhammad ibn al-Hasan al-Hurr al-Amili, *Wasā’il al-Shī‘a ’Ilā Taḥsīl Masā’il al-Sharī‘a (Shi‘ite Methods to Collect Matters of Shari‘a)*, Vol. 15; Qom, Aal al-Bayt Foundation for the Revival of Heritage, undated; pp. 50–52. See also: Abu Ja‘far Muhammad ibn Ya’qub al-Kulayni, *Al-Kāfī (The Sufficient)*, Vol. 8; Beirut, Al-Fajr Publications, 2007; p. 295, for Hadith 453, in which he relates an account about Ja‘far al-Sadiq, in which he says: “Every banner raised before the arrival of the Upright One, the person holding it is a false god worshipped instead of God Almighty.”

[3] Wajih Kawtharani, *Al-Faqīh wa-l-Sulṭān: Jadalīyat al-Dīn wa-l-Sīyāsa fī Irān al-Ṣafawīyya al-Qājarīyya wa-l-Dawla al-‘Uthmānīyya, (The Jurist and the Sultan: The Dialectic of Religion and Politics in Safavid and Qajari Iran and the Ottoman State)*; Beirut, Dar al-Talia, 2nd Edition, 2001; pp. 23–25.

3rd century AH / 9th century AD, but the center of jurisprudence later moved entirely to Iraq, where it shifted among Baghdad, Najaf, and Hillah.

According to some researchers, the main challenge for Shi'ite scholars during that period was to adapt to the fact of the disappearance of the Twelfth Imam of Shi'ism, the death of his four deputies, and the prolonged occultation, which confronted Shi'ites with the dilemma of suspending certain Islamic provisions until the emergence of the Hidden Imam. Acceptance of the idea of waiting for the expected Imam to return entails ruling out the establishment of an Islamic government[4].

In the seven centuries between the 4th and 10th centuries AH (from the 10th to the 16 century AD), however, the idea that authority was inseparable from the Hidden Imam was replaced by other ideas that allowed jurists to stand in for the infallible Imam. Nevertheless, Twelver Shi'ite jurists lagged behind their Sunni counterparts in developing theories about governance and its requirements. That is because they had not actually tried to engage in governance on a large scale, with the exception of Safavid control of Iran starting in the 16th century AD, after which other theories matured.

Researchers have disagreed about what can be considered "Shi'ite" doctrine on governance, the characteristics of a ruler, and the legitimacy of the political system from a Shi'ite perspective. This disagreement originates in divergent readings of religious texts, the narratives transmitted about the Shi'ite imams, methods of interpretation, and to what extent they encompass "leadership of religion and worldly affairs" as outlined in some texts of theology and jurisprudence. On that basis, scholars in the faith have diverged into different camps. Some of them believe that no worldly political system is lawful in the absence of the Imam, while others have elevated the jurist to the rank of the Imam, so that the jurist is his deputy in the leadership of the political system. Thus, Shi'ite theology explored the required characteristics of a ruler – not the required characteristics l of rule – and this has had many consequences.

On the whole, Shi'ite political jurisprudence tried – and still is trying – to answer specific questions, such as: Is Islamic government a mandate from the people,

---

4 Mohammad Abdul Karim Otoom, *Al-Nazarīyya al-Sīyāsīyya al-Mu'āṣira lil-Shī'a: Al-'Imāmīyya al-Ithnā 'Ashrīyya, Dirāsa Taḥlīlīyya Naqdīyya (The Contemporary Political Theory of Shi'ism: The Twelver Imamate, A Critical Analytical Study)*; Master's thesis published in Amman, Dar al-Bashir, 1988; p. 93.

or does it have authority over the people? Is the government appointed by God, or does it originate from authorization by the people? Are the ruler's powers restricted or absolute in scope? Should the ruler be a jurist or an expert? Does government attain an Islamic character through jurists' supervision of legislation or their direct intervention in administration? All these questions seem secondary to the main question: What is the nature of the authority's legitimacy in Shi'ite jurisprudence? Is it a divine legitimacy without intermediaries? Or popular-divine? Or is it civil, deriving its legitimacy directly from the people? It seems that all theories of Shi'ite political jurisprudence, including Wilayat al-Faqih (Guardianship of the Islamic Jurist), believe in legitimacy of the first type (divine without intermediaries). On the other hand, Sayyid Muhammad Baqir al-Sadr, and after him scholars like Shaykh Muhammad Jawad Maghniyah, Shaykh Mehdi Shamseddine, and Sayyid Ali al-Sistani, have hewn to the second type of legitimacy (popular-divine)[5].

This book discusses a topic that is both old and new. As a faith and a community, Shi'ism emerged as a major issue as far back as the first age of Islam, and it has remained so until today, with the treatment of Shi'ism as the largest Muslim minority in the Middle East.

The fields of social and political studies are also increasingly interested in an in-depth understanding of the hawza, the Shi'ite seminary, as well as the mechanics that govern it, its financial resources, and its orientation toward state- and nation-building, especially after 2003 in Iraq. The theory of the Supreme *Marji'* in Najaf, currently Sayyid Ali al-Sistani, has entered a renewed and exceptional phase in the history of Shi'ite thought concerning the state and its obligations.

Despite all this, the hawza was not completely disengaged from public affairs in the pre-2003 period, but deep and complex equations have driven it in this context.

The first study, written by an experienced researcher from within the Hawza, provides a general explanation of the Najaf Hawza as the most important and oldest hawza in the Shi'ite world, the educational atmosphere there, and the most important scenarios for the post-Sistani era. This foundational study includes a detailed history and personal accounts of the most complex topics, namely the

5 Shaykh Mohsen Kadivar, *Nazariyyat al-Dawla fi-l-Fiqh al-Shi'i ma'a Muqaddima Naqdiyya (Theories of the State in Shi'ite Jurisprudence (With a Critical Introduction)),* commentary and Arabic translation by Shaykh Muhammad Shuqair; Beirut, Dar al-Hadi, 2004; pp. 53–70.

circumstances of the founding of Shi'ism and the formulation of its jurisprudence. It also covers the circumstances of the founding of the Najaf Hawza and present-day orientations around public affairs.

The second study was written by a researcher knowledgeable about the Hawza and Iraqi politics. It covers the most important features of al-Sistani's theory of nation-building in Iraq after 2003, as al-Sistani's political theory is not free of complexities related to the Iraqi context, and the quarrels of his tenure as *marji'* (the highest Twelver authority, lit. "source to follow") with the divergent views of it within the Qom and Najaf hawzas.

The third and final study is an in-depth, distinctive reading of the economic resources of the religious institution in Najaf. It references information rarely made publicly available.

CHAPTER 1: **THE NAJAF HAWZA AND POST-SISTANI SCENARIOS**

Ali Almadan

INTRODUCTION

In Arabic, the word *hawza* means "domain," and it is applied what is encompassed within a particular space. It was first used in a geopolitical context in connection to the ancient Islamic world. The "hawza of Islam" was spoken of, meant to denote the areas inhabited by a Muslim majority and constituting the reach of Muslims' world, security, and creed. The use of the term then became more abstract, with mention of the "hawza of religion," i.e., its focus, seat, and home.

In contemporary Arabic usage, the word hawza is confined almost exclusively to Shi'ite religious circles, where it refers to the religious institutes that teach Islamic legal sciences and graduate clerics based on Twelver Shi'ism. It is not precisely clear when this term was chosen, but we are certain that it was used in the 19th century AD to describe the religious cities where Islamic legal sciences are taught in Iraq (Najaf, Karbala, and Kadhimiya). These cities were considered "the hawza of the religion and sect," i.e. Shi'ism, signifying that they were purely Shi'ite cities with major influence on Shi'ites in the other cities of the world. In the same period, the word was also used to refer to the lessons led by each teacher, and the place where he delivered those lessons. This would be phrased as "the *hawza* of so-and-so's lessons" or "so-and-so's hawza," i.e., his own academic colloquium. At the end of the 19th century AD, the word ceased to be applied to the place where teaching happened to the sciences taught in that place: the "scientific hawza." The new term began to be applied to all colloquia and institutes teaching Shari'a sciences as a whole, and that is how it is used to this day. Religious or scholarly hawzas are institutions or schools that present the Twelver Shi'ite form of Islam and graduate religious scholars in Islamic

jurisprudence, preachers, and researchers in various specializations and religious and social occupations. There are several schools in several countries (Syria, Lebanon, Pakistan, Afghanistan, and Azerbaijan, with subsidiary schools in various cities in Iraq, Iran, etc.), but the most famous hawzas in Shi'ite societies are the Najaf seminary and the Qom seminary.

The hawza has never been fully isolated from general social and political affairs. Rather, its influence has ebbed and flowed as dictated by the complexities of the political scene and the roles that religion plays in the life of Islamic societies. Insofar as these societies base everything on religion, with religion as the starting point, the hawza – as the entity responsible for preserving the religion, producing rhetoric, and defending it – has been at the heart of all intellectual and political controversies and all issues related to the state and social organization.

This paper is aimed primarily at the Western reader who is not a specialist in Shi'ite studies. It attempts to offer an overview of the Najaf Hawza as the oldest and most important hawza in the Shi'ite world. It then addresses its educational environment, academic phases, most famous traditions, and teachers. Finally, it addresses the most significant candidates to succeed the current *marji'*, al-Sistani, the potential succession scenarios, and the challenges facing the next candidate. Accordingly, after this brief introduction, this paper will discuss three themes and a conclusion, as follows:

Theme 1: The Najaf Hawza – Origin, Evolution, and Recent Ascension

Theme 2: The Najaf Hawza – Academics, Disciplines, and Teachers

Theme 3: The Najaf Hawza – The Sistani Era and Political Ascension and Role

Conclusion: Al-Sistani's Successor and the Challenges Ahead

THE NAJAF HAWZA: **ORIGIN, EVOLUTION, AND RECENT ASCENSION**

Baghdad and the Iraqification of Islamic science

The origin of the Najaf Hawza cannot be separated from the events that preceded it. It did not arise by mere coincidence but rather as a result of a dramatic event in the 5th century AH, after one of the most brilliant Shi'ite scholars decided to move his colloquium to this desolate Iraqi desert city. It was known at the time only as the resting place of one of the most important Shi'ite spiritual figures, Imam Ali ibn Abi Talib, a cousin and son-in-law of the Prophet Muhammad and the father of his grandchildren, from whom descended all those who later traced their lineage to the Prophet. In the era before Shaykh Tusi's move to al-Ghari, the site of the Imam Ali Shrine, Shi'ites' learning and educational attainment passed through two phases:

The school's formative period

This phase began with the efforts of the Fifth Imam, Muhammad ibn Ali al-Baqir (d. 114 AH / 732 AD), and then the Sixth Imam, his son Ja'far ibn Muhammad ibn Ali al-Sadiq (d. 148 AH / 765 AD). This period saw the earliest scholarly structure of the Husaynid branch of Shi'ism (the sons and grandsons of Imam Husayn ibn Ali, who constitute the spiritual leadership of Twelver Shi'ism). This phase stretched into the fourth century AH / 10th century AD, when the major hadith collections were compiled: *Al-Kāfī fī Funūn 'Ulūm al-Dīn* by Abu Ja'far Muhammad ibn Ya'qub al-Kulayni (d. 329 AH / 941 AD) and Man *lā Yaḥḍuruhu al-Faqīh* by Abu Ja'far Mujammad ibn Ali ibn Babawayh al-Qummi (d. 381 AH / 991 AD). This trend would later be called the traditionist *(muhaddith)* school. Because this phase focused on the collection of hadiths and reports, it was characterized by coming and going between different cities. The men of this phase were known for traveling frequently and settling only briefly in the places where they went to seek out hadiths. Several cities emerged as important in this context, including Medina, Kufa, Qom, Ray, Beyhagh, Neyshabur, Khorasan, Baghdad, and so on.

There are many notable names from this phase, most importantly: Zurara ibn A'yan, Ma'ruf ibn Kharrabudh, Burayd ibn Mu'awiya al-'Ijli, Abu Basir al-Asadi, Al-Fudayl ibn Yasar, Muhammad ibn Muslim, Jamil ibn Darraj, Abd

Allah ibn Muskan, Abd Allah ibn Bukayr, Hammad ibn ‘Uthman, Hammad ibn ‘Isa, Aban ibn ‘Uthman, Yunus ibn Abd al-Rahman, Safwan ibn Yahya al-Bajali, Ibn Abi Umayr, Abd Allah ibn al-Mughira, Hasan ibn Mahbub, Ahmad ibn Abi Nasr al-Zazanti, Al-Fadl ibn Shadhan, Muhammad ibn al-Hasan ibn al-Walid, Ja‘far ibn Mohammad ibn Qulawayh, and so on. These people attained special status as the faithful companions of the imams or as traditionists whose sayings and actions are agreed upon. Through these people, the Shi‘ite imams’ most important opinions and interpretations were transmitted as an intellectual reference for defining the identity of Shi‘ite Islam, especially within the Akhbari sect, whose leading figures we will introduce in the pages to come.

The consolidation of the school

Twelver Shi‘ism acquired its own identity by introducing its spiritual leaders, whose lineage ended with the occultation of the Twelfth Imam, Muhammad ibn al-Hasan al-Mahdi, in 329 AH / 941 AD. The second phase of its history started after the compilation of the most important texts of hadiths preserving the reports, teachings, and instructions of the imams. This phase was marked by greater stability in the teaching and learning of the religious knowledge derived from the texts of the hadiths. During this period, Baghdad served as the capital of the Abbasid state for more than 150 years. Caliph al-Ma’mun was interested in scholarship and supported the translation of philosophy and the opening of science and scholarship councils for doctors, astronomers, jurists, theologians, and their debates. Baghdad became the political and scientific capital of the Islamic world, a destination for every Muslim scientist and scholar of any sect or country. The presence of followers of various Islamic doctrines in one place gave birth to the phenomenon of mixed discipleship, where students of the Islamic sciences studied under teachers affiliated with different schools of thought.

In the Shi‘ite sphere, the ascension of some Shi‘ite families into the senior administrative staff of the caliph’s court, then the Buyids’ rise to power, helped expand Shi‘ite scholarly activity. A new class of Twelver clerics emerged, and most of the leading figures in their trend would be called jurists and theologians. The foremost of these figures were Al-Hasan ibn Ali al-Hadhdha’ al-‘Ummani (who was alive in the first half of the 4th century AH / 10 century AD), Muhammad ibn al-Junayd al-Iskafi (said to have died in 381 AH / 991-2 AD), Al-Husayn ibn ‘Ubaid Allah al-Ghada’iri (d. 411 AD / 1020-1 AD), and Abu Abd Allah Muhammad ibn al-Nu‘man, called al-Shaykh al-Mufid (d. 413 AH / 1022-

3 AD). To the last of these goes the greatest credit for establishing the first Shi‘ite seminars in Baghdad, receiving Shi‘ite youth engaged in the search for religious knowledge, and looking after, educating, and providing for them. Those students included shaykh Muhammad ibn Hassan Tusi, who is credited with putting Najaf on the map of Islamic centers of instruction in the religious sciences.

Many studies have been written about the history of the Najaf Hawza based on the hypothesis that it began as an advanced, integrated hawza and then evolved steadily from there. Some have even talked about Najaf's longstanding scholarly history and asserted that the city was a center of scholarship and sought out by students before Tusi's arrival. In our view, there is no convincing evidence of this. There is no reliable historical testimony for the existence of this sort of academic activity before Tusi. In addition, the stages of the Najaf Hawza's history are not all equally important: its beginnings differ from later eras, and there were stages in which Najaf was completely absent from the world map and nearly collapsed, then later recovered. We therefore have reservations about the hypothesis that Najaf has been the scientific capital of Shi‘ism for a thousand years and can boast of historical continuity and the accumulation of knowledge up to the present day. We believe, rather, that Najaf's scientific centrality in Shi‘ite culture is a modern idea no more than 250 years old.

Accordingly, we will try to outline this history, dividing it into four phases, as follows:

1. Beginning

Tusi was born in 385 AH / 995 AD in the city of Tous, Khorasan, where he spent two decades before moving to Baghdad in 408 AH / 1017-8 AD. It is not clear whether Tusi emigrated to Baghdad merely out of a desire to seek learning in the most important city for religious sciences at the time. It may have been because of the difficult atmosphere around religious doctrine during the rule of Sultan Mahmud ibn Sebuktegin Ghaznavi, the most important Ghaznavid sultan, who reigned from 388 AH / 998 AD to 421 AH / 1030 AD. It is documented, however, that in the fourth and fifth centuries AH (10th century to late 11th century AD), the neighborhoods of Baghdad witnessed major security turmoil. The situation sometimes reached the point of killing, maiming, arson, and looting among clashing sects due to religious fanaticism. Caliph Al-Qadir Abu'l-Abbas grew tired of this turmoil and blamed the clerics among the judges and jurists. He rounded them up at the palace in 408 AH / 1017-8 AD – the year Tusi came

to Baghdad – following one of the recurring conflicts and laid at their feet the responsibility for this chaos the city police were unable to address. He issued a letter calling on some of the top sectarian figures to repent. Then the caliph advised Mahmud ibn Sebuktegin to spread "sunnah" in Khorasan, or the latter adopted the caliph's policy himself. Here, sunnah primarily means religious teachings as understood by the scholars of hadith. Ibn Sebuktegin went so far as to kill some and banish many followers of the Mu'tazila, Twelver, Ismaili, Jahmi, and Karramiyya doctrines.

Accordingly, it is not hard to imagine that Tusi's migration to Baghdad had more than one scholarly or social cause, especially as Mahmud Ghaznavi first reigned from Nishapur, where Tusi studied. That city was another one that experienced repeated turmoil among followers of the Karramiya, Hanafi, and Shafi'i doctrines. In Baghdad, Tusi first joined lessons in Shafi'i jurisprudence before devoting himself to the school of Abu Abd Allah ibn al-Mu'allim (al-Shaykh al-Mufid) and his pupil Ali ibn al-Husayn, known as Sharif Murtada (d. 436 AH / 1044 AD). In his book Khulasat al-Aqwal, Ibn Mutahhar al-Hilli described Tusi's stature: "The shaykh of Twelver Shi'ism, may God sanctify his soul, the head of the sect, august in majesty, great in dignity, the pinnacle of honesty, well-versed in reports, personalities, jurisprudence (*fiqh*), principles of jurisprudence *(usul al-fiqh),* theology, and literature. All the virtues may be attributed to him, and he ranks in all the arts of Islam. He is the classifier of creeds according to roots and branches, and he encompasses the consummation of the self in scholarship and life."

Tusi led the Twelver school by himself after the passing of his teacher Sharif Murtada in 436 AH / 1044 AD, but the migrant who had left behind the turmoil of Khorasan was no better off in Baghdad after the passing of his teacher Sharif Murtada. Iraq in general was politically turbulent, with persistent internal wars within the Buyid state. The most important internal divisions were along ethnic lines between the Daylamites and the Turks. As a result of those divisions, the populace split along sectarian lines. Shi'ites mostly aligned themselves with the Daylamites, while Sunnis (or those who saw themselves as more worthy of this name than others; the people of hadith, as opposed to the Mu'tazilites and the Asha'rites) aligned themselves with the Turks.

Not long after the reins of power in Baghdad passed to the Turkic Seljuks in 447 AH / 1055 AD, turmoil resumed between Sunnis and Shi'ites. Tusi decided

in 448 AH / 1056-7 AD to emigrate once again, but this time within Iraq, the country he had made his home. And so, in 448 AH / 1056-7 AD, he took himself to the vicinity of Imam Ali ibn Abi Talib's resting place in al-Ghari, the city known today as Najaf.

Tusi remained in Najaf for 12 years, until his death in 460 AH / 1067 AD. His scholarly activity in that period was not distinct from that of the Baghdad period; it was limited to a small council where he dictated reports that his son recorded. These are known in the book Amali al-Shaykh al-Tusi and another book, *Ikhtīyar Ma'rifat al-Rijāl*, which he abridged as *Rijāl al-Kashshī*. As for the *hawza* he established, it was a hawza for boys who were not expected to contribute clear scholarly output because most of the students involved in the *hawza* had not had a sound, in-depth scholarly education. Their studies had been limited to permission to transmit hadiths or attend general lessons rather than specialized studies in jurisprudence, principles of jurisprudence, or scholastic theology. The most notable one of them to become renowned was Shaykh Tusi's son Abu Ali al-Hasan ibn Muhammad (d. 515 AH / 1121-2 AD), who became a leading figure after his father but did not leave a legacy in terms of a generation of students or authorship.

There were several reasons for this, most importantly that the move to Najaf was a personal decision for Tusi. He had no companions, and none of his students with a solid scholarly education accompanied him, nor did any significant number of students came to Najaf to study. The junior Tusi's circle was small and isolated from the most important center of scholarship, which was Baghdad. It therefore lacked much of the scholarly activity and interaction between intellectual currents and schools of thought that play an important role in the growth and evolution of knowledge.

The Najaf Hawza was barely seven decades old at the most before the star of the star of the Hillah Hawza began to shine. The latter *hawza* was first formed of Hillah students who had limited contact with Najaf and returned to their studies in Baghdad. They included Shaykh Arabi ibn Musafir (d. after 580 AH / 1184-5 AD), Shaykh al-Husayn ibn Habibullah ibn Rutaba al-Sorawai (d. 579 AH / 1182-3 AD), Abu al-Baqa' Habibullah ibn Nama al-Hilli (d. circa 575 AH / 1179-80 AD), Shaykh Abu al-Husayn Yahya ibn al-Hasan ibn Bitriq (d. 600 AH / 1203-4 AD), and others. It then became independent with the generation of Ibn Idris (d. 598 AH / 1202-3 AD), Mu'in al-Din Salim ibn Badran al-Masri (alive in

629 AH / 1531-2), and Salim ibn Mahfouz al-Sorawai (d. circa 630 AH / 1232-3 AD). It continued its scholarly activity and output and remained at the forefront of Shi'ite religious studies throughout the seventh, eight, and ninth centuries AH (13th through 15th centuries AD).

2. Consolidation

During the last generation of the major scholars of the Hillah school, specifically in the early ninth century AH (around the turn of the 15th century AD), some of its scholarly activity returned to Najaf with Al-Fadil al-Miqdad al-Suyuri (d. 826 AH / 1423-4 AD) and his pupil Ibn Fahd al-Hilli (d. 841 AH / 1437-8 AD). From the latter's lessons emerged a figure of great scholastic standing who played a key role in the return of studies to Najaf. That person was Ali ibn Hilal al-Jaza'iri (d. 937 AH / 1530-1 AD). He had studied under Shaykh Ali ibn al-Husayn ibn Abd al-'Ali al-Karaki (d. 940 AH / 1534 AD) and Shaykh Ibrahim ibn Sulaiman al-Qatifi (d. circa 950 AH / 1543-4 AD), who were both active at the Najaf Hawza as a center of study and teaching.

These three shaykhs (al-Miqdad al-Suyuri, Ibn Fahd al-Hilli, and al-Jaza'iri) studied intermittently in Najaf. The former two would return to Hillah or Karbala, while the third broke off his lessons in Najaf by travelling outside Iraq. From that time, however, and profoundly impacted by the establishment of the Safavid state in 907 AH / 1501 AD, the Najaf Hawza would have another role by virtue of its relationship with politics. This major event spurred two things: interest in religious cities grew for purposes of proselytization, and clerics rose in status and became increasingly important in state ideology and politics. Both trends attracted new interest to Najaf as the center of Shi'ite sciences.

It is not among the purposes of this paper to explain the impact of the Safavid state on the opening of those rich, long, politically-tinged debates within Shi'ite thought. It must be pointed out, however, that the financial support that this emerging state provided to the most ambitious Shi'ite jurist at the time, the previously mentioned Shaykh Ali al-Karaki, was very important in drawing attention to Najaf and encouraging study there.

As the Safavids and Ottomans tapped into religion and employed it in their political disputes, Shi'ite jurists in Najaf (and the neighboring city of Karbala) were split in their stance on its use of religion and their assessment of the risks involved. Al-Karaki's relationship with the Safavid authorities generated strong

reactions in religious circles beginning in the time of his contemporary and opponent shaykh Ibrahim al-Qatifi (who was alive in 951 AH / 1544-5 AD) and continuing with Shaykh Ahmad ibn Muhammad Ardabili (d. 993 AH / 1585 AD) before reaching their peak with Muhammad Amin al-Astarabadi (d. 1036 AH / 1626 AD).

Al-Karaki arrived in Iraq in 909 AH / 1504-5 AD and saw Baghdad fall to the Safavid forces in 914 AH / 1509 AD. That year, he met the Safavid Shah Ismail I (d. 930 AH / 1524 AD) during his visit to Najaf. When the shah called upon him to spread Shi‘ism in Safavid-ruled territories, the shaykh agreed to do so, then accompanied him on his military campaign against Herat in 916 AH / 1510 AD. He received 70,000 tomans from the Safavid state to spend as he saw fit to promote Shi‘ism and to build up the *Hawza* and its students. After disagreements with Prince Ghyath al-Din Mansur Dashtaki, however, al-Karaki returned to Iraq in 920 AH / 1514-5 AD to devote himself to teaching and writing. It was said that this was because of their disagreement about designating the qibla in certain cities of Persia. It is more likely, however, that the conflict originated in their disagreements in thought and doctrine, and in their political rivalry within the young state. Dashtaki was a philosopher with Zaydi roots, and al-Karaki was a jurist and the foremost Twelver shaykh. Although Sultan Ismail I directed him to make use of the shaykh’s services, he did not; he was a man of war from an old Safavid family, and he could not approve of all his actions. Ismail I was succeeded after his death by his son Tahmasp I, who once again extended goodwill to the shaykh. In 936 AH / 1528-9 AD, he issued a decree seemingly written by al-Karaki and formally appointing him Shaykh al-Islam, or “the Master of Islam,” a term common in non-Shi‘ite Islamic literature. The shah also conferred on him the title of “Deputy of the Imam” and authorized him to act with unchecked powers, even to appoint and remove ministers. By then, Ghiyath al-Din Dashtaki had become sahib al-sadara, the common term at this time for the post of vizier. Disagreements between him and the shaykh started anew because of the latter’s actions and failure to adhere to Dashtaki’s instructions, and interference by the shaykh and his Arab companions in what Dashtaki saw as his powers. The Safavid sultan backed the shaykh in these disputes. Ghiyath al-Din Dashtaki resigned or was removed from his post and left for Shiraz, the city where he had roots and family. He was granted authority to act only in legal matters in Shiraz. Al-Karaki became increasingly zealous about the application of Shari‘a, and his actions once again turned others against him. He asked for permission to return to Iraq and was given what he wanted. A sultan’s letter of

license was issued, but the matter was closer to sending the shaykh into exile. He returned to Iraq in 930 AH / 1523-4 AD and spent his final days in Najaf prior to his death in 940 AH / 1534 AD.

The Safavids pursued a policy of imposing Shi‘ism in Iran as ideology to separate and protect them from their Ottoman rivals. Then they adopted an approach of promoting Shi‘ite culture, seeking to empower Shi‘ite clerics, and building Shari‘a schools for the clerics. All of this led first (with al-Qatifi) to an awakening of the Shi‘ite tradition that called for boycotting sultans as usurpers of a post that belongs exclusively to the infallible Imam. The concerns of some leaders in this current then sharpened into a series of ideas critical of the juristic reasoning that strove to cover state affairs. They considered issues such as land tax *(kharaj)*, the enforcement of *hudud* punishments, the holding of Friday prayers, and so on to be the exclusive prerogatives of the infallible Imam. At a later stage (with al-Astarabadi), the political division became an intellectual division over the understanding of the legacy of Twelverism and its relationship to politics and other sciences within the logic and philosophy that had gained currency in the Safavid state because of its Sufi roots.

The beginnings of this stage in Najaf’s history (with al-Miqdad, Ibn Fahd, and al-Jaza’iri) unfolded in fits and starts, as we mentioned. It did not stabilize until al-Karaki and his Safavid-backed generation. After al-Karaki, al-Astarabadi specifically avoided politics, was reluctant to cooperate with the Safavids, and declined to accept their gifts. Najaf became a mere distant hermitage, isolated from the sultans’ palaces and impact. Al-Husayn ibn Abd al-Samad al-Harthi al-Amili was al-Ardabili’s contemporary and seemingly entered Iraq in 956 AH / 1549-50 AD. In spite of his strong attachment to Iraq, however, he left for security reasons and travelled to Iran in 960 AH / 1552-3. Al-Ardabili had only a limited number of students: Hasan ibn Zayn al-Din al-Amili (called Sahib al-Ma‘alim) and his colleague and nephew Muhammad ibn Ali al-Musawi al-Amili (called Sahib al-Madarik). They both studied in Najaf briefly, for no more than two to three years, then left Najaf for their homeland. He then had no one left with him except his last pupil, Muhammad ibn Ali al-Astarabadi, who also studied with Sahib al-Madarik when he lived in Najaf. But al-Astarabadi also left Najaf after al-Ardabili’s death and moved to Mecca, where he remained for the last decade of life prior to his death there in 1028 AH / 1618-9 AD.

At the end of this group, which followed al-Ardabili’s course of boycotting the

Safavid authority, Najaf had returned to another dormant era, as the Karbala and Hoveyzeh hawzas became prominent in Iraq in the 11th and 12th centuries AH (roughly the 17th and 18th centuries AD). Iran was another story; the state policy of empowering Shi‘ism made it nearly self-sufficient in producing hawzas and religious scholars, especially at the Isfahan Hawza.

3. Iraqification

To understand this stage in the history of the Najaf Hawza, which began with the era of Mohammad Mahdi Bahr al-Ulum and Ja‘far Kashif al-Ghita’, we must first dwell on the 11th and 12th centuries AH, a time when the *hawza*s of Karbala, Hoveyzeh, and Isfahan were ascendant.

The Safavid sultans, along with some princes, had grumbled about the current of jurists that Shaykh Ali al-Karaki represented. This current took the instructions of Shari‘a seriously, and he saw himself as the official representative of the Infallible Imam as the Imam’s deputy, an idea promoted by Safavid propaganda. This grumbling about the power of the ascendant jurists led the Safavid authorities into a game of political balance to prevent any of the religious factions from monopolizing power and influence at the expense of other factions.

