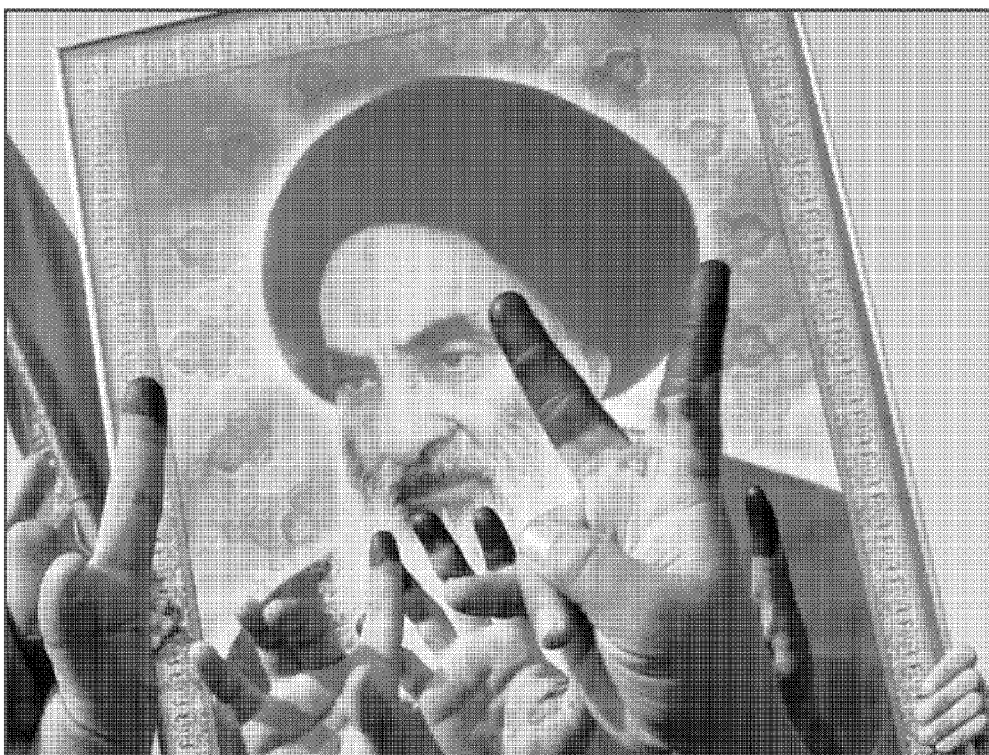




The Last Marja

Sistani and the End of Traditional Religious Authority in Shiism

Mehdi Khalaji

Policy Focus #59 | September 2006

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THE
WASHINGTON INSTITUTE
for Near East Policy 

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Published in 2006 in the United States of America by the Washington Institute for Near East Policy,
1828 L Street NW, Suite 1050, Washington, DC 20036.

Design by Daniel Kohan, Sensical Design and Communication

Front cover: Iraqis with fingers ink stained from casting votes carry a picture of prominent Shiite cleric Ayatollah Ali Hussein al-Sistani during an election rally in Sadr City, December 15, 2005. Copyright AP Wide World Photos/Karim Kadim

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Executive Summary

Part of American frustration in Iraq stems from misestimating the Shiite religious authority and network in the country. Lack of clarity about the nature of the Iraqi Shiite religious authority, its social influence, its political capability, and its relation to the Iranian clerical establishment and government has caused various problems for the U.S. policy in Iraq. Sometimes the United States has relied too much on Grand Ayatollah Ali Sistani, expecting him to calm multiple tensions generated by different Shiite groups. Sometimes Americans have ignored the power and potentiality of the Shiite religious network and its connection to the other Shiite and Sunni networks outside Iraq.

A politicization and a radicalization of the Shiite authority and network have occurred not only inside Iraq but also throughout the Shiite world. The Iranian supreme leadership has largely transformed the unorganized traditional Shiite clerical establishment into a systematic political and financial network that works against U.S. interests in the region. A vast front of moderate Shiites exists all around the Shiite world. These moderates exist among both clerics and intellectuals, with divergent traditional or democratic tendencies. But what has become known as “the Shiite clerical establishment” is mainly under the Iranian regime’s control. That apparatus has largely become a tool in the hands of Shiite extremism, leaving other religious or secular currents in the margins, without institutional means, social influence, and communications capability. On the basis of detailed information about the transformation of the clerical establishment from a civil institution into a strong arm of a totalitarian government, this study argues that as long as that clerical establishment enjoys ample financial resources from the Iranian government and is able to carry on political activity under the cover of religious activity,

the Middle East will face serious peril from Shiite extremist fundamentalism.

The metamorphosis of the seminary from a religious educational institute that manages the religious affairs of worshipers into an integral part of an ideological arsenal of the fundamentalist Iranian government dates from the beginning of the Iranian revolution. Ayatollah Ruhollah Khomeini and his successor Ayatollah Ali Khamenei both succeeded in undermining the civil and religious roles of the clerical establishment and politicizing it as much as they could. Politicizing the clerical network went far beyond the Iran’s borders. Khamenei, in particular, has tried to expand his domination of the Shiite networks in the region. Through sophisticated mechanisms, he has turned the symbolic and material capacity of the Shiite religious institutions throughout the region in his own political favor, using them for his anti-West and anti-American policy.

Sistani may well be the last traditional Shiite authority (*marja*) not only in Iraq but also in the Shiite world. If the *marjas* no longer function as in the past, the environment within which U.S. policy functions will change. A post-*marja* era will be characterized by politicization of the Shiite religious network and reenforcement of Iranian regime’s power and influence outside Iran; by contrast, the influence of the regime inside the country will diminish. These results would come from polarization between the moderate front of Shiites and the extremist one, from the wealth of the Iranian government as compared with other funding sources for the Shiite religious community, and from increased connection between different extremist groups under the Iranian regime’s control. The effects would be felt not only by the West but even more so by democratic forces inside Shiite countries or communities.

By ending the *marja* era and destroying the traditional function of the clerical establishment, the Iranian regime intends to eliminate any possibility of political change from within, to marginalize civil society and democratic movements, and consequently to limit the West's options in dealing with Iranian government in different controversial issues.

The Shiite clerical establishment can be understood only by studying the economic sources on which it relies. The ample eco-

nomic resources of political fundamentalists, not the force of the faith, drive some Shiite worshipers to behave politically against democratic processes. The satisfaction of their material needs by extremist groups or the Iranian government is the main generator of their agitation against democratic reformist ideals. Unveiling the concealed financial resources of Shiite network is the most difficult part of democratic countries' task toward deconstruction of the fundamentalist Shiite networks in the region.

The Nature of Shiite Religious Leadership

Aqida means the system of beliefs and non-beliefs which are the basis for all levels of connection between authority and power. Power needs to be obeyed; but there is no loyal, free obedience to an arbitrary power that is not supported by authority. Jurists and legal authorities contribute by providing a rationalized foundation to the authority of those who have the responsibility of enforcing the law; law being expression of the political power monopolized by the state.... Islam is theologically Protestant and politically Catholic.

—Mohammad Arkoun, *Islam: To Reform or to Subvert?* (London: Saqi Books, 2006), p. 258.

This study attempts to shed light on the nature of contemporary religious authority in the Shiite world, with a focus on Iraq and Iran. For the last two centuries, religious authority in Shiism has been known as *marjaiya*, which literally means “the source of imitation” and figuratively describes “the position of a Shiite living supreme legal authority” who supposedly possesses the exclusive authority to interpret *sharia* (Islamic law);¹ is the main collector and manager of religious taxes; is the administrator of religious educational and noneducational foundations; and possesses the authority to seize control of the sanctity in society by directing rituals, rites, and religious ceremonies. *Marjaiya* is the upper echelon of a hierarchy within the *ulamas* or *mojtaheds* who are Shiite jurists and control the so-called “clerical institution.”

According to late schools of *sharia*, every Shiite worshiper is either a *mojtahed*, a religious scholar who is educationally and intellectually able to understand and interpret religious texts² and deduces “God’s orders to

human beings” from those texts through traditional methodologies and conceptual apparatuses, or is an otherwise ignorant follower of a *mojtahed*.³

Although a large number of *mojtaheds* have studied Shiite theology and jurisprudence, only a very few *marjas* usually exist. To become a *marja*, a *mojtahed* must reach a

names, genealogical lineages, lifetimes, dates of death, characters, and circumstances of reception as well as the transmission of hadith and its topic or subject. Every *mojtahed* should be an expert on *ilm al-rijal* in order to reach his personal views about controversial subjects of this discipline. Therefore, each *mojtahed* can invoke a specific part of the corpus of hadith and distinguish between authentic and fake ones through his personal practice of *ilm al-rijal* and his opinion on *usul al-fiqh* (the foundations of *sharia* or *sharia* principles).

Secondary texts are the juridical works written by earlier jurists. The closer a text is to the period of the Prophet and imams, the more a *mojtahed* can rely on its authors’ opinions as a correct understanding of primary texts. In principle, all *mojtaheds* presume that early jurists had to have access to more sources than a contemporary jurist because they assume that in the course of history many religious sources were lost or disappeared. For a classic study on the formation of *sharia*, see Joseph Schacht, *An Introduction to Islamic Law* (New York: Oxford University Press, 1982).

³ According to contemporary *sharia* schools, under *sharia* every Shiite worshiper should be either a *mojtahed* or a follower or a *muhtat* (literally, cautious). A *muhtat* is a worshiper who is neither a *mojtahed* nor a follower of a *mojtahed*, but one who follows the strictest verdicts of contemporary *mojtaheds* in order to be assured that she or he practices what God expects from her or him. For example, if some *mojtaheds* consider an act to be illicit while others say that it is not, the *muhtat* should not perform it. Indeed, the criteria of his or her adherence is not the educational character of a *mojtahed*, but the precautionary nature and harshness of a verdict, no matter who issues it. In general, the majority of worshipers are followers, and a few of them are *muhtats*. To be a *muhtat* one must have the knowledge of all *mojtahed* verdicts—not an easy task for most ordinary people. The concepts of *ijtehad* and *taqlid* (following a *mojtahed*) entered the Shiite theology about five centuries ago, under special political and social circumstances, and have played a very important role in developing new Shiite political theological concepts. They can be considered as an introduction to the modern theory of jurist-ruler (*velayat-e faqih*). See Rula Jurdi Abisaab, *Converting Persia, Religion and Power in the Safavid Empire* (London and New York: I. B. Tauris, 2004).