There were three competing currents: one led by the *mujtahid* jurists (experts in *ijtihad*, independent legal reasoning), one represented by the traditionist or *muhaddith* jurists (experts in hadith), and one led by illuminationist *(ishraqi)* philosophers. In the founding stage of the Safavid state, during the reign of Sultan Ismail I, the competition was between the first and third currents, i.e., between wings represented, respectively, by Shaykh al-Karaki and Prince Ghiyath al-Din Dashtaki (d. 948 AH / 1541-2 AD). While the latter lost one round of the political competition with al-Karaki, as we mentioned earlier, he succeeded in changing the thinking of all those who came after him. Many of his contemporaries studied at his Madrasa Mansuriyya in Shiraz or attended the lessons he gave in Isfahan. The current of the Dashtakis, father and son, was welcomed by political authorities. It created an intellectual temperament that disdained Shari‘a sciences, especially jurisprudence, as less than sound from a scientific standpoint. This prompted most contemporaries to study the body of Sufi philosophical heritage and blend it with Shari‘a sciences, including the sciences of jurisprudence and hadith.

The retreat of the *mujtahid* jurists led to the rise of their rivals, the *muhaddiths*, who called to restore the position of Hadith compilations. This was termed

the Akhbari school. Paradoxically, this school, influenced by illuminationist philosophy, revived the compilations after they had been blended with illuminationist premises. Muhammad al-Amili Sahib al-Madarik even refused to meet with Abd Allah ibn Husayn al-Tustari (d. 1021 AH / 1612-3 AD) because he believed that the latter was contributing to the abandonment of reports and hadiths transmitted from the Shi'ite imams although he was, according to his pupil Muhammad Taqi al-Majlisi, "the Shaykh of the Twelver sect in his age," and jurisprudence and hadith spread from him in Isfahan.

The current boycotting the Safavid state (Ibrahim al-Qatifi, Muhammad Ali al-Astarabadi, and Muhammad Amin al-Astarabadi) ultimately succeeded in spreading hadith and reports through the efforts of the likes of Kamal al-Din Muhammad ibn Hasan al-Amili al-Natanazi, known as al-Darwish (d. 977 AH / 1569-70 AD), who was the first to spread Hadith in Isfahan after the emergence of the Safavid state; Abd Allah ibn Husayn al-Tustari, whom we mentioned earlier; Jamal al-Din Majid ibn Hashem al-Bahrani (d. 1028 AH / 1618-9 AD); Nur al-Din Ali ibn Ahmad Al Abu Jama al-Amili (d. 1005 AH / 1596-7 AD); Abd al-Nabi al-Jaza'iri (d. 1021 AH / 1612-3 AH); Muhammad ibn al-Hasan Zayn al-Din al-Amili (d. 1030 AH / 1620-1 AD); Muhammad ibn al-Hasan al-Hurr al-Amili (d. 1033 AH / 1623-4 AD); Zayn al-Din Ali ibn Sulayman al-Bahrani (d. 1064 AH / 1653-4 AD); Muhammad Taqi al-Majlisi (d. 1070 AH / 1659-60 AD); Fakhr al-Din al-Turayhi (d. 1087 AH / 1676-7 AD); Mohammad Salih al-Mazandarani (1081 AH / 1670-1 AD); Muhammad Muhsin al-Kashani (d. 1091 AH / 1680 AD); Muhammad Baqir al-Majlisi (d. 1110 AH / 1699 AD); Ni'mat Allah al-Jaza'iri (d. 1112 AH / 1701 AD); Ja'far ibn Abd Allah al-Huwyzi (d. 1115 AH / 1703-4 AD); and many others. This success began with the ascension of the elder al-Majlisi to the post of Shaykh al-Islam, the loftiest religious post at the time.

Thus, we know that the 11th and 12th centuries AH (roughly the 17th and 18th centuries AD) were an age in which the Akhbaris were ascendant in most centers of Shi'ism (Isfahan, Shiraz, Qazvin, Mashhad, Karbala, Hoveyzeh, and Bahrain).The *muhaddith* current, reanimated after illuminationism prevailed over the jurists, once again underwent a division after illuminationism infiltrated both the *muhaddith* and the jurist currents. The jurist current was able to rebuild its intellectual system by drawing on that very philosophical heritage. The emergence of Muhammad Baqir ibn Muhammad Akmal al-Bihbahani, known as al-Wahid al-Bihbahani (d. 1206 AH / 1791 AD), and his move to Karbala after

the fall of the Safavid state in 1145 AH / 1732 AD), marked the onset of a new phase of competition between the two currents. Al-Wahid al-Bihbahani's waged an extensive campaign against the Akhbaris, whether in his lessons, his polemics and books, or his social embargo on the dean of the Akhbaris at the time, Shaykh Yusuf al-Bahrani (d. 1186 AH / 1772 AD). One effect was the decline of the Akhbari school during this period.

Al-Bihbahani's study meeting produced several jurists and scholars of Islamic principles. Among them were two figures who would give Najaf its modern-day stature: Mohammad Mahdi Bahr al-Ulum (d. 1212 AH / 1798 AD) and Ja'far ibn Khidr al-Janaji, known as "Kashif al-Ghita'" (d. 1228 AH / 1813 AD).

Muhammad Mahdi Bahr al-Ulum moved to Najaf when he assumed the leadership of Shi'ism. Once there, he adopted an unprecedented approach to managing religious affairs, distributing functions to several of his close pupils. He put Shaykh Ja'far Kashif al-Ghita' in charge of fatwas, Shaykh Husayn Najaf in charge of prayers, and Shaykh Sharif Muhi al-Din in in charge of the courts, meanwhile devoting himself to other matters of teaching and supervising the Hawza.

After Bahr al-Ulum's death, Shaykh Ja'far Kashif al-Ghita' – a pupil of both al-Wahid al-Bihbahani and Bahr al-Ulum – carried on what his teacher had started. Thanks to his eminence and his standing with Fath-Ali Shah Qajar, he was able to restore the standing of Najaf. He opened religious schools and raised a generation of high-level jurists who preserved his *hawza*. Among the most important figures of this generation were his four sons – Musa (d. 1241 AH / 1825-6 AD), Ali (d. 1253 AH / 1838 AD), Muhammad (d. 1246 AH / 1830-1 AD), and Hasan (d. 1267 AH / 1850-1 AD) – who served successively as the *marji'*. Alongside them were their in-laws, who were from a prestigious class of jurists, such as Sadr al-Din al-Amili, Assad Alah al-Kadhimi, Muhammad Taqi al-Isfahani, Muhammad Hasan al-Najafi. From the latter's lessons emerged Shaykh Murtada al-Ansari (d. 1281 AH / 1864 AD), who succeeded him as leader of the Hawza.

Al-Wahid al-Bihbahani's discussions led to the decline of the Akhbaris in Karbala, but they also gave rise to a more esoteric current represented in the works of Ahmad al-Ahsa'i (d. 1241 AH / 1826 AD) and his pupil Kazim Rashti (d. 1259 AH / 1843 AD). This current would be called Shaykhi. Once Ja'far Kashif al-Ghita' rose to become the *marji'*, however, he had to resolve vestiges of the old dispute that divided Shi'ism into the Akhbaris and the *Mujtahid*s (or

scholars of the principles of Shari‘a). Ja‘far al-Ghita’ did not target the Shaykhi school at the level of his attention to the Akhbari school represented by Jamal al-Din Muhammad ibn Abd al-Nabi al-Akhbari (d. 1232 AH / 1817 AD). He began by inciting Arab tribes against him and writing rebuttals of his ideas, and he went to the court of Fath-Ali Shah Qajar and Said Pasha, the Ottoman governor in Baghdad, as part of the struggle between the two factions to win over political forces for religious purposes. Muhammad al-Akhbari nearly changed the political equation at court in his favor, and would have if Shaykh Ja‘far Kashif al-Ghita’ and his students had not intervened and succeeded in removing him. Finally, Shaykh Musa Kashif al-Ghita’, the son of Shaykh Ja‘far acting in his place, issued a fatwa declaring that al-Akhbari had gone astray and permitting his killing. Thus, al-Akhbari was murdered in 1817 AD, closing the chapter on the Akhbari school as an intellectual movement threatening Najaf’s position, hawza, and intellectual orientation.

The Najaf Hawza also played important roles in politics during this period in the late 17th century and early 18th century AD. Its most important political act was the fatwa Shaykh Kashif al-Ghita’ issued against the Russian forces in their war with the Qajari state in Iran. Others included his protection of Najaf from invasion by Abdulaziz bin Muhammad Al Saud (d. 1803 AD) after the emergence of Muhammad ibn Abd al-Wahhab (d. 1792 AD) and his movement. He wrote a book titled *Manhaj al-Rashad li-man Arad al-Sadad* and sent it to Abdulaziz Al Saud to explain that some of the things for which Wahhabism fought were idolatry (such as supplications made not to Allah, and visiting graves). Kashif al-Ghita’s objective was to eliminate religious deviance and the worship of graves among the residents of Najaf. That was not enough for him, though. Later, after the death of Muhammad ibn Abd al-Wahhab, he asked Fath-Ali Shah to erect a wall around Najaf to protect it. Another role played the Najaf Hawza played in this period included “mediation” between the Qajari and Ottoman states to promote reform and the exchange of prisoners of war between the two states.

After Shaykh Murtada al-Ansari became the *marji‘*, the Najaf Hawza gained in two important ways. First, the Najaf jurists became renowned in most Shi‘ite communities. As a result of those communities’ attachment to the jurists, the Najaf Hawza became sort of a capital of Shi‘ite decision-making. Previously, Shi‘ites in those societies had resorted to their local clerics. Second, those communities sent “Shari‘a-mandated dues” – money from zakat, donations, the *khums* tax that Islam places on certain assets, and other sources – to the *marji‘*

in Najaf. Previously, those funds had been given to the clerics residing in those communities. On these two major shifts in Shaykh Murtada al-Ansari's time – one religious and the other financial – Hasan al-Sadr wrote: "Because of [al-Ansari], on the scholars of the sanctuaries were conferred two great things. One was that in taqlid, the Shi'ite public returned to the scholars of the sanctuaries. This was not the case before the Shaykh, when they would follow the teachings of the jurists who were among them. The second was that personages and dues were sent to the leading scholars in Iraq. This also was not the case before the Shaykh."

4. Colonization and post-independence

After Shaykh al-Ansari's death in 1281 AH / 1864 AD, Muhammad Hassan al-Shirazi emerged as the *marji'* in Najaf. For reasons that are not quite clear, he moved to Samarra 10 years later, in 1291 AH / 1874-5 AD. There he built a large school that attracted many Shi'ite students from around the world, but he died almost two decades later in 1312 AH / 1895 AD. He was succeeded by Shaykh Muhammad Taqi al-Shirazi (d. 1338 / 1920 AD), whose time as *marji'* was marked by major events. Naser al-Din Shah Qajar signed a tobacco concession with the United Kingdom in 1890 AD, and al-Shirazi subsequently issued a fatwa against smoking tobacco. Then came British forces' arrival in Iraq in 1914 AD and al-Shirazi's fatwa against them.

In these four decades, from 1291 to 1338 AH / 1874 to 1919 AD, attention refocused on Samarra. Najaf, however, retained a strong presence due to the senior jurists there, led by students of al-Shirazi's such as Muhammad Kazim Khurasani (1839–1911 AD) and Mohammed Kazim al-Yazdi (1831–1919 AD). That was so particularly after the start of the constitutional movement in Iran. The movement began in 1905 AD, and Shah Nasr al-Din approved the committee that would draft the articles of the constitution in 1907 AD. This movement split the jurists of Najaf into one faction led by Kazim Khurasani and an opposing faction led by Kazeim Yazdi, but it also restored the Najaf *Hawza*'s major influence outside Iraq. Muhammad Husayn Na'ini (d. 1936 AD) was one of Khurasani's pupils. His book *Tanbīh al-Umma wa Tanzīh al-Milla (Alerting the Nation and Cleansing the Faith)* gave the Najaf *Hawza* a role that went beyond its spiritual stature among its followers to participation in political discussions and guidance of Shi'ite public opinion, especially in Iran.

Indeed, the Najaf Hawza entered the fray of the constitutional monarchy crisis

in Iran. Al-Shirazi then issued a fatwa calling for jihad against the English, and a large number of its jurists were involved in the revolution. They included Fethullah Isfahani, known as the Shaykh of Shari‘a (who died at the beginning of the revolution in 1920 AD), Mehdi Al-Khalissi, Muhammad Sa‘id al-Habboubi, Mahdi al-Hayderi, Muhsin al-Hakim, and others. The *Hawza* then backed the establishment of the monarchy in Iraq by supporting Faisal bin al-Sharif al-Hussein bin Ali al-Hashemi for the throne of Iraq. He would become the country's first king. These events collectively plunged the Najaf *Hawza* into contemporary politics and culture. Developments in Iraq's monarchy led the king to cross paths with the Najaf Hawza. Of special note was the king's relationship with Shaykh Mehdi Al-Khalissi (one of the most important *maraji*‘ at the time), who recognized the king as sovereign on the condition that he preserve Iraq's independence. When the king signed the Anglo-Iraqi Treaty of 1922, al-Khalissi considered it a breach of the condition of his allegiance, and he called to boycott elections. The many tensions between him and the government led Prime Minister Abdul-Muhsin al-Saadoun to deport Shaykh al-Khalissi to India in 1923 AD. While staying in Saudi Arabia, he received an invitation from the Iranian government and moved to Iran. He was preceded at that destination by several Najafi *maraji*‘ who left Iraq for Iran in solidarity with him, including Abu l-Hasan Isfahani and Husayn Na'ini. These events did not, however, affect the *Hawza*'s standing or its other personnel. The *marja‘iyya* (the institution or position of the *marji‘*) remained active through several people, most notably Abu l-Hasan Isfahani, who returned to Iraq in 1924 AD.

The major turning point for the Najaf *Hawza* was the rise of Muhsin al-Tabataba'i al-Hakim (d. 1970 AD) to become the *marji‘*, succeeding Abu l-Hasan Isfahani. In his time, Najaf was highly active in several areas, including:

- Establishing religious schools and admitting more students who wanted to study the legal sciences.
- Sponsoring several scientific journals and publishing houses.
- Providing substantial support for the formation of Jama‘at al-‘Ulama' (the "Society of Scholars") in Iraq, which would be extremely influential culturally and politically.
- Starting several activities and events, such as establishing libraries in Iraqi cities, sending out representatives, and holding Shi‘ite religious festivals.

His time as *marji'* coincided with the formation of Islamic political parties, which received cover from him for their work. They, in turn, shaped the rhetoric of the *marji'*. He advocated for active engagement with events in the wider Islamic world, especially the Palestinian cause, and also issued a fatwa prohibiting participation in the Iraqi Communist Party.

The inflection point in the last years of al-Hakim's time as *marji'* was when the Arab Socialist Ba'ath Party took power in Iraq in 1968 AD, and the confrontation between the Ba'athists and the Islamists escalated. His son Muhammad Mahdi al-Hakim was accused of being the agent of a foreign agenda. The *marji'* died soon after, in 1970 AD. Relations between the Hawza and the Ba'athist regime worsened to the point that the Iraqi government adopted extremely harsh and repressive policies, such as arresting and torturing Islamists, blockading and monitoring the Hawza, and executing many men associated with it.

For the two decades following al-Hakim's death, the supreme *marji'* was Abu l-Qasim al-Khoei (d. 1992 AD), who led the longest, most extensive, and most-attended Shi'ite study circle in the 20th century. It was one of the worst phases in the long history of the Najaf Hawza. The Ba'athist government's isolation of the Hawza almost entirely emptied it of all its teachers, schools, lessons, disciplines, and scholarly forums. It became very difficult for any student from Iraq or abroad to think about going to the Hawza to study. The situation changed, however, after the end of the Gulf War in 1991 AD, the devastating embargo on Iraq, and then the passing of Ayatollah al-Khoei. The Iraqi authorities launched what was known as the Faith Campaign, and the Hawza breathed a sigh of relief. The *marja'iyya* passed to Muhammad al-Sadr. He took over the Hawza, reviving its schools and opening registration to those interested in religious studies. In addition to teaching lessons on jurisprudence, principles of jurisprudence, and interpretation, he held Friday prayers himself at the Great Mosque of Kufa and sent his representatives to hold Friday prayers in all of Iraq's cities. His was a mass movement for widespread religious education. He and two of his sons were assassinated by unknown persons in 1998 AD, and the authorities were accused of being responsible. Al-Sadr's time as *marji'* left a major impact in Iraqi social circles that can still be felt to this day. The political current led by his son Muqtada al-Sadr is one manifestation of this impact.

As for the Najaf Hawza as it exists in the present, and its role in the Ummah (the worldwide Islamic community) in Ayatollah Ali al-Sistani's tenure as *marji'*, we

will return to discuss it in Topic 3 of this paper, when we talk about the Sistani Era. There we will point to the broader global presence the Najaf Hawza has achieved in the present day as the world's largest and most important religious center representing Shi'ite Muslims.

THE NAJAF HAWZA: **ACADEMICS, DISCIPLINES, AND TEACHERS**

The nature of lessons at the Hawza

One of the most important books illustrating the academic traditions at Shi'ite *hawza*s in the past five centuries is *Munyat al-Murīd fī Ādāb al-Mufīd wa-l-Mustafīd (Desire of the Aspirant: On the Etiquette of the Teacher and the Student)* by Zayn al-Din ibn Ali al-Amili, known as al-Shahid al-Thani. He wrote the book in 954 AH / 1547 AD, 11 years before his death in 965 AH / 1557 AD. All those who came after al-Alami, such as Sadr al-Muti'allihin al-Shirazi and Muhsin al-Fayd al-Kashani, repeated the ideas and instructions contained in this book. In 1081 AH / 1670-1 AD, more than a century after al-Alimi wrote his book, Ni'mat Allah al-Jaza'iri wrote in Al-Anwār al-Nu'mānīyya of the state of the religious school in Shiraz and Isfahan, and also reiterated everything al-Alimi had covered. The tradition has continued in this way up to our present, as teachers still advise their novice students of the religious sciences to read this book and abide by its contents.

There have been many changes to the educational techniques al-Alimi mentioned in his book. The only thing that has not changed is that engagement in the study of religious sciences is seen as part of a very noble, distinguished mission to carry on and renew the legacy of the Prophet Muhammad. These academic commandments therefore focus most of all on the etiquette of the learner, which should encourage asceticism, humility, passion for knowledge, devotion to the truth, renunciation of hypocrisy, and complete dedication to one's studies to the exclusion of outside concerns.

Because Shi'ite religious institutions were historically independent of the state, they have always been in crisis when it comes to financial support for students engaged full time in the study of Shari'a sciences. The money for this was provided – and to a large exist, still is – from the funds paid by the faithful as Shari'a-mandated dues (the *khums* tax, zakat, and so on) or donations to jurists at

the hawza. These jurists would then distribute a portion of the money to students as monthly salaries that would provide them the minimum requirements for life.

In the Najaf Hawza, there are no schools or institutes in the strict sense of either word, i.e., an academic institution with specific classes and stages in which a student attends lectures in particular courses and then, at the end of his studies, receives a formal certification. Rather, the word "school" is used to refer only to a student's place of residence during his studies. As for the academics, it is all free study; the student himself chooses the science in which he will begin, the book he will study, and the teacher under whom he will study. Teaching takes place free of charge in either open seminars or special ones for certain students.

The idea of religious reform, especially in the area of academics and the development of the curriculum in modern Shi'ite hawzas, dates back to the 1890s. One of the first advocates of this idea was Muhsin al-Amin al-Amili, following his visit to Najaf in 1890 AD. Shaykh Muhammad Jawad al-Jaza'iri (d. 1959 AD), a Najaf scholar at the time, also made efforts in this regard starting in 1905 AD. His objective was to establish an association called the Syndicate of Scientific Reform. Its mission would be to organize and develop hawza academics on the model of modern universities. By 1920 AD, the project of reforming religious education in the hawzas was popular among the elite rank of reformist scholars and professors in Najaf. The Iraqi state, represented by its highest authority, King Faisal, also evinced a desire to create a religious university in Najaf, similar to Al-Azhar University in Egypt, and fund it from the state budget. Actors in Najaf were not receptive to this initiative, and the state sufficed by sending some students to complete their advanced studies in Egypt.

According to the diary of Shaykh Muhammad Rida al-Muzaffar (1904–1964 AD), the efforts to reform religious education in Najaf began with two attempts that preceded the efforts that al-Muzaffar himself initiated. The first occurred as a result of Shaykh Mohammed Ridha Al-Shabibi's visit to Najaf one day when he was minister of education in 1924 AD. After he met with a group of Najaf's most prominent figures at the time – namely Muhammad Jawad al-Jawahiri, Abdul Karim al-Jaza'iri, Abdul Rida al-Shaykh Radi, Mohammad Ali Bahr al-Ulum, and Muhammad Ridha al-Safi – they agreed to the establishment of a religious college under the auspices of the Ministry of Education. They then sent a memorandum to the Ministry asking it to do so, but they later retracted this request after coming under criticism in Najaf. The second attempt was in 1930 AD, after the calls to establish a college grew more active and widespread.

Those spearheading this attempt did not want it funded by the government, in order to preserve its independence. The same group as before participated in this attempt, in addition to big names from the Najaf Hawza such as Muhammad Husayn Kashif al-Ghita', Diya' al-Iraqi, Muhammad Husayn al-Isfahani, Muhammad al-Khalkhali, Mahdi al-Akhund, Muhammad Hassan al-Muzaffar, Muhammad Ridha al-Yasin, Mansour al-Muhtasar, Musa al-Jassani, Ali Shibr, Muhammad Husayn al-Muzaffar, Ali Bahr al-Ulum, Muhammad Ridha Kashif al-Ghita', Muhammad Jawad al-Jaza'iri, and so on. They signed a joint statement in which they set out the foundations and objectives of the college and a contract to establish it, but this attempt suffered the same fate as its predecessor. It failed after creating a social uproar because of the "organizational" character of the project, to which the Hawza was unaccustomed.

As for al-Muzaffar's own attempts, which would succeed thanks to his determination and perseverance, its first meetings happened in secret in 1942 AD. The focus of the meetings was to discuss the religious education reform project, but a new group was formed, different from the one that had met with al-Shabibi. More than the theoretical nature of the discussions as an unattainable ambition, the project was hindered by the conservative intellectual conditions at the Najaf Hawza, as we mentioned, in addition to the limited financial and organizational capacity of its proponents. By 1930 AD, however, al-Muzaffar succeeded in announcing the Muntada al-Nashr Society as an organization aimed at writing and publishing books. The name, meaning "Assembly for Publishing," had been chosen so as not to antagonize those who were opposed to or skeptical of the project. The Society attained official recognition from the Iraqi state in 1935 AD. It published several books and studies, then transitioned in 1938 AD to the second step of its plan, the opening of Muntada al-Nashr College. Al-Muzaffar founded the College of Jurisprudence in Najaf in 1957 AD, and the Iraqi Ministry of Education recognized it the following year.

The first decade of the College of Jurisprudence was the golden age of al-Muzaffar's reformist project. The college encountered difficulties after the Ba'ath Party took power in 1968 AD, as a result of the strict security measures adopted by the political regime. These measures, which ended in 1991 AD, led the state to revoke the decision to recognize the college. Nevertheless, this project was the most serious and indeed the only initiative to reform education in Shi'ite hawzas in Iraq and abroad. It is credited with creating an elite cadre of religious researchers who have had the greatest influence on crafting religious

awareness in recent decades in Iraq. Any reader can see this by looking at a list of those who worked at or graduated from the college and tracing the cultural and political roles they played in the country.

Another major scholarly figure in Najaf who was interested in developing religious education at the Najaf Hawza after al-Muzaffar was Muhammad Baqir al-Sadr (1935–1980 AD). He intended to write several books in more than one of the disciplines of religious knowledge in Najaf (jurisprudence, the principles of jurisprudence, Quranic sciences, philosophy, etc.). He had only enough time, however, to write about the principles of jurisprudence, which is the study of the methodological foundations for understanding Islamic law and determining its position on the details of all areas of the life of a religious person. His first attempt was in 1965 AD, when he wrote *Al-Ma'ālim al-Jadīdah li-l-Usūl (The New Signposts of Jurisprudence)*, followed more than a decade later in 1977 AD by the book *Durūs fī 'Ilm al-Usūl (Lessons in the Science of Jurisprudence)*.

Without drawing a decisive conclusion, the difference between al-Muzaffar's and al-Sadr's attempts is that al-Sadr focused on modernizing religious education curricula by incorporating the latest intellectual developments in religious knowledge. That knowledge could be derived from purely Islamic sources or could be grafted from other sources of knowledge (mostly Western), and be presented in a manner consistent with modern academic methods. Al-Muzaffar also thought about this but also beyond it to the "institutionalization" of religious education and the integration of its graduates into public life within their communities and countries.

Al-Muzaffar, whom we can view as the real pioneer in reforming religious education in Shi'ite hawzas, wrote more than one article about his worries for the future of hawzas and clerics in the face of the emerging challenges posed by modernization and openness to the world of thought, politics, and social affairs. In 1940 AD, he pointed out that religious institutes were complaining about the lack of modern educational and teaching regimes, as applicants did not sit for exams that would show which were qualified for admission. There also were no private schools or colleges: students were taught in mosques or private sites of their choice. The coursework was not defined and did not exist in modern written form. Moreover, such study did not confer a formal credential that could be recognized outside those institutes and would enable the holder to work. In al-Muzaffar's assessment, this situation was a reason why many young people were reluctant to take up such study.

In another article titled "Honest Opinions," kept under wraps for decades after it was written in 1950 AD and not fully published until 2014 AD, al-Muzaffar spoke of a series of challenges facing Islam and Shi'ism, especially the process of reforming and modernizing religious studies in hawzas. He mentioned two sensitive points. First was the messiness of the relationship between Shi'ite jurisprudence and new governments and the illegitimacy of those governments as "usurpers" of a position that is an exclusive prerogative of the Infallible Imam or his personal deputy (if the Imam is living) or his general deputy (i.e., the jurist). This means it is forbidden to have connections to such governments and work in their shadow, and Shi'ites who abide by this jurisprudence must remain separate. Al-Muzaffar acknowledged that this ran counter to what the clerics thought because most of the new generation was immersed in its new life, and the clerics were not waiting until they had resolved this intellectual problem. Second was that Shi'ite clerics had weak academic qualification or training and were cut off from new sources of knowledge. The influential ones secluded themselves out of a desire to preserve their spiritual stature in the social circles around them and give the appearance of being "authentic" clerics untainted by the emerging sciences. What made matters worse is that many of the Hawza clerics were citizens of other countries who had taken up residence only to study. Many of them were therefore reluctant to support any reform work related to Iraqi public affairs, for fear of being accused of interfering in matters that do not concern them.

Al-Muzaffar predicted that the failure of religious reform generally and educational reform in particular would lead ultimately to a complete break with the new generation by 1961 AD. His later efforts to establish the College of Jurisprudence tempered his pessimism, but changes in Iraqi politics after al-Muzaffar's passing, the clash between the Ba'ath Party and political Islamists, and the resulting blockade of the Hawza and its schools bore out his predictions to a great extent, albeit for reasons other than those that had worried al-Muzaffar.

It was previously stated that the pressure on the Hawza relaxed somewhat in the 1990s, but it made little impact on the Hawza despite the influx of large numbers of Iraqis to study there. The consequences of the 1970s and 1980s were still very present, especially in the scarcity of qualified teachers, the paucity of sources of knowledge (even heritage sources), the absence of publishing houses and libraries, the lack of teaching aids and the age of those that were on hand, and so on. The real development occurred after the political change in Iraq in 2003

AD. Education at the *Hawza* gradually began to recover. Official statistics are unavailable, leaving only conjecture, but what we observe now is that there are more than 15,000 students from different nationalities, with a majority of Iraqis. The educational approach preserves old academic traditions but is affected by the information revolution, the Internet, and modern teaching methods.

Curriculum and disciplines

There is no structured plan establishing specific objectives for studies at the Hawza that can be used to divide academic specializations and distribute subject matter. What does exist is a "custom," agreed upon by everyone, that the ultimate purpose of studying is that the student will become fully and systematically qualified to understand Islamic law. He will be intellectually independent in extracting rules from the primary sources of Islamic law, namely the Quran, the Sunnah, and the teachings of the Shi'ite imams. This ability is called *ijtihad*, and one who reaches this stage is considered a *mujtahid*, i.e., a jurist with the right to issue fatwas, the Shari'a-based answers to questions posed by observant Muslims. In other words, academics at the Hawza are oriented toward specialization in Islamic law. This orientation drives the entire educational process and dedicates it to achieving this specialization. Other specializations are pursued through personal reading and study by special agreement between a student and a teacher. Studies at religious hawzas are divided into three main phases:

Phase 1: Preliminaries

This phase is the student's initial preparation. He receives basic lessons in the rules of Arabic grammar, Arabic rhetoric, logic, tenets of belief, exegesis, jurisprudence, the principles of jurisprudence, comprehension of hadith, and biography of hadith transmitters. Finally, these lessons are augmented with philosophy, the history of Islamic legislation, and the history of Islamic sects. In this phase, students study the following books:

Grammar: The *Ājurrūmīyya* by Ibn Ajurrum al-Sanhadji (d. 723 AH / 1323 AD); *Qaṭr al-Nadā* by Ibn Hisham al-Ansari (d. 761 AH / 1360 AD); Ibn Aqil al-Aqili's (d. 769 AH / 1367-8 AD) commentary on the *Alfiyya* of Ibn Malik (d. 672 AH / 1274 AD); Ibn al-Nazim Badr al-Din ibn Muhammad ibn Malik's (d. 686 AH / 1287-8 AD) commentary on the *Alfiyaa; Awḍaḥ al-Masālik 'ilā Alfīyyat Ibn Mālik* by Ibn Hisham al-Ansari; and *Mughnī al-Labīb 'an Kutub al- A'arīb*, also by Ibn Hisham al-Ansari.

Rhetoric: *Al-Balāgha al-Waḍiḥa* by Aly al-Garem (d. 1949 AD); *Jawāhir al-Balāgha* by Ahmad al-Hashimi (d. 1943 AD); and *Mukhtaṣar al-Ma'ānī* and Al-Muṭawwal by Sa'ad al-din al-Taftazani (d. 791 AH / 1390 AD).

Logic: The *Ḥāshīyya* of Mullah Abdullah al-Yazdi's (d. 981 AH / 1573 AD) commentary on al-Taftazani's *Tahdhīb al-Manṭiq; Al-Manṭiq* by Muhammad Rida al-Muzaffar (d. 1964 AD); and Al-Ishārāt wa-l-Tanbīhāt by Ibn Sina (d. 428 AH / 1037 AD).

Tenets of belief: *'Aqā'id al-'Imāmīyya* by Muhammad Rida al-Muzaffar; and *Sharḥ al-Bāb al-Ḥādi 'Ashar* by Ibn al-Mutahhar al-Hilli (d. 726 AH / 1325 AD). At a more advanced stage, some students study *"Sharḥ Tajrīd al-'Itiqād"* (the Tajrīd of Nasir al-Din al-Tusi and Ibn al-Mutahhar al-Hilli's commentary on it).

Jurisprudence: Treatises on practical law (collections of fatwas, usually by the supreme *marji'*); *Minhāj al-Ṣāliḥīn* by Muhsin al-Hakim (d. 1970 AD); *Al-Mukhtaṣar al-Nāfi'* by Ja'far ibn al-Hasan al-Hilli, known as al-Muhaqqiq (d. 676 AH / 1277 AD); and *Al-Rawḍah al-Bahīyya fī Sharḥ al-Lum'a al-Dimashqīyya* by Zayn al-Din al-Juba'i al-Amili, known as al-Shahid al-Thani (d. 965 AH / 1559 AD).

Principles of jurisprudence: *Durūs fī 'Ilm al-Uṣūl* (Parts 1 and 2) by Muhammad Baqir al-Sadr (d. 1980 AD); and *Uṣūl al-Fiqh* by al-Muzaffar (d. 1964 AD).

Phase 2: Intermediate

This is an intermediate phase that prepares students for the subsequent phase. The lessons in jurisprudence and principles of jurisprudence are broader and deeper than in the previous phase. The most important books here are:

Principles of jurisprudence: Farā'id al-Uṣūl, known as "Al-Rasā'il," by Murtada al-Ansari (d. 1281 AH / 1864 AD); Kifāyat al-Uṣūl by Kazim al-Khurasani, known as Akhund (d. 1329 AH / 1911 AD); or Durūs fī 'Ilm al-Uṣūl (Part 3) by Muhammad Baqir al-Sadr.

Jurisprudence: Al-Makāsib by Murtada al-Ansari (d. 1281 AH / 1864 AD).

Phase 3: Outside research

This is the most advanced phase of Shi'ite studies in Shari'a sciences and is similar to doctoral studies at a modern university. It is called outside research

because study takes place outside the texts of the curriculum, meaning that it goes beyond explanation of course material. The teacher is free to take up a topic and present the associated problems, the opinions proposed in connection to the topic, and different schools of thought and theories, thus allowing a talented student to understand the topic.

Studies in this phase have a particular focus on jurisprudence and principles of jurisprudence. It happens sometimes that they expand to include rules of jurisprudence or interpretation of Quranic text. Since the time of Shaykh al-Wahid al-Bihbahani, a new tradition has emerged in which a pupil records and writes down his teacher's lectures, then presents them to him in reports. The pupil's level of accuracy, comprehension, and composition in writing the reports is considered to reveal his academic talent, and it earns him the recognition of his teachers. The teacher often grants the pupil a certificate, usually in his own handwriting, indicating how well the report captures the ideas and opinions of the lessons, the academic standing attained by the student, his level of competence and intellectual independence, and whether he is a jurist qualified to engage in *ijtihad*.

Because the objective of this education is to enable students to work with, understand, and analyze the original sources of Islam, which are all in Arabic, the study of Arabic grammar and rhetorical modes differs depending on the student's mother tongue. Non-Arab students usually take more lessons than their Arab peers.

As previously stated, the Hawza has preserved its traditional educational methods, even after the reformist revolution led by al-Muzaffar in the 1950s and his efforts to bring religious education closer to modern academic education. After 2003, the educational approach reverted to its old systems. Students study at mosques, mausoleums, or, since 2003, endowed teaching halls. Neither the contemporary *marja'iyya* nor the Shi'ite Endowment Office within the Iraqi state has adopted any initiative to modernize hawza education, to regulate courses or disciplines, or to solve the problem of academic recognition (credentials) of those studies outside the hawza walls.

The amount of time a student needs to complete the three phases of studies varies. On average, four or five years is sufficient to complete the first phase and the same for the second, though it could be less than two to three years for some clever students. The third phase is usually open-ended, meaning that a student continues

until he is capable of *ijtihad* and can derive opinions independently, or until he is satisfied with what he has learned. This is often the case with many students who do not want to specialize in jurisprudence or principles of jurisprudence. They may prefer other sciences such as interpretation, philosophy, philosophy, or theology, or to devote themselves to teaching students in the preliminary and intermediate phases, or to preaching or writing. In earlier times, some students spent as long as 20 years in the third phase, and a student would continue to participate in his teacher's lessons even after beginning his own lessons. This tradition has declined in recent decades, and students spend only about half as long in this phase.

During the long duration of their studies, Hawza graduates are separated from the modern productive economy and independent of government funding. Thus, the only way to cover the costs of their studies is for the students to obtain financial aid from top religious authorities and the money they receive when observant Shi'ites pay Shari'a-mandated dues (the *khums* tax, zakat, donations, etc.). As a result, many students experience a state of semi-permanent financial destitution, which may be somewhat eased if they work as preacher or imam in a given religious area. The student would then collect the money and spend some of with the agreement of the generally accepted *maraji*'.

The three decades prior to 2003 left an impact on the nature of the three phases of *hawza* education. Most students today are enrolled in the first and second phases, while the third phase has the least students at the moment. Among the most important teachers working in the third phase in Najaf, we can mention the following names:

1. Sayyid Ali al-Sistani (the current supreme *marji'*, who now delivers only private lessons to a limited number of students because of his advanced age)
2. Sayyid Muhammad Saeed al-Hakim (who was the most likely candidate to succeed al-Sistani as the supreme *marji'* but died in 2021 AD)
3. Shaykh Ishaq al-Fayadh
4. Shaykh Bashir al-Najafi, who is Pakistani
5. Shaykh Hadi Al Radhi
6. Shaykh Muhammad Baqir al-Irawani
7. Shaykh Hassan al-Jawahiri
8. Shaykh Muhammad al-Yaqoubi
9. Sayyid Mohammed Ridha al-Sistani

10. Shaykh Muhammad al-Sanad, who is Bahrani
11. Sayyid Ali Akbar al-Ha'iri
12. Sayyid Ali al-Sabziwari

Lessons are conducted every day except on Thursdays and Fridays, or on days commemorating the birth or death of the Prophet Muhammad, Twelver Imams, or major religious figures (such as a *marji'* or a renowned professor at the Hawza). There also are no lessons on universal Islamic occasions (Eid al-Fitr, Eid al-Adha, Eid al-Mab'ath) or those particular to Twelver Shi'ism, such as Yom al-Arafah and Yom al-Ghadir. The most significant holiday is the month of Ramadan, when Muslims fast and many students travel for religious outreach. Other holidays are the first two weeks of the month of Muharram and the last two weeks of the month of Safar, when the mourning season begins for the third Shi'ite imam, Husayn ibn Ali, who died in the Battle of Karbala in 61 AH / 680 AD. This holiday extends until the end of the month of Rabi' al-Awwal, and studies resume the following month.

Religious titles

Students usually wear their well-known religious garb in the first year of their studies at the Hawza. Some are distinguished by a black turban indicating that they are descendants of the Prophet Muhammad's daughter Fatima (and they are addressed as "sayyid"), but the outfit is a social signifier only and does not indicate any special scholarly standing. There are no strict scholarly classifications for the religious titles used. The titles originated as a form of social deference based on religious background. They describe the scholarly and religious status of the person to whom the title is given, and they evolved over time into the versions used today. Once, the only words applied to those engaged in religious studies were sharif (equivalent to the word "sayyid" as used today) and shaykh. When certain words became titles for certain scholarly figures, those titles came into frequent use, and new ones were added for purposes of veneration. The most famous person called Hujjat al-Islam ("proof of Islam") was Abu Hamid Muhammad ibn Muhammad al-Ghazali al-Tusi (d. 505 AH / 1111 AD), a famous theologian and Sufi. The title was then applied to many people who came after him, and it later evolved into Hujjat al-Islam wa-l-Muslimin. The first person in Twelver Shi'ism called Ayatollah ("sign of God") or Ayatollah fi-l-'Alamayn ("sign of God in the two worlds") was Ibn al-Mutahhar al-Hilli (d. 726 AH / 1325 AD). The title referred to his intelligence and discernment. It later evolved into

Ayatollah al-'Uzma ("great sign of God"), and it is used today to describe jurists who reach level of *mujtahid* (*marji'*) and have books of fatwas which observant Muslims follow. Accordingly, several titles are in use today, and they rank as follows:

1. Hujjat al-Islam
2. Hujjat al-Islam wa-l-Muslimin
3. Ayatollah
4. Ayatollah al-'Uzma or *Marji'*
5. Supreme *Marji'*

Despite the grandiosity of these titles, they do not involve a special theological status. Rather, they are used to identify an individual's status as a scholar and his influence within religious circles. They are granted by informal consensus within the Hawza, and social relationships sometimes play a major role in who receives them.

THE NAJAF HAWZA – **THE SISTANI ERA AND POLITICAL ASCENSION AND ROLE**

After the 1992 death of the supreme *marji'* in Najaf, Sayyid Abu l-Qasim al-Khoei, Sayyid Abd al-A'la al-Sabziwari became the supreme *marji'* in Najaf. This owed more to considerations related to respect for his generation and his seniority within the Hawza than it did to his scholarship, the importance of his lessons, how many pupils he had, or the size of the network of agents who usually play a key role in a candidate's rise to this position. On the contrary, al-Sabziwari tended toward isolation and did not build a network of agents to advocate for him. He also – and this is a point of great importance – ascribed to an intellectual orientation contrary to the one established by the Khoei school about the importance of the principles of jurisprudence and the central role of that science in the process of deriving religious rulings. As the Khoei school was dominant in the Hawza, al-Sabziwari's chances of becoming *marji'* were almost nonexistent. Nevertheless, the reverence he enjoyed as the last member of his generation helped him to win acceptance. He did not, however, have any real opportunity to exercise his authority as *marji'*, as he died soon afterward in 1993.

During this period, specifically after Sayyid Muhammad al-Rouhani's (d. 1997 AD) failed transition from Qom to Najaf, al-Sistani was seriously proposed as

marji'. Until that time, al-Sistani had been known only among the Hawza's elites. With clear coordination and support from the Al-Khoei Foundation in London, these elite circles supported al-Sistani's candidacy and submitted him for the public consideration of Shi'ites around the world.

On the part of the Ba'athist-controlled Iraqi government, there was considerable grumbling about Iranians' dominance of the Najaf Hawza. Iraqi security agency documents disclosed after 2003 show that thoughts about containing this phenomenon dated to the 1970s, a decade that saw the height of the crackdown on the *Hawza* and its teachers and lessons. Those reports looked at the *marja'iyya* as a facet of their domestic security strategy. Efforts were made to support Arab and Iraqi candidates to become the *marji'*. Nevertheless, the intellectual trend represented by al-Khoei applied a policy of keeping out of politics and believed that Guardianship of the Islamic Jurist was illegitimate. This was the theory underlying the political system in Iran after the 1979 Revolution, which caused the Iraqi regime to temporarily divert its attention from the matter of Iranians dominating the *marja'iyya* in Najaf in the 1980s when the Iraq-Iran war was raging. The war had ended by the 1990s, but Iraq underwent a broader, larger war with a U.S.-led international coalition after Iraq's invasion of Kuwait, then the fatal economic embargo that followed. The Ba'athist regime found it propitious to cooperate with an Iraqi Arab *marji'*, namely Sayyid Muhammad al-Sadr.

This does not mean that there was direct regime coordination or support for Muhammad al-Sadr as *marji'*. The regime knew well the intellectual school from which al-Sadr descended, namely that of his cousin Muhammad Baqir al-Sadr, who was one of the most significant theorists of political Islam in Iraq and the world. The authorities had executed him in 1980 amid escalating confrontations between him and the Iraqi political system that had followed his explicit, public expressions of support for the Iranian Revolution led by Ayatollah Khomeini. The regime was very much aware of Muhammad al-Sadr's relationship to Muhammad Baqir al-Sadr. It also knew that they were both affiliated with so-called "movement Islam." Nevertheless, there were several factors that prompted the regime to accept al-Sadr's leadership of Hawza affairs in Najaf. One was the period of strict isolation al-Sadr had entered in the 1980s. Another was the regime's desire for the Hawza to be administered by an Iraqi Arab *marji'*, especially after the serious consequences of the economic blockade on the country. Finally, the state security apparatus was weak, and the regime's ability to implement its stringent policy of secularizing the public sphere was in retreat.

Sadr's rise to *marji'* stoked a great deal of internal resistance within the Hawza, which often took the form of tacit refusal to work with him. Sadr nevertheless became the leader of the Najaf Hawza, as evidenced by the fact that his office was granted the right to submit the names of Iraqi students for the state to exempt from compulsory military service and foreign students wanting a visa to reside in Iraq for the purpose of religious study.

Al-Sadr had a serious problem, however, with the staff of the *marja'iyya*, whether they worked in administration, media, or Hawza academics, because most of them were affiliated in one way or another with the Khoei school. Al-Sadr therefore had to handle many details himself or through a new class of people he worked to create within the Hawza. His first step was to open admissions to those from Iraqi cities and districts interested in religious education and facilitate their integration into the Hawza. He later made use of them in his project by granting them Shari'a-based agencies for religious work in their home regions, which included in particular leading the Friday prayer. This was his most important tool for creating a bond linking the masses in Iraqi cities to himself and his *marja'iyya*. He himself led Friday prayers at the Great Mosque of Kufa. He began teaching at the second, intermediate phase of religious studies, which is usually taught by midlevel scholarly figures not at the rank of *marji'*. He was forced to do so in order to cover a shortage of teachers left behind by the regime crackdown on the Hawza and the emigration of many of its teachers.

During this period, al-Sistani kept to himself within the Najaf Hawza. Outside the Hawza, he was plowing ahead – as we said earlier, through means of al-Khoei's network of agents and London foundation – as the successor to Supreme *Marji'* Abu l-Qasim al-Khoei. He applied himself to the old approach of creating separation between the *marji'* and the masses. He intervened in public affairs only rarely, whether in the policy of the Iraqi state or in social matters.

In the five years between Muhammad al-Sadr's assassination in 1998 and 2003, the Najaf Hawza entered a lull as the fortunes of other *maraji'*improved (al-Sistani, Muhammad Saeed al-Hakim, Muhammad Ishaq al-Fayadh, and Husayn Bashir al-Najafi). Muhammad al-Sadr's efforts were not given a chance to bear fruit in the rise of a scholarly figure who could carry on his religious movement. Then came 2003 and regime change in Iraq. U.S. policies for managing the balance of political forces in Iraq, especially those arriving from abroad in the name of the Iraqi opposition, necessitated an appreciation for the role of the

maraji‘ in shaping the future of the political process that had just been formed. This cleared the way for al-Sistani to play this role, especially after Abdul Majid al-Khoei, the son of Supreme *Marji‘* Abu l-Qasim al-Khoei, arrived with the coalition forces that toppled the regime.

That al-Sistani stepped in at this pivotal juncture in the history of Iraq and the Iraqis is crucially important. It redefined the relationship between the religious and the political in the context of Iraqis’ national identity and the political system that was to be transformed. It came in the aftermath of complex circumstances that Iraqis had experienced since the entry of British forces into Ottoman Iraq in 1914 and the outbreak of clashes with them. The Najaf clerics declared those clashes lawful, and the revolution that began in 1920 unfolded under their leadership. The monarchy emerged, only to be followed since 1958 by political coups and the rise of political Islam, which calls for an Islamic solution for the system of the state, its political identity, and its legislation. Finally, many members of political parties, especially Shi‘ites, emigrated and joined the political opposition abroad. As a result, especially after 1979 and the victory of the Islamic Revolution in Iran, the political parties, specifically Shi‘ite parties, changed their view of the nature and roots of the political crisis in the country and how to handle it. All these profound transformations imposed a very sensitive responsibility on al-Sistani and gave him an exceptional opportunity that had been available to very few people throughout the history of Iraq.

Al-Sistani did not issue an opinion on the lawfulness of fighting the coalition forces, nor did he take public positions in support of the coalition forces, in contrast to the movement affiliated with Muhammad al-Sadr and led by his son Muqtada al-Sadr. After the opposition forces from abroad sidelined Muqtada al-Sadr and did not involve him in shaping the political process, he chose a path of resistance and confrontation. Al-Sistani’s efforts were directed toward two things: advocating general elections to elect the National Assembly, and commissioning this Assembly to write the Iraqi constitution without the involvement of the coalition forces and submit it to popular referendum. Al-Sistani’s *marja‘iyya* supported the selection of the National Iraqi Alliance List, a political bloc representing Shi‘ite forces, in the general elections, and it also advocated voting in favor of the new constitution.

It can therefore be said that al-Sistani’s *marja‘iyya* was the true shepherd of Iraq’s post-2003 political path. In brief answers to several questions from more

than one international news agency and in correspondence with UN figures, al-Sistani's *marja'iyya* tried to take positions in coordination with UN bodies (the General Assembly and the official UN mission in Iraq) and not through direct negotiation with the occupying coalition forces. In a letter responding to Lakhdar Brahimi, al-Sistani's office issued a clarification in which it stated: "The *marja'iyya* has made strenuous efforts to bring the United Nations back to Iraq and have it supervise the political process and the holding of general elections. It expected that the Iraqi people's representatives in the elected National Assembly would be left free to run the country in the transitional phase, write a permanent constitution, and submit it to a referendum in accordance with the mechanism decided by the representatives themselves. Following the adoption of the so-called Law of Administration for the State of Iraq for the Transitional Period, however, the incoming National Assembly will be shackled by numerous restrictions that will not allow it to do what it deems to be in the best interest of the Iraqi people. The law has imposed an unelected council, the Transitional Governing Council, to coordinate with the occupying power by law (strangely) to administer the state in the transitional phase. Of greater concern, it has dictated certain principles, provisions, and mechanisms for writing a permanent constitution and submitting it to referendum. This law, which does not enjoy the support of most of the Iraqi people – confirmed by public opinion polls and the millions of signatures that have been collected in the past few days to reject it or demand that it be amended – usurps the right of the Iraqi people's elected representatives in a manner unmatched anywhere in the world. The elections that the *marja'iyya* have long demanded have thereby lost much of their meaning and are now of little value."

Al-Sistani's dealings with UN bodies as a political authority diverged from the idea of the "revolutionary legitimacy" of liberation adopted by other religious and political actors inside and outside Iraq. Al-Sistani's attachment to "electoral legitimacy" was also radically divergent from armed action or the legitimacy that the clerics imparted to political action under the theory of the Guardianship of the Islamic Jurist. As for the clerics' role and function in political affairs, al-Sistani's vision was that "their function in connection to society – at this time as at any other time – is to promote the True Religion, disseminate its provisions, educate the ignorant, advise and preach to believers, reconcile among them, and similar things related to reforming their religion and perfecting their souls. They should have nothing to do with administrative matters and the like."

As the envisaged constitution was being written, al-Sistani's statements revealed an emphasis on a single point related to its religious role, namely, treating "religious tenets, moral principles, and the values of the Iraqi people" as part of the Iraqi national identity that must not be compromised in the drafting of the new constitution. In response to the question of what principles of government and Islamic law al-Sistani wanted to see incorporated into the Constitution, some of his office's statements answered: "Religious tenets, moral principles, and the social values of the Iraqi people must be the pillars of the forthcoming Iraqi Constitution." In another statement, he wrote: "The pillars of the forthcoming Iraqi constitution must be religious tenets, high moral principles, and the noble social values of the Iraqi people, in addition to the principle of deliberation, pluralism, minority respect for majority opinion, and so on."

The political vocabulary of the statements issued by al-Sistani's office evolved substantially and took on a diplomatic and statutory bent counter to the prevailing religious language in commentary on public political affairs among others. The latter was loaded with terms from the literature of political Islam about resisting the colonialist West, boycotting its Westernizing project, and other such revolutionary expressions. Nevertheless, al-Sistani's statements maintained more neutral language close to the Islamic culture from which a Muslim jurist would be expected to emerge.

Al-Sistani's statements did not clarify whether the idea of "minority respect for majority opinion" meant minority and majority in political terms or religious ones. Given al-Sistani's support for the National Iraqi Alliance List (the largest Shi'ite political bloc since the beginning of the political process in 2003), "respect" was interpreted as an explicit call for religious quotas in the administration of the state.

During the 2005 elections, the office responded to a questionnaire about participation by saying: "These elections are no less important than the previous round. Citizens – men and women – should participate in them broadly to ensure a significant, strong presence of those who will safeguard the things that matter to them and look after their supreme interests in the future House of Representatives. To that end, they must also avoid splitting and squandering votes." Here, "avoid splitting and squandering votes" is meant as a directive to vote for the Shi'ite coalition list. Al-Sistani's *marja'iyya* explained the reasons for this directive to participate in another event in 2013, saying: "The *marja'iyya*

supported the formation of the National Iraqi Alliance List because the citizens were going into the country's first free electoral experiment. It was important to combine their voice and unite their ranks to ensure the greatest possible participation in these elections under an electoral system that considered all of Iraq to be a single constituency. This required united participation in various regions for the sake of balance among the components of the Iraqi people in the elected National Assembly."

Al-Sistani's office also answered questions from the German magazine Der Spiegel for its 14 February 2004 issue, which included the following: "In a racially and religiously diverse country such as Iraq, ethnic and sectarian quotas in any government configuration cannot be bypassed except through the ballot box." The idea of balance among components as mentioned in the previous statement can be viewed in conjunction with the Der Spiegel interview. It can then be understood that at that stage, the *marji'* was not opposed in principle to the idea of quotas so much as he was opposed to the mechanism for implementing them. If it is the result of a general election, it is "balance" rather than "quotas."

Whatever the case, al-Sistani's *marja'iyya* never released a statement in favor of the principle of quotas, although this is what many people understood its position to be. Starting in 2009, it was explicit in stating that "Iraq is not governed by a sectarian or ethnic majority but rather by a political majority constituted at the ballot box from the various components of the Iraqi people."

The greatest Islamist achievement realized with al-Sistani's support, leaving its fingerprints on the current Iraqi Constitution, is in Article 2, First, paragraph A, which reads: "No law may be enacted that contradicts the established provisions of Islam." Article 92, Second, addresses the composition of the Federal Supreme Court, which shall include a number of "experts in Islamic jurisprudence" who will be responsible for resolving controversies on the expected violations of the Constitution and overseeing "the constitutionality of laws and regulations in effect" (Article 93).

This paragraph, plus the *marja'iyya*'s statement for Friday prayers on 15 November 2019 – during the massive, nationwide demonstrations called the Tishreen Protests – that the political legitimacy of governments is constrained by the will of the people, can be considered the culmination of the evolution of Shi'ite political thought over the course of several centuries. Shi'ite political thought has historically been divided between two tracks. The first is negative and views

politics from the perspective of theology, seeing the formation of governments as an exclusive prerogative of the Infallible Imam. Therefore, participation in politics or even the public departments of the state is impermissible except as a matter of utmost necessity and for special objectives to serve members of the Shi‘ite religious community. The second track is positive. It approves of forming governments and engaging in politics with the permission of the jurist, who is the Infallible Imam’s deputy. This track believes in the principle of public guardianship by the Islamic jurist, which evolved with the Iranian Revolution in 1979 so that the jurist himself leads and administers the state. He has the exclusive right to supervise and oversee, and to grant legitimacy to anyone else.

Al-Sistani is following in the footsteps of the constitutional movement that was discussed in the corridors of the Najaf Hawza in Iraq and Iranian hawzas at the beginning of the 20th century. It aimed to constrain the monarchy of Iran with a constitution, as Muhmmd Husayn Na’ini (d. 1936) explained in his book Tanbīh al-Umma wa Tanzīh al-Milla (The Awakening of the Islamic Nation and the Purification of the Islamic Creed), one of the most important texts in the movement’s political literature. Na’ini focused on ensuring that the ruler is not a tyrant and is subject to the rule of law in the constitution and the oversight of a supreme council led by jurists. Meanwhile, as shown in the two paragraphs we cited earlier, al-Sistani addresses the basis for forming a government, the source of its legitimacy, and the limitations placed on government by the free will of the people. As for incorporating Shari‘a into the state legal code, it was drafted with broader, more flexible wording, namely “established provisions of Islam” that transcend sectarian differences among Muslims. They are overseen by “experts in Islamic jurisprudence,” which is somewhat different from “jurists of Islamic Shari‘a,” as Na’ini put it.

Many supporters of the civil current in Iraq or Islamic countries may not find that this transformation meets their aspirations to limit the dominance of religious thought on the course the state and its laws take in the Islamic world. We could, however, look at the matter from another angle (and we are speaking exclusively about Iraq here). This perspective encompasses the long, arduous road of the relationship that religion and clerics have had to the state and its legislation. Along the way, there were many violent clashes between the religious current and successive governments, and the intellectual divisions between the two sides were absolute. There were the thunderous objections to amending the Personal Status Law during Prime Minister Abd al-Karim Qasim’s term in 1959, and

then the rise of political Islam in the 1960s and 1970s. From this angle, the transformation supported by al-Sistani is of monumental importance. Not only did it reintegrate a broad segment of Iraqi Shi'ites and others into their states and national communities, it also gave them self-confidence in their political independence and their own experience of constitutional life.

One manifestation of this evolution in political thought is that it helps restore the religious institution (the Hawza) to the social domain as a cultural component within the civil state without delving into political action. Political Islam calls for that sort of action, as it sees control of governance and the establishment of a religious state as the ultimate objective, through which it can reform society and instruct it in the Islamic faith and values. The payoff of this evolution can be observed in the Shi'ite Endowment Office Law. The *marja'iyya* plays a major role in appointing those responsible for the Office and determining what the Office will do in terms of religious shrines, mosques, congregation halls (Husayniyyat), and endowments, preparing Shi'ite programs and festivals, opening research centers and Islamic heritage institutions, and establishing schools, universities, libraries, and publishing houses for books, magazines, and so on.

AL-SISTANI'S SUCCESSOR AND THE CHALLENGES AHEAD

Criteria for the selection of the *marji'*: Another view

Pure, observant Muslims who refer to their own *marji'* with great seriousness might expect the nomination of the *marji'* to be handled smoothly within the Hawza, dictated solely by the criteria of piety and religious knowledge. By contrast, those who are familiar with the internal conditions of the Hawza know that the matter is much more complicated than that. Long-standing divisions in the Hawza mean that those expectations, whatever their source may be, are too idealistic.

The fact is that as part of society, the Hawza, like other social institutions, is controlled by factors of competition, bias, power struggles, influence, and balancing acts. The factors impacting the preparation of a future *marji'* include the following:

1. The administrative staff in the office of the former *marji'* and his network of agents

2. The network of kinship by blood and by marriage between the former *marji‘* and the successor
3. Ethnic and regional divisions (Arab, Turkish, Persian, Indian, Iranian, Iraqi, Gulf, Levantine, etc.)
4. The various schools of jurisprudence and principles of jurisprudence, and various intellectual orientations (Akhbaris, Usulis, political Islamists, etc.)

Some of these factors date as far back as the beginning of Shi‘ism, such as the struggle among the agents of 11th Imam al-Hasan al-Askari and their arguments about who was the bab, the gateway to the Imam. Some factors emerged when the hawzas were first formed in Baghdad, Hillah, and Najaf (the gathering of Abu Ya‘la al-Ja‘fari, the son-in-law of al-Shaykh al-Mufid, at the latter’s tomb; the gathering of Abu Ali, the son of Shaykh al-Tusi, at his father’s tomb in Najaf; the gathering of Fakhr al-Muhaqqaqin at the tomb of his father, Ibn al-Mutahhar al-Hilli; etc.). In the period following the establishment of the Safavid state, in-law relationships were so influential that the title damad (a Persian word meaning “son-in-law”) became one of the most well-known and influential titles for determining a person’s future and standing in the Hawza.

Reference has been made above to the influence that the Safavid and Qajari royal courts played in recognizing some *maraji‘* and supporting them at the expense of other *maraji‘*, and the resulting alignments and divisions within the Hawza. Some later governments also tried to do the same as part of their management of national security. Examples include Reza Shah Pahlavi’s government in Iran and its support for Sayyid al-Hakim’s *marja‘iyya* in Iraq as opposed to Borujerdi’s *marja‘iyya* in Qom, and the relationship the Ba‘ath government in Iraq had with the *marja‘iyya* of Shaykh Ali Kashif al-Ghita’ and Sayyid Muhammad al-Sadr. The issue is not that those *maraji‘* cooperated with political authorities to attain a religious post, as there is no evidence of any such cooperation. The issue is that those authorities were interested in and pursued plans to manage and direct religious affairs, even if the *marji‘* did not get involved in or approve of those schemes.