¹ The *sharia*, the legal codification of God’s commandments, “is called ‘Divine Law’ because it is presented as fully and correctly derived from the teaching of holy texts (the Quran and Hadith).” Ibid., p. 55.

² Different levels of religious texts exist. Primary texts are the Quran, which is believed to be a textual revelation to the Prophet Muhammad, and the Sunnat, which is the traditional corpus of hadith in which a reader discovers what the Prophet and the twelve imams said, did, or confirmed. Whereas the Quran is officially a closed corpus that became in the last centuries a matter of consensus not only among Shiites but for all Muslims, the Sunnat is an open corpus and the subject of controversy. Every jurist has not only the right but also the duty to determine the authenticity of every hadith in this corpus through *ilm al-rijal*. *Ilm al-rijal* is a traditional discipline that scrutinizes the narrators of hadith, their

high level of social popularity through an economic network. Although every ignorant worshiper should follow the *marja* who is recognized by him as the most knowledgeable *mojtahed*, in reality, a *marja* is not necessarily the most knowledgeable *mojtahed* but rather a *mojtahed* who successfully organizes a profitable network through his relations with different authorities inside the seminary and abroad, such as businessmen and political or social authorities.⁴ Recognizing the level of a *mojtahed*'s knowledge of *sharia* is not based on public and concrete criteria, because unlike a university system or some religious organizations, such as the Catholic hierarchy, no official certificated degree exists in the seminary tradition: therefore, an ignorant worshiper must either be a Shiite scholar and rely on his personal information and knowledge about the living *mojtaheds* and the most knowledgeable one among them, or be an ignorant worshiper who should identify the most knowledgeable *mojtahed* in two ways. First, two religious scholars can confirm that a *mojtahed* is the most knowledgeable, provided that two other religious scholars do not oppose them. (Many religious authorities, including Sistani, believe that being a *mojtahed* or the most knowledgeable *mojtahed* can also be identified by a statement of only one trusted and reliable person.) Second, a number of seminary-trained persons can certify that a particular person is a *mojtahed* or the most knowledgeable one, provided that one is satisfied by their statement. The process of becoming a *marja* is very sophisticated, however, and in many cases depends not on his

educational level but rather on his wealth and social connections.

Apart from theological differences between Shiite and Sunni Islam, the main distinction between them is the economic structure of the clerical establishment in each sect. A simple formulation of this distinction is that the Shiite clerical establishment benefits from direct religious tax payments of worshipers and consequently is economically independent from political power, whereas Sunnis enjoy religious incomes that are under the government's control. The economic structure of the religious establishment in each sect essentially determines the nature and boundaries of the political roles and social activities of the members of the clerical order. Independence of the Shiite clerical establishment should not be understood as being as simple as it seems at first; this independence is relative and certainly interacts with political power. The authority of clerics in all its social and economic as well as political dimensions is related to the historical context in which the government plays a major role either when it is strong or weak. The foundation of the Qom seminary in March 1922—more than a decade after the 1906–1910 Iranian Constitutional Revolution and on the threshold of the pro-Western, nationalist, anticlerical dynasty of Reza Shah Pahlavi—presents a significant opportunity to study the interrelated historical and political elements that led to the consolidation of clerics' power in contemporary Iran. Seminary independence was always limited by the political agenda of the government. Before Iran's Islamic Revolution, no particular clerical policy or model existed for having a relation with the sultan. Some clerics were hesitant to have any relation with him; many of them defined their duty as being a sultan's admonisher and adviser, and a few of them opposed him publicly or secretly. Each kind of policy, naturally, had its own implication: a supporter would benefit either economically or politically, and an opponent would deprive

⁴ A paradoxical conception about *marjayat* exists in the seminary. Although one of the necessary conditions to being a *marja* is to be pious, devout, and not devoted to the pursuit of wealth, certain *mojtaheds* consider the position of *marjayat* as a pursuit of worldly pride—a pursuit of riches and power—and thus hesitate to become a *marja*. They prefer to remain unknown by ordinary people and do not collect religious taxes. For example, Mirza Ali Aqa Falsafi (who died in 2006 in Mashhad) kept himself aloof from the *marja* position although most high-ranking clerics believed that he was one of only a few *mojtaheds* who received *Ijازه-ye Ijtihad* (certificate of being *mojtahed*) from his mentor, Abul-Qassem Khoi.

himself of the sultan's patronage. Only in the course of Iran's Islamic Revolution would clerical opposition gain tremendous popularity, and consequently a huge income from religious taxes, and ultimately succeed in removing the monarchy.

The fluid nature of the Shiite establishment troubles every scholar who wants to study it through the Western conceptual apparatus of modern social sciences. The scholar must always be cautious about the application of social sciences' concepts and terms in attempting to understand the Shiite clerical entity. For instance, using the term "organization" or "institution" to describe the clerical entity is problematic. Unlike Catholicism with its defined, strict, and consolidated hierarchy and administration, the Shiite clerical establishment is not "institutionalized." Becoming a member of the clerical establishment has a very flexible and fluctuating procedure that is rooted in an enduring oral tradition rather than a written one. For instance, in the Shiite system, everyone can choose a teacher, study theology (even at his teacher's home), and become a cleric without any need to attend a seminary. Also, anybody can wear the clerical cloth without obtaining permission from any religious authority, or anybody can claim *ijtehad*⁵ degree without any institutionalized certification; he has only to be known as a *mojtahed* or have a certification from a *mojtahed*. Everything is based on traditional convention, unwritten rules that govern the balance of power among the religious milieus. Many clerics neither have religious income nor are registered in the seminary. Especially after the constitutional movement, or more specifically after the political agenda of Reza Shah to found two important institutions: a modern

judiciary and an education system—fields that were monopolized by the clerics for centuries—many clerics left the seminary and became employees of the government. Iran's Islamic Revolution provided clerics with much more opportunity to join the government; many of them kept their religious income, whereas others confined themselves to the government's salary and benefits. For example, Muhammad Khatami, the Iranian former president who is a cleric, was not paid by the seminary for decades.

The more than 200,000 Shiite clerics (nearly 200,000 in Iran and 12,000 abroad) constitute an unstable network. Although most of them rely on religious incomes, the sources of the incomes vary. From the preaching commission and the commission for performing rituals (like the religious marriage contract), which are paid by individuals and free from any authority's control, to the religious taxes that every worshiper pays to his own *marja*, a vast range of incomes exists in the decentralized clerical network. Money transfer and turnover is another important subject for study. Money is an important influence on the clerical network's political and social behavior and influence. A traditional structure of "money keeping" dominates the network and, as this study briefly tries to elaborate, enables the clerical authorities to stand beyond any scientific statistics or government control on their incomes and expenditures. Because of the decentralized nature of the clerical network, even the clerical authorities do not have accurate and full information about all the funds that come in and go out of every cleric's pocket. Even each *marja* generally has only a vague notion of his own income because of the lack of modern administration. Following Iran's Islamic Revolution, a dramatic change has taken place in the Iranian seminary that has fundamentally affected seminary administration as well as its economic structure; chapter 3 develops this point and examines its political implications.

⁵ *Ijtihad* as a methodology for Islamic hermeneutics and understanding divine legal codes was forbidden in Shiism. Nevertheless, pursuant to a tremendous change in Shiite theology six centuries ago, the Shiites have accepted it and started to found their own principles of *ijtehad*. See Wael B. Hallaq, *Authority, Continuity and Change in Islamic Law* (Cambridge: Cambridge University Press, 2001), and Mohammad Ali Amir-Moezzi, *Le Guide divin dans le Shi'isme original, aux sources de l'ésotérisme en Islam* (Paris: Verdier, 1992), especially the last chapter.

In contemporary Shiism, Ayatollah Ali Hussein al-Sistani in Najaf is the *marja* with the largest following. Although the U.S. invasion in Iraq played a major role in publicizing him outside of Iraq, his reputation as a *marja* was established even before the death of his mentor, Abul-Qassem Khoi, in 1992. Under Saddam Hussein's tyranny, all political institutions and parties—all civil society—was annihilated by the government. The Najaf seminary, which has existed for a thousand years, fell into crisis under severe governmental pressure. Many Iranian and Iraqi clerics immigrated to Iran, and the seminary was left to a small group of students and clerics who suffered from a complete lack of freedom. After Khoi passed away, the situation got worse. Ayatollah Ali Sistani was placed under house arrest and could not teach for eleven years. The Najaf seminary was almost completely inactive while the Qom seminary, which the Iranian government supported politically and financially, increasingly flourished and developed.

When Saddam was toppled by alliance forces led by the United States, no reliable political group or figure existed inside Iraq. Ayatollah Sistani succeeded in attracting international attention as someone who could potentially fill that gap for the following reasons:

- As a *marja* he had regular relations with Iran, both with private individuals and the government, so he was supposed to be able to manage post-Iraqi affairs with Iran. Shortly after the war, this perception was shown to be faulty, and Americans discovered that this expectation would not be realized, for reasons that will be examined later in this study.
- Sistani as a Shiite religious authority can play the role of a Shiite community representative and be the point of consensus for differing political tendencies within this community. The post-Saddam Shiite community has become the most powerful po-

litical force in Iraq, along with the Kurds. Therefore, building a new government required making Sistani the pivot of all Shiites, overcoming the differing aspects between the Shiite parties and militias.