In the article “Honest Opinions,” to which we have referred many times in the previous pages, al-Muzaffar spoke of tradition and the selection of the supreme *marji‘* as a “problem” requiring serious attention. Apart from the religious questions he mentioned related to the righteousness of the *marji‘* and his ability

to comprehend traditional religious knowledge, al-Muzaffar referenced two important points. The first was ethnic divisions between Arabs and Iranians in the advancement of some *maraji*‘ over others. The second was a new condition that arose from modern reality as al-Muzaffar lived it in the first half of the 20th century. On the latter point, he wrote:

> I find it necessary to state that we emerge from this research to consider a third condition implicit in the universal muqallid, and indeed it is all in all. This condition is not from Shari‘a, i.e., it is not something handed down in accounts or imposed by our Imams. Rather, it is imposed by reality and by the nature of social affairs among people. This condition is that the *mujtahid* has mastery over the politics of people and gathering proselytizers and champions around him. In clearer terms, that leader must be a social scientist by nature, an expert on leadership who knows what is needed to influence people of all walks of life and draw their attention to him. Beyond that, it is not required that he be a true *mujtahid* or have reached the highest levels of *ijtihad*, although it has become an essential condition in scholars' treatises that the muqallid is more learned than anyone. Moreover, he need not be truly just or have reached the highest levels of justice, although this also is an essential condition of the muqallid.... I believe that this implicit condition imposed by reality and the nature of social matters – as I said – arose lately in recent generations after the leadership role expanded and money began to flow regularly and abundantly to the leader in Iraq. In conclusion, a leader's personal capability and his social acumen (or his practical reason, as the ancient philosophers liked to call it) are the most important qualifications for a muqallid to reach the position of leader. The more capable he is, the more qualified to achieve absolute leadership. ... We should have a viable group of people of science and knowledge, and people of piety, who will choose the universal muqallid to truly unite all strands. He will have expertise in global conditions and the personal capability to manage public affairs.

The expertise in global conditions and the knowledge of leadership and management of public affairs that al-Muzaffar discussed have taken on many connotations in the present day, which we will mention shortly when we talk about the challenges facing the next *marji‘*. As shown by the complexities we have already mentioned, it will be difficult to resolve the argument about the candidates to succeed the current *marji‘*, al-Sistani. Everything said here, or anywhere else, is mere speculation and supposition that cannot be considered

definitive information. What is certain, though, is that Najaf will never accept a *marji'* from outside. That is, it will not allow any scholar to come into the Najaf *Hawza* as a guest and then take over as its leader. There is also something of a consensus ruling out Muhammad Ridha al-Sistani, a son of the current *marji'*, as a supreme *marji'* in spite of his scholarly qualifications as one of the Najaf *Hawza*'s most brilliant scholars and one of its most prominent teachers of outside research, in addition to his extensive experience running his father's office. That is because if he were to succeed his father, it would create the impression of hereditary succession, something disdained by many in Iraqi Shi'ite circles inside and outside the Hawza.

Possible candidates

In light of all these caveats, the following names, which already came up during the discussion of the most prominent contemporary teachers of outside research, can be mentioned as possible candidates to succeed al-Sistani:

a) Shaykh Muhammad Hadi Al Radi: A jurist and a teacher of advanced studies in jurisprudence and principles of jurisprudence, he was born in Najaf in 1949. He is from a well-known Iraqi Arab family that has produced many figures in religious and other sciences. His grandfather, from whom the family took its name, was Shaykh Radi ibn Muhammad ibn Muhsin ibn Khidr al-Janaji al-Najafi (d. 1290 AH / 1973 AD), one of the greatest jurists of his age at the Najaf Hawza. Most of the subsequent generation of jurists and *maraji'* at Najaf studied under him. He not only shared in religious leadership with Shaykh Murtada al-Ansari but may even have been a more consequential leader than al-Ansari in Iraq.

Al Radi is known for his seriousness, solemnity, and adherence to old etiquette and formalities at the Hawza. Therefore, he does not appear in public and does not hold any public activities or meetings. In his general intellectual constitution, he clings most firmly to traditional religious education in Najaf. This is reflected in his research and lectures, the methodology and content of which are entirely dedicated to jurisprudence and the principles of jurisprudence. He has no research concerns outside those two fields. In spite of his many lessons and lectures over the course of four decades, his publishing history is slight. We have been unable to clearly ascertain his opinion on public guardianship by the Islamic jurist, an issue whose implications Najaf approaches cautiously. His research on this question has been withdrawn from his published lessons,

but in other research, he has questioned the validity of some of the evidence for the concept while accepting other evidence.

Whatever the case may be, this isolation from public affairs leaves the door open to speculation about the public policies of the future marja'iyya in the event that Shaykh Al Radi – who is a strong candidate – is able to become the marji'.

b) Shaykh Muhammad Baqir al-Irawani: A jurist, author, and teacher of advanced studies in jurisprudence and principles of jurisprudence, he was born in Najaf in 1949. He is the son of Shaykh Muhammad Taqi (d. 2005), the son of Muhammad Jawad (d. 1962), the descendant of Muhammad ibn Muhammad Baqir al-Irawani (d. 1885, renowned as al-Fadhil al-Irawani). He descends from an Arabized Turkic family with its roots in the Yerewan area of Armenia. His ancestor al-Fadhil al-Irawani came to study in Iraq at the age of 14. He eventually came to lead the Turks inside and outside the Najaf Hawza and was the marji' for Turks throughout the Caspian Sea basin. In Najaf, he founded the Irawani school, which was known as the Turks' school. The family has kinship ties in many areas of Iran and Azerbaijan.

Al-Irawani studied with al-Khoei, Muhammad Baqir al-Sadr, al-Sistani, and Muhammad Saeed al-Hakim. He belongs to the traditionalist Najaf school. The two most important distinguishing characteristics of this school are: a) A focus on the study of jurisprudence and principles of jurisprudence (at the expense of philosophy and mysticism, which have been discussed extensively in the Qom school in the last four decades), and b) avoidance of political involvement unless it is absolutely necessary. Al-Irawani has an excellent relationship with al-Sistani's oldest son, Mohammed Ridha al-Sistani. In November 2021, he opened his office with the blessing of al-Sistani's marja'iyya, which could be considered a way of supporting him without formally nominating him to lead the Hawza. This support reduces the pressure on al-Sistani's house from the inheritance issue and the opposition to Mohammed Ridha al-Sistani for his plans to take his father's place. It also opens prospects for greater future cooperation between him and the administrative and advisory staff in the office of the supreme marji'.

Al-Irawani's published writings are mostly explanations of Hawza coursework, produced for educational purposes. They contain no indication that he adheres to the principle of universal guardianship by the Islamic jurist, but he leaned toward advocating it as a whole in his book Durūs Tamhīdīyya fī Tafsīr Āyāt al-'Aḥkām

fī al-Qurān (Introductory Lessons in the Interpretation of Quranic Verses on Rules). In two published interviews conducted with him in Persian (in 2014 and 2017), al-Irawani told his interviewer (in the second interview) that the Najaf Hawza, like Iraq generally, has its idiosyncrasies. Iraq's diversity, connection to the Islamic world, and the nature of its government and society create a unique mode of interaction between Iraq and the Hawza and the extent of its intervention in politics and public affairs – different from Iran on the level of the state, society, and culture. Al-Irawani also focuses in the two interviews on the "rationality" of al-Sistani's approach to the Iraqi situation. He believes that this rationality, with the thoughtfulness and wisdom of its handling of long-standing issues, is more than one might expect of a person of al-Sistani's constitution. It therefore seems that al-Irawani takes a more realistic approach to the idea of universal guardianship by the Islamic jurist. That is to say, even if he were to advocate it "in theory," it would not mean that he sees it as an "appropriate" option for Iraq.

Al-Irawani is unpretentious and spontaneous by disposition, and a patient, kind, and mild-tempered man. These qualities are known to everyone who has attended his lessons and lectures. During his time in Iran (after 1984), he was not known for any political activity, but devoted himself entirely to teaching and delivering religious lectures. This earned him broad renown in the Hawza, particularly because hundreds or perhaps thousands of students have studied under him directly or by listening to his recorded lessons.

In the 2014 interview, al-Irawani said, "More interference in politics causes more errors." He reminded the interviewer that the evolution of the political situation in Iraq created a well-established tradition in the Hawza of not interfering in political affairs. From this, al-Irawani concluded that while al-Sistani kept his commentary on political issues (such as calling for participation in elections, voting in favor of the constitution, and his fatwa on jihad) to a minimum, it was still new, revolutionary behavior. According to al-Irawani, this is also an indication of man's rationality. It seems that this idea that al-Irawani spoke of is indeed embraced by a broad segment of Iraqis. There is, however, a very important issue that has crystallized in the past three decades, which we will explain in more detail when talking about the challenges facing the next marji'. The roots of the issue date back to Sayyid Muhammad al-Sadr's time as marji' in the 1990s. He initiated a debate on the question of the "Iraqiness" of the most influential marji' at the Hawza, which was followed by post-2003 political events and political Islamists' experiences with their regional relations. As a

result of these events, Iraqis have developed a deep sense of national identity and an appreciation that the state must be independent and sovereign. In other words, Iraqis have come to think that to be a patriot, one must work to honor the sovereignty of the Iraqi state and to avoid discrimination among citizens based on their sectarian, ethnic, cultural, or regional backgrounds. The marjaʿiyya is an influential player in political transformations, state security, and societal stability. In that capacity, and in spite of its status as a transnational religious institution, the marjaʿiyya must take on the responsibility of maintaining the character of the diverse Iraqi people and work to uphold state sovereignty, security, and the unity of its people. As such, it cannot merely remain silent and refrain from interfering in the event of escalating dangers in this sovereign political sphere.

Al-Irawani is well aware that al-Sistani's stances have raised expectations about the qualifications of the supreme marjiʿ and what he should do in the public sphere. While the traditional conditions for religious leadership were mastery of jurisprudence, teaching, and managing the Hawza, the marjiʿ now can be tried in the court of Iraqi public opinion on the subject of politics. Al-Irawani believes that the marjaʿiyya has a key role to play in Iraqi Shiʿites access to the top rungs of power, but interference in political affairs is unjustified unless necessary (2017 interview).

c) Shaykh Hassan al-Jawahiri: A jurist, author, and teacher of advanced studies in jurisprudence and principles of jurisprudence, he was born in Najaf in 1949 into the famous Iraqi Arab al-Jawahiri family, which has produced many of Iraq's luminaries in jurisprudence, poetry, literature, and other fields. The family's forebear was Shaykh Muhammad Hassan al-Najafi (1785–1849), the leader of Shiʿism in his time. He was the author of the book Jawāhir al-Kalām fī Sharḥ Sharāʾiʿ al-Islām (Jewels of Theology in Exposition of the Canon of Islam), one of the most important and extensive books of Shiʿite jurisprudence. Al-Jawahiri is distinguished from his peers by three things.

First, he is the only one who received formal academic instruction, as he graduated in 1970-1 from the College of Jurisprudence founded by Shaykh al-Muzaffar. This is reflected in his writings and research, which are clear, organized, and consistent with the standards of contemporary scholarly research. He entered the Hawza at the start of his academic studies. In Najaf, he initially attended the research sessions led by his father (Shaykh Muhammad Taqi al-Jawahiri, a senior figure at Najaf), Abu l-Qasim al-Khoei, and Muhammad Baqir al-Sadr. He then

moved in 1976 to Qom, where he attended the research sessions of Mohammad Kazem Shariatmadari (d. 1986), Jawad Tabrizi (d. 2006), Hossein Khorasani (1921-), Kazem al-Haeri (1938-), and others. He began teaching advanced lessons in jurisprudence in 1997, and he completed his first cycle of lectures in the principles of jurisprudence in 2005. He has written several books, including Al-Ribā: *Fiqh*īyan wa Iqtiṣādīyan (Usury: Economics and Jurisprudence).

He wrote it as one of his requirements to graduate from the baccalaureate stage at the College of Jurisprudence, and it was printed in 1984. He wrote a commentary on Yusuf al-Qaradawi's book Al-Ḥalāl wa-l-Ḥarām fī-l-Islām (The Lawful and the Prohibited in Islam) in 1988, seven volumes on Buḥūth fī al-*Fiqh* al-Mu'āsir (Research in Contemporary Jurisprudence), three volumes on Al-Qawā'id al-Usūlīyya (Fundamental Rules), and so on. He returned to Iraq in 2009 at al-Sistani's request and has been teaching his lessons at the Najaf Hawza ever since.

Second, he is a frequent attendee and participant in the conferences held by jurisprudence academies around the Islamic world (Jeddah, Riyadh, Abu Dhabi, Bahrain, Kuwait, Qatar, Morocco, India, Brunei, Jordan, Muscat, Sharjah, Malaysia, Kuala Lumpur, Algeria, etc.). He is also an active expert member of the jurisprudence council of the Islamic Conference in Jeddah, Saudi Arabia, the Ahl al-Bayt *Fiqh* Academy in Qom, and the Ahl al-Bayt World Assembly, also in Qom. The product of this activity was his book Buḥūth fī al-*Fiqh* al-Mu'āsir. Much of his research is unique for studying topics and the associated evidence from a perspective open to other Islamic doctrines (and sometimes even Christianity and Judaism), following the approach of comparative jurisprudence and the jurisprudence of purposes.

Third, he explicitly commits in his writings to the theory of universal guardianship by the Islamic jurist. In his research paper Al-Ḥadātha wa-l-'Ilmānīyya fī Muwājahat al-Islām (Modernity and Secularism vs. Islam), he wrote a strong criticism of secular ideas. In it, he reclaimed what is known of the views of holistic political Islamists, who critique the religious mind and review its propositions as part of a "civilizational" confrontation between Islam and the West. On the other hand, he also strove to uphold the literature of Islamic unity and the necessity of co-existence among Muslims, in contrast to the prevailing sectarian rhetoric of the time. What is interesting about his statements in this context is that he emphasized two things: his suggestion that the governments of all Islamic countries should forbid getting involved in issues that divide Muslims,

and his call for followers of Islamic sects to express their opinions about their sects as "intellectual viewpoints" open to constructive dialogue.

The challenges ahead

The next *marji'* faces several challenges that are expected to play a key role in his *marja'iyya*'s reach, acceptance, and influence in the public, religious, and political arenas, both in Iraq and elsewhere. They include the following.

1. The constitutional state

The major transformation brought about by the post-2003 political developments is that they shifted Shi'ite religious thought in Iraq from the sphere of religious groups separate from the state to the sphere of citizenship, which is integrated into the state. The biggest event has been the creation of a political life based on a constitution voted on by all Iraqis. It entered into force under religious cover, supported and welcomed by the supreme *marji'*. Therefore, if the future *marji'* were to act in a way that damages or weakens the political integration created by the Constitution, and treat his followers as a religious faction with its own dealings, laws, and political activity outside the state, it would be a setback in current Iraqi Shi'ite constitutional thought. It would also be a repetition of the mistakes the *marja'iyya* committed following independence and the establishment of the modern Iraqi state in the form of the monarchy. In that era, the *marja'iyya* boycotted the state and its institutions, choosing to isolate itself and turn inward. That fueled the division between Shi'ites and their state, and it caused a decline in their constitutional consciousness.

2. Iraqi patriotism

In its cultural sense, Iraqi patriotism means Iraqis' pride in their civilizational history, sense of geographic belonging, and appreciation for the country's intellectual achievements and cultural commonalties in terms of food, clothing, social customs, and so on. This feeling is ancient and may go back thousands of years. In its political sense, however, patriotism is the expression of their collective self, shared interests and fate, independent decision-making, and sovereignty in managing their affairs dealings with other peoples. In that sense, it is linked to the modern Iraqi state. Whatever is said about the problems in the establishment of the state and the crises on its political journey, there can be no doubt about the existence of this unified patriotic feeling around political identity, the state, and its institutions and organs.

The main factor creating confusion around this topic is weak political participation in state decision-making. This was aggravated by internationalist ideology that plunged Iraqis into political self-alienation from the state. Many of them imagined that if they shared some of those ideological, religious, ethnic, or intellectual affiliations with one another, their politics would revolve around a common destiny or unified public interests.

Among Iraqi Shi'ites, we are talking here about the *marja'iyya*, which is a distinct feature of the Iraqi social and religious community. The split in the approach to Iraqi patriotism has become evident since the triumph of the Islamic Revolution in Iran, which was ultimately a Shi'ite revolution. The leaders of Iraqi political Islam (which would later be called the Iraqi opposition in exile) disagreed about the shape of relations with the new political order in Iran. Since the 1990s, however, with Muhammad al-Sadr's ascension to the post of *marji'* in Najaf, religious awareness has grown in the direction of a distinctive Iraqi character and away from the Iranian religious track. After the Ba'athist regime was toppled in Iraq after 2003, this religious awareness transformed into a political practice within the state. Every time the independence of Shi'ite political forces' political will proved weak, Iraqi patriotic sentiment grew, culminating in the Tishreen Protests of 2019.

As a centuries-old religious doctrine, Shi'ism now presents itself as an ideal spirituality that blames the world for the loss of human beings as victims of vanity, intolerance, inequity, and injustice. It promises a world free of all those things, in which people live a life of brotherhood, affection, godliness, and piety, where malice and hatred are foresworn. In a half-century of political action, though, from the early 1960s to the present, and especially after 2003, this idealism has run into hardship. The crisis is that political ideologies, because they are immersed in struggles for influence, power, and interests, easily overvalue personal spiritual religiosity for building excessively neurotic and ritualistic religious identities.

The presence of Shi'ism as a moral inspiration in the minds and behavior of its followers that induces goodness, high-mindedness, piety, and abstinence. It was the dominant presence among generations of people prior to the emergence of Shi'ite political Islam, and with the latter it has almost become a fight over identity in the political sphere. Sectarian disputes have been stoked as branching religious identities that threaten to dismantle the social fabric of states, including Iraq with religious and sectarian diversity.

Therefore, if the next *marji'* wants to contain this crisis, both in its domestic

social context in Iraq and in its broader context (since tens of millions of Shi‘ites around the world follow the *marji‘*), he must adopt extremely disciplined and prudent rhetoric for addressing sectarian disagreements. He must guide behavior around rituals and utilize valuable religious commonalities, steering away from political slogans, which are an extension of divisions among countries in the region and the tangle of political interests with this state or against that state. Otherwise, Shi‘ism’s political project around identity will lead Shi‘ites into more isolation within their national societies and more performative religiosity, causing dangerous confrontations with the political systems in their countries.

3. The regional political balance

Specialists in Shi‘ite studies know that a large number of those who have researched the emergence and evolution of Shi‘ism hold that Shi‘ism as a whole, Shi‘ism as a doctrine, is a political creation par excellence. That is, it was a reaction created by the competition for power among the first generation of Muslims. The process of distinguishing it from all other Muslim sects followed a series of historical accretions in the reconstruction of Islamic knowledge and history. The purpose was not to understand monotheistic religious truth, but to enshrine the interests of a particular group of people, namely the people who created Shi‘ism.

This view has been widely criticized by Shi‘ite clerics, who consider it to be the result of clear prejudice aimed at obscuring the authenticity of Shi‘ism, which was born from the womb of Islam. We do not address Shi‘ism here to analyze whether it is an authentic or a contrived Islamic doctrine. We believe that the findings, regardless of what they are, would not affect the historical fact that Shi‘ism was able to forge a special understanding of Islam (in terms of creed, legislation, and morals) that reinforces the presence of the religion in the conscience of its adherents. On the other hand, we see that according to “Shi‘ite political Islam,” whose relationship with politics has evolved such that it considers politics an essential part of Shi‘ism, a person’s faith is incomplete without embracing politics and blindly following in the ranks of those Shi‘ite studies to which we referred above.

Accordingly, I use the term “political Shi‘ism” here as a more neutral expression when addressing Shi‘ism. This is to distinguish Shi‘ism as a religion that reflects a personal choice in the intellectual life of its followers from the Shi‘ism that presents itself as a political identity, without which a Shi‘ite cannot be a Shi‘ite.

Nor can he practice politics except in the name of Shi‘ism, with a sectarian identity and sectarian objectives.

In our appraisal, this political identity is a major evolution that has occurred since the early 1980s, after the fundamental change in the doctrine and rhetoric of Iraqi political Islamists. They defined themselves, their project, and even their problem within the Iraqi state as the “problem of Shi‘ite political identity.” This was at odds with the orientations of the older generation of political Islamists, who viewed their political problem within a broader framework, i.e., Islam. The generation of the founders (Muhammad Baqir al-Sadr, for example) saw its work as that of a popular storyteller of a politics awash in Iraqi patriotism. The supreme *marja‘iyya* in Najaf confronted a true challenge which required not provoking patriotic sensitivities. In its public rhetoric, al-Sistani’s *marja‘iyya* showed an unparalleled regard for such sensitivities. In fact, it strongly supported cementing them in a series of demands to respect the sovereignty of the Iraqi state, prevent foreign interventions, restrict weapons to state control, and build up its forces and security services. The *marja‘iyya* consistently called for attention to the public interests of all Iraqis across regions, cultures, sects, religions, and intellectual orientations.

4. Sectarian thinking and the political integration of Shi‘ites into their homelands

It speaks of its logic and objectives in cross-sectarian Islamic rhetoric. The slogan of the era was “Islam is the solution” or “Islam steers life” (the latter was the title of a book by Muhammad Baqir al-Sadr, who represents its intellectual project). Over time, however, after the revolution triumphed in Iran and the religious leadership there integrated religion into the system of the state, this rhetoric disintegrated and melted away. Its proponents got mired in the swamp of identity conflict. After the change in Iraq in 2003, the ideology of political Shi‘ism was limited to the literature of identity and shared presence in the state. There was a desire for a foreign political sponsor, alongside a clear disavowal of the burdens of responsibility for managing the state, building its institutions, and leading its development process.

This all coincided with the rise of global terrorism based on jihadist Salafism. The story of Middle East states’ alignments starts with sectarian backgrounds, regardless of the political pretenses. Any sectarian religious rhetoric was liable to put all the security agencies in those states on guard. Amid this flaring sectarian

madness, the rhetoric of the supreme *marji'* at the time tended to calm and not push religion into those disputes. More broadly, his rhetoric sought to integrate his followers into their national social surroundings, while recognizing the local particulars of the environment targeted in the rhetoric.

Shaykh Yusuf al-Bahrani (d. 1772), one of the most brilliant Shi'ite jurists in recent history, quoted the famous hadith expert Ni'mat Allah al-Jaza'iri (d. 1701) in the context of his remarks the Safavid state's sectarian policy and clerics' embrace of that policy. The clerics banished clerics from other Muslim sects from their villages and regions, and they insulted and cursed some Islamic figures, including successors of the Prophet and others, who were admired and respected by followers of those sects. Shi'ite scholars in Mecca wrote to religious scholars who held pulpits in Isfahan, the Safavid capital: "You insult their imams in Isfahan, and we at the Two Holy Mosques are tormented by these curses and insults."

This was a distress call and a complaint from the Shi'ites of the Hijaz to Shi'ite scholars in Isfahan about the tragedies that their attitudes and their involvement in regional politics caused the Shi'ites of the Hijaz. The issue today is not much different from what it was then, and dealing with this issue will be a major responsibility on the shoulders of the next *marji'*.

5. Rights and freedoms

Various currents and intellectual trends are constantly emerging in Iraq. The general sentiment created by the digital revolution and social media is growing steadily in the direction of freedom of opinion and expression, especially in matters related to personal spiritual life. Leftist thought has been common in Iraq since the 1960s, and there are ongoing clashes between these currents. The clashes sometimes reach the point of violence, defamation, or social harassment. In a country where people are quick to get excited about religious ideas, it is easy for such excitement to devolve into a serious threat to narrow individual freedoms and rights. The supreme *marji'* generally did not issue positions about public intellectual life, with the exception of the famous fatwa of then-*marji'* Sayyid Mohsen al-Hakim declaring communism to be "blasphemy and apostasy." The *marja'iyya*'s silence did not, however, stop other religious actors from becoming immersed in the conflict. Perhaps not much can be expected from the *marji'* in this context. The subject is essentially a social one, left to cultural circles' interactions with one another. Nevertheless, this does not mean the orientation

that the *marji'* fosters – whether openness and tolerance or isolation and militancy – will not be influential in those social circles. It is therefore projected that an additional challenge the next *marji'* will face will force him to guide the rhetoric and behavior of those who shape public religious opinion and steer it into a more prudent and rational path.

CHAPTER 2: **THE SHI‘ITE MARJA‘IYYA AND ITS ROLE IN IRAQI POLITICS**

Ibrahim Alebadi

INTRODUCTION

Since the establishment of the Iraqi state in 1921, Iraqi political life has never been without an influential religious actor, namely the Shi‘ite religious institution[6] and its leadership of senior *maraji‘* living in Najaf. It is a religious and scholarly capital with weighty historical symbolism. The *marja‘iyya* has enjoyed and continues to enjoy broad influence and considerable respect in social circles, allowing it to intervene in political affairs in service of the necessities and interests dictated by its religious responsibilities and the public's expectations of it. Its sway has undergone many changes throughout history. Some were linked to dynamic political realities, while others were linked to the personal disputes of the *marji‘* and his approach to issues of society and the state. Najaf's most notable impact of the modern age began with political events in Iran. There was the fatwa that *marji‘* Mirza Muhammad Hasan al-Shirazi (d. 1895) issued against consuming tobacco[7], then the leadership of the constitutional movement in 1906 and the so-called Mashrooteh Revolution* that followed. Meanwhile, Najaf had

6 To learn about the formation of the Shi‘ite religious institution, see Jawdat al-Qazwini, Tārīkh al-Mu'assasah al-Dīnīyya al-Shī‘īyya: min al-‘Aṣr al-Būwayhī 'ilā Nihāyat al-‘Aṣr al-Ṣafawī al-'Awwal (The History of the Shi‘ite Religious Institution: From the Buyid Era to the end of the First Safavid Era), Dar al-Khaza'in li-Ihya' at-Turath, second edition, 2014; Khalid Hantoosh, "Ḥawzat al-Najaf al-Barrānī wa-l-Juwānī" ("The Najaf Hawza: Inside and Out"), in Shī‘at al-‘Irāq ba‘d 2003: al-Ru'ā wa-l-Masārāt (Iraqi Shi‘ites After 2003: Visions and Paths), compiled and edited by Dr. Moaid Al Suwayint and Dr. Alaa Hamid, Dar Adnan, Baghdad, 2019.

7 Abdul-Hadi Hairi, Al-Tashayyu‘ wa-l-Dustūrīyya fī 'Irān: Dūr ‘Ulamā' al-‘Irāq fī al-Sīyāsa al-Irānīyya (Shi‘ism and Constitutionalism in Iran: An Study of the Role Played by the Persian Residents of Iraq in Iranian Politics), Institute of Shi‘ite Studies, Brill, Leiden, 1977, translation by Abdul Ilah al-Nuaimi, first edition, 2015.

* The marja‘iyya is a religious, social, and sometimes political authority made up of jurists who have completed all phases of religious study and are attested by experts. They present their opinions on matters of practical law that ordinary individuals have referred to them in order to understand the rules of worship and dealings in accordance with Shari‘a.

* Mashrooteh refers to limited government, i.e., any constitutional system of government.

an uneven impact in Iraq. It was initially active and effective in the years of the first national governing system, then retreated considerably to retrench during the first republican era. It withdrew sharply during the Ba'athist totalitarian period until the fall of the regime as a result of the 2003 U.S. invasion. Najaf has since returned as an important player in the political arena and one of the actors that makes up the current landscape of the Iraqi state.

Among the four senior *maraji*' who have been part of Najaf al-Ashraf, the most prominent and decisive role is the one Supreme *Marji'* Sayyid Ali al-Sistani has played during a very complex phase. Al-Sistani's presence in Iraqi affairs acquired paramount importance in framing the events following the fall of the Iraqi regime. He established an unexpected approach and methodology that distinguish him from other Shi'ite *maraji*' either in Najaf al-Ahsraf or in Qom, Iran[8].

Al-Sistani's role as an influential player in Iraqi politics can be traced by following the course of the second founding of the modern Iraqi state, after the U.S. occupiers took the first steps to regulate Iraqi affairs, create rule of law, and build institutions through a new social contract, or what they called "nation building."

This phase lasted from 2003 to 2010 and encompassed the constitutional foundation and institution-building. The second phase, from 2010 to 2017, consisted of monitoring political performance, criticism, and turning away from politicians as a means of protest to demand reform. The phase that followed was one of urgent demands for reform, wagering on mass movements, and intentional withdrawal from the political process. This last phase was full of protests and demonstrations, in particular the massive demonstrations that erupted in October 2019. Intense public anger took over, and it became a political movement demanding serious, fundamental reform of the political system after years of poor and disappointing performance[9].

8 Ali Abdul-Amir Allawi, Iḥtilāl al-'Irāq: Ribḥ al-Ḥarb wa Khasārat al-Salām (The Occupation of Iraq: Winning the War, Losing the Peace), translation from English by Atta Abdul Wahhab, Arab Institute for Research & Publishing, first edition, 2009, p. 312.

9 Al-Sistani had expressed his dissatisfaction with the performance of the political system as far back as the first demonstrations on February 25, 2011. In a statement the marji' issued about the demonstrations on February 26, 2011, he demanded improved government performance. He also warned early against "the consequences of continuing the current approach to administering the state, which could slow the enactment of radical solutions to citizens' problems" (see the official website of Sayyid al-Sistani's office, www.sistani.org).

Al-Sistani’s vision of the state emerged as a complete whole during these three phases. He expressed new ideas about the role of Islam in the state, the legitimacy of the political system, the position of the jurist with the rank of supreme *marji‘* within the state, citizenship rights, sovereignty, national identity, public freedoms, and minority rights. These are the problematic issues about which Shi‘ite jurists have debated and theorized for more than a century. Al-Sistani’s views on these issues have created a methodology resting on the belief that we are facing an entirely modern vision. As such, it is valid to assert that al-Sistani has a theory of the management of public political affairs that is responsive to the demands of the modern state and consistent with the aspirations of social classes and the constitutional entitlements of the full spectrum of the ethnically, religiously, and politically diverse Iraqi nation.

This study is based on the premise that the Najaf *marja‘iyya*, in the person of Supreme *Marji‘* Ali al-Sistani, helped to define the features of the current political system. It strove to build a constitutional state appropriate to Iraq’s circumstances and responsive to the complex challenges of its social and political environment. At the same time, it transcends the conflicts between religious legitimacy and political legitimacy and the resulting conflicts between political Islam and the opposing forces. Such conflicts have colored the history of the region in general, and Iraq in particular. Nevertheless, al-Sistani’s ambition to see the constitutional state boost Iraq ended in an aborted dream due to several factors that we will address in the course of the study.

This study will include a series of themes directly related to the subject under discussion:

1. The rhetoric of the *marji‘* and his approach to Iraqi political affairs, 2003-2010
2. The rhetoric of the *marji‘* and his approach to Iraqi political affairs, 2010-2021
3. The prospects for the rhetoric and legacy of the *marji‘* to carry on or dwindle after al-Sistani’s passing (visions of the future)

All this will be explored through an analytical, descriptive approach and facts relevant to the topic at hand.

THE RHETORIC OF THE MARJI‘ AND HIS APPROACH TO IRAQI POLITICAL AFFAIRS, 2003-2010

When Iraq was occupied on 9 April 2003, chaos prevailed. The law that had governed the relationship between the authorities and civil society vanished, and there were instances of looting and sabotage of public facilities, in social behavior that is familiar – albeit limited – when deterrence is absent and the rule of law collapses. People acted en masse, some of them in mobs, amid universal anxiety and the total collapse of institutions and services. The general Shi‘ite public in Iraq began to turn toward Najaf, the seat of the *marja‘iyya* and the moral authority that still maintains its influence on followers’ behavior by virtue of relationship and the devotion that this institution of religious knowledge creates between individuals and major *mujtahid*s. The first inquiries that the *marja‘iyya* received from people were about the lawfulness of taking over public institutions, buildings, and funds, or those meant for public benefit. In parallel, the political climate was raging with grave questions such as how to deal with the occupation authorities. The jurisprudence and political thought that have been handed down refer to the necessity of resisting forms of foreign power and rejecting submission to occupiers’ dictates and political legitimacy. The social and political history of Iraq retains an active memory in which patriotic sentiments are united with religious emotions and the principles derived from inherited Islamic belief and jurisprudence. It was predictable that there would be a violent clash between the occupying power and those who rejected its presence[10]. The most dangerous thing about the situation, though, was the absence of a political project on the part of this “resistance.” There was potential for the spread of violence to undermine the minimum of social peace in the absence of any form of authority other than the occupying power, which began making more mistakes.

The *marja‘iyya* in Najaf realized that it would be vulnerable to the pressures of radical trends that promote violence as the only option for resisting occupation, based on a consciousness derived from previous historical models and the new resistance climate prevailing in the region. The *marja‘iyya* also recognized the imperatives of avoiding bloodshed and safeguarding societal cohesion against

10 Reidar Visser, “Sistani, the United States and Politics in Iraq: From Quietism to Machiavellianism?”, Norwegian Institute of International Affairs; Iraqi Shi‘ites After 2003, op. cit.

the repercussions of armed violence. It was motivated by a desire to preserve its social capital and the symbolism and strength of its presence, as well as answering questions about the stance of Shari'a toward the new political reality. The supreme *marji'* forced a vision that would have a profound impact on Iraq's political future. At the same time, he affirmed the *marja'iyya*'s independence and rejection of pressures. It was not eager to blend politics and religion, in light of a principle adopted from jurisprudence that neither favors the jurist's absolute guardianship nor narrows it to the minimum scope of fatwas, the judiciary, and limited probate matters, which have customarily been the main duties of the *marja'iyya*. We have before us a vision that mediates between two trends.[11] Al-Sistani adopted a realistic middle road between the trend that broadens the jurist's guardianship to a controversial extent and the trend that narrows the jurist's role and guardianship to a minimum. Iraq's circumstances and the general sociopolitical context have imposed a new approach for the *marja'iyya*. It continues to differentiate between the religious and political spheres, and it has framed its participation in public affairs as less of a political or ideological project, than a response to the (standing) and responsibility of the *marja'iyya*. This participation, however, has been highly knowledgeable and sophisticated, and it deserves to be a model of what a religious actor on the level of the supreme *marji'* should be. This model for a *marji'* is likely to become a legacy that will be difficult to undo. Many political, social, and religious actors acquiesced to this actor that is so influential[12] that no other actor can compete with it. Everyone still needed its consent, its signatures, and the legitimacy and support to be derived from it. Thus, the *marja'iyya* recovered its stature not only in public affairs, but also in political affairs. There was no other force capable of achieving a "major political accomplishment." Moreover, the *marja'iyya* was marked by a lack of political ambition, practical wisdom, and moderation in an environment that tends toward extreme political attitudes.

This approach allowed the *marja'iyya* to be a component of societal balance and a safety valve in an anxious environment. This attracted the attention of the international community and regional neighbors and earned it tremendous moral capital to push for the rebuilding of state institutions through elections

11 Ali Taher Alhammood, Jamrat al-Ḥukm: Shī'at al-'Irāq wa Makhāḍāt Binā' al-Dawla wa-l-Umma ba'd 2003 (The Ember of Governance: the Shi'ites of Iraq and the Birth Pangs of Building the State and the Nation After 2003), University of Kufa, first edition, Beirut, Lebanon, 2017, p. 125.
12 Mohammed Jamil Odeh, Al-Ishāmāt al-Sīyāsīyya fī Fikr al-*Marji'* al-Dīnī 'Alī al-Sistānī fī al-'Irāq ba'd 2003 (Political Contributions to the Thought of *Marji'* Ali al-Sistani in Iraq After 2003), unpublished Ph.D. dissertation, University of Baghdad, Faculty of Political Science, 2018.

and universal suffrage, and for tensions and clashes to be reduced to manageable levels. Al-Sistani understood the violent reactions to sectarian violence pursued by extremist Sunni organizations that bet on religious and sectarian strife to achieve their goals in Iraq.[13] Al-Sistani contributed to Najaf's serious return to laying the foundations of a modern constitutional state. He insisted that law and institutions be the framework for the Iraqi political and bureaucratic movement. Under al-Sistani, this was not just theoretical, as it had been during the era of the great *mujtahid* Mirza Na'ini (1860-1936),[14] but practical. Al-Sistani went further than Na'ini in insisting on constitutionalism, the citizens' right to vote, and free will in choosing the right form for the political system.[15]

These basic principles, which became the core of the 2005 Constitution, would not have been easy to achieve if the Najaf *marja'iyya* had not insisted on rejecting any legitimacy other than the legitimacy of elections and a constitution codified by an assembly selected by the public itself. A question arrived in Najaf on June 25, 2003, addressed to al-Sistani from a group of individuals. They asked him to state "the stance of Shari'a" on the American project to appoint a council to write the constitution, which would merely confer with political and social actors, after which the constitution would be submitted to public referendum.

The question was worded carefully, as if the wording had been suggested by circles close to the *marji'*, or Sayyid al-Sistani's *marja'iyya* wanted to state its position in the form of an inquiry about Shari'a. Such inquiries were the public's usual practice when seeking clarification and answers about religious duties that should be performed. Sayyid al-Sistani answered promptly and in a way that frustrated the American project in its early stages, as the supreme *marji'* insisted that:[16]

1. The occupiers have no authority to appoint members of the constitutional council.

13 Salah Abdul Razak, Al-'Irāq wa al-Islām al-Siyāsī wa Dūr al-Islām al-Shī'ī fī al-'Irāq al-Mu'āṣir (Iraq, Political Islam, and the Role of Shi'ite Islam in Contemporary Iraq), Dar al-Qanadil for Publishing and Distribution, Baghdad.
14 Abdul-Hadi Hairi et al., Muḥammad Ḥusayn al-Nā'īnī wa Ta'sīs al-*Fiqh* al-Sīyāsī (Muhammad Husayn Na'ini and the Founding of Political Jurisprudence), translated by Muhammad Hussein Hikmat, Al-Hadara Center for the Development of Islamic Thought, Beirut, first edition, 2012.
15 Ali Taher Alhammood, op. cit.
16 Al-Nuṣūṣ al-ṣādira 'an Samāḥat al-Sayyid al-Sīstānī fī al-Masa'la al-'Irāqīyya (Texts Issued by His Eminence Sayyid Al-Sistani on the Iraqi Question), compiled by Hamed al-Khafaf, Arab Historian Publishing, Beirut, Lebanon, seventh edition, 2017, p. 35.

2. An appointed council cannot guarantee the creation of a constitution that serves the supreme interests of the Iraqi people and expresses their national identity, one pillar of which is Islam and noble social values.

3. For the constitution to be accepted and legitimate:

   - First, general elections must be held to enable every eligible Iraqi to elect his or her representative on the constitutional council.
   - The constitution must be voted on once it is codified.
   - Sayyid al-Sistani obligated "believers" to demand the achievement of this important thing and to make the best possible contribution to its success.

   In this answer (fatwa), the supreme *marji'* laid a foundation of resistance and pressure through peaceful mass demands insisting that the writing of the Iraqi constitution be a purely local matter, without the interference of the occupying forces' agendas. This was the beginning of a tacit confrontation between the supreme *marji'* and the U.S.-appointed civil administrator, Paul Bremer. It became a political struggle that forced the U.S. administration to concede when al-Sistani wanted the United Nations to be the mediator supervising the creation of Iraqi basic law and the transitional phase[17] until the political order stabilized under the new rules.

This active involvement at the ground level meant that the *marja'iyya* would be a negotiator in the course of subsequent events, such as the Najaf crisis and the preparations for the constitutional referendum. Political forces then participated in discussions to choose someone to fill the post of prime minister. This movement encompassed all forms of rejection and resistance, and it paved the way for extremist trends that would transform the conflict in Iraq into a game of weapons and major ideological slogans. Iraq was awash in blood and violence, and its political outlook was unclear. Despite its effectiveness, this step was not enough on its own to steer political action in Iraq into moderate, peaceful trends. Violent terrorism broke out, fueled by extremist thinking along lines of religious and sectarian differences, and it bore destructive retaliatory tendencies. It plunged Iraq and its vicinity into an extremely dangerous phase that undermined the fragile foundations of the state-building process. Iraq became an arena for

17 Hamed al-Khafaf, ibid. Dr. Ghassan Salamé, the UN Deputy Envoy to Iraq, spoke about this period and al-Sistani's position at the time, confirming his determination and insistence on standing up to the U.S. civil administrator. See ...

settling multiple conflicts, making it imperative to look thoughtfully at the risks that would arise from conditions sliding into sectarian wars, religious conflicts, and an unmanageable division of civil society.

In fact, the *marja'iyya*'s plans had not gone as expected. They ran into various obstacles such as the flare-up in conflicts among sects, components of society, and political parties, as well as lack of awareness among the forces managing the transitional phase, and regional forces' mistrust of the political project in Iraq, which was linked to the U.S. vision of spreading democracy in a region full of authoritarian regimes. The prevailing sense among Iraqi Sunnis was that they had lost power and had to work to prevent the erosion of their previous dominance over state institutions.[18] Many Sunni religious, political, and social actors feared that there would be "winners and losers" in the formula for governing Iraq. Shi'ites and Kurds would be the winners, and Sunnis would be the losers. The general Sunni mindset was to boycott, and many of them abstained from voting on the constitution. Others spurned political participation, and a fourth category opted to take up arms on the pretext of confronting the occupation.

This scenario was in vogue in the media and had Arab support at the official and popular levels, but it was a destructive choice in light of the mingling of terrorism with "resistance" and the multiplicity of violent groups that had adopted this slogan.

In addition, some Sunnis did not want the Shi'ite supreme *marji'* to have a strong presence in the constitutional process. Their worst fears was that Shi'ites would dominate the new system, with a religious authority represented by the top *maraji*'. This caused many intermediaries to express their concerns about sectarian power, given the numerical dominance of Iraqi Shi'ites. Together with Iraqi Kurds, who had suffered repression and marginalization for decades, Shi'ites were the group that benefited most from the fall of the Ba'athist regime. These concerns were dispelled, however, when Sunnis, secularists, "civil" circles, and nationalist and leftist political forces assured that the involvement of religious authority would be limited to general principles and overall frameworks. It was not a tenet of the *marja'iyya* that it would exceed its basic function of teaching religious lessons, acting in a guidance and direction capacity, producing meaning, and propagating moral standards.[19] These assurances were made early to head off

18 Ali Allawi, op. cit.
19 Hamed al-Khafaf, op. cit.

attempts at raising concerns about the *marja'iyya*'s role and expression of its views on critical issues. In response to a Los Angeles Times correspondent's question about the role al-Sistani believed the hawza has in political life, he said, "The hawza's primary role is teaching, guidance, and religious education." He anticipated, however, that this would "not prevent the *marja'iyya* from expressing its opinion at important junctures in the life of the people, such as the preparation of the country's permanent constitution."[20]

A state that belongs to the nation, not the jurist

Throughout the founding years, the supreme *marji'* insisted that his intervention in political affairs would be limited to situations of actual need, pragmatically dispelling the concerns and dilemmas many circles expected about the limits of the *marja'iyya*'s "intervention." Would it mean overseeing the system of government in a sort of religious guardianship? Or establishing an "Islamic" state in which the jurist is the supervisor and superintendent of the activity and general orientations of the political system? Or Shi'ite dominance over the state because of their numbers and the effectiveness of the *maraji'*?

The responses negated these concerns and misunderstandings clearly. Al-Sistani rejected the "religious state" and said, in answer to a question about whether he was calling for a state similar to the one in Iran, "The formation of a religious government based on the jurist's absolute guardianship is not a possibility."[21] He continued Na'ini's approach of advocating that the nation alone should have the right to choose the system of government it deems best, as "the people are the source of the authority, which derives its legitimacy from them."[22] His sole reservation was that the system should be compatible with the society's identity, values, and the tenets of its Muslim majority, with explicit emphasis on preserving the rights of religious minorities in accordance with the rules of citizenship.[23] He also rejected a larger role for the Hawza in political life[24] and prohibited clerics from holding positions of executive responsibility: "The *marja'iyya* is not interested in the Hawza taking up political action, and it suggests that clerics should refrain from accepting government positions."[25]

20 Ibid., p. 52.
21 Hamed al-Khafaf, op. cit., p. 47.
22 Shaykh Abdul Mahdi al-Karbalai, Friday sermon in Karbala on December 20, 2019.
23 Ibid.
24 Ibid.
25 Hamed al-Khafaf, op. cit., p. 299.

He also rejected a sectarian identity[26] for the state: "Iraq is not governed by a sectarian or ethnic majority but rather by a political majority constituted at the ballot box from the various components of the Iraqi people." His focus was on the centrality of elections and building authorities in accordance with electoral legitimacy originating in free will.

From all the positions and statements issued from all the *maraji'* in Najaf,[27] in particular al-Sistani, and from the course of events, it can be concluded that the religious authority did not change its function or its traditional approach despite the change in political conditions and the great opening that allowed senior clerics to express their views, ideas, theories, and jurisprudence. They did not tend to exercise some kind of power and political control over their followers' behavior because they did not take into account the centrality of the jurist's control of the state. All these conceptions called for making Iraq a pluralist, constitutional state in which the power structures would be formed and public policy would be made based on the logic of consultation, pluralism, and democracy.[28] Minorities would have strong protection while respecting majority opinion.[29] As for foreign relations, the Najaf *marja'iyya* publicly demanded Iraqi openness to the regional environment and balanced foreign relations. At a later stage, the *marja'iyya* became more explicit in calling for Iraq to be a pluralist, democratic state committed to constitutional legitimacy, in which the people elect the authorities through regular, free elections and power is transferred peacefully. This amounted to a declaration of the theory of the state[30] that Sayyid al-Sistani wanted to serve as the foundation in Iraq. It contrasted with the views of many jurists who approached a theory of the state from theological perspectives centered on the jurist's authority as the Hidden Imam's deputy in accordance with Twelver Shi'ite theology and jurisprudence.[31]

26 Hamed al-Khafaf, op. cit., 2009.
27 Three other *maraji'* issued limited statements in support of the Constitution and elections.
28 The writer of these lines argued that al-Sistani had a theory the administration of the state, just as other jurists had theories on the topic. Others have rejected the existence any such theory, claiming that neither were there indications of it in al-Sistani's lessons on jurisprudence, nor did he write a separate book on it. Nevertheless, the sum of al-Sistani's remarks after signing on to the writing of a constitution, his precise observations about its content and text, and the subsequent statements he made through Friday sermons point to an integrated theory of the state that is very close to that of the father of modern Shi'ite political jurisprudence, Mirza Na'ini.
29 Hamed al-Khafaf, op. cit.
30 The word democracy did not appear in any of *Marji'* al-Sistani's statements, only "democratic mechanisms." This means he was wary of adopting the term because of its connotations, which are incompatible with the Islamic philosophy of governance and which have provoked intellectual controversy in the region for more than a century.
31 Abdul Jabbar Al Rifai, Mafhūm al-Dawla fī Madrasat al-Najaf: Sīyāqāt al-Mafhūm wa

The *marja'iyya* in Iraq was not without competition or disarray. There were attempts to devalue the views and positions al-Sistani expressed, based on the assertion that they introduced nothing new to the traditional mode of the *marja'iyya*. Al-Sistani was also accused of "entangling" the Hawza in political stances when it was not his place to do so, especially when his office participated in the consultations held "at some stages of the political process in Iraq" to select a prime minister. This forced the Hawza to bear some of the cost of failed government performance in Iraq. These criticisms originated from the competition between the traditionalist and movement schools in the *marja'iyya*. Some circles of Shi'ite political Islam still characterized al-Sistani as not rising to the level of a movement *marji'* with broad immersion in political affairs. Some of this criticism was due to discomfort with al-Sistani's conservative positions, which did not keep pace with the aspirations of movement political forces. They poured out their anger onto al-Sistani's office and his eldest son, Mohammed Ridha, and began hunting for corruption in institutions administered by al-Sistani's delegates to undermine him.[32]

Various preoccupations and interpretations of the jurisprudential legacy and the history of the *marja'iyya* allowed competition to emerge and power centers to multiply within scholarly circles, which then moved into the social arena. Shi'ite public opinion also became divided as a result, which explains the motives for the political behavior of certain forces and factions within "Shi'ite political Islam" that were positioned on the side opposite the supreme *marji'* in Najaf. These factions did not hide their association with Shi'ite *maraji'* in Iran. They were always marked by seemingly "radical" attitudes, sometimes in the name of revolutionary Islam and at other times in the name of resistance Islam.

Mention can be made here to the *marja'iyya* of Supreme Leader of the Islamic Republic Ayatollah Ali Khamenei (b. 1940) and that of Sayyid Kazem al-Haeri (b. 1938), who maintains a kind of relationship with Iraqi Shi'ite forces. Based on political calculations, some Shi'ite circles outside and perhaps also inside Iraq worked against the restoration of the Najaf *marja'iyya*'s aura and centrality

Taḥawwulātuhu fī al-Tārīkh al-Qarīb mīn al-Shaykh al-Nā'īnī 'ilā al-Sayyid al-Sīstānī (The Concept of the State in the Najaf School: The Contexts and Transformations of the Concept in Recent History from Shaykh Na'ini to Sayyid al-Sistani), seminar on Priorities for Reform in the Islamic World: State and Citizenship, Istanbul 2010, Al-Kawakibi Democracy Transition Center and the Turkish-Arab Society for Science, Culture, and Arts

32 Some writers affiliated with Islamist political parties have launched media attacks against Sayyid al-Sistani's *marja'iyya* but have refrained from touching on him personally because they understand the risk of this approach. Instead, they merely criticize his office.

in the Shi'ite world, favoring the Qom Hawza. This kindled sensibilities fearful that Najaf's role might again reach enormous proportions. Those concerned began to contribute expertly to weakening the *marja'iyya*, exercising a kind of political guardianship, and vying with al-Sistani's positions through a parallel rhetoric about Iraq's issues and problems and the political movements on its soil. The views of Iranian *maraji'*, especially those of the supreme leader, began to reverberate inside Iraq – loudly at times, quietly at others – through branches, institutions, and tools of influence that had been created with great dedication and patience. There was an effort to avoid a clash with the supreme *marja'iyya* in Najaf, as that would have serious consequences that would create major political polarization among Shi'ites in Iraq. One current was committed to operating under Najaf's auspices, and the other was loyal to the supreme leader in Iran, adopting his perspective and linking to his executive and institutional channels. This enabled Iran to become an influential player and component in the Iraqi political landscape. Its association with Iraqi political forces and armed factions helped it to play the role of the dominant mediator, the negotiator, and sometimes the ultimate decision-maker. It sought to make Iraq the focal point of resistance, a front line in the fight against terrorist organizations, and a tool to vex the American project. This was plain to see after the military victory Iraq achieved over the Islamic State in 2017 following a national mobilization enabled by a fatwa al-Sistani issued on 13 June 2014, which was a call to defend Iraq. The fatwa contributed to the birth of a new military formation called the Popular Mobilization Forces (PMF), which armed groups within the Iranian sphere of influence quickly employed to remain under PMF auspices and become a partner in the political landscape. This led Iraq into a sociopolitical struggle between forces enthusiastic about Iran's role and those opposed to it. The latter were under the auspices of al-Sistani's *marja'iyya*, which had tried for years to prevent interference by others, whether Iraq's neighbors or superpowers, especially the United States. Al-Sistani was aware of the importance of preventing Iraq from falling victim to a regional and international power struggle. As such, he stridently warned against foreign intervention, calling on Iraqi political forces to resist bullying by external forces, whatever their intentions and motives. He advocated for Iraq to be its own master, with no role for outsiders* in its decisions and rule based on the will of the people. Prudent governance would serve all citizens, whatever their ethnic and religious affiliations.[33] Al-Sistani's

33 Al-Sistani's statement in the Friday sermon on 10 January 2020.

* The word "outsiders" caused an uproar in Shi'ite circles in Iraq. The pro-Iranian currents tried to

calls, however, fell on deaf ears. The *marja'iyya*'s advice was in vain. But that did not prevent Najaf from becoming the most important place in Iraq, drawing politicians, intellectuals, and clerics not only from inside Iraq but from around the world.

International political circles recognized that al-Sistani had an important message that the audience should pause to consider. He was the *marji'* with the largest following and the most powerful Shi'ite spiritual leader in the world. He remained widely influential and powerful. This was demonstrated on several occasions: his tireless efforts to prevent Iraq from sliding into sectarian war between Shi'ites and Sunnis in the wake of the February 2006 bombing of the tombs of the 10th and 11th Shi'ite imams in Samarra; his pressure to stop the Israeli attack on Lebanon in 2006; and his reception of senior political delegates from Iran, Lebanon, Bahrain, Turkey, the United Nations, the Arab League, and the Organisation of Islamic Cooperation. These delegates' consultations with the supreme *marji'* and efforts to learn what he was thinking were not a matter of indulgence and flattery. The latest of Najaf's guests was Pope Francis, whose visit to Iraq in spring 2021 and his historic meeting with *Marji'* al-Sistani triggered Iranian and Iraqi outrage[34] that quickly retreated under the pressure of the positions that emerged from the spiritual summit between the world's two greatest religious leaders.

The supreme *marja'iyya*'s most important political and intellectual contribution may be its explicit adoption of the constitutional nation-state project as the "practical sponsor" of this state, albeit one that is not provided for in the Constitution. The stability of this state, the power of its laws, and the strength of its institutions are the only guarantee of its citizens' rights. The focus in this rhetoric on the rights of citizenship, equality among citizens, and equal opportunity reinforces the culture of the modern state and encourages individuals to commit themselves, in terms of civil law and Shari'a, to relationships based on national identity rather than other identities that have become a source of division, tension, and conflict. Thus, the *marja'iyya* continued to repeat its calls to support the security services, collect looted weapons,[35] and entrench the principle

interpret it as not including Iran. In fact, al-Sistani meant non-Iranians, as he is Iranian himself. This quarrel was clearly caused by evasion of the content and implications of this explicit call for non-Iraqis – Shi'ite, Sunni, or otherwise – not to interfere.

34 Rewaq Magazine, published by Rewaq Baghdad Center for Public Policy, devoted a full issue to negative reactions in Iran to the pope's visit, Issue 5, 2021.

35 *Marji'* al-Sistani's statement after his meeting with UN Envoy to Iraq Jeanine Hennis-

of peaceful coexistence among diverse groups on the basis of cooperation in pursuit of the common interest.[36]

It is noted that *Marji'* al-Sistani's remarks were a clear departure from the thinking of other *mujtahid*s and jurists, who tend to approach the issue of power and the state from the perspective of Shi'ite political theology. Many Shi'ite jurists in the last 50 years described their conceptions of the model for an Islamic state,[37] and few tried to avoid the sultanate model that prevailed across Islamic history. There is a major difference between the modern constitutional state and the sultanate. The former strips jurists of the right to govern or delegate the power of governance to others. It even separates religion from politics and grants sovereignty to the nation as a whole. The sultanate, on the other hand, regards the nation as the subjects of a patron who obtained his power by religious dictate or as delegated by someone with the power to do so in accordance with such a dictate. This has occurred in the history of Islamic countries, including Shi'ite states, most notably the Safavid state.[38]

The jurist's relationship to the state appears limited and conditional. The legitimacy of the state does not require the presence of a jurist at its head, or even a deputy of a jurist. The jurist does not exercise this authority over public affairs in the absence of the people's choice or acceptance. The jurist's powers are seen as limited to safeguarding the public interests on which the social order depends, and the jurist must be acceptable to the general public.[39] Iran therefore became extremely sensitive about the model advocated by al-Sistani. It outrages the hardline forces that see it as a victory for forces dedicated to the citizens' free will rather than a restricted will, which gradually undermines the legitimacy of any authority not based on free will. There is discussion among some in Iran about the limits and scope of the Guardianship of the Islamic Jurist, and it encourages drawing on other theories of jurisprudence, including al-Sistani's

Plasschaert on September 12, 2020.

36 Al-Sistani opposed the Kurdistan Region referendum on May 25, 2017. In a statement, he called for compliance with the Constitution and the preservation of Iraqi unity (statement issued by Sayyid al-Sistani's office on the official website of al-Sistani's office on May 9, 2017).

37 To learn about theories of governance in Shi'ite jurisprudence, see the Iranian researcher Mohsen Kadivar's book by the same title, Beirut, Dar al-Jadid, first edition, 2000.

38 Wajih Kawtharani, Al-Faqīh wa-l-Sulṭān: Jadalīyat al-Dīn wa-l-Sīyāsa fī Irān al-Ṣafawīyya al-Qājarīyya wa-l-Dawla al-'Uthmānīyya, (The Jurist and the Sultan: The Dialectic of Religion and Politics in Safavid and Qajari Iran and the Ottoman State), Arab Center for Research and Policy Studies, Beirut, 2017; and Fuad Ibrahim, Al-Faqīh wa-l-Dawla: al-Fikr al-Sīyāsī al-Shī'ī (The Jurist and the State: Shi'ite Political Thought), Dar al-Murtadha, Beirut, 2015.

39 Ali Taher Alhammood, op. cit.

theory, especially given the repercussions of certain very costly policies in terms of economic, political, and cultural freedoms and choices. This has motivated opposition to the “exclusive” mode of authority applied by the Iranian model.

Observing the expansion of the social forces inclined toward al-Sistani’s model inside and outside Iran, the Shi‘ite forces who uphold the absolute model of Guardianship of the Islamic Jurist have awakened to the future danger of the success of this model. Also dangerous would be the success and stability of the constitutional state model in Iraq, where it enjoys religious legitimacy endorsed by the highest Shi‘ite authority in Najaf al-Ashraf. Some researchers therefore tend to attribute the current squabbles and divisions among Shi‘ite forces in Iraq to what they see as a power struggle between an independent Iraqi model of a Najafi bent and a model linked to the Guardianship of the Islamic Jurist. The latter does not take Iraqi nationalism into account and is indifferent to the Iraqi political and social complexity that al-Sistani views pragmatically. He wagered on a model that achieves the interests of Iraqi diversity, simultaneously preserves the cohesion of the state, and prevents the outbreak of never-ending conflicts over interests and identities. The vision of the supreme *marja‘iyya* in Najaf encountered three obstacles that undermined the stability of the modern state in harmony with itself and balanced in its external role and regional relations. These obstacles were:

1. The newness of the Shi‘ite political experience, the actors’ lack of expertise; the predominance of experimentation, quick solutions, and political, security, and economic improvisation in their governing behavior; and the fact that most Shi‘ite Islamic parties do not align with al-Sistani’s vision.

2. The mismatch in priorities between the Iranian political project and the Najaf *marja‘iyya*’s vision for state-building in Iraq. The Iranian project is still oriented toward protecting Iranian national security, with everything that requires in terms of putting Iran in a central, leading role for all the Shi‘ite Islamic forces to join in its battles against other actors’ regional and international projects. Iran has succeeded in making Iraq pay the price of its conflicts with its enemies in the region, just as the United States succeeded in inducing an anti-Iran trend to defend Iraqi sovereignty, national identity, and interests.

3. The pressures of the Arab neighborhood and its use as leverage by political forces and armed Sunni groups to thwart the new state in Iraq.

Each of these obstacles had a role destructive to the state-building project and frustrating to its objectives. The *marja'iyya* hoped that Iraqis would overcome efforts to sow division and fights over power and wealth, and that they would do so through a new institution codified to manage social complexity, amid national consensus that would serve the interests of various forces and groups. Instead, competing interests and growing suspicions and fears made Iraq an environment conducive to launching political violence in many guises. Sometimes it was in the name of resistance to occupation, and sometimes in the name of establishing an Islamic caliphate. With the addition of the various agendas of neighboring countries and the influential powers in Iraq, the country became the locus of regional fights. The resulting financial bleeding and economic paralysis impacted the legitimacy of the existing authorities in light of their inability to achieve anything significant enough to counter the continuous erosion of constitutional legitimacy.

THE RHETORIC OF THE MARJI' AND HIS APPROACH TO IRAQI POLITICAL AFFAIRS, 2010-2021

By the end of 2010, the relationship between the *marja'iyya* and political forces began to take the shape of an actual crisis. The political divide deepened considerably, not in terms of vision but based on the use of political and administrative positions to entrench parties in the structure of the state. A factional, clientelist relationship began to form between powerful players and the party rank-and-file, which sought to maximize their benefits and interests. As the concept of transitional and consensual justice skewed toward horizontal and vertical divisions of power in the form of quotas that impoverished government performance, the *marja'iyya* realized that open-door policy and accountable patronage were no longer successful means to support nation-building. It protested by closing its doors to politicians to block attempts to bully the *marja'iyya* and leverage that through politics and propaganda.