- As a *marja* who during Saddam's reign had little opportunity to communicate with the Iraqi people and therefore had no recorded history in the Iraqi collective conscience, Sistani could easily become respected, even by Sunni clerics and heads of tribes, and thus become the most reliable authority to rescue non-Shiite forces in society in time of crisis.
- Sistani's ideas not only in the political sphere but even in the religious realm were unknown and ambiguous to the public. Before the war, he had yet to publish a single book and had not had the chance to freely meet and speak with people. So whatever he now says and writes can be taken as his opinion on *sharia* and its role in politics. Western media, in particular, emphasized the conception that he believes in secularism and the separation of religious and state institutions and consequently is not following Ayatollah Khomeini's model of the Iranian Islamic Republic in Iraq. Even Iranian journalists, such as Mohammad Qoochani, editor in chief of the *Shargh* newspaper, believe that Sistani is an example of a *marja* who hesitates to repeat the faults of the Iranian clerics in creating an Islamic government.⁶

Whatever Sistani's principles in *sharia*, he played a very important role in post-Saddam Iraq, whether in advising on government decisions on referendums, elections, formation of the constitution, or in calming sectarian tensions as well controlling some militias, like the Mahdi Army run by Muqtada al-Sadr. Recent sectarian violence in Iraq may prove that even Sistani's political capability in calming sectarian tension is finally exhausted and thus

⁶ See Mohammad Qoochani, "Three Islams," *Shargh* (Tehran), June 2, 2002. Available online (<http://sharghnewspaper.com/830313/index.htm>).

indicate he faces grave challenges in playing an effective role in drawing the future political map of the country.

To explain Sistani's principles on *sharia* and their effects on his political role and activity, this study begins with an intellectual biography of Sistani, continuing with an elaboration of his network in the Middle East and especially in Iran. Then, it scrutinizes the Najaf seminary's relation to the Qom seminary, the relationship between Shiite religious authority in Iraq and Iran, and the overlapping network of the Shiite world. This explanation can help the reader understand the "Islamic" nature of the Iranian government and the connection between the Iranian political order and the internal and external Shiite authorities.

The main thesis of this paper is that *marjayat*, as it was in last two centuries with all its traditional aspects, belongs to a historical context and period that cannot last after Sistani. The end of the *marjayat* era is not only the end of an establishment but also a fundamental development in the political social authority of Shiism. In a post-*marjayat* era that transforms theology to a political agenda, old religious concepts will signify differently. Although Shiite theology was always, in some respects, a political theology, now all its conceptual apparatus would be at the service of a "modern Islamic ideology" that is equipped with advanced technology and weapons, with global implications.

For instance, in terms of Iranian domestic policy, examining the historical premises of *marjayat*'s decline will help to better understand what President Mahmoud Ahmadinezhad says about the Hidden Imam⁷ and the

government's planning for his return. *Marjayat* is an establishment that is based on the Shiite conception of the imamate and especially the Hidden Imam. *Marjayat* will be obsolete if the Hidden Imam returns, so the political use of the Hidden Imam theme by a political leader such as Ahmadinezhad may be understood as a direct competition with the clerical establishment of Shiism in Iran.⁸ The real competition, in fact, has already taken place between the Iranian Supreme Leader and the *marjayat* establishment. This study attempts to argue that the Islamic Republic that was founded by a *marja*, Ayatollah Khomeini, was a project that ultimately will lead to minimizing the role of clerics in the political realm and empowering fundamentalism led by a combined group of a few clerics and a large number of military and armed groups and institutions. Ironically, the increased political role of the Shiite *ulama* in the last decades has already negatively affected their social and political authority and will eventually end the traditional *marjayat* establishment.

Understanding the historical and political framework of the decline of *marjayat* would help in comprehending some of the internal and external dimensions of the crisis in the Middle East.

⁷ The Hidden Imam as a political concept has played a major role in the life of Shiites throughout history. All political concepts in Shiite theology are related to how they perceive the imamate (succession of the Prophet) and the Hidden Imam (the last imam of Twelver Shiites) and his successors (jurists). For a historical account of this concept, see Patricia Crone, *God's Rule, Government and Islam, Six Centuries of Medieval Islamic Political Thought* (New York: Columbia University Press, 2004); Hossein Modarresi Tabatabai, *Crisis and Consolidation in the Formative Period of Shi'ite Islam: Abu Ja'far Ibn Qiba Al-Razi and His Contribution to Imamite Shi'ite Thought* (Princeton, N.J.: Princeton University Press, 1993); Said Amir Arjomand, *The Shadow of God and the*

Hidden Imam, Religion, Political Order, and Social Change in Shi'ite Iran from the Beginning to 1890 (Chicago and London: University of Chicago Press, 1987); Kathryn Babayan, *Mystics, Monarchs, and Messiahs, Cultural Landscape of Early Modern Iran* (Cambridge, Mass.: Harvard University Press, 2002).

⁸ The challenge between Ahmadinezhad and the clerics has already started. Please see Mehdi Khalaji, "Ahmadinezhad's Popularity One Year On," *PolicyWatch* no. 1125 (Washington Institute for Near East Policy, July 20, 2006). Available online (<http://washingtoninstitute.org/templateC05.php?CID=2490>).

Sistani as a *Marja*

In the world of *marjayat*, popularity dictates the role and rank of the *marja*. Thus, the most popular *marjas* are almost always the most important. No official polls, however, track the number of each *marja*'s followers, or followers of Sistani in particular, because the decision to follow a *marja* is a very personal one for the Shiite worshiper that follows no set legal or administrative procedure. Nevertheless, many unconventional methods are used to estimate the percentage of followers of each *marja*. For instance, during the obligatory and nonobligatory pilgrimage to Mecca (Hajj and Umrah) and Medina, millions of Shiite worshipers need to learn their religious duties regarding pilgrimage ritual.

Shiite pilgrims are organized within caravans. Each caravan consists of about 100 people and is headed by an administrator who may be an individual or a small group and a cleric. The administrator—like a travel agent—is in charge of various pilgrimage matters, such as getting visas to Saudi Arabia and arranging accommodation during their stay in that country. The cleric's responsibility is to help each pilgrim in his caravan fulfill her or his ritual duty. Each pilgrim's duty may vary from that of the others according to her or his *marja*. The cleric is expected to teach every pilgrim his or her religious tasks according to a *marja*. Therefore, when a pilgrim asks the caravan's cleric about what she or he has to do, the cleric should first of all find out who is that pilgrim's *marja*. By knowing the *marja* of each pilgrim in the caravan, a cleric can assist the pilgrim to accomplish her or his ritual. Hence, a caravan cleric is a reliable source for knowledge about the popularity of each *marja*, whether he lives in Iran, Iraq, or another part of the Shiite world.

A cleric needs to know the Hajj codes and laws, which are sometimes very sophisticated. In places other than Iran, a caravan's cleric is usually appointed by the caravan's administra-

tor because of the cleric's reputation or abilities. In Iran, however, everything concerning pilgrimage, including the caravan clerics, is monopolized by the government through the Organization for Hajj and Pilgrimage (Sazman-e Hajj va Ziarat) and by a representative of the Supreme Leader in Hajj affairs—both controlled by the Supreme Leader. Candidates for caravan clerics are short-listed through formal exams and then chosen according to ideological criteria and expediency. Before departure from Iran, a caravan's clerics are trained by those governmental organizations about Hajj rituals as well as other issues, such as the Iranian annual demonstration against the United States, Israel, and Western countries that are deemed "the enemies of God" by official ideology of the Islamic Republic. Nonetheless, a cleric needs to become informed about the detail of pilgrim ritual through other sources, such as every *marja*'s important book on "Hajj codes" and finally consulting the representative office (*be'tha*) of every *marja* in Mecca or Medina.

A *marja*'s representative office in Mecca and Medina is not located in a private building but in a hotel. Every *marja* has his own staff in the office during the year, but in the period of obligatory pilgrimage (Hajj), usually the most important representatives of a *marja* will be at the office. This office has two main functions: the first is to answer religious questions about pilgrimage codes by the *marja*'s followers and especially by caravan's clerics who want to direct the members of their caravan who follow that *marja*. The second function is to collect religious taxes. Hundreds of thousands dollars are paid to *marjas*' offices every year in cash or checks. The office collects the money and sends it back to the *marja*'s main office where he lives or in Qom.

Thus, the number of people or clerics who come to the representative office of each

marja as well as the amount of money they pay as religious taxes are very evident signs of the extent to which each *marja* is followed by Shiite worshippers. Iranian governmental pilgrimage organizations conduct a confidential poll annually to figure out the approximate number of followers of each *marja*. They distribute the questionnaire among the clerics of Iranian caravans, asking them particularly about followers of *marjas*. According to the annual confidential polling, Ayatollah Ali Sistani is the most-followed *marja* in the Shiite world, and many more people ask his views on pilgrimage codes or pay their taxes to his office and representatives in Mecca and Medina than those who follow other *marjas*.

The other source for estimating the quantity of followers is the *marja*'s main office in Qom. Whether a *marja* lives in Qom or in Najaf, or other cities in other countries, he has a main office in Qom that is very important for his prestige and credit. This office has many tasks: publishing *sharia* codes (*towzih ol-massael*) in Persian, Arabic, and other languages; managing the *marja*'s facilities, charities, libraries, religious schools, hospitals, and other institutions; collecting religious taxes; paying monthly salary to religious students and clerics; creating a clerical network of preachers who will be sent to various cities of Iran or abroad to fulfill religious ceremonies of Muharram, Safar, Ramadan, and other religious events, as well as control on different financial and quasi-political affairs of the *marja*. How big and active an office is would certainly be good evidence of how many worshippers follow a *marja*. On this basis, Sistani's office is the biggest office in Qom in terms of financial capability and ownership of multiple institutions.

According to clerical sources, whether from pilgrimage confidential polling or Qom *marja* offices, nearly 80 percent of Shiite worshippers follow Ayatollah Ali Sistani. The rest of them follow other great *marjas*: Sayed Muhammad Hossein Fadlallah in Lebanon;

Muhammad Said Hakim, Bashir Pakistani, and Muhammad Ishaq Fayyad in Najaf; Muhammad Fazel Lankarani, Naser Makarem Shirazi, Lotfollah Safi, Yossef Sanei, Abdolkarim Mossavi Ardebili, Mossa Shobeiri, Hossein Vahid Khorasani, Javad Tabrizi, Muhammad Taqi Bahjat, Hossein Nori Hamedani, Sadeq Shirazi, and Sadeq Rowhani in Qom; and Ali Khamenei, Supreme Leader of the Islamic Republic, in Tehran. Other clerics claim *marjayiat* and have published their *sharia* codes and collect religious taxes, but their followers do not exceed a few hundred at the most.