During this period, the rhetoric of the *marji'* turned critical and cautionary. General indicators suggested that trust between politicians and the public was diminishing. The new system's political legitimacy had lost much of its viability in light of corruption that was politically legitimated and accepted based on the logic of ethnic and sectarian quotas. Service and security problems piled up,

economic output and development lagged, and complaints escalated across the country. Politicians directed some of their blame at the *marja'iyya* itself because it had once been a patron and moral support for the political forces that had been ascendant in the political arena. The expected action in a case such as this was to strip the political forces of the support the *marja'iyya* had inspired among the public, close lines of direct contact with those forces, and return to the long-standing separation between religion and politics. This was reflected in the Friday sermons through which the *marja'iyya* delivered messages to the public, politicians, and the outside world alike.

The critical rhetoric took several tracks and embodied the basic function that al-Sistani believes the jurist serves in the state: supervision, direction, guidance, and defense of the people's interests in the face of authorities that encroach and seize privileges and become an oligarchy in a society suffering from enormous problems. Al-Sistani criticized privileges, failing services, and poor political, security, and economic performance. His rhetoric expressed his discontent with rampant corruption.[40]

The supreme *marji'*yya's public rhetoric after 2010 was indeed a departure from the language and vocabulary of traditional religious rhetoric. It did not use traditional religious language; the vocabulary and language were modern and up to date. It disclosed that the conceptual background of the vocabulary and terminology had been modernized and developed considerably, compared to the familiar practice of religious actors. It is not surprising, then, that Sayyid al-Sistani's rhetoric strove to institutionalize a connection to nationalist content with all Iraqi communities: Kurds, Sunnis, Christian religious minorities, Yazidis, Sabians, and others.[41] This was not a result of a pragmatism serving the *marja'iyya* and its traditional paternalism in a society where there is no delineation between the modern bureaucratic state, with its rationalist and legal structures, and religious leaders and institutions born of theological traditions, customs, and structures.[42]

40 Over the last several years, al-Sistani has offered a road map for political reform. In it, he proposes a package of measures to combat corruption, reduce politicians' substantial privileges, and counter quotas, which have given rise to major corruption, bureaucratic failure, and considerable wastage of funds. The Iraqi political class, however, failed to learn from any of it except for some steps taken by Haider al-Abadi's government, which it was unable to continue despite the support the *marja'iyya* gave him. This frustrated the *marja'iyya* and caused it to close its doors to politicians.
41 Salah Abdul Razak, op. cit.; Mohammed Jamil Odeh, op. cit.
42 Dr. Sabino Acquaviva and Dr. Enzo Pace, La sociologie des religions: Problèmes et perspectives, translated by Dr. Izz al-Din Inaya, Abu Dhabi Authority for Culture and Heritage, United Arab

The premise for this was a developed, renewed vision of the nature of the relationships among segments of society. According to this vision within the *marji'*yya, the stability of the state is contingent on the participation and consent of the majority of the social and political forces of various religious, sectarian, and cultural backgrounds because the modern state is founded on citizenship, participatory action, and intertwined interests. The *marja'iyya* adopted the causes of Sunnis, Kurds, Turkmens, Christians, and other religious minorities. It did so out of a conviction that the state must be for all its citizens and that a majority's or minority's centrality and dominance of the political space entails a violation of others' rights, spurring backlash and creating tensions that start in politics and the media and end in violence.[43]

Although Sayyid al-Sistani pulled away from the Iraqi political class in protest, he was not isolated from the major challenges that Iraq faced. The political security situation began to decline sharply into chaos, with government institutions clearly unable to address the magnitude of these challenges properly. The protests and demonstrations in majority-Sunni areas of western Iraq in 2013 were a definite consequence of political division and the deterioration of trust among the forces sharing in power. Terrorist groups turned political incitement and tribal loyalties to their advantage to organize within protests and find opportunities to market their sectarian rhetoric and violent behavior as the "Sunni response" to the so-called "sectarianism of power." Tribal mobilization was integrated into the plans of the Islamic State and Sunni military organizations advancing toward Baghdad to topple "Shi'ite power." These ambitious forces quickly came to believe that they could bite off outlying areas and seize them from Iraqi state control. They planned to topple the cities. They began in Fallujah, near Baghdad, and the threat loomed over the capital itself. It was possible that the parliamentary elections in spring 2014 would be an opportunity for a new division of power and containment of the Thuwar al-Asha'ir, or "tribal revolutionaries," as they called themselves. None of that happened. The fast-moving events in Syria encouraged the Islamic State to exploit the rapid collapse of the pillars of authority in Arab areas of Iraq

Emirates, first edition, 2011.

43 "The supreme *marja'iyya* has no special interest and no relationship to any party in power. It is biased only toward the people, and it defense only the people's interests. It affirms what it declared in April 2006 when the government was formed after the first House of Representatives elections, that it did not curry favor with anyone or any side. ... It monitors government performance and points out the flaws when necessary. Its voice will remain with the voices of the oppressed and deprived among this people wherever they may be, making no distinctions in terms of affiliation, sect, or ethnicity" (Friday sermon on 11 October 2019, from the official website of Sayyid al-Sistani's office).

so that Iraqis would wake up to Islamic State banners advancing toward Baghdad after the largest cities of the west and northwest had fallen (Mosul, Tikrit, and dozens of other towns).

At this fateful moment, the supreme *marja'iyya* issued a fatwa calling on those capable of bearing arms to join security and military institutions in defense of the country and to confront the terrorist threat. The fatwa stirred new controversy inside and outside Iraq based on its far-reaching objectives.

The fatwa roused Iraqis' enthusiasm to volunteer and defend the country, but it simultaneously angered Islamic, Arab, and Iraqi Sunni forces with its sectarian repercussions. The fatwa was seen negatively in the context of the sectarian conflict raging in Iraq at the time and the related regional alignments. This misconception soon dissipated, however, when the fatwa became the basis for an Iraqi national mobilization[44] that made it possible to take back cities and towns from Islamic State control. It ended the Islamic State political project of establishing an extremist caliphate, which Islamic State leader Abu Bakr al-Baghdadi declared on June 29, 2014, less than three weeks after Mosul fell at the hands of the organization and millions of civilians were displaced as they fled its religious authority.

The stance the *marji'* had taken was of great significance in the defense of Iraq's national and social unity. It marked the beginning of a new phase in Iraq's modern political history, specifically in the age of the new constitutional state that the Najaf *marja'iyya* had sought to establish in Iraq as the safest option for managing the socially and politically diverse country. Iraq suffered from a chronic historical problem, the inability to deliver a national consensus that would provide stability in political life, sustainable security, and equitable distribution of wealth. This would in turn allow for community and economic development that would recreate national identity and unite Iraqis' visions to ensure a real will to live together and uphold the state's sovereignty and natural and political borders.[45]

44 Al-Sistani explained that this fatwa did not concern any particular Iraqi sect or group but was intended for all citizens. "The call to volunteer did not and could not have any sectarian basis. ... [The *marja'iyya*] is the author of the famous aphorism about the Sunni people, 'Do not say "our brothers," say "ourselves."' It has repeatedly emphasized to all politicians and those in power that the rights of Iraqis from all sects and components must be given equal regard" (Friday sermon at the Imam Husayn Shrine on June 20, 2014, from the official website of Sayyid al-Sistani's office).

45 Gareth Stansfield, "The Transition to Democracy in Iraq: Historical Legacies, Resurgent Identities and Reactionary Tendencies," translation published in Al-Mujtama' al-'Irāqī: Ḥafrīyāt Susīyūlūjīyya fī al-Ithnīyāt wa-l-Ṭawā'if wa-l-Ṭabaqāt (Iraqi Society: Sociological Excavations of

By virtue of its experience and observation, however, the *marja'iyya* realized that the external threat was not the greatest obstacle to Iraq's political and security stability. Rather, it was mismanagement, widespread corruption, unlawful enrichment of the political class, and the widening gap between politicians and the public. This led the *marja'iyya* to make explicit its dissatisfaction with and disappointment with the political system.

It was predictable that the privileges and mismanagement of the ruling class would stimulate popular protest. The *marja'iyya* expressed its anger publicly, in direct criticism from the pulpits at Friday prayers, which carried the directives and rhetoric of the *marji'* each week.

In a step of great significance, Sayyid al-Sistani intervened to arrange government affairs in July 2014. In a letter to the leadership of the Islamic Dawa Party, he proposed replacing the prime minister to resolve the government crisis[46] that was one of the reasons for the Islamic State's success in occupying one-third of Iraq's territory. A few months later, the *marja'iyya* called on Haider al-Abadi's government to undertake comprehensive government reform, eliminate politicians' unlawful privileges, and strike with an iron fist against the forces of corruption. It became clear at the time that the *marja'iyya* was launching a new phase of its precisely calculated "intervention" to establish an effective authority responsive to popular demands. This authority would not yield to political forces or remain silent about abuses, thereby allowing those forces to deepen their deep states within the structure of the state and serve their ideological projects.

During this period, Iraq was suffering from the infiltration of arms outside the framework of state authority. Armed factions involved in the war to liberate cities rushed to integrate their personnel into the bureaucratic apparatus of the state to take advantage of financial support and obtain political legitimacy. They wanted to protect their activities outside the authority of the commander-in-chief and the declared agenda of the Iraqi state, all while applying pressure on the ground and engaging in political and media promotion of cross-border rhetoric. This was part of the rhetoric and behavior of the Iran-sponsored axis of resistance, vying against a U.S.-led international-regional axis. The common denominator between the two ideologically and strategically opposed axes was the shared fight against Salafist terrorism. Just as Iraqi factions fought terrorism alongside the

Ethics, Sects, and Classes), Institute for Strategic Studies, Baghdad - Beirut, first edition, 2006.
46 Hamed al-Khafaf, op. cit. p. 551.

formal Iraqi Armed Forces, international coalition forces actively contributed to defeating the terrorist organization. Each axis waged a fierce competition against the other to recruit and direct powers in Baghdad for its own benefit. Then came the 2018 elections, which dismantled what Haider al-Abadi's government had built. It had succeeded in maintaining a delicate balance between the two axes without losing the support of either in the fight to defeat terrorism militarily. The factional forces' success in sending their representatives to Parliament and initiating a political and economic project to serve their agenda plunged Iraq into the struggle between the Iran-led axis and the U.S.-led axis. As the American administration under President Trump began its maximum pressure campaign against Iran, Iraq was suffocating under the government's failure to improve living conditions and save the country from a costly ideological bent that would eliminate the requirements of sovereignty and national identity.

Under these circumstances, the *marji'* was at maximum effectiveness at an uncertain moment when youth forces representing new Iraqi generations, which were protesting the structure and outcomes of the political system, clashed with the forces of that system. The latter had awakened to a great challenge that forced them to disentangle the confusion around identity in Iraq. In the protests, the system saw the product of regional and international action that had succeeded in instigating, directing, and supporting a soft war against it after the 2018 elections, which had resulted in a government that did not heed the sensitivities of Iraqi nationalism. The rhetoric of recreating the national identity escalated against a backdrop of social frustrations and the failure of Shi'ite Islamist forces and other aligned forces (Kurdish and Sunni) to build a prudent system of governance and found effective authorities capable of performing the organizational, extractive, distributional, and symbolic functions of the state, defending the sovereignty of the country, and protecting national pride.

The supreme *marja'iyya* in Najaf took a stand in support of protest and understanding of the reasons, motivations, and causes.[47] Mass protest, which passed through several stages from 2009 to 2011, and then in 2015-2016, before exploding in an unprecedented way in 2019, subjected the system to greater

47 Haider Mohammed al-Kaabi and Ali Lofteh al-Issawi, "Dūr al-Marja'īyya fī Muẓāhirāt Tishrīn: Dirāsa Tawthīqīyya li-Dūr al-Marja'īyya al-Dīnīyya fī al-Iḥtijājāt al-'Irāqīyya min 1-10-2019 'ilā 15-3-2020" ("The Role of the *Marja'iyya* in the Tishreen Demonstrations: A Documentary Study on the Role of the *Marja'iyya* in the Iraqi Protests from Oct. 1, 2019 to March 15, 2020"), Islamic Center for Strategic Studies, Najaf, Iraq, 2021.

accountability.[48] At the time, the forces in power, which were dominated by the ideology of political Islam, realized that the new generations' movement would undermine their symbolic capital, religious and historical legitimacy, and political legitimacy. The masses who came out against them were the very same that embraced these forces' human and political geography. This meant that their state-building project was in crisis, socially unacceptable and politically objectionable. It did not convince those groups, and a broad segment of the public no longer respected the history of political Islamist movements, especially young people. The protests were also a reminder of problematic issues related to state-building, such as the concepts of sovereignty, independence, national interest, and social cohesion.

Najaf supported the demonstrations, condemned the violence that accompanied them, demanded the exposure of those who killed demonstrators or attacked the security services, and repeatedly called for discipline and peaceful protest, and urged the authorities to respond to the protesters' demands. It then explicitly called for the government to resign and call early elections for a practical, constitutional resolution to the crisis. All these positions created a fissure between the *marja'iyya* and Shi'ite factions that saw the demonstrations as a project targeting them and intended to eliminate their presence and influence from the political equation. The protests embarrassed political Islamist forces and their primary support, Iran, putting them on the anti-protest side. This prompted them to concoct a narrative of conspiracy and soft war that portrayed Western embassies, especially the American embassy, as responsible for supporting and ratcheting up the protests. They claimed that the protests were aimed at bringing down Adil Abdul-Mahdi's government because it chose to sign a strategic cooperation agreement with China, the United States' biggest economic competitor. The agreement would allow China to enter the Iraqi infrastructure investment market and become a major player on the map of major influence in the region. This angered Washington, the narrative went, and pushed it to fire up the Iraqi populace through its media arms and the civil organizations it funds.

The focus on this narrative was meant to justify the attitude of the authorities, factions, and other political forces that saw a unique sort of opposition in the protests. The interesting thing is that Iran adopted this outlook and began repeating

48 Faleh Abdul Jabbar and Saad Abdul Razak, Ḥarakat al-Iḥtijāj wa-l-Masā'la: Nihāyat al-Imtithāl, Bidāyat al-Masā'la (The Protest and Accountability Movement: The End of Conformity, the Beginning of Accountability), Iraq Studies, Beirut, first edition, 2017.

the story of the Iraqi anti-protest forces.[49] Perhaps it was motivated by fear of this broad Iraqi trend, which encouraged the escalation of internal protest in Iran itself around demands of the government and quality-of-life issues, because of the Iranian leadership's prioritization of foreign issues that were enormously costly to the economy. In particular, some of the protesters' slogans objected strongly to some Iraqi forces' identification with Iran's regional political project, which was the subject of widespread criticism inside Iraq. Al-Sistani had previously warned against and rejected such interference by any regional or international party or force. The *marja'iyya*'s statements characterized those who interfered as outsiders with no right to interfere in Iraqi affairs. Those close to the *marji'* conveyed that al-Sistani had informed Iranian officials with whom he had met for many years, in particular former President Hashemi Rafsanjani and President Hassan Rouhani, that there must be no interference in Iraqi affairs. He also later warned Qasem Soleimani, the commander of Iran's Quds Force, against such interference. He advised Soleimani to tell the armed factions that had positioned themselves under the aegis of the Popular Mobilization Forces not to participate in the 2018 elections because the *marja'iyya* was keen to bar ideologically driven armed groups from engaging in politics and further complicating the political situation. Despite all these efforts, al-Sistani was unable to dissuade those forces from entering the political and executive arena to protect themselves from being categorized as terrorists by the American administration and perceived as part of an Iranian project rather than a purely Iraqi defensive necessity.

In contrast to the *marja'iyya*'s outlook, the anti-protest forces looked for a security solution rather than a political solution that would respond to popular demands and undertake reform as a way to break the political impasse. As a result, most Shi'ite political Islamists were tacitly opposed to the *marja'iyya*, which sought to tame and steer the protests as an opportunity for a comprehensive reform in Iraq. It even released a road map to a solution involving the resignation of the government and early elections to produce a government that would undertake the necessary reforms. These reforms were ones the *marja'iyya* had reiterated on various occasions, and they reverberated in the protests.

The supreme *marja'iyya* in Najaf al-Ashraf delivered its rhetoric to the public in 12 sermons over the course of about five months. It finally decided to suffice

49 Mohammed al-Sayyid al-Sayyad, "'Azmat al-Bayt al-Shī'ī: Mawqaf al-Nukhab al-Dīnīyya min Iḥtijājāt al-'Irāq wa Lubnān ("The Shi'ite Crisis: The Position of Religious Elites on the Iraq and Lebanon Protests"), Rasanah International Institute for Iranian Studies, 2020.

with being an observer. There had been no response to its calls and solutions other than the resignation of Adel Abd al-Mahdi's government and a date set for early elections, as well as quick procedural solutions that did not address the structural imbalance in the political system and its institutions, functions, ethics, and laws. The other catalysts for the protests remained in place because the system was unable to address those problems. This was due to its lack of vision and will, a mindset of conflict and division, the widespread networks of clientelism and partisan interest, and infiltration by corrupt mafias supported by political parties. This was the case only because of the *marja'iyya*'s political disagreement with the Iraqi actors that were and are in power. Years of political work in Iraq demonstrated the existence of two regional and international players in the Iraqi political equation. In addition, rent-seeking in the economy and poor institutional performance allowed for the misallocation of power and the easy capture of public funds.

Together, these factors hampered the success of the reform movement and frustrated the objectives of the protests. Some of the protests veered into violence and sabotage because protestor circles were breached in order to steer the protests toward a political end serving a local partisan agenda and foreign intelligence services.

The *marja'iyya* stopped delivering messages, and political forces became politically alienated and were repeatedly unable to offer successful solutions to the crisis. New challenges were then added to the Iraqi political situation with the outbreak of the COVID-19 pandemic and the collapse of oil prices (oil being the country's sole financial resource). It was obvious that the state was unable to contain these challenges. This further deteriorated the legitimacy of the authorities, especially after factional armed forces returned to play political roles by using rocket and drone attacks against security facilities belonging to Iraq, the United States, and the international coalition, as well as diplomatic headquarters and offices of Iraqi political forces.

Because of this combustion of the situation, the supreme *marja'iyya* believed that holding early elections – in a climate of conflict and competition, without oversight or impartiality, and without international coordination to monitor the elections – would lead to further conflicts and undermine the potential for mutual understanding and recourse to democratic mechanisms to resolve disputes and legitimize the authorities. It therefore suggested to the United Nations, through

its representatives in Iraq, that it should cooperate with the Iraqi state to monitor the early elections.[50]

This happened when *Marji'* al-Sistani received UN Envoy to Iraq Jeanine Hennis-Plasschaer. These positions shook certain Iraqi and non-Iraqi circles. These groups were pushing to undermine the role of the United Nations and international organizations in Iraq and questioning their positions and solutions to Iraq's crises based on an ideology of resistance. They pre-emptively rejected the positions of Western governments and institutions generally, including the United Nations, as serving the agenda of international forces, principally the United States, in Iraq.

Despite Iran's efforts to work in parallel to al-Sistani and avoid criticizing the *marja'iyya*, Iranian irritation with the content of his conversation with the UN representative quickly found expression through hardline, fundamentalist forces in Tehran. The hardline fundamentalist Hossein Shariatmadari, who is considered to be close to the office of the Iranian Supreme Leader, wrote an editorial in the newspaper Kayhan attacking al-Sistani's invitation for the United Nations to monitor the early elections in Iraq. He saw it as corroboration of an appeal for assistance from Satan's forces (and institutions subject to the imperialist vision).[51] Although Shariatmadari apologized, claiming he had not seen the statement from *Marji'* al-Sistani's office on the circumstances of the meeting, he once again, together with Iranian and Iraqi factions, attacked the *marji'* for his determination to receive Pope Francis on the first papal visit to Iraq. This attack was justified on the pretext of warning against the Abraham Accords, an international project to normalize relations with Israel, as a blow to resistance forces in the region. This attack was a notable development in criticism of the supreme *marja'iyya* in Iraq, given the boldness with which it challenged the *marja'iyya*'s approach. The tack met with major opposition, however, and Iranian reform forces pushed back against the criticism. This prompted the opposing forces, including the so-called Iraqi loyalists, to retreat and praise al-Sistani's wisdom and determination to defend the causes of the world's oppressed peoples, especially the Palestinian people. He was no less wary about international projects such as the Abraham Accords being adopted in his name. Rather, he delivered the supreme *marja'iyya*'s message from its seat in Najaf to the world on the importance of major spiritual

50 Sayyid al-Sistani's meeting with UN Envoy to Iraq Jeanine Hennis-Plasschaert on September 12, 2020.
51 Editorial from the Iranian newspaper Kayhan on September 26, 2020.

leaders taking on the responsibility to produce peace and security, and to defend human dignity and peoples' rights to live freely in accordance with their own choices rather than the choices of the superpowers.[52]

THE PROSPECTS FOR THE RHETORIC AND LEGACY OF THE MARJI‘ TO CARRY ON OR DWINDLE AFTER AL-SISTANI'S PASSING (VISIONS OF THE FUTURE)

The Najaf *marja‘iyya* has not suffered a disruption in its scholarly roles at any point in its long history. The accumulation of knowledge, experience, and the pressure of circumstances dictated that its senior scholars must adapt to new developments and respond to the need to modernize, albeit to a limited degree along an extremely slow path. The religious actor has nevertheless had an up-and-down role in public affairs, which is a political matter linked to issues of society and the state. The moment that al-Sistani became *marji‘* and began to interact with the variables of the Iraqi situation was a major shift in the behavior of the Najaf *marja‘iyya*. Part of this was attributable to his particular talents and capabilities, which were previously unknown.[53] The other part was linked to the political jurisprudence that he had produced in his years interacting with Iraq's challenges and the political variables that had buffeted the region and the world. Al-Sistani's passing will be a watershed moment at which the history of the *marja‘iyya* will be divided into two phases, pre-Sistani and post-Sistani. The reverberations of his positions occupy an important space in intellectual activity and political controversy. He initiated an orientation in which the *marji‘* deals with the issues of his time. Al-Sistani was not without his rivals, opponents, or critics, but his great influence caused rivals to fear that his moderate approach would become a norm for the role the supreme *marji‘* should play.

The scenarios for al-Sistani's successor do not give reason to believe that his approach to political jurisprudence and his influential position will be sustained.[54]

52 Statement from al-Sistani's office after his meeting with Pope Francis on 6 September 2021 (from the official website of Sayyid al-Sistani's office).
53 Al-Sistani follows political events, philosophies, theories, and writings, and he reads newspapers to give him a full briefing on topics: Mohammed Jamil Odeh, op. cit., p. 15.
54 Mohammed al-Sayyid al-Sayyad, "Al-Marja'īyya al-'Ulyā ma ba'd al-Sīstānī wa Mustaqbal al-*Hawza*" ("The Supreme *Marja'iyya* After al-Sistani and the Future of the *Hawza*"), Rasanah Institute for Iranian Studies, 2020.

It is unlikely that any of the candidates will be able to fill the void al-Sistani will leave. There is concern among some that the effects of this void will manifest quickly in Iraq and affect its troubled political situation. Many researchers have spoken of what they call Iranian influence,[55] which seeks to clandestinely ensure that the next *marji'* will not part ways from Iran's official orientation. They point to attempts to push for a *marja'iyya* that is less independent and less immersed in Iraqi political affairs. The options had been limited to men in the top tier in Najaf, but Muhammad Saeed al-Hakim's passing in 2021 and the limited nature of the role played by two other *maraji'*, Shaykh al-Fayadh and Shaykh Bashir al-Najafi, have given rise to speculation about men in the second tier, such as the relatively well-known jurists Shaykh Baqir al-Irawani and Shaykh Hadi Al Radhi. Shaykh al-Irawani has prepared for this duty. He opened an office with the support of *Marji'* al-Sistani's office[56] and has been one of al-Sistani's biggest supporters in Qom scholarly circles. Nonetheless, the Shi'ite *marja'iyya* is distinctive for the difficulty of predicting who will have the opportunity to ascend to the post of the top *marji'*, due to factors seen and unseen. Just as in the political world, the religious world has pressure groups, and the offices of existing *maraji'* seek to tilt the scales toward this or that jurist. Public affinity for a given jurist is linked to the information marketed to the public about his erudition, social interaction, network of relationships, his disciples' efforts, and his reported positions on events. The decisive issue for *maraji'*, however, is difficulties around hereditary succession. It is unlikely that the post of *marji'* will pass to the sons of the *marji'* even if they possess the qualifications of erudition, scholarly standing, and esteem in the *Hawza* and society. Al-Sistani rejected hereditary succession early on despite the spotlight on his eldest son, Mohammed Ridha (b. 1962), who is his father's right-hand man, a prominent scholar, and the lead partner in developing positions and managing the affairs of his father's *marja'iyya* as it functions today. He has broadly succeeded in managing the network of schools, institutions, and relationships, and organizing external relations, information, and communications for the supreme *marji'*. He keeps secrets and writes statements. This has given him the greatest experience and made him the worthiest of managing the *marja'iyya*, but the path of inheritance is blocked and objectionable at the moment. Although the history

55 Laura Henselmann, "The Shi'ite Clergy in Iraq After Sistani - Growing Iranian Influence?", Maison du Futur, Konrad Adenauer Initiative, 2017.

56 "Mā ba'd al-Sīstānī ... Isti'dādāt fi Ḥawza al-Najaf wa-l-Shaykh al-Irawānī murashshaḥ muḥtimal" ("After al-Sistani ... Preparations at the Najaf *Hawza* with Shaykh al-Irawani a potential candidate"), Shafaq News, December 2, 2021, accessed on September 19, 2022.

of the *marja'iyya* features a few instances of inheritance that were mandated by the circumstances of the time, it has not happened often. Prior to his death in 1989, Ayatollah Khomeini spoke about the characteristics of a *mujtahid* who meets all the criteria (is qualified to be the *marji'*). Such a person would combine religious knowledge, mastery of *Hawza* lessons, social experience, and enough political awareness to be familiar with international dynamics and how to exploit mechanisms of influence. He made these characteristics a prerequisite for the jurist who would be the leader, the *marji'*, and the guardian of public affairs.[57] This vision has entered the consciousness of some portion of the wider Shi'ite public, especially within Islamist movements. With this vision added to the late *Marji'* Muhammad al-Sadr's experience and then Ayatollah al-Sistani's experience in Iraq, it can be said that the path to a *marji'* with these characteristics is a long one. Iraq will enter a period in which the work of the *marji'* will recede into its traditional confines before opening to new variables during the tenure of a *marji'* who keeps abreast of those variables. Perhaps there will again be calls for institutionalizing the *marja'iyya* on the model of the papacy, and the selection of the *marji'* will follow the model for the selection of the pope. This option faces strident objections and strong rejection, though, for technical and institutional reasons on which the late *Marji'* Muhammad Saeed al-Hakim has previously expounded.

CONCLUSION

The relationship between the political authority in Baghdad and Shi'ite leadership has oscillated between stability and tension. For decades after the emergence of the nation-state in 1921, *maraji'* tried to avoid coming into contact with political authorities. They intervened only out of necessity to oppose a law or policy the *marji'* saw as harmful or flagrantly incompatible with Islamic identity, definitive provisions of Shari'a, or the people's political rights. In doing so, they faced blockades, crackdowns, persecution, and exclusion that curtailed Najaf's role as the Shi'ite center of gravity and the effectiveness of senior clerics (the major *maraji'*). Nonetheless, they did not abandon their basic functions, in spite of isolation that was voluntary at times and imposed on them at other times.

After being under siege for years, Najaf reclaimed its influence and became an

57 Ibrahim al-Abadi, Al-Ijtihād wa-l-Tajdīd, Dirāsa fī Manāhij al-Ijtihād wa-l-Tajdīd (*Ijtihad* and Renewal: A Study in Approaches to *Ijtihad* and Renewal), Dar al-Hadi for Printing, Publishing, and Distribution, Beirut, first edition, 2000, p. 60.

active player in rebuilding the state for the nation. *Marji'* al-Sistani assumed a major role, and his renewed vision and his understanding of the modern history of neighboring countries helped in managing the perpetually thorny relationship between the religious institution and the state. He was attentive to the great difference between the contexts in which the two institutions operate. The areas of convergence and divergence are greatly influenced by the context of social awareness[58] and political jurisprudence, which controls individual behavior and interests. All of this is connected to the role of the supreme *marji'*.

For two decades, the Shi'ite *marji'* was able to act as a mediator between the community, with its demands and ambitions, and the political community, represented by the elite that led the new Iraq in accordance with a constitution that the *marji'* had played an active role in establishing. The *marja'iyya* contributed greatly to overcoming serious crises that almost brought an end to the pluralist constitutional state and maintained its active influence on the course of events in Iraq. But the *marja'iyya*'s ambition to see Iraq recuperate ran into internal and external obstacles that caused the *marja'iyya* to put intentional distance between itself and political forces. It refused to give up defending the people's rights. This earned it profound emotional relevance and left a legacy of singular action that has led all Iraqis to fear the disintegration of social peace and security after the passing of this *marji'*. It will also weaken Najaf's role, which has been constructive and positive at the national and global levels, as the capital of Shi'ism and the seat of the oldest *marja'iyya* with the greatest influence outside Iraq.

58 Abdellatif Hermassi, Fī al-Mawrūth al-Dīnī al-Islāmī, Qirā'a Sūsīyūlūjīyya Tarikhīyya (Islamic Religious Heritage: A Sociological History), Chapter 14 on "Religion: State and Community," Dar al-Tanweer for Printing, Publishing, and Distribution, Beirut, Lebanon, first edition, 2012.

CHAPTER 3: **THE RESOURCES OF THE MARJA'IYYA AND HAWZA, AND THEIR HISTORICAL EVOLUTION**

Ali almamoori

PREFACE

According to the official narratives of the Shi'ite religious establishment[59], if you will indulge this description of it as an establishment, Shi'ism originated as an oppositional doctrine. As such, the institution is not funded by the state, which is predominantly Sunni. It is thus compelled to fund itself through its followers and to develop precepts jurisprudence so that it can be financially sustainable and move forward within a framework in which it is meant to be in opposition to government.

Shi'ites have historically handed over money as "Shari'a-mandated dues" to imams or their agents. Historical mentions of this date back to the time of Abu Ja'far al-Mansour, in the days of Imam Ja'far al-Sadiq.

The rules for collecting money from Shi'ites gradually centered around the familiar resources under Shari'a – zakat, the khums tax on assets, gifts, endowment funds, and so on – with a major focus on khums because it came to encompass all Shi'ites. A one-fifth tax was levied on everything in excess of their yearly subsistence, whether they were rich or poor, in contrast to other resources based on the rich and on certain proceeds such as zakat.

The money is spent on specific resources, especially with regard to khums, which is divided in two: the imam's share, and the share of the poor, orphans, and the destitute from the Hashemites, from the descendants of Ali and Fatima. From the imam's share, the mujtahid jurist – i.e, the *marji'* – spends money on

59 See: Laura Henselmann, "The Shi'ite Clergy in Iraq After Sistani - Growing Iranian Influence?" (no place of publication; Konrad Adenauer Initiative, Maison du Futur, undated), p. 7.

several resources, namely material for his work and his means of managing the affairs of his marja'iyya. He spends on the students in the Hawza and on other matters that have arisen in modern times since life became more complicated and the marja'iyya's work expanded. It now has institutions specializing in certain matters, such as proclamation, writing, and publishing books, and sometimes even astronomy research related to jurisprudence. This has created new outlets for spending, which in turn require more resources.

Due to Iraqi complexities after 2003 and the competition between Iranian religious leadership and the Najaf Hawza, the situation of the Imam Reza Shrine in Iran became replicated in Iraq. The holy shrines in Iraq became worldly institutions in which financial matters were intertwined with politics and jurisprudence. This Iraqi case added financial resources for the marja'iyya that it does not spend directly. The marja'iyya does, however, operate under the cover of those resources to convert investment income into salaries for students at religious universities linked to shrines and religious institutions with the same links. Moreover, the government funding allocated for the shrines is spent for the same purposes as above.

Accordingly, this paper will address the resources that fund the Shi'ite mujtahids of the Najaf Hawza, how the resources are disbursed, and the relationship these resources have with the endurance of the marja'iyya and the strength of the Shi'ite *marji'*. It will provide a general framework showing how funds are collected and how this relates to politics, focusing on the present day, and developments that have occurred as a result of stiff competition between Iran and what is termed the "Najafi line" of the marja'iyya. We will see how this line has adapted to the current circumstances and developed its resources and means of enduring. This chapter is divided as follows:

- Funding resources: history and jurisprudence
  This includes the traditional resources provided for in jurisprudence, how they evolved, student salaries, institutions linked to the office, shrines, and so on.

- The Iraqi state and new resources: The holy shrines model: from levies to production.This includes the evolution of funding resources from the traditional levying of so-called Shari'a-mandated dues to the revenues and investments of holy shrines and their connection with the marja'iyya, in addition to the shrines' budget from the Iraqi government.

- The wealthy marji‘ or the wealth of the marji‘ – which came first?
  The money and power of the marji‘: Iranian institutionalism versus Najafi traditionalism in managing money and the marja‘iyya

INTRODUCTION

As is usual in any group, Shi‘ism rests on a set of narratives. Perhaps at the forefront of what interests us in this paper is the narrative of “opposition,” which assumes that Shi‘ism was an opposition doctrine amid successive Islamic governments. That discussion is out of place here.[60]

Here, we presume that Shi‘ite opposition, in turn, led the religious institution to operate on two principles, namely protectionism and adaptation. The nature of protectionism has led to the necessity of adaptation at every stage in the history of Shi‘ism, through its leaders. One of the features of this protectionism – which has resulted in adaptation – was financial independence. As a doctrine that declares its opposition, many of its clerics have not received funding from Islamic governments. There were major exceptions with some founding jurists, such as Al-Sharif al-Murtada,[61] who was close to the Abbasid caliphs, on top of his unique relationship with Ali ibn Buya. This led to the development of khums, which is set out in the Qur’an, in Surah Al-Anfal 41: “Know that whatever you take as bounty of war, one-fifth of it is for God and for the Messenger, his relatives, orphans, the destitute, and the needy traveler, if you believe in God and what We revealed to Our servant on the Day of Discernment, the day on which the two hosts met; and God is able to do all things.” Some argue that the way khums is levied today is not the way it was done in the time of the Twelve Imams.

As the work and structure of the Shi‘ite religious institution evolved, so did its methods of collecting resources and where it spends them, dividing them into two parts: the imam’s share, and half to the poor, orphans, and the destitute from the Hashemites, from the descendants of Ali and Fatima. From the imam’s share, the mujtahid jurist spends money on several resources, namely material for his work and his means of managing the affairs of his marja‘iyya. He spends on the

60 For details, see: Fuad Ibrahim, Al-Faqīh wa-l-Dawla (The Jurist and the State).
61 Abu al-Qasim Ali ibn al-Husayn ibn Musa al-Musawi, called al-Sharif al-Murtada, was born in 355 AH / 966 AD and died in 436 AH / 1044 AD. He led the Ashraf Syndicate, an important position in the Abbasid era. During his long life, he was a contemporary of four Abbasid caliphs (Al-Muti li-’Ilah, Al-Ta’i li-’Ilah, Al-Qadir Billah, and Al-Qa’im bi-amri ‘Illah), not to mention living through the entire Buyid period in Baghdad (334AH / 945 AD - 447 AH / 1055 AD).

students in the Hawza and on other matters that have arisen in modern times since life became more complicated and the marja‘iyya’s work expanded. It now has institutions specializing in certain matters, such as proclamation (tabligh), writing, and publishing books, and sometimes even astronomy research related to jurisprudence. This has created new outlets for spending, which in turn require more resources.

FUNDING RESOURCES: **HISTORY AND JURISPRUDENCE**

The corpus of Shi‘ite jurisprudence says khums is obligatory for every mukallaf (pl. mukallafin),[62] regardless of the issues some Shi‘ite clerics raise about the circle of those obliged to pay khums having expanded beyond what was customary in the time of the imams.[63] The expansion seemed necessary for a doctrine that presents itself as being in opposition to authority, not supported by it, even if the founding jurists had good relations with the authorities of the time. Examples include the relationship Al-Sharif al-Murtada and his brother Al-Sharif al-Radi had with the Abbasids,[64] or Al-‘Allama al-Hilli’s relationship with Mongol Sultan Mohammed-e Khodabande.[65]

In any case, Shi‘ite jurists developed the concept of khums to encompass all resources of the mukallafin, at a rate of one-fifth of their needs for a year. They secured for themselves sustainable resources paid by the affluent and the poor alike. The truth is that the issues raised about khums are confirmed by some of the great Shi‘ite mujtahids’ uses of khums resources. We present here two

62 Mukallaf is the term used in Shi‘ite jurisprudence to denote a compos mentis, fully qualified Shi’ite Muslim responsible for complying with Shari‘a.

63 For example, see: Muhammad Hassan al-Kashmiri, Jawla fī Dahālīz Muẓallima (A Tour of Dark Corridors).

64 Abu al-Hasan Muhammad ibn al-Husayn ibn Musa al-Musawi, called al-Sharif al-Radi, was born in 359 AH / 969 AD and died in 406 AH / 1015 AD. He was a poet, luminary, linguist, and jurist. His own ambitions drew him to the caliphate, unlike his elder brother al-Sharif al-Murtada, and he led the Ashraf Syndicate before his brother. He long declared in his poetry that he was deserving of the caliphate, which was met with forbearance from the Abbasids, who looked the other way, especially Al-Qadir Billah. For more, see: Hanadi Zal Masoud al-Hindawi, “Al-Sharīf al-Raḍī wa Ṭumūhuhu nahū al-Khilāfa Zimn al-Qādir Billah” (359 hā’ / 969 mīm - 406 hā’ / 1015 mīm) (“Al-Sharif al-Radi and His Aspirations to the Caliphate in the Time of al-Qadir Billah (359 AH / 969 AD - 406 AH / 1015 AD)”), Journal of Human and Social Sciences 46, no. 2, 2019, p. 141.

65 Al-Hasan ibn Yusuf ibn Ali ibn al-Mutahhar al-Hilli (548 AH / 1250 AD - 726 AH / 1325 AD), known as al-‘Allama al-Hilli, was a Shi‘ite jurist and theologian. One of the founding jurists, he was known for his strong relationship with Mongol Sultan Mohammed-e Khodabande and wrote his book Minhāj al-Karāma (The Miraculous Way) for him. Ibn Taymiyyah’s refutation the book later became known as Minhāj al-Sunna (The Way of the Sunnah).

examples of precepts of the current *marji'*, Sayyid Ali al-Sistani.

First piece of confirmation: Rather than be adamant about the necessity of paying khums to the mujtahid *marji'*, Sayyid al-Sistani gave his followers in Afghanistan and Iraq license to pay khums to eligible persons known to them, at the hands of the payers themselves, with no need to pay khums to his agents. Although he rescinded this license for Afghans after the fall of the Taliban government, it is still valid for Iraqis.

Second piece of confirmation: It relates to the payment of khums on an uninhabited building. About 10 years ago, the supreme *marji'* mandated the payment of khums on a house built as a residence if a year has passed and it remains uninhabited, even if the house is incomplete and even if it has no roof. He changed this precept six years ago to require that the house be complete and inhabitable, and that a year has passed, for khums to be payable on it.

Both cases show that the mujtahid has wide latitude to derive legal rulings on khums, the resources on which it is levied, and how it is spent. This supports the paper's hypothesis that khums is linked to the need to find a stable resource independent of the state, whether it has a good relationship with the marja'iyya or not.

It is axiomatic that one of the primary features of traditional states is their control over production resources, which has shrunk to state control of taxation. Khums, as a resource similar to a tax, has been a subject of major disagreement between Shi'ites and the state throughout history. It has been noted that the powerful Abbasid caliph Abu Ja'far al-Mansour questioned Imam Ja'far al-Sadiq about khums and said to him disapprovingly, "You are the one who exacts this tribute?"[66]

Throughout the subsequent centuries, khums was levied both secretly and openly. Shi'ite mujtahids spent it on the traditional resources that were mentioned earlier. The ways in which it was spent were linked to jurists' customary process for

66 After the Battle of Bakhamra in 763 AD, in which Ibrahim ibn Abd Allah ibn al-Hasan ibn al-Muthanna ibn al-Hasan ibn Ali was killed after leading the people of Basra in an uprising against Al-Mansur al-Abbasi, Al-Mansur summoned a large number of Alids to Kufa, the seat of government before Baghdad was built. He ordered two of their leaders to come to him, so Ja'far ibn Muhammad al-Sadiq and Al-Hasan ibn Zayd went in. Al-Mansur rushed to say to al-Sadiq, "Do you know the unseen?" He said, "No one knows the unseen except God." Al-Mansour asked, "You are the one who exacts this tribute?" Al-Sadiq answered, "You exact it." The discussion continued until Al-Mansur ultimately pardoned them, forgiving them for Ibrahim's uprising against him and allowing them to return to the city.

managing the Najaf Hawza following its formation after Tusi[67] migrated to Najaf. This is the rule of "a system where there is no system." Neither the hawza nor the marja'iyya was an institution in the usual sense. They did not have records of what came in and went out. The *marji'* collected money and spent it according to his knowledge and through his agents, whether in connection with the entitlements of those entitled to them or spending on *hawza* students and their subsistence. This lasted for centuries, until the Iranian revolution in 1979.

Once Sayyid Khomeini came to power in Iran, the religious institution's involvement in the administration of the state led to the regulation of the newly established Iranian hawza. It was made subject to the mechanisms for managing official institutions within the state and, naturally, state resources. This enabled the Iranian supreme leader to control it at the intermediate and lower levels. That, in turn, automatically led to the emergence of a necessary institutionalism in the hawza and in the levying and spending of khums or religious proclamation during religious seasons in the holy cities. Thus, traditional preaching mechanisms turned institutional. These were not the methods that Najaf customarily practiced voluntarily through students who went into rural areas in the summer or through the agents and delegates of Shi'ite maraji'. Institutions engaged in systematic religious proclamation emerged, such as Dar al-Tabligh in Iran,[68] which was adopted by its Arab and Iranian *hawza*s alike. It led other maraji' outside the system of the Guardianship of the Islamic Jurist – especially those living in Iran following the waves of displacement caused by the Ba'ath Party regime in Iraq – to form specialized institutions, including Sayyid al-Sistani's office in Iran. It founded a group of diverse institutions supervised by al-Sistani's son-in-law Javad al-Shahrastani, including the Aal al-Bayt Foundation for the Revival of Heritage and even an astronomy observatory.[69] *Marji'* Abu l-Qasim al-Khoei's

67 Abu Ja'far Muhammad ibn al-Hasan ibn Ali ibn al-Hasan Tusi (385 AH / 995 AD - 460 AH / 1050 AD), a Shi'ite jurist and theologian, migrated from Baghdad to Najaf to establish the Najaf *Hawza* after the Seljuq capture of Baghdad and the end of the Buyid State in 447 AH / 1055-6 AD under the leadership of Tughril I. His views on the science of the biography of hadith transmitters, jurisprudence, and fundamentals remain active to date. He died and was buried in Najaf, in the mosque that bears his name.

68 It was founded by Sayyid Mohammad Kazem Shariatmadari in Qom at the beginning of the Iranian Revolution. Later, after a disagreement between Shariatmadari and the top leadership of the Iranian Revolution, he was removed and it was linked to the Islamic Media Bureau in Qom. See: Mahmoud Pargoo, "Secularization of Islam in Post-Revolutionary Iran," The New Arab, accessed on May 10, 2022, at https://is.gd/lasuQr.

69 It was founded by Sayyid Mohammad Kazem Shariatmadari in Qom at the beginning of the Iranian Revolution. Later, after a disagreement between Shariatmadari and the top leadership of the Iranian Revolution, he was removed and it was linked to the Islamic Media Bureau in Qom. See: Mahmoud Pargoo, "Secularization of Islam in Post-Revolutionary Iran," The New Arab, accessed on

son had also previously founded the Imam Al-Khoei Benevolent Foundation in London in 1989.

After 2003,[70] the mujtahids in Najaf followed suit. The al-Hakim family founded the Al-Hikmeh Foundation, and Sheikh Bashir al-Najafi founded the Al-Anwar al-Najafiya Foundation. Sayyid al-Sistani's institutions also opened branches in Najaf. Moreover, new institutions were formed in Najaf, such as the Center for Specialized Studies in Imam al-Mahdi; the Al-Murtada Foundation, which supervises the work of delegates, who are agents of the lowest rank; the Foundation for Religious Guidance and Direction, which did work similar to that of the Al-Murtada Foundation; and the Al-Ayn Foundation, which focuses on orphans and is one of the most important institutions affiliated with Sayyid al-Sistani's marja'iyya.

This institutional shift led to new ways to disburse khums. Spending expanded, and it was easy to send money across borders after 2003. This was not the only added burden on resources, as politics became intertwined. The existential entanglement between Iranian leadership and the Najaf Hawza led to the need to create more institutional structures, which required more resources. Al-Sistani wanted each mukallaf to spend his khums in his country, even by paying it to the agents of the supreme *marji'*.[71] This was complicated and led to more burdens on mechanisms for collecting resources for the Najaf Hawza, which was facing an oil state governed by their rivals in the Iranian leadership.

Gradually, as those loyal to the Iranian leadership became more dominant in Iraq, the Najaf marja'iyya's mechanisms and structures evolved to meet this challenge, namely that the loyalists held the production resources, the instruments of government force, and weapons. The marja'iyya developed its approach to the two shrines in Karbala. It was inspired by the Reza Shrine in Mashhad, which is almost a state within the Iranian state. It used the Karbala shrines as resources for the Hawza – indirectly, due to the financial independence of shrines under the Shi'ite Endowment Office Law of 2012. With the shrines, the marja'iyya shifted from performing a religious function to committing to worldly burdens

May 10, 2022, at https://is.gd/IasuQr.
It has 25 total institutions. See Sayyid al-Sistani's website at https://www.sistani.org/arabic/institute/.

70 To learn about the *Hawza*'s situation before 2003, see: Abbas Kazem, Al-Ḥawza taḥt al-Ḥisār: Dirāsa fī Arshīf Ḥizb al-Ba'ath al-'Irāqī (The *Hawza* Under Seige: A Study in the Archives of the Iraqi Ba'ath Party), University of Kufa Publishing: Intellectual Studies Series, Beirut, 2018.

71 Remarks by the director of the Aal Al-Bayt Institute and the director of Sayyid al-Sistani's office in Lebanon, in the presence of a number of academics. The meeting took place in January 2019.

and functions, as we will detail in the next section.[72]

It is necessary here to point out that there are no statistics on the number of Hawza students in Najaf, although each mujtahid's office has a list of students eligible for salaries. The salaries vary depending on the phase of study the student is in, and whether he is single and living in a school or is a breadwinner living in independent housing.

THE IRAQI STATE AND NEW RESOURCES: **THE HOLY SHRINES MODEL: FROM LEVIES TO PRODUCTION**

During their historical evolution, the holy shrines in Iraq were the link between religion and the state. They were not independent, per se, and were not dominant or influential in the public religious sphere. They did not perform functions that could be described as secular, such as trade and industry. The shrines did not pursue any of these activities, although their custodians[73] did pursue them based on the social and international influence granted by the position of shrine custodian.

Since the position of custodian originated, its occupant had been appointed by the government. This was more explicit during the Ottoman and Safavid eras as the two empires fought in Iraq after the weakening of the Al Kamuna family, which had run the Ashraf Syndicate (an association of descendants of Prophet Muhammad) in Iraq since the late Abbasid era. The family was based in Najaf as administrators of the pilgrimage, and they had a private army, prisons, and a government independent from Baghdad, not to mention the Ashraf Syndicate. They controlled the administration of shrines in religious cities such as Najaf, Karbala, Kadhimiya, and Sammara until fading away. The power of the Imam Ali shrine custodian then emerged, especially in the time of Reza al-Rafi'i. He took over as both head of the Ashraf Syndicate and custodian of the shrine following

72 For details, see: Ali al-Mathloum, "Al-Khibra al-'Irānīyya wa-l-'Atabāt al-Muqaddasa fī al-'Irāq: Muqāraba li-Taḥawwul Dūr al-'Atabitayn fī Karbalā' min al-Dīnī 'ilā al-Dunyawīyya" ("The Iranian Experience and Holy Shrines in Iraq: An Approach to the Transformation of the Two Karbala Shrines from Religious to Worldly Institutions"), Journal for Iranian Studies 2, no. 7, June 2018, p. 21.

73 The custodian (sādin) is the administrator of the shrine. In Persian, this person is called the kalitdar, which was corrupted to become kalidar. That, in turn, became a sobriquet of the last family to hold the post in Iraq, Al Kalidar, from the Alid family of Al Rafi'i.

the momentous clash between the Shamarat and Zakarat clans in Najaf, which is not the subject of this discussion. And so, they came to be appointed by the government, with the consent of community forces, from among the ancient families in the city with tribal influence, those with religious history and spiritual authority. They were placed at the head of the holy shrines and ran them within a clear and specific religious sphere. Namely, they served and sustained the affairs of the shrine, represented the state in the management of public affairs, regulated visitors, and spent the resources the shrine received as votive offerings and gifts on attendants and upkeep of the shrine. The families that provided custodians for the holy shrines were enriched in numerous ways. Some may have been lawful, but in other cases the custodian could not be dislodged by an accusation of exploiting the position and breaching public trust. This continued in Iraq until 2003.[74]

After 2003, the situation changed. Several factors arose that affected the role of the holy shrines in public space. Some of the factors were linked to the active role the Najaf marja'iyya played in shaping and managing public space after 2003. Then there was the impact of an Iranian experience that matured after the revolution, by which we mean the experience of the Reza Shrine in Mashhad. It extended broadly into the public social space to play political roles, and its religious and commercial activities also expanded.

The most obvious Iraqi experience in this field is that of the two Karbala shrines,[75] due to several factors. Some were dictated by chance, and others related to the fact that the supreme *marji'* in Najaf did not want anyone to dominate the Imam Ali Shrine because its symbolism exceeded that of other shrines.

This was a new experiment never seen before in Iraq. Although it echoed the experience of the Iranian leadership, in Iraq the experiment was linked to the traditional marja'iyya, or the so-called Najafi line, in contrast to the Iranian leadership's line.

Here we assume that the role played by the holy shrines in Iraq changed in a structural sense. While a shrine is a religious symbol, and whoever manages it benefits personally from maximizing his benefits and extending his authority, the shrine itself as an institution does not have an active role in the performance of the

74 Quoting the same source, pp. 23 et seq.
75 Meaning the tombs and shrines of Imam Husayn ibn Ali and his brother Abbas ibn Ali, both in the city of Karbala.

custodian's worldly functions. In other words, in the past, it was an incubator that granted its managers worldly authority based in religion. Through the shrine, the custodian governed the city. The position was passed on as an inheritance, and it was subject to religious, political, and social pressures. The shrine transitioned to a different role after 2003, through which its function evolved into the pursuit of secular, economic, and commercial roles. Although it played no political role, it had broad political clout that enabled it to influence politics, protect its economic interests, and expand its capabilities and its dominance of the public social space.

Why the two Karbala shrines, and not the one in Najaf?

It is important for us to point out that the activity of the two Karbala shrines was linked primarily to the fact that, per Shari'a, the person responsible for them was Supreme *Marji'* Sayyid Ali al-Sistani. It became established that the secretaries-general of the shrines are his representatives, and they convey his vision to the people through the sermons at Friday prayers. In addition, they and two others were the only ones directly installed as agents by al-Sistani and the other three top maraji' in Najaf – Muhammad Saeed al-Hakim, Ishaq al-Fayadh, and Bashir al-Najafi – soon after 2003.

Returning to the question that provides the title of this section, we seek to understand why the two Karbala shrines, and not the Imam Ali Shrine in Najaf, were chosen as a voice of al-Sistani's marja'iyya. We will find that there is no profound philosophy behind it, so much as it was a choice imposed by the circumstances.

After 2003, Muqtada al-Sadr's movement accelerated. Muhammad Baqir al-Hakim came to Najaf and became the imam for Friday prayers at the Imam Ali Shrine, and Sadr al-Din al-Qabbanji succeeded al-Hakim after the bombing that claimed his life. Clashes occurred between the worshippers behind al-Qabbanji and the Sadrist current while the city was under al-Sadr's control in 2005.[76] Skirmishes followed the end of the Sadrists' war in Najaf and included fighting between the Sadrists and the management of the Imam Ali Shrine,[77]*

76 Ali al-Mathloum, op. cit., p. 31.

77 After the Mahdi Army lay down their weapons and left Najaf, the area around al-Sadr's office, across from the Imam Ali Shrine at the edge of al-Buraq, was demolished except for al-Sadr's office. It was an unwise step or an attempt by Ayad Allawi, the prime minister of the interim government, to avoid creating a crisis. The office remained closed up for some weeks, then was opened. At that time, the people of Najaf engaged in angry demonstrations reviling Muqtada al-Sadr and opposing the re-opening of the office. Three people were killed later. At the funeral, which included three

whose secretary-general at the time was Muhammad Ridha al-Ghuraifi. Al-Sistani prohibited anyone from praying at the shrine, on Fridays or at any other time, because he had previously authorized his agent in Karbala, Abdul Mahdi al-Karbalai, to lead Friday prayers there. He and al-Safi and two other men had previously been authorized by four maraji' in Najaf to manage the two shrines, in a document that the four stamped. Al-Karbalai had held prayers at the two shrines during the Mahdi Army's war with U.S. forces. Attention turned to al-Karbalai because he was al-Sistani's agent, and there was a known assassination attempt against him in 2004.[78]

This historical circumstance, which was the product of chance, reinforced the status of the two Karbala shrines relative to the Imam Ali Shrine in Najaf. It led to the political and economic roles they would play in the following years, while the Imam Ali Shrine had no such role.

Al-Sistani's institutions and the two shrines: Trading roles

As mentioned earlier, al-Sistani's office was of course unable to bring any institutional experiment to Iraq before 2003. Meanwhile, his agent Javad al-Shahrastani learned from the institutionalization of marja'iyya activity in Iran, influenced by the Iranian leadership of course, so that institutions affiliated with al-Sistani's office could be opened later in Iraq.

The truly remarkable development began with the expansion of the Karbala shrines' activities, which began as the result of the two secretaries' direct contact with politics and public affairs and a direct echo of al-Sistani's intervention in political affairs. He intervened in several ways as a result of demand sin society for him to take on a greater role. This manifested in his intervention in elections, the writing of the Iraqi constitution in 2005, and so on.[79]

processions, Secretary General Muhammad Ridha al-Ghuraifi closed the doors of the shrine. The mourners beat on the doors and inundated the office instead of the shrine. Quoting Ali al-Mathloum, op. cit., p. 32.

78 See: "Nine killed in assassination attempt on al-Sistani's agent in Karbala," Al Jazeera, July 20, 2018:
https://is.gd/uXEJNG.

79 Ali Abdul Hadi Almamoori, Sīyāsat al-'Amin al-Waṭanī fī al-'Irāq (National Security Policy in Iraq), Arab Scientific Publishers, Beirut, 2016, pp. 230 et seq.
Ali al-Mathloum, op. cit., p. 32.

As much as the two shrines' work evolved as a matter of adapting to challenges and the relationship to the marja'iyya that society demanded, at the same time, it was a reflection of two important things:

The first was that the Shi'ites came to power in Iraq and dominated the most important executive position, that of prime minister. That required approaching the state in a spirit of friendship and belonging rather than the hostility, alienation, and estrangement that had previously dominated the Shi'ite institution's relationship with the state.

The second was Iranian influences and the Iranians' experience of converting the Reza Shrine into an institution resembling a holding company, a religious institution with political influence beyond the capability of the mayor of Mashhad himself.[80]

On the other hand, the two shrines are in unstated competition. While the Al-Abbas Shrine clearly throws its weight around in commerce, farming, imports, contracting, telecommunications companies, and private universities, the Imam Husayn Shrine focuses on cultural activity, schools, study centers, books and magazines, research conferences, and multifaceted relationships with universities.

Al-Sistani's office and the work of the two shrines

It is difficult to determine the extent to which Sayyid al-Sistani or his office as a whole is involved in the details of the work within the two shrines. It may be possible, however, for us to discern some features of the complex relationship between the shrines and the office, relying on several facts. We mention one as evidence for our hypothesis about the extent of al-Sistani's involvement in the work of the shrines.

After 2003, the former head of the Theological Research Center, Shaykh Faris al-Hassoun (who died in a car accident in Qom and was the son-in-law of Sadr al-Din al-Qabbanji; he was of Turkish descent from a family that settled in Najaf long ago, and was born in Najaf and migrated to Iran) tried to open a library at every shrine in Iraq. One of those was the library of the Imam Ali Shrine.

He put Hashim al-Milani, a cleric from a well-known religious family, in charge of the library. Before 2003, al-Milani was an investigator on the committees of

80 Ali al-Mathloum, op. cit., p. 32.

the Aal al-Bayt Foundation for the Revival of Heritage, and he also worked at the Theological Research Center in Qom. Al-Milani did his work at the library with a distinction to which others attested. Although he was a religious hardliner, he filled the library with all the diversity that a public library should contain. When he supervised the shrine's annual book exhibition, he brought in problematic publishing houses such as Dar al-Jamal, Dar al-Mada, Dar al-Warraq, and others. He was successful overall, and his work was appreciated. Throughout his time there, his financial ties were to al-Sistani's office, not the shrine.

After Shaykh Diya' al-Din Zayn al-Din became the secretary of the Imam Ali Shrine, however, he wanted to control the library. He tried to link al-Milani's salary to the shrine's salaries, thus paving the way for him to control the functioning of the library. Al-Milani rejected this and left the position. Shortly thereafter, the Al-Abbas Shrine founded the Islamic Center for Strategic Studies, with one location in Najaf and another in Beirut, managed by al-Milani. The Center publishes several periodicals, including Al-Istighrab, another magazine specializing in the translation of selections from the most important writing about Shi'ism from around the world, a magazine that monitors discussions of Shi'ism in media channels, another journal about Orientalism, and so on.

We conclude that al-Sistani's office does not tend to interfere much in the affairs of the Najaf shrine because of its symbolism. Meanwhile, al-Sistani's office focuses its clout on the two shrines. All the men in the orbit of al-Sistani's office work in the two shrines in some way. Those who have been angered in Najaf are placated in Karbala – Hashim al-Milani is a clear example.

Overall, the evolution of the work of the two shrines, the unlimited support they receive from al-Sistani, and their complex relationships with the state, Iranians, and society show in some way that Sayyid al-Sistani's office readjusted the role of the marja'iyya. On one hand, he maintained the solemnity of the institution in accordance with its traditional mechanisms and kept the Hawza out of direct engagement in public affairs. On the other hand, he put his weight behind the two shrines and the way in which their secretaries work in their complex relationships.

Some of the two shrines' projects

- Imam Husayn Shrine

    1. Al-Shifa' hospitals and health centers, of which 17 have been completed in various parts of Iraq, including liberated areas.
    2. Fadak Date Palm Farm, a strategic project to cultivate rare varieties of date and fiber palms, located 20 km west of Karbala.
    3. Animal feed plant.
    4. Al-Zahraa University in Karbala.
    5. Shaykh Ahmed al-Waeli Hospital, a specialized hospital for women.
    6. Nur al-Warith grain mill.
    7. Sayyid al-Awseia City for visitors, which the Imam Husayn Shrine website describes as the largest city in Iraq.
    8. Imam Husayn Autism Institute, which treats children.
    9. Seal of the Prophets Hospital for Cardiovascular Disease in Karbala.
    10. A model complex of schools for orphans in Karbala.
    11. Imam Husayn School and Library in Al-Suwaira District, Wasit Governorate.
    12. Karbala TV.
    13. The Rayhana al-Mustafa Complex in Karbala, which includes meeting rooms and a commercial hotel.
    14. Imam Husayn Agricultural City.
    15. Imam Husayn Medical Complex in Karbala, an investment hospital.
    16. Khairat al-Sibtayn Company, a major contracting company with numerous projects, including the Construction Materials Exhibition and many other projects.