What is the significance of the number of followers and its religious, social, and political meanings and implications? A large part of this study is devoted to the Shiite clerical network in the Middle East and through it examine the multiple dimensions of popularity of a *marja* in general and some of them in particular. To explain the mechanism of *marjayiat* and how a *mojtahed* can achieve this position, we first have to look at the biography of Ali Sistani as an outstanding example of a *marja*.

ALI SISTANI AND HIS ROAD TO *MARJAYAT*

Only by superficial generalization can we deduce some elements explaining the passage of a *mojtahed* to *marjayat*. Ali Sistani's destiny is not common among *marjas*; his itinerary to *marjayat* is exceptional and linked to unique political and economic circumstances.

Ayatollah Ali Hussein al-Sistani,¹ originally from Sistan, a southeastern province of Iran, was born August 4, 1930, in Mashhad, a holy city in northeast Iran. He grew up in a

¹ The honorific title of Hussein refers to his genealogy and means that he is a descendant of Hussein, son of Ali, the Shiite first imam, and through him son of the Islamic Prophet. A *sayed*, or a descendant of the Prophet Muhammad, has a distinguished position in Islamic law as well as in Muslim societies. Among many other privileges, she or he can use a part of religious. One can claim relation to the Prophet through a traditional genealogy, which is neither scientific nor necessarily accurate. Because of the favoritism given to *sayeds*, fabricating a genealogy to prove that someone is the descendant of the Prophet is not very difficult. The social position of a *sayed* is very important, especially to Shiites. Historically, most *marjas* are *sayeds*.

clerical family. Ali Sistani preliminarily trained in Mashhad and studied Arabic literature and elementary texts in Islamic jurisprudence in the city's seminary. In 1949 he moved to Qom, the center of Shiism in Iran, and among various courses he attended those of Great Ayatollah *Sayed* Hossein Tabatabai Borujirdi, who was the Great Marja not only of Iran, but also throughout the Shiite world.²

After three years, in 1951, Sistani left Qom for Najaf, the Shiite center in Iraq, for further study. In Najaf, he started mostly attending the lectures of Ayatollah Abul-Qassem Khoi and Sheikh Hussein Helli on Shiite jurisprudence and the foundations of *sharia* (*usul al-fiqh*). He was awarded the certificate of *ijtehad* (official clerical status) from both of them.

In 1960 Sistani returned to Mashhad, Iran, where he wanted to settle and be appreciated for his Najaf training. For unclear reasons, he left Mashhad in 1961 and returned to Najaf, where he started to teach jurisprudence (*fiqh*) and the science of the foundations of jurisprudence.

Some rumors indicate that Ayatollah Khoi was looking for a person who would be able to replace him as a great *marja* and undertake the responsibility for the Najaf seminary. The rumors say that many of Najaf's high-ranking clerics suggested that Khoi choose Sistani for that role. After Khoi's decision, he asked Sistani to be prayer imam in his mosque, al-Khadra. Sistani accepted this symbolic position that enabled him to prepare himself for *marjayat* and acted as imam from 1987 until the mosque was closed by Iraqi government order in 1993.

Many scholars, such as Allamah sheikh Mahdi Murwaarid, *Sayed* Murtadha al-Mohri, *Sayed* Habib Husaynan, *Sayed* Murtadha Isfa-

hani, *Sayed* Ahmad Madadi, and Sheikh Baqir Irwaani, were his students. But not one of those scholars became prominent academically or socially. Since the middle of 1998, after pressure on Sistani and other Shiite *ulamas* by Saddam's regime, Sistani decided to stay home and quit teaching.

When Sistani announced his *marjayat* in 1992, he was relatively well known in Qom through his son-in-law *Sayed* Javad Shahrestani's institutes. Ayatollah Sistani had no prominent disciples in Qom, nor had he written a book. He would not have been able to become a famous *marja* in Qom if Shahrestani had not prepared the practical conditions for his *marjayat*. Shahrestani was born in 1954, married Sistani's daughter in 1975, and immigrated to Qom in 1977. He founded Aal-Olbayt Institute for Revival of Shiite Heritage (Mo'assassat Aal-Olbayt li-ihya ittorathi shii'i) in 1983. About nine years later, Sistani began his *marjayat* after his mentor, Khoi, passed away.

Aal-Olbayt Institute described its function as gathering manuscripts of traditional Shiite scholars and editing and publishing them in a very elegant form at a very low price. From the beginning of its work, the institute obviously had more in mind than publishing forgotten, neglected, or important manuscripts. The expenses of editing and publication were much more than what the institute could gain from book sales. The institute was financially supported by *Sayed* Javad Shahrestani and his network in Iran and abroad. Shahrestani's principal project was establishing his own institute in the very competitive climate of Qom seminary. But Shahrestani's ultimate goal for the foundation of that institute, which has been followed by many other institutes, libraries, campuses, and even an observatory, appears to have been to spread the name of his father-in-law, Ali Sistani, who was almost unknown in Qom seminary until that time.

When Qom's influential clerics figured out that Sistani was trying to present himself as a *marja*, they campaigned against him. Abdullah

² *Sayed* Hossein Borujirdi was called "Marja alal-italaq," that is, the absolute *marja*. The absolute *marja* is the one who does not have any competitor *marja* in his time and is recognized by the Shiite community as the most credible and knowledgeable *marja* without any controversy. In the history of *marjayat*, the emergence of an absolute *marja* was a rare and exceptional event. After Borujirdi, not a single *marja* appeared as absolute.

Javadi Aamoli and Reza Ostadi, two members of the association of the Qom seminary's mentors (Jameh-ye Modarressin-e Howzeh-ye Ilmiyeh-ye Qom), a pro-government clerical institute, explicitly worked on delegitimizing Sistani. Along with other pro-government clerics, they tried to goad Shahrestani into a reaction and then suppress him and close Sistani's offices in Qom. But they finally failed because of the wise and diplomatic measures Shahrestani took that spiked their destructive efforts.

Javad Shahrestani tried to use Khoi's network in part. A considerable number of Khoi's representatives became Sistani's representatives. According to Shahrestani, Sistani has more than 2,000 religious representatives worldwide.³ Although the religious properties and economic capital of Khoi mostly remained in the hands of his sons, sons-in-law, and his disciples and some of his main representatives, Khoi's network—which was the most established and expansive religious network in the

world—could be a great help to Sistani. Moreover, if Sistani carried the title of Khoi's most prominent disciple and his successor, that acknowledgment could help Sistani use Khoi's symbolic capital as well, namely his prestige and social influence. The Iranian government could not harm Shahrestani because he played a major role in showing the Iranian people, as well as clerics, that Sistani was the best potential successor of Khoi, which allowed Sistani to take over Khoi's place.

A very tough part of Shahrestani's job as Sistani's most important assistant and representative was to maintain the balance of power in Qom seminary, not only between Sistani and other *marjas* but also between Sistani and Ali Khamenei, the Supreme Leader who claims that he is a *marja*, too. Shahrestani made every endeavor to depoliticize his activity and be neutral vis-à-vis various clerical and political tendencies and currents. For instance, while Montazeri was disfavored by the government, Shahrestani worked on normalization of its relation with Montazeri in order to prove that he (and consequently Sistani) is an independent *marja* and does not fear government security and police forces. When Abdullah Nori, former minister of interior, was released from prison, Shahrestani went to Tehran and visited him. Meanwhile, he has very close ties with the Supreme Leader's offices in Qom and Tehran and very often welcomes in his office Muhammad Muhammadi Golpayegani, the head of the Supreme Leader's office. Shahrestani's office in Qom is a convergence point that includes everybody from all political and clerical sides and even religious intellectuals like Abdul-Karim Soroush, who was extremely disfavored by the government and clerics both and is still considered a great enemy of the clerical establishment by clerics. By expanding the range of people who have connections with Sistani's office, Shahrestani has created a security belt around himself for protection against government surveillance and interference.

³ The concept of "representative" is very important for understanding the flexibility and fluidity of religious networks. A religious representative means one who is trusted by a *marja* or his office to spread his name and to campaign for the *marja*, explains and answers religious questions of worshipers, and finally, collects their religious taxes. The representatives have many ranks; a few of them are *mojtaheds*, but most of them are not. Also, few of them were disciples of the *marja*. Most of them are not, and many of them have no knowledge about the *marja*'s views on *sharia* except through his book "codes of *sharia*," which is available to everybody. Few representatives are important enough to have an office for themselves, like Sheikh Fazel Sahlan, Sistani's representative in New York, or Sayed Morteza Mohri, Sistani's representative in Kuwait, and most of them work at their homes. A religious representative can represent many *marjas*. He does not represent them politically. A representative collects the religious taxes of each worshiper and usually after taking one-third of it for himself, he sends the rest to the *marja*'s main offices. *Marjas* are normally unable to have any control or do any audit on their representative and all takes place only through trust and confidence. Some representatives send a small portion of the money they receive to the *marja*'s main offices and keep a large part of it for themselves. Sistani in a *fatwa* (religious edict) stated that a worshiper is not religiously forced to pay his taxes to his representatives and is allowed to spend it himself for religious goals that are specified in the codes of *sharia*.

Sistani has repeatedly denounced the statements of his representatives that purported to express his view. He explicitly and specifically declared on many occasions that statements purporting to represent his views but lacking his office's seal or signature should be considered as "merely the personal views of those who express them." See Reidar Visser, "Sistani, the United States and Politics in Iraq: From Quietism to Machiavellianism?" Norwegian Institute of International Affairs, No. 700, Oslo (2006), p. 9. Available online (<http://historiae.org/documents/Sistani.pdf>).

Sistani gained much of his power from his popularity, and through it his economic power. A *marja*'s wealth reinforces his popularity, and his popularity helps him increase his financial resources. As the most-followed *marja* in Iran and abroad, Sistani is the richest *marja* of the Shiite world. (In chapter 5, we take a look at the economic structure of the seminary and *marjas*.) The most accurate estimates of Sistani's wealth indicate his annual income is between \$500 million and \$700 million and his worldwide assets exceed \$3 billion.

Because of his assets, Sistani is able to pay higher monthly salaries to seminary students and clerics than any other *marja*. The amount of monthly salary is very significant; it proves the wealth and consequently the popularity of a *marja*, briefly his economic and social power. Although Ali Khamenei does not have that many followers and does not collect a remarkable amount of religious taxes, by unwritten law, he pays the highest monthly salary at the seminary in order to resemble the late Khomeini, who was a very popular *marja* and collected hefty religious taxes and donations. Khamenei is using the governmental budget rather than religious resources for responding to his expenses in the seminary. Hence, Khamenei has altered the natural order of paying salary of the seminary to keep himself above all, while he relies on nonreligious funding resources.

Shahrestani, respecting Khamenei's desire to be above all in administration and in paying salary, is excused when he pays less while he collects more. But Shahrestani spends the money in other ways. He pays monthly salary outside the seminary system, which is under Khamenei's control, to those whom the seminary deprives of salary. Shahrestani pays salary to clerics who become disfavored by government at his office, and by virtue of such generosity he attracts the support of various parts of seminary who are unable to resist government injustice or publicly protest.

SISTANI'S INSTITUTES IN IRAN

Javad Shahrestani, after founding the Aal-Olbayt Institute, created specialized multilingual libraries. First, he set up the general Library of Literature, which includes Persian, Arabic, English, and a few other literatures—either classic or contemporary, from literary works such as novels to literary criticism and theory. This library now contains more than 30,000 books and is increasingly open to new books. Foad Al-Assadi, the director of the Library of Literature, tries not only to bring new publications into the realm but also to buy old books that are out of print, some of which are not allowed to be reprinted under the Islamic Republic's censorship system. The Library of Qoranic Exegesis and Sciences holds 20,000 books under its director Muhammad Ali Mahdavi Raad, a pro-Khatami former president and a pro-Montazeri cleric. The Library of History, with more than 60,000 books, is run by Rasoul Jafarian, a fundamentalist extremist cleric who has a close relation with Khamenei's religious and security establishment in Qom. The Library of Fiqh, Fiqh Principles, and Law, with 25,000 volumes, is run by Muhammad Mehdi Mehrizi, a leftist cleric who is close to Iranian reformers and to Muhammad Khatami, former president. The Library of Hadith is under an unknown cleric, Meraji, and the Library of Philosophy, Theology, and Logic is run by Ahmad Abedi, a conservative cleric. Even though since Iran's Islamic Revolution many multilingual modern libraries have been built up, notably by the pro-government institute, Sistani's six libraries in Qom are very useful for religious students, with free admission and acceptable service. The interesting thing is that Shahrestani, by appointing six clerics from different and even opposing sides to run those libraries, has tried to prove his political neutrality and his willingness to generalize the benefits of Sistani's institutions as well as protect them against the government.

Shahrestani also founded the Center for Shiite Manuscripts, which contains more than 12,000 manuscripts and is constantly buying

valuable personal Shiite libraries throughout the world. This center also gathers microfilms from world libraries and puts them at the disposal of clerics at a very low price. Shahrestani has purchased a site (360,000 square meters, equal to 3.88 million square feet) for building an observatory to help jurists figure the accurate time for religious rituals like prayers or fasts. Moreover, Shahrestani initiated welfare projects by building 800 residential units within five residential complexes (totaling more than 100,000 square meters, equal to 1 million square feet). In future, his project will compete with Khoi's town of Madinatol Ilm and Khamenei's town of Mahddieh in the suburbs of Qom.

Shahrestani was the first to bring the internet to Qom and gain the government's permission for creating several internet service providers (ISPs). By doing so he provided the clerics with very cheap internet lines that initially were not filtered but after a while filtered out pornography as well as anti-Iranian-regime material. His initiative to import the internet to the seminary climate was groundbreaking and has been welcomed by reformist clerics. Shahrestani's ISPs provide internet access not only for Qom customers but also for other cities, such as Mashhad, Ispahan, Ilam, and Tehran.

Shahrestani has established Sistani's network through those institutions and also through religious institutes. Outside Iran, Sistani has two kinds of offices: one works under the name of Sistani's office and others work under the name of a religious institute, like Imam Ali Institute in London. Sistani has offices and institutes in Africa as well as New York, London, Paris, Damascus, Beirut, Lahore, Karachi, Tbilisi, Baku, and other cities around the world. For instance, the stated objectives of Imam Ali Institute, which is run by Kashmiri, another son-in-law of Sistani, are translation of religious books, especially *sharia* codes of Sistani to other languages (nearly

thirty languages); religious publication; performance of ritual in Britain and other Western countries; sending preachers to Africa, Europe, and North America to proselytize with Shiites and *marjayat* of Sistani as well as other religious missionaries.

Shahrestani's institute, Aal-Olbayt, itself has many branches throughout the world, including Beirut, Damascus, and London. Aal-Olbayt Institute as well as Sistani's official institutes and offices supposedly connect with Sistani's 2,000 representatives and collect the money they send, spending some of the money in their countries and sending the rest to Qom, Najaf, or wherever Shahrestani deems expedient.

Unlike the traditional clerical mentality, Shahrestani believes in organization and institutions. For instance, Sistani's office in Qom was the first office of a Najafi *marja* in Qom since the foundation of Qom seminary in 1922,⁴ even though most of them had representatives there. Sistani is the only *marja* after Khoi who thinks about the institutionalization of his *marjayat* throughout the world, including Iran; no one except Khoi and Sistani had a single institute in Iran. For the time being, Sistani's institutes are the strongest and broadest institutes of a Shiite *marja* in the world.

SISTANI IN THE NAJAF CONTEXT

Besides Sistani, three other *marjas* exist in Iraq: *Sayed* Mohammad Said Hakim, grandson of *Sayed* Mohsen Hakim (born in Najaf, 1935), Muhammad Ishaq Fayyadh (born in Ghznei, Afghanistan, 1929), and Bashir Najafi (born in Jalandhar, India, 1942). None of them have Sistani's popularity and financial network. According to seminary tradition in Najaf, a non-Iranian *mojtahed* rarely could attract

⁴ Few studies are available on the history of the foundation of Qom seminary. In Persian, an important collection of memoirs of the clerics of that time was published in 1995, but after a short while the Iranian government prohibited its sale in bookshops and forbade its reprinting (*Peydayesh va Tahavvolat-e Howzeh-ye Ilm-ye Qom, Tarikh-e Shafahi-e Inqelab-e Islami-e Iran*, edited by Qolamreza Karbaschi [Qom: Bonyad-e Tarikh-e Inqelab-e Islami-e Iran, 1374]).

Shiites around the world to accept him as a *marja*. Since the nineteenth century and basically after the invention of the telegraph, when *marjayat* became a global matter transcending geographical borders, only *Sayed Mohsen Hakim's marjayat* was able to grow overseas. All Iraqi *marjas*, from *Sayed Abul-Hassan Isfahani* to *Abul-Qassem Khoi* and *Ali Sistani*, were and are originally Iranian. An Indian, Pakistani, or Afghan has very little chance to be known in the Shiite world. In contrast, *Muhammad Ishaq Fayyadh*, for instance, is one of the prominent disciples of *Khoi* and was well known in Qom seminary much before *Sistani* because of his notes from acroamatic (oral teaching) of his mentor *Khoi*, which has been published several times in Qom and Beirut and is considered to be one of the most reliable sources for understanding *Khoi's* principles and foundations of *fiqh* (the methodological foundations of *fiqh*).

Two kinds of salary payments are made to clerics in Najaf seminary: general salaries and those limited to some specific clerics. *Sistani* pays a salary to all clerics (the highest salary is 100,000 Iraqi dinars [ID], equal to about \$70). Iranian Supreme Leader *Khamenei* (the highest is ID 90, about \$60) and *Muhammad Said Hakim* (the highest is ID 30,000, about \$20) are two other *marjas* who pay salary to all clerics. But other *marjas*, such as *Fayyadh* and *Najafi* or a few Qom *marjas* like *Javad Tabrizi*, pay salary to only a limited number of clerics, because they lack the economic capability to pay all.

The best courses (in the highest level, which is *dars-e kharej*) in Najaf seminary are given by *Fayyadh*, *Najafi*, *Baqer Iravani*, and *Muhammad Reza Sistani*, the son of *Ali Sistani*. *Ali Sistani*, who started teaching in 1961, quit in 1999 under pressure from *Saddam's* regime and has not taught again to the present day.

Sistani holds a levee nearly one hour a day in which he meets people and clerics; yet his conversations with them usually do not exceed

a simple greeting. In his meetings, he hesitates to answer political questions, including his opinion on *velayat-e faqih* (guardianship of the jurisprudent, the doctrine granting the Iranian Supreme Leader his authority), a question he has been asked many times.

Every morning, he reads some prominent Iraqi and Iranian newspapers or what his office selected from news websites in Persian, Arabic, or translated from English. He spends a small portion of his time listening to radio, mostly Iranian state radio and BBC Persian or Arabic. He normally does not watch television. Overall, *Sistani* tries to get firsthand information about world and regional news through the media and his own connections. His apostles say that he is very knowledgeable in the history of Iran and Iraq, especially the history of clerical systems in the last two centuries.

His relations with the three other *marjas* in Najaf are respectful, and they are not on a level that allows them to defy *Sistani's* position or authority. Nevertheless, in some major issues on the management of the seminary or political issues, he consults with them, but those consultations are pro forma and he usually makes the final decision.

His office in Najaf is headed by his son *Muhammad Reza Sistani*, but observers believe that *Muhammad Reza* is not an important consultant to his father. He does his job as a head of *Ali Sistani's* administration in Najaf, but in political issues, *Mohammad Reza* does not have much influence on his father. *Sistani's* main consultants in political issues are *Javad Shahrestani*, his son-in-law in Qom; *Hamid al-Khaffaf*, his only official spokesman and his only nonclerical representative in Beirut; *Murteza Kashmiri*, his son-in-law in London; *Muhammad Reza*, as his main mediator to the Iraqi government; and *Ahmad Safi* and *Dr. Hossein Shahrestani*.

Sistani is reluctant to visit with journalists. He has never given an interview to the media. He does not allow photographers to take his picture, except one or two official photographs,

nor is he filmed. Sistani is not interested in dealing with political officials. When Sistani decided to go to London for medical treatment, Javad Shahrestani, who was in charge of trip arrangements, proposed three conditions to British officials for Sistani's stay in London: no meetings with political officials; no journalists around him; security forces should stay very far from him and not approach him.⁵ So Shahrestani refused to meet the representatives of the British ministry of foreign affairs. When Sistani left hospital in London, most world political leaders sent messages for a speedy recovery, but only in the case of Khamenei did Sistani send Javad Shahrestani to convey his appreciation in a private meeting, declining to reply to the others.

Sistani's representatives justify his avoidance of the media by claiming that he is a man of God and does not like to show off as a political leader. They also say that he has no trust in journalists, because he is afraid that they will misquote him or not broadcast his interviews in their entirety. In general, Sistani endeavors to keep himself aloof from the public. Giving interviews to journalists is basically a Qom, or Iranian, tradition, not a Najafi tradition, and it would have quite a negative effect on his reputation as a religious leader.

Creating distance is a very effective mechanism that has its position and meaning in Islamic tradition. Creating *haram*, or a special distance, from architecture to social and human relations is an indication of the power order. A religious leader should not be publicized, especially by modern technology, because in that case he loses his religious pomp and spiritual glory.⁶

Sistani resides on a small street, Masjede-e Hindi, about 200 meters from the Imam Ali Shrine in Najaf. In his modest home, which is also his office, he receives ordinary visitors, representatives, and political activists and of-

ficials. After Saddam's fall, the street became very crowded. It is closed by fences from both sides. Sistani's home is surrounded and secured by his own security guard, not by government police, but the neighborhood is under official security surveillance by the police. The Iranian regime has purchased many homes in this neighborhood in the name of various individuals over the last three years,⁷ permitting Iranian ministry of intelligence and Revolutionary Guard members to surround Sistani's street.

Despite the security organizations surrounding Sistani, whether Iraqi or Iranian, he has kept his control of Najaf seminary. Other Shiite seminaries in Iraq, under Saddam's tyranny, lost their vivacity and activity. Najaf was the only one that persevered, with substantial difficulty. Now the Najaf seminary consists of nearly 2,500 clerics, and about 500 clerics are active in Karbala seminary and other very small seminaries.

SISTANI AND POLITICS: THEORY AND PRACTICE

Does Sistani espouse any specific theory on Shiism and politics? Should Sistani, as a *marja*, be considered a "theoretician" of Shiite jurisprudence rather than Shiite politics? First, one has to examine whether Sistani is a "theoretician" in Shiite law or merely a Shiite jurist who then seeks his own theoretical perception of Shiite politics.

If by theoretician we mean one who can create a new theoretical framework, formula-

⁵ Javad Shahrestani, interview by author.

⁶ For the relation between special distance, political power, and social hierarchy, see Edward T. Hall, *The Hidden Dimension* (New York: Anchor Books, 1969).

⁷ A couple of years ago, Sheikh Muhammad Mehdi Assefi (a relative of Hamid Reza Assefi, spokesman of the ministry of foreign affairs of the Islamic Republic of Iran), a member of the Dawa Party, and the head of the office of al-Majma al-Aalami li Ahlilbayt (International Academy of Ahlilbayt)—an institution controlled by the Iranian Supreme Leader with its headquarters in Tehran, purchased a home close to Sistani's. His purpose in doing so appears to have been twofold: (1) using the security cover of the neighborhood, and (2) having control over Sistani's home.

The International Academy of Ahlilbayt has nothing to do with academics, and its objectives basically are to spread the Supreme Leader's name and campaign for his *marjayat* throughout the world by publishing his books in different languages as well as to campaign for the Islamic Republic's ideology by issuing publications, performing religious ceremonies, and collecting and diffusing money to loyalists of the Iranian regime.

tion, or at least new concepts that replace the old ones and respond to old questions of a discipline or displace the questions and discredit old questions by defining new ones in order to participate in the process of that discipline's development, most jurists of this time—including Sistani—are obviously not theoreticians. They did not create a remarkable conceptual apparatus that challenges former or existing theoretical frameworks. The differences between various Shiite *marjas* or *mojtaheds* do not go beyond a very minor contrast in very minor issues of *sharia*, such as inconsequential and subordinate edicts concerning details of legal codes in religious rituals and commercial, civil, or criminal acts. The philosophical, theological, and paradigmatic presuppositions of Shiite contemporary jurists in *fiqh* and *usul al-fiqh* are much the same. One of the easiest ways to determine the theoretical proximity of Shiite jurists' principles in *sharia* is their *sharia* codes, from which one can hardly discover a controversy on an essential issue. *Ijtihad*, which requires, by definition, one's own endeavor for understanding *sharia* or sacred texts through traditional hermeneutical methodology and based on classic Islamic worldview has been exhausted and is unable to bring up new dynamism for historical and epistemological reasons.⁸

Curriculum and publication are signs of the frozen state and deep-seated arteriosclerosis of thought and knowledge in the seminary. The highest level of seminary education is called *dars-e kharej*, literally "external course," a course that is not based upon reading and exegesis of a text but one in which a teacher who is supposed to be a *mojtahed* raises a question in *fiqh*, bringing up different juridical opinions of jurists, criticizing them, and finally arguing for his own opinion. His course does not have a

textbook, and students usually take careful notes of his criticism and argument. Acroamatic tradition in the seminary (purely oral teaching) has been very important. A disciple who manages to take down the argument and who can properly and eloquently explain what his mentor means can parlay his mentor's approval of his writing so that his notes can be regarded as a proof of the disciple's *ijtihad* as well. Thus, the most perfect acroamatic notes are published and become an indisputable document of both the mentor's and the disciple's *ijtihad*. None of the content, methodology, or subjects of current acroamatics of contemporary jurists in Qom or Najaf, nor publications that are concentrated on new editions of traditional texts or publications of acroamatic notes, show any creativity or dynamism in the theological thought of seminary jurists. Not surprisingly, most new ideas on religion in general and Shiite *sharia* in particular are taking place outside the seminary, even those produced by clerics.

To understand the impact of modernity on a jurist's world outlook, one has to take into consideration the last part of *sharia* codes. Usually, in the last part of the book (or in a separate pamphlet), called "new-found issues," a Shiite jurist responds to the questions that are raised by modern life and were absent in the traditional books on *fiqh*. New-found issues are simply a few issues about which a worshiper cannot recognize what his duty is, because he lives in an age different from the age of tradition and confronts new circumstances and requirements—issues such as migration to non-Muslim countries; the problems arising from socializing with non-Muslims, because they are not traditionally considered pure men and women; medical issues that challenge separation of men and women and veiling of women; some general economic issues like insurance, bank systems, and investment, and so forth. In all cases a jurist tries to regard every issue as a new subject that can be treated by the old methodology of

⁸ Explaining the nature of classic Islamic or Shiite thought is one of the most challenging duties of the historiographers of Islamic thought. If we want to categorize the structure of classic thought in Islam, most probably we can describe it as "primitive" thought in the way that scholars such as Hallpike use this term. C. R. Hallpike, *The Foundations of Primitive Thought* (Oxford: Clarendon Press, 1979).

fiqh, because the dominant paradigm of *ijtehad* assumes that every human act has its own verdict and religious status, because God is “the knower of the unseen,”⁹ who knows what will happen to his creatures and gave his acts legal status in the Quran or in the speeches of the Prophet and imams. Emergence of new historical, epistemological, social, and political conditions does not affect the essence of *fiqh* methodology or system.

Thus, Sistani has not created a new theory on *sharia* nor on politics in Islam. His *fatwas* are the same *fatwas* as those of other *marjas*, especially his mentor, Abul-Qassem Khoi, with few modifications in details according to a reading of his *sharia* codes and comparing it to those of other *marjas*.

It is justifiable to question his perception of *sharia* by comparing it to that of Ayatollah Khomeini, the *marja* who founded a contemporary Shiite state and has the privilege of being the only one among the *mojtaheds* who developed a new conception of *sharia* and its relation with the government, which is not radically different from Shiite tradition but is still considerably distinct from it as well as from his contemporaries' views.

SISTANI AND THE ABSOLUTE POWER OF A SHIITE JURIST

The main issue that differentiates Khomeini¹⁰ and Sistani may be “the absolute power of the Shiite jurist,” which differentiates Khomeini from other *mojtaheds* in general.

Abul-Qassem Khoi, the mentor of Ali Sistani, held that the authority (*velayat-e faqih*) who has all the conditions¹¹ is limited to *hesbiaeh* (religious) affairs,¹² custodianship of

endowments that do not have a custodian assigned by the endower, and litigations that should be judged by *faqih*. Besides those cases, Khoi believed that a *faqih* did not have any kind of authority.¹³ Khoi's opinion is not a special view that differs from the mainstream view on the subject. The problem remains, however, that some *hesbiaeh* affairs do not have a precise and defined domain and can be expanded by personal discretion and expediency of *mojtahed* to unknown results. In other words, the rubric of some *hesbiaeh* affairs, like “enjoining the right/honorable and forbidding the wrong /dishonorable” is so general that it can be applied to any individual, social, and political issues. In the absence of a “philosophy of politics” in Islam as well as a “political theory” in *sharia*, general rubrics can justify either activity or passivity of a *faqih*.

Even though a difference exists between Najaf schools and Iranian schools of thought, the difference essentially relates to the historical position and circumstances of *faqih* rather than their theological, legal principles.¹⁴ Chapter 3 tries to explain the differences between the two schools of Shia theology, especially in terms of politics. As the reader will find, one of the main characteristics of the Najaf seminary is that it was historically far from political power centers

missible; enjoining the right/honorable and forbidding the wrong/dishonorable (*Amr bi al-Maruf and nahi bi al-munkar*); performing communal and Friday prayer; making judgments and its related issues, such as application of *hudud* punishments and retaliation; collecting religious taxes, custodianship of general endowments, and guardianship of orphans, minors, and the insane; and also adjudicating the legal right of unknown ownership. In this sense, with some exceptions like Friday prayer, *velayat-e faqih* is almost a matter of consensus in late schools of *fiqh*, or even in the classic era. For a historical account of classic perception of *velayat-e faqih*, see Rula Jurdi Abisaab, *Converting Persia, Religion and Power in the Safavid Empire* (London and New York: I. B. Tauris, 2004).

¹³ For his *fatwa* on *velayat-e faqih*, see www.alkhoei.org.uk/fatawa/1uaghleed.htm.

¹⁴ On the main historical characteristics of Najaf ulama, see Pierre-Jean Luizard, *La formation de l'Irak contemporain, le rôle politique des ulémas chiites à la fin de la domination ottomane et au moment de la création de l'Etat irakien* (Paris: Edition du CNRS, 1991); Jaber A. Faleh, *The Shi'ite Movement in Iraq* (London: Saqi Book, 2003); Meir Litvak, *Shi'i Scholars of Nineteenth-Century Iraq, The "Ulama" of Najaf and Karbala* (Cambridge: Cambridge University Press, 1998).

⁹ Quran 34:47, Arbery.

¹⁰ For the best comprehensive biography of Khomeini in English, see Baqer Moin, *Khomeini, Life of the Ayatollah* (London and New York: I. B. Tauris, 1999).

¹¹ *Faqih-e Jami-osharayet* is new political-theological term describing a jurist who has all the conditions for *marjayat* and additionally an ability to manage the Shiite community, courage, and “awareness about his time,” namely a vast knowledge about the political and social characters of the contemporary world.

¹² *Hesbieah* affairs include issuing *fatwa* (*ifta*); propagating religious primary rules that create an obligation or duty by declaring an act to be obligatory, prohibited, recommended, disapproved, or per-

and eager to keep itself independent. But historical investigation shows that even Najafi *ulama* tried to intervene in politics when the situation was to their benefit.

Sistani as a disciple of Khoi basically holds to his mentor's view on *velayat-e faqih*, even though he has not written a word on this issue or on any other juridical debates. Obviously, he has published a few *fatwas* with regard to *velayat-e faqih*. In one of his edicts, he responded to the question of what his opinion is about *velayat-e faqih*. He states that in the traditional sense of *velayat-e faqih* that refers only to *his-biyah* affairs, every *faqih* has the authority (*velayat*). But in cases other than *hesbiaeh* affairs, which are general affairs "with which social order is linked, *velayat-e faqih* and enforcement of *velayat* depend on certain conditions, one of which is the popularity and acceptability of *faqih* among the majority of worshippers."¹⁵ Despite Khomeini, who understood *velayat-e faqih* as a privilege assigned to *faqih* by God, Sistani emphasizes one condition, which is popularity and social acceptability.

Reidar Visser, in his illuminating research on Sistani, is absolutely right when he writes that

the apolitical tradition has certainly made its mark on Sistani's writing [works written by his disciples and office members and published in his name]. In much of his prescriptive literature, society seems nearly stateless. The relationship between followers and jurist takes center-stage; situations that involve forces external to this two-way relationship are rendered almost as unwelcome disturbance of an ideal state of affairs. In Sistani's model, Shiite believers ask questions about everything from rituals of ablution to the use of recreational drugs or listening to music; the *mojtahed* provides answers. The state, if visible at all, is in the far background.¹⁶

But Visser is mistaken when he writes that a few *fatwas* issued by Sistani and published on his websites suggest that "shortly after the fall of the Baathist regime in 2003, Sistani could for the first time issue statements... [in which] 'the state' is present in these writings and perhaps more clearly now if compared to his former scholarship."¹⁷ It seems that for understanding the meaning of "state" in Sistani's late *fatwas*, one should position it within the framework of Shiite classic literature. Thus the term "state" in Sistani's *fatwas* does not refer to anything but the traditional perception of "the state," which is a temporal nonreligious government that can be run by either just or unjust men.

Furthermore, several representatives of Sistani, such as Murteza Mohri who is one of Sistani's disciples and one of his representatives in Kuwait, say that Sistani deliberately hesitates to express his opinion on *velayat-e faqih* because if he declares that he holds that *velayat-e faqih* is an accurate principle in Shiism, since he believes in priority and superiority of "the most knowledgeable *mojtahed*" (*mojtahed-e aalam*), it would mean that he believes in himself as the only legitimate ruler-*faqih* (*vali-e fahi*), not only in Iraq but also in the Shiite world. Sistani knows, Mohri adds, that he does not have the capability that Khomeini provided, without which his claim for *velayat-e faqih* would remain without any social, political, and even economic support. In addition, such a claim would put him in competition with the Iranian regime and its Supreme Leader, which would damage Sistani more than the Iranian regime. On the other hand, if Sistani announces that *velayat-e faqih* in its current political meaning and implications is an illegitimate principle and is not compatible with juridical law and theological concepts of Shiism, then he publicly announces a symbolic war against the Iranian regime by calling its government religiously

¹⁵ <http://sistani.org/html/eng/main/index.php?page=4&lang=eng&part=4>.

¹⁶ Reidar Visser, "Sistani, the United States and Politics in Iraq: From Quietism to Machiavellianism?" Norwegian Institute of In-

ternational Affairs, No. 700, Oslo (2006), p. 1. Available online (<http://historiae.org/documents/Sistani.pdf>).

¹⁷ *Ibid.*, p. 12.

illegal. Mohri describes Sistani's lack of full freedom and political and social power and economic facility as a sustainable reason behind the ambiguity of Sistani's position and opinion on *velayat-e faqih*.¹⁸

Javad Shahrestani, in his response to a question on Sistani's view on *velayat-e faqih*, said that he does not know what exactly his father-in-law thinks about it, and he is even unaware about what is published on Sistani's website with regard to *velayat-e faqih*.¹⁹ He may implicitly want to mention that the *fatwa* on Sistani's website was published by the Qom office, in order to diminish the Iranian regime's pressure on Sistani as well as to send an implicit signal to the regime that he does not have any intention to delegitimize Iranian government.

What a researcher on Sistani's view can say with certainty is that Sistani's view on politics has nothing to do Khomeini, and Khomeini's formulation of *velayat-e faqih* will still remain unique. Also, one can be assured that because of Sistani's historical and educational background, he cannot make an epistemological rupture with Shiite traditional jurisprudence. As a consequence, in the realm of theory, Sistani does not differ much from his contemporary *mojtaheds* in Najaf or even in Qom or with his theological ancestors.

The traditional theory of Shiite jurists, especially in the last four centuries and since emergence of *ijtihad* in Shia Islam, leaves a *mojtahed* free to define his own social and political position. Historically, whenever central governments were weak, the interference of *mojtaheds* was more frequent. In fact, a reciprocal relationship exists between the power of *ulamas*, or *mojtaheds*, and the government. Although the theory of *velayat-e faqih* enables a *faqih* like Khomeini to build up a government, for Islamization of the government most of the religious countertheories on *faqih* authority can work the same. A brief historical

account of political positions of *mojtahed* in the last four centuries sheds light on the fluidity of Shiite juridical perception of *faqih* political role and rule. A glance at the political pronouncements of Sistani in the last three years proves that he is limited in his power and he can exercise his power only when the government is in a very weak position or the country is in a transitional period. The current situation in Iraq allows Sistani to become involved in politics only in states of emergency and as an arbitrator.

In sum, the theoretical framework of Shiite jurisprudence opens the way for a pragmatism that is founded on the special mentality of the *mojtahed* and his traditional perception of historical, social, and political conditions. It impels him toward a specific, predictable position. Everything is related to external elements and can be justified by juridical formulations.

Some other considerations can be enlightening in explaining specific political actions by a *mojtahed*, especially at the current time:

- Political action by a *mojtahed* is extremely dependent on his economic capability, his social popularity, and the weakness of central government. When a government functions properly, in either a despotic or a democratic way, a *mojtahed's* authority would be restricted. Of course, a *mojtahed* uses all means for expanding his popularity or capability, even against the government's interests, provided that such means do not lead to any explicit confrontation with government that would destroy *marjayat* foundations.
- For a *marja*, preservation of his own establishment and interests as a religious leader and then preservation of his seminary entity is the absolute first priority. He believes that without the seminary and *marjayat* establishment, Islam itself would be at risk. That explains why a *marja* is always open to compromises with any kind of government if he sees

¹⁸ Murteza Mohri, interview by author, Kuwait, March 2006.

¹⁹ Javad Shahrestani, interview by author, during his pilgrimage in Mecca, October 2005.

that he is capable of leading a social or political movement against it. When a *marja* is in a weak position, he takes refuge in the principle of dissimulation (*taqiya*),²⁰ in which he justifies his political or social passivity.

- A *marja* usually does not care about his successor for many reasons; he rarely fully confirms an individual because he is not certain whether his confirmation would damage his reputation in future or not, and also because *majayat* is a very individual and personal position without a fixed hierarchy. Religiously, a *marja* is not obligated to confirm a successor, and he is incapable of giving a moral guarantee of piety and justice of a person after his own death. A *marja* very often leaves the question of his succession to a future generation of clerics.²¹
- Appointing a person for *marjayat* either directly or indirectly can cause unpredictable and unpleasant problems for a *marja*, because it can provoke competition between many candidates and generate hostility between them. Furthermore, it can lead to questioning of the existing *marja* position as an axis of unity. So far, Sistani has not supported any *mojtahed* as his successor. His failure to do so may stem from the fact that no other *mojtahed* among his disciples or elsewhere can take the responsibility of a great *marja* and enjoy the same popularity and social acceptability as Sistani himself does.

SISTANI'S POLITICAL ACTIVITIES

On many occasions, Sistani and his assistants have publicly announced that he is not interested in politics at all. Examining his claim

and measuring it against his actions proves that he does not intend to take any official political position like the Supreme Leader. He knows very well that such a position is impossible for him in Iraq's current situation or in the country's historical context. He even recommended that the clerics avoid any political and administrative position in the new government. But his position does not mean that he is not interested in politics if we mean by politics something beyond daily management of the country. He certainly believes that the government and the laws should not oppose Islamic laws, which suggests that all secular laws have to be consistent with Islamic laws. Islamic laws are defined by *mojtaheds*, and above them by *marjas*—especially the great *marja*. Therefore, he believes that all laws should be compatible with what he recognizes as Islamic laws. A *marja* like Sistani holds that he has the right to do his religious duty of ordering people to do good and preventing them from doing bad (*Amr-e bi al-maruf* and *Nahy-e ane al-munkar*) by all means. Thus, he sees himself as absolutely right in putting any kind of pressure on the government in order to impose on it what he thinks religiously is good and to prevent it from what he believes religiously is bad. We have seen his efforts in shaping the new Iraqi constitution in accordance with Islamic law. The dualities and paradoxes inherent in the constitution that arise from emphasizing that every law should be both democratic *and* not against Islam are a very important point. They allow Sistani and future *marjas* of the legal right to influence the policy-making and legislative process. Education and judiciary systems in particular are his target, and insofar as he can play a role in the determination of law, he will use his influence to shape those systems.

The politics exercised by Sistani are obviously not the kind we witnessed Ayatollah Khomeini use in Iran. Sistani's actions will be sophisticated, but they cannot be played down.

²⁰ *Taqiyah* is a Shiite's duty when the person feels or fears a real danger if she or he expresses her or his beliefs. Shiite imams have ordered their followers to protect their life by dissimulation of their religious beliefs.

²¹ Although theologically and traditionally a *marja* cannot appoint his successor, in the course of last two decades some *marjas* have tried to campaign for their successor in a very sophisticated way. See, for example, Meir Litvak, *Shi'i Scholars of Nineteenth-Century Iraq*, chapter 3, "Monopolization of Leadership in Najaf."

Iran's Islamic Revolution and the Confluence of Two Authorities

Ayatollah Ruhollah Khomeini, the founder of the Islamic Republic of Iran, transformed the *marjayat* from a merely religious position possessing ambiguous relations with political authority to a religious position with explicit political connotations and implications.¹ According to the constitution of the Islamic Republic, the Supreme Leader must be not only a *mojtahed* but also a *marja*. Conditioning leadership on *marjayat* was the main attempt to unify top religious authority with top political authority in postrevolutionary Iran. According to the Iranian constitution, “the belief in the Imamate and constant leadership and its fundamental role in the continuity of the Islamic revolution” is one of the components of the Islamic Republic.² Also, “all civil, penal, financial, administrative, cultural, military, political, and other laws and regulations must be based on Islamic criteria. This principle applies absolutely and generally to all articles of the constitution as well as to all other laws and regulations. The Guardian Council’s jurists are judges in this matter.”³

Making Islamic criteria a basis for all types of laws does not make sense without a government of Shiite jurists, because they are

the only people who have the social right to give official interpretations of Islam. In this regard, the Islamization of the government directly leads to clericalization of the political system.

Ayatollah Khomeini has elaborated the theory of “absolute authority of the jurist” (*velayat-e faqih*), which is rooted in *sharia* foundations and theories of Shiite *ulamas* of the early Safavid period and combined from *sharia* principles and Islamic mysticism. In his formulation of the theory, the ruler-jurist (*vali-e faqih*) is the one who generally represents the Hidden Imam.⁴ Therefore, as the Hidden

¹ For a historical account of the relationship between religious authority and political power in modern Iran, see Shahrough Akhavi, *Religion and Politics in Contemporary Iran, Clergy-State Relation in the Pahlavi Period* (Albany: State University of New York Press, 1980), especially chapters 2 and 3; Said Amir Arjomand, *The Turban for the Crown, The Islamic Revolution in Iran* (New York and Oxford: Oxford University Press, 1988); Nikki R. Keddie, “The Roots of the Ulama’s Power in Modern Iran,” in *Scholars, Saints and Sufis, Muslim Religious Institutions since 1500*, ed. Nikki R. Keddie (Berkeley: University of California Press, 1972), pp. 211–229; Abbas Amanat, *The Pivot of the Universe, Nasir al-Din Shah and the Iranian Monarchy, 1831–1896* (London: I. B. Tauris, 2005). And for a brilliant study on the relationship between religion and politics in premodern Iran, see Omid Safi, *The Politics of Knowledge in Premodern Islam, Negotiating Ideology and Religious Inquiry* (Chapel Hill: University of North Carolina Press, 2006).

² Constitution of the Islamic Republic of Iran, article 2.

³ Ibid., article 4.

⁴ In Twelver Shiite theological doctrine, in the period of the minor occultation of the Hidden Imam (873–939), he had four appointed representatives: Uthman bin Said al-Asadi, Abu-Jafar Muhammad bin Uthman, Abu-Qassim Hussayn bin Tuh al-Nawbakhti, and Abul-Hassan Ali bin Muhammad al-Sammarri. After the death of the fourth representative, the period of major occultation began. For a groundbreaking study in this regard, see Hossein Modarresi Tabatabai, *Crisis and Consolidation in the Formative Period of Shi’ite Islam: Abu Ja’far Ibn Qiba Al-Razi and His Contribution to Imamite Shi’ite Thought* (Princeton, N.J.: Princeton University Press, 1993). In later Shiite theology, especially since the Safavid period, the theory of general representation has been elaborated by jurists. They hold that a Shiite jurist is a general representative of the Hidden Imam. He represents the Hidden Imam, not by being appointed by the imam personally, but through holding the position of jurist, he is appointed by the imam to represent him. In the course of Iran’s Islamic Revolution, Khomeini was dubbed by the people and his loyalists as “Nayeb al-Imam” (the representative of the Imam), a title that was repeated on posters and placards, and also in religious tribunes (minbar) (see Rula Jurdi Abisaab, *Converting Persia, Religion and Power in the Safavid Empire* (London and New York: I. B. Tauris, 2004). In the last year before the victory of the revolution, “Nayeb al-Imam” was replaced by the title “imam,” which was surprising and unacceptable for the non-revolutionary traditional faction of Shiites, because imam was the exclusive title of the twelve Shiite imams. Before Khomeini, no jurist in the history of Shiism was called an imam. The term “imam” was used by Sunnis in a different way. Although imam had no divine status for Sunnis, this term could be used as an honorific title for political leaders and accomplished scholars of Islamic religious sciences without any theological implications. In the classical period of Islam, some prominent scholars, such as Abu-Hamid Ghazzali, were called imam. It is my conjecture that giving the title of imam to Khomeini is one of the signs that shows the connection of the Iranian Islamic movement to Islamic movements in other Islamic countries, especially in Egypt. Iranian Muslim activists called Khomeini imam under the influence of the Sunni, Arabic usage of term. In the 1970s, Mussa Sadr, an Iranian cleric who immigrated to Lebanon and became the leader of the

Imam's representative, the *vali-e faqih* has all the authorities, rights, and responsibilities that the Hidden Imam possesses. Ayatollah Khomeini held that *government* (in its Shiite sense) is an absolute authority that is handed over to the Prophet by God and that it is the most important order of God, which comes before all other divine secondary orders (*sharia*). The authority of the jurist-ruler is not limited by *sharia*; if it were, handing over the authority to the Prophet would be senseless. The government is a branch of the absolute authority of the Prophet, which is one of the primary orders of Islam and beyond *sharia*.⁵

Khomeini believed that the *velayat-e faqih* is the continuity of the *velayat* of the Prophet and the twelve imams. Thus, a Shiite jurist has been promoted at least to the political authority of the highest saints of Shiism.⁶ But

Lebanese Shiites, was called imam, which was obviously in the Arabic context of its usage (see H. E. Chehabi and Majid Tafreshi, "Musa Sadr and Iran," in *Distant Relations: Iran and Lebanon in the Last 500 Years*, ed. H. E. Chehabi [London and New York: Center for Lebanese Studies, 2006], pp. 137–161). But certainly, the usage of this term in the Shiite Iranian context has its connotations and implications. The title of imam showed the degree of Khomeini's sacredness within revolutionary Shiism and his charismatic character and spiritual perception by others. This significant term has played a major role in the establishment of his political power because in Shiism, the imam has an ambivalent position: secular and spiritual.

After the death of Khomeini, two theories on *velayat-e faqih* have emerged: one holds that the ruler-*faqih* is a general representative of the imam who is elected by the people, and the other is based on the assumption that the ruler-*faqih* is a jurist who is personally appointed by God to be a ruler, but that the only function of the election is to let worshipers discover the divine decision. The "discovery approach" to the election of the ruler-*faqih* is an important step toward making his power absolute, because it equalizes the divine position of the ruler-jurist to that of the four specific appointed representatives of the Hidden Imam. Mohammad Yazdi, the former head of the judiciary and a hardliner ayatollah, is one of the most well-known supporters of this approach.

⁵ The letter of Khomeini to Sayed Ali Khamenei, in Ruhollah Khomeini, *Sahifih-ye Noor*, volume 11 (Tehran: Sazman-e chap va intesharat-e vezarat-e farhang va irshad-e Islami, 1378 [AD 1999/2000]), pp. 459–460. Khomeini wrote this letter to Khamenei, the Friday prayer imam of Tehran and the president at that time, in order to criticize his interpretation of the *velayat-e faqih*. Khamenei, who became Khomeini's successor after his death, in a sermon in a Friday prayer said the authority of the Supreme Leader is not absolute and is limited by *sharia*. Khomeini in his strong letter attacked Khamenei's interpretation of *velayat-e faqih* and