- Al-Abbas Shrine

1. Al-Kafeel Company for General Investments.
2. Al-Kafeel Hospital-Karbala.
3. Al-Kafeel Hospital-Babylon.
4. Al-Kafeel Residential Complex.
5. Al-Kafeel Technical Garage.
6. Al-Afaf Shopping Mall.
7. Al-Kafeel Radio and Institute.
8. Al-Kafeel Center for Physical Therapy and Rehabilitation.
9. An ice factory.
10. Al-Sajjad Warehouses.
11. The first schools and cultural center project.
12. The second schools and cultural center project.
13. Islamic Center for Strategic Studies.
14. The educational complex in Najaf Governorate (University of Alkafeel).
15. Al-Shaykh al-Mufid Complex.
16. Jannat Al-Kafeel Apartments.
17. Al-Nasr Advanced City.

THE WEALTHY MARJI' OR THE WEALTH OF THE MARJI' – WHICH CAME FIRST?

The money and power of the *marji'*: Iranian institutionalism versus Najafi traditionalism in managing money and the marja'iyya

The hawza rests principally on two pillars, the *marji'* and the students, in a customary hierarchy based on the phases of study and not on specific positions in accordance with legal mechanisms. The *marji'* sits at the top of the pyramid, appointed by his office, which is mostly subject to the sons or sons-in-law of the *marji'*, or both together, and individuals who have clout because the *marji'* and his close associates trust them. Outside that office, the rest of the pyramid consists of a teacher who instructs students at a lower academic phase than himself, and they in turn teach those lower than themselves, from the outside research phase through the intermediate phase and down to the preliminary phase.

The *marji'* therefore needs his presence to be sustained among the students and, more comprehensively, for the hawza's presence to survive in its location, for example, in Najaf. The pillars of this sustainability are a complex mix of relationships, scholarly production, and the senior hawza teachers who are the

soldiers of the *marji'*. The vessel that encompasses all this is money, spent as salaries and flowing through institutions which students join. It also flows through schools, some of which resemble government schools in their work, such as the Imam Ali School for Religious Sciences in Najaf, an integrated university city that provides housing for its students. Students there do not have the freedom to choose their coursework and teacher, unlike at the Najaf Hawza. It is obvious that the conflict between the Najaf Hawza and the Iranian leadership has exacerbated the burden of the need for funds in order for Najaf to continue to attract capable students and professors. This means that khums funds alone are no longer sufficient, especially as the Najaf Hawza is not up against a hawza with similar capabilities but an entire oil state that stands behind the Iranian leadership. This requires the diversification of resources to ensure that they flow sustainably and are not subject to khums payers' piety and desire to voluntarily pay the religious dues incumbent upon them.

At this point, it is clearly important to return to the most prominent ways in which *Marji'* al-Sistani's activity has evolved as a mechanism for adaptation and development. He felt that the traditional method may no longer be feasible at this critical juncture for the Najaf Hawza. Here we mean the work and activity of the two Karbala shrines and, less importantly, other shrines.

hanism for managing expenditures and financial matters. The *marji'* has wide latitude to spend, which affords him the broad powers granted to him by jurisprudence. There are no receipts for obtaining government funds, meaning no carbon copies, and there is no annual budget showing the money coming in and going out. The most extreme case is that of the Najaf marja'iyya, which does not use bank accounts. Meanwhile, there is a kind of codification and knowledge of resources in the offices of the maraji' in Qom, including al-Sistani, because they have official accounts to which money is transferred from abroad. Their finances are confidential, and the resources spent are subject to personal decisions. They are sometimes made public, such as the figures included in a book published in the 1990s on the activities of al-Sistani's office and institutions in Qom, which included figures for what had been spent in a number of countries. Some estimate that Sayyid al-Sistani's office has annual income between $500 million and $700 million, with assets worth $3 billion.[81] This does not include the Al-Ayn Foundation for the care of orphans, which announces its income and expenditures annually.

81 Laura Henselmann, op. cit., p. 20.

Likewise, the shrines have total financial independence. The Board of Supreme Audit is not allowed to audit them, especially the two shrines in Karbala, and this includes their share in Iraq's state budget. They do not pay taxes on their commercial activities, and they have a tariff-free pier at the Port of Basra. This means that the shrines' financial resources remain independent of the state, just as in their history of opposition, but now with state protection and cover.

CONCLUSION

At this point, it can be said that the Najaf Hawza is passing through one of the most critical stages in its history. It has shifted from opposition to become a paternal sponsor of a Shi'ite-dominated political system. At the same time, the existence of this Shi'ite-influenced state poses complex challenges. These challenges are not limited to the existence of a diametrically opposed antagonist that rejects this predominantly Shi'ite system and is working toward its destruction or failure, reflecting the situation of the Shi'ite religious institution in Najaf.

The challenges extend to the existence of a different kind of antagonist, namely the Shi'ite actors who are fighting amongst themselves, and its involvement in a zero-sum game against its Shi'ite counterpart, the Iranian leadership. The latter aims to have total control over Najaf, i.e., the most important Shi'ite space, which is the Hawza, after dominating the political system. There is also a third actor, namely the Sadrist current, whose leader considers himself qualified to assume the role played by the traditional Najaf Hawza and aspired to by the Iranian leadership. In addition, other marja'iyyas also aspire to power and authority over the holy shrines, such as the Shirazis and the Yaqubis.

All these complex conflicts have added complexity to the work of the Najaf marja'iyya, Sayyid al-Sistani's office in particular. This has led him to adapt to these challenges and work to sustain the resources needed to remain strong amid these complex internal and external conflicts. The work of the shrines has evolved in ways that differ from one shrine to the next, of course. They have dived into politics in various forms and have even protected themselves with military forces. There was talk of a parliamentary bloc in the 2021 parliament. They have expanded through several economic institutions for constant cashflow, not to mention the budget allocated to them by the Iraqi government, which become an operational budget for affiliates' salaries after 2014.

All these complexities are a burden on the financial resources of the Hawza and Sayyid al-Sistani's office. Amid a complex political situation, the office seeks to preserve the structure of the hawza by creating sustainability for the lessons there and developing its working mechanisms without falling into the trap that would make it a copy of the Iranian leadership's institutions. That would weaken it, in accordance with the rule mentioned earlier of "a system where there is no system."

REFERENCES

1. Abu al-Farash Abd al-Rahman ibn Ali al-Jawzi, Al-Muntaẓam fī Tārīkh al-Umam wa-l-Mulūk (The Organized History of Nations and Kings), edited by Muhammad Abd al-Qadir Ata and Mustafa Abd al-Qadir Ata, Dar Al Kotob Al Ilmiyah, Beirut, first edition, 1992.

2. Abd al-Hayy ibn Ahmad al-Akari ibn al-Imad al-Hanbali, Shadharāt al-Dhahab fī Akhbār Man Dhahaba (Fragments of Gold in the Accounts of Those Who Have Departed), edited by Mahmoud al-Arnaout, Dar Ibn Katheer, Damascus-Beirut, first edition, 1986.

3. Al-Hasan ibn Yusuf ibn al-Mutahhar al-Hilli, Khulāṣat al-Aqwāl fī Ma'rifat al-Rijāl (Summary of Statements in the Science of Rijal), edited by Javad al-Qiyoumi, Al-Fiqaha Publishing Institute, Qom, first edition, 1996.

4. Radhi al-Din Abu al-Qasim Ali ibn Musa ibn Tawus, Kashf al-Maḥajja li-Thamarat al-Muhja (Exposing the Intention for the Benefit of the Soul), edited by Muhammad al-Hassoun, Bustan Ketab, Qom, second edition, 1996.

5. Abu al-Fida' Ismail ibn Omar ibn Kathir al-Dimashqi ibn Kathir, Al-Bidāya wa-l-Nihāya (The Beginning and the End), Dar al-Fikr, Beirut, 1986.

6. Abd Allah ibn Isa al-Afandi, Riyāḍ al-ʿUlamāʾ wa Ḥiyāḍ al-Fuḍalāʾ (The Garden of Scholars and the Safe Haven of the Virtuous), edited by Ahmed al-Husayni, Marashy Najafi Library, Qom, 1980-1994.

7. Muhsin al-Amin, Aʿyān al-Shīʿa (The Great Shi'ite Figures), edited and released by Hassan al-Amin, Dar al-Ta'arif, Beirut, 1983.

8. Muhammad Baqir al-Irawani, Durūs Tamhīdīyya fī Tafsīr Āyat al-Aḥkām (Preliminary Lessons in the Interpretation of Verses of Rulings), Dar al-*Fiqh* for Printing and Publishing, Qom, third edition, 2017.

9. Bahr al-Ulum, Al-Fawā'id al-Rijālīyya (The Benefits of the Men of Narrations), editing and commentary by Muhammad Sadiq Bahr al-Ulum and Hussein Bahr al-Ulum, Al-Sadiq Library, first edition, 1983.

10. Ali Asghar bin Muhammad Shafie al-Burujurdi, Ṭarā'if al-Maqāl fī Ma'rifat Ṭabaqāt al-Rijāl (Curiosities in the Study of Biographies), edited by Mahdi al-Raja'i, Marashy Najafi Library, Qom, first edition, 1989.

11. Muhammad Baqir ibn Muhammad Akmal al-Bihbahani, Al-Fawa'id al-Ha'iriyya (Rijal al-Bihbahani) (Uncertain Benefits (Bihbahani's Biographies of Narrators)), Islamic Thought Complex, Qom, first edition, 1994.

12. Muhammad Ali Mudarris Tabrizi, Rayḥānat al-Adab fī Tarājim al-Ma'rufīn bi-l-Kunya aw al-Laqab (The Breath of Literature in Translations of Those Known by Teknonym or Title), Khayyam Library, Tehran, third edition, 1991.

13. Ni'mat Allah ibn Abd Allah al-Musawi al-Jaza'iri, Al-Anwār al-Nu'mānīyya (Lights of Numaniyah), Dar al-Qari, Beirut, first edition, 2018.

14. Hassan al-Jawahiri, Da'wa 'ilā al-Iṣlāḥ al-Dīnī wa-l-Thaqāfī (A Call for Religious and Cultural Reform), Ahl Al-Bayt World Assembly, Beirut, second edition, 2012. Buḥūth fī al-*Fiqh* al-Mu'āsir (Research in Contemporary Jurisprudence), Dhaha'ir al-Islamiyya Complex, Qom, first edition, 2001.

15. Muhammad ibn al-Hasan al-Hurr al-Amili, Amal al-Āmil (Hope of the Hopeful), edited by Ahmad al-Husayni, Al-Adab Press, Najaf.

16. Hassan al-Hakim, Al-Mufaṣṣal min Tārīkh al-Najaf al-Ashraf (The Detailed History of Najaf al-Ashraf), Imam Ali Library, Qom, first edition, 2006.

17. Hamed al-Khafaf, Al-Nuṣūṣ al-Ṣādira 'an Samāḥat al-Sayyid al-Sīstānī fī al-Masa'la al-'Irāqīyya (Texts Issued by His Eminence Sayyid Al-Sistani on the Iraqi Question), Arab Historian Publishing, Beirut, Lebanon, sixth edition, 2015.

18. Shams al-Din Abu Abd Allah Muhammad ibn Ahmad ibn Uthman, Al-'Ibar fī Khabar Man Ghabar (Lessons in the Account of the Bygone), edited by Muhammad al-Said bin Bassiouni Zaghloul, Dar Al Kotob Al Ilmiyah, Beirut, first edition, 1985.

19. Siyar A'lam al-Nubula' (The Lives of Noble Figures), edited by a group of researchers supervised by Shuaib Al Arna'ut, Al-Rasala Foundation, third edition, 1985.

20. Ja'far Sobhani et al., Mawsu'at Ṭabaqāt al-Fuqahāʾ (Encyclopedia of Jurists), Imam Sadeq Foundation, Qom, 1997.

21. Taj al-Din Abd al-Wahab ibn Taqi al-Din al-Dubki, Ṭabaqāt al-Shāfi'īyya al-Kubrā, edited by Mahmoud Mohammed el-Tanahi and Abdel Fattah Mohammed el-Helou, Hijr for Printing, Publishing, and Distribution, second edition, 1992.

22. Sadr al-Din al-Shirazi, Sharḥ al-Usūl al-Kāfī (Commentary on Al-Usūl al-Kāfī), edited by Muhammad Khajavi, Institute for Social and Cultural Studies, Tehran, first edition, 2003.

23. Hasan al-Sadr, Takmilat 'Amal al-Āmil (Supplement to 'Amal al-āmil), edited by Hussein Ali Mahfouz, Abdul Karim al-Dabbagh, and Adnan al-Dabbagh, Arab Historian Publishing, Beirut, first edition, 2008.

24. Tehrani, Al-Dharīʿa 'ilā Taṣānīf al-Shīʿa (List of Shi'ite Books), Ismailian Press, Qom, 1987.

25. Abu Ja'far Muhammad ibn al-Hasan al-Tusi, Al-Khilāf (The Dispute), introduction by Mujtaba al-Muhammadi al-Iraqi, Islamic Publishing Institute, Qom, 1986.

26. Al-'Udda fī Usūl al-*Fiqh* (Tools for the Principles of jurisprudence), edited by Muhammad Ridha al-Ansari al-Qummi, Bustan Ketab, Qom, 1996.

27. Nasir al-Din al-Tusi, Ādab al-Muta'allimīn (Literature of the Learned), edited by Muhammad Ridha al-Jalali, Shiraz Press, 1995.

28. Al-Husayn ibn Abd al-Samad al-Harthi al-Amili, Wusūl al-Akhyār ’ilā ’Usūl al-Akhbār (The Access of the Good to the Principles of jurisprudence of Reports), edited by Abdul Latif Kuhkamari, Dhaha’ir al-Islamiyya Complex, Qom, first edition, 1980.

29. Baha’ al-Din Muhammad ibn al-Husayn al-Harthi al-Amili, Al-‘Urwa al-Wuthqā fī Tafsīr Sūrat al-Ḥamd (The Firmest Bond in Interpretation of Surah Al-Hamd) and at its end the book Al-Raḥla (The Journey), edited by Muhammad Ridha Namti and Asaad al-Tayeb, Islamic Media Bureau, Qom, third edition, 2009.

30. Abbas al-Azzawi, Mawsu’at Tārīkh al-‘Irāq bayn Iḥtilālayn (The Encyclopedia of Iraqi History Between Two Occupations), Arab Encyclopedia House, Beirut, first edition, 2014.

31. Abu al-Hasan Abd al-Ghafir Ismail al-Farsi, Al-Mukhtaṣar min Kitāb al-Siyāq li-Tārīkh Nīsābūr (The Abridged Context of the History of Nishapur), edited by Muhammad Kazem al-Mahmoudi, Miras Maktoob, first edition, 2005.

32. From the papers of Shaykh Muhammad Rida al-Muzaffar, compilation and commentary by Muhammad Ridha al-Qamusi, Contemporary Library, Baghdad, 2014.

33. Muhammad ibn Murtada al-Kashani, known as al-Fayd al-Kashani, Al-Maḥajja al-Bayḍāʾ (The White Intention), Islamic Publishing Institute, Qom, 1996.

34. Ja‘far ibn Khidr al-Janaji Kashif al-Ghita’, edited by Mahdi al-Raja’i, Dar al-Nafaes, Beirut.

35. Kashf al-Ghiṭāʾ ʿan Mubhamāt al-Sharīʿa al-Gharrāʾ (Uncovering Ambiguities in the Glorious Shari‘a), Islamic Media Bureau, Khorasan, Iran, 2002.

36. Muhammad Husayn Kashif al-Ghita’, Al-‘Abaqāt al-‘Inbarīyya fī al-Ṭabaqāt al-Ja‘farīyya (The Intoxicating Perfumes of Jafari Biographies), edited by Jawdat Al-Qazwini, Beirut, 1998.

37. Abbas Kazem, Al-Ḥawza taḥt al-Ḥisār: Arshīf Ḥizb al-Ba‘ath al-‘Irāqī (The *Hawza* Under Seige: The Archives of the Iraqi Ba’ath Party), Dar al-Rafidain, Beirut, 2018.

38. Muhammad Husayn Na’ini, Tanbīh al-Umma wa Tanzīh al-Milla (Alerting the Nation and Cleansing the Faith) (in Persian), edited by Javad Varaei, Bustan Ketab, Qom, 2002.

39. Abu Muhammad Afif al-Din Abd Allah ibn Asad al-Yafei, Mirāt al-Jinān wa-‘Ibrat al-Yaqẓān (The Mirror of the Heavens and the Lesson of Vigilance), gloss by Khalil al-Mansour, Dar Al Kotob Al Ilmiyah, Beirut, first edition, 1997.

40. Ibrahim al-Abadi, Al-Ijtihād wa-l-Tajdīd, Dirāsa fī Manāhij al-Ijtihād wa-l-Tajdīd (Ijtihad and Renewal: A Study in Approaches to Ijtihad and Renewal), Dar al-Hadi for Printing, Publishing, and Distribution, Beirut, first edition, 2000.

41. Ervand Abrahamian, A History of Modern Iran, National Council for Culture, Arts, and Literature, Kuwait, 409, 2014.

42. Editorial from the Iranian newspaper Kayhan on September 26, 2020.

43. Statement of the Supreme Marja‘iyya in April 2006.

44. Al-Sistani’s statement in the Friday sermon on January 10, 2020.

45. *Marji‘* al-Sistani’s statement after his meeting with UN Envoy to Iraq Jeanine Hennis-Plasschaert on September 12, 2020.

46. Gareth Stansfield, “The Transition to Democracy in Iraq: Historical Legacies, Resurgent Identities and Reactionary Tendencies,” translation published in Al-Mujtama’ al-‘Irāqī: Ḥafrīyāt Susīyūlūjīyya fī al-Ithnīyāt wa-l-Ṭawā’if wa-l-Ṭabaqāt (Iraqi Society: Sociological Excavations of Ethics, Sects, and Classes), Institute for Strategic Studies, Baghdad - Beirut, first edition, 2006.

47. Jawdat al-Qazwini, Tārīkh al-Mu’assasah al-Dīnīyya al-Shī‘īyya: min al-‘Aṣr al-Būwayhī ’ilā Nihāyat al-‘Aṣr al-Ṣafawī al-’Awwal (The History of the Shi‘ite Religious Institution: From the Buyid Era to the end of the First Safavid Era), Dar al-Khaza’in li-Ihya’ at-Turath, second edition, 2014.

48. Harith Hasan, (“Al-Marja’īyya al-Dīnīyya al-Shī‘īyya wa-l-Faḍā’ al-Sīyāsī al-Ijtima‘ī: Qirā’a fī Tajrubatay al-*Marji‘*ayn Muḥammad al-Ṣadr wa ‘Ali al-Sīstānī” (“The Shi‘ite Marja‘iyya and the Sociopolitical Space: A Reading in the Experiences of *Marji‘* Muhammad al-Sadr and *Marji‘* Ali al-Sistani”), Omran 9, no. 33, summer 2020. Arab Center for Research and Policy Studies.

49. Haider Mohammed al-Kaabi and Ali Lofteh al-Issawi, “Dūr al-Marja‘īyya fī Muẓāhirāt Tishrīn: Dirāsa Tawthīqīyya li-Dūr al-Marja‘īyya al-Dīnīyya fī al-Iḥtijājāt al-‘Irāqīyya min 1-10-2019 ’ilā 15-3-2020” (“The Role of the Marja‘iyya in the Tishreen Demonstrations: A Documentary Study on the Role of the Marja‘iyya in the Iraqi Protests from Oct. 1, 2019 to March 15, 2020”), Islamic Center for Strategic Studies Najaf, Iraq, 2021.

50. Khalid Hantoosh, “Ḥawzat al-Najaf al-Barrānī wa-l-Juwānī” (“The Najaf *Hawza*: Inside and Out”), in Shī‘at al-‘Irāq ba‘d 2003: al-Ru’ā wa-l-Masārāt (Iraqi Shi‘ites After 2003: Visions and Paths), compiled and edited by Dr. Moaid Al Suwayint and Dr. Alaa Hamid, Dar Adnan, Baghdad, 2019.

51. Shaykh Abdul Mahdi al-Karbalai, Friday sermon in Karbala on December 20, 2019.

52. Friday sermon on January 11, 2019, from the official website of Sayyid al-Sistani’s office.

53. Friday sermon at the Imam Husayn Shrine on June 20, 2014, from the official website of Sayyid al-Sistani’s office.

54. Dr. Sabino Acquaviva and Dr. Enzo Pace, La sociologie des religions: Problèmes et perspectives, translated by Dr. Izz al-Din Inaya, Abu Dhabi Authority for Culture and Heritage, United Arab Emirates, first edition, 2011.

55. Dr. Ali Al-Wardi, Lamaḥāt Ijtimā‘īyya min Tārīkh al-‘Irāq (Social Glimpses of Iraq’s Modern History), Vols. 5 and 6.

56. Reidar Visser, “Sistani, the United States and Politics in Iraq: From Quietism to Machiavellianism?”, Norwegian Institute of International Affairs; Iraqi Shi‘ites After 2003.

57. Salah Abdul Razak, Al-‘Irāq wa al-Islām al-Siyāsī wa Dūr al-’Islām al-Shī‘ī fī al-‘Irāq al-Mu‘āṣir (Iraq, Political Islam, and the Role of Shi‘ite Islam in Contemporary Iraq), Dar al-Qanadil for Publishing and Distribution, Baghdad, 2018.

58. Abbas Kazem, Thawrat 1920: Qirā’a Jadīda fī Ḍaw’ al-Wathā’iq al-Tārīkhīyya (The 1920 Revolution: A New Reading in Light of Historical Documents), translated by Hassan Nazim, University of Kufa, Dar Al Tanweer Printing, Publishing, and Distribution, Beirut, 2014.

59. Abbas Kazem, Al-Ḥawza taḥt al-Ḥisār: Dirāsa fī Arshīf Ḥizb al-Ba‘ath al-‘Irāqī (The *Hawza* Under Seige: A Study in the Archives of the Iraqi Ba’ath Party), University of Kufa Publishing, Beirut, Lebanon, 2018.

60. Abdelilah Belkeziz, Al-Dawla fī al-Fikr al-Islāmī al-Mu‘āṣir (The State in Contemporary Islamic Thought), Centre for Arab Unity Studies, Beirut, third edition, 2011.

61. Abdelbaki Hermassi et al., Al-Dīn fī al-Mujtama‘ al-‘Arabī (Religion in Arab Society), Centre for Arab Unity Studies, Beirut, first edition, 1990.

62. Abdul Jabbar Al Rifai, “Mafhūm al-Dawla fī Madrasat al-Najaf: Sīyāqāt al-Mafhūm wa Taḥawwulātihu fi al-Tārīkh al-Qarīb min al-Shaykh al-Nā’īnī ’ilā al-Sayyid al-Sīstānī” (“The Concept of the State in the Najaf School: The Contexts and Transformations of the Concept in Recent History from Shaykh Na’ini to Sayyid al-Sistani”), seminar on Priorities for Reform in the Islamic World: State and Citizenship, Istanbul 2010, Al-Kawakibi Democracy Transition Center and the Turkish-Arab Society for Science, Culture, and Arts.

63. Abdellatif Hermassi, Al-Mawrūth al-Dīnī al-Islāmī, Qirā’a Sūsīyūlūjīyya Tārīkhīyya (Islamic Religious Heritage: A Sociological History), “Religion: State and Community,” Dar al-Tanweer for Printing, Publishing, and Distribution, Beirut, Lebanon, first edition, 2012.

64. Abdul-Hadi Hairi, Al-Tashayyu‘ wa-l-Dustūrīyya fī Irān: Dūr ‘Ulamā’ al-‘Irāq fī al-Sīyāsa al-Irānīyya (Shi‘ism and Constitutionalism in Iran: An Study of the Role Played by the Persian Residents of Iraq in Iranian Politics), Institute of Shi‘ite Studies, Brill, Leiden, 1977, translation by Abdul Ilah al-Nuaimi, first edition, 2015.

65. Abdul-Hadi Hairi et al., Muḥammad Ḥusayn al-Nā’īnī wa Ta’sīs al-*Fiqh* al-Sīyāsī, (Muhammad Husayn Na’ini and the Founding of Political Jurisprudence), translated by Muhammad Hussein Hikmat, Al-Hadara Center for the Development of IslamicThought Beirut, first edition, 2012.

66. Adnan Ibrahim al-Sarraj, Al-Imām Muḥsin al-Ḥakīm: Dirāsa Tārīkhīyya Tabḥathu Sīratahu wa Mawāqifahu wa-Ārā’ahu al-Sīyāsīyya wa-l-’Islāḥīyya wa ’Atharahā fī al-Mujtama‘ wa-l-Dawla fī al-‘Irāq (Imam Muhsin al-Hakim: A Historical Study Examining His Biography, Positions, and Political and Reformist Views and Their Impact on Society and State in Iraq), supervised by Dr. Wajih Kawtharani.

67. Ali Taher Alhammood, Jamrat al-Ḥukm: Shī‘at al-‘Irāq wa Makhāḍāt Binā’ al-Dawla wa-l-’Umma ba‘d 2003 (The Ember of Governance: the Shiites of Iraq and the Birth Pangs of Building the State and the Nation After 2003), University of Kufa, first edition, Beirut, Lebanon, 2017.

68. Ali Abdul-Amir Allawi, Iḥtilāl al-‘Irāq: Ribḥ al-Ḥarb wa Khasārat al-Salām (The Occupation of Iraq: Winning the War, Losing the Peace), translation from English by Atta Abdul Wahhab, Arab Institute for Research & Publishing, first edition, 2009.

69. Faleh Abdul Jabbar and Saad Abdul Razak, Ḥarakat al-Iḥtijāj wa-l-Masā’ala: Nihāyat al-Imtithāl, Bidāyat al-Masā’ala (The Protest and Accountability Movement: The End of Conformity, the Beginning of Accountability), Iraq Studies, Beirut, first edition, 2017.

70. Fuad Ibrahim, Al-Faqīh wa-l-Dawla: al-Fikr al-Sīyāsī al-Shī‘ī (The Jurist and the State: Shi‘ite Political Thought), Dar al-Murtadha, Beirut, 2015.

71. Laura Henselmann, “The Shi‘ite Clergy in Iraq After Sistani - Growing Iranian Influence?”, Maison du Futur, Konrad Adenauer Initiative, 2017.

72. Rewaq Magazine, Rewaq Baghdad Center for Public Policy, negative reactions in Iran to the pope’s visit, Issue 5, 2021.

73. Mohsen Kadivar, Theories of the State in Shi‘ite Jurisprudence, reviewed in Beirut, Dar al-Hadi, first edition, 2000.

74. Mohammed al-Sayyid al-Sayyad, “‘Azmat al-Bayt al-Shī‘ī: Mawqaf al-Nukhab al-Dīnīyya min Iḥtijājāt al-‘Irāq wa Lubnān (“The Shi‘ite Crisis: The Position of Religious Elites on the Iraq and Lebanon Protests”), Rasanah International Institute for Iranian Studies, 2020.

75. Mohammed al-Sayyid al-Sayyad, “Al-Marja‘īyya al-‘Ulyā ma ba‘d al-Sīstānī wa Mustaqbal al-Ḥawza” (“The Supreme Marja‘iyya After al-Sistani and the Future of the *Hawza*”), Rasanah Institute for Iranian Studies, 2022.

76. Mohammed Jamil Odeh, Al-Ishāmāt al-Sīyāsīyya fī Fikr al-*Marji‘* al-Dīnī ‘Alī al-Sistānī fī al-‘Irāq ba‘d 2003 (Political Contributions to the Thought of *Marji‘* Ali al-Sistani in Iraq After 2003), unpublished Ph.D. dissertation, University of Baghdad, Faculty of Political Science, 2018.

77. Al-Nuṣūṣ al-Ṣādira ‘an Samāḥat al-Sayyid al-Sīstānī fī al-Masa’la al-Irāqīyya (Texts Issued by His Eminence Sayyid Al-Sistani on the Iraqi Question), compiled by Hamed al-Khafaf, Arab Historian Publishing, Beirut, Lebanon, seventh edition, 2017.

78. Wajih Kawtharani, Al-Faqīh wa-l-Sulṭān: Jadalīyat al-Dīn wa-l-Sīyāsa fī Irān al-Ṣafawīyya al-Qājarīyya wa-l-Dawla al-‘Uthmānīyya, (The Jurist and the Sultan: The Dialectic of Religion and Politics in Safavid and Qajari Iran and the Ottoman State), Arab Center for Research and Policy Studies, Beirut, 2017.

FRIEDRICH EBERT STIFTUNG

The current book discusses a new and old topic at the same time. Shia Islam, as a doctrine and community, has emerged as a major problematic issue since the early days of Islam and continues to be so until now, as it is considered the largest minority among Muslims in the Middle East.

On the other hand, there is an increasing interest in social and political studies to gain a deeper understanding of the "Hawza," which refers to the Shia religious institution and its governing mechanisms. This includes understanding its financial resources and its orientations in nation-building, particularly after 2003 in Iraq. The theory of the highest authority in Najaf, Ayatollah Ali al-Sistani, has become a renewed and exceptional development in the history of Shia thought in understanding the state and its obligations.

Despite all of this, the period leading up to 2003 did not witness a complete separation of the Hawza from public affairs, yet deep and complex equations were at play in this context.

The book provides a general explanation of the Hawza of Najaf, as the most important and oldest Hawza in the Shia world, and the study atmosphere within it. It also explores the most significant aspects of the theory of the highest Shia authority, Ali al-Sistani, in nation-building in Iraq after 2003. Examining the political theory of al-Sistani involves its own complexities within the Iraqi context, as well as the challenges faced by his authority in light of diverse visions within the Hawzas of Qom and Najaf.

Additionally, the book investigates the economic resources of the religious institution in Najaf, shedding light on information that was rarely accessible on this subject.

ISBN: 978-9923-759-42-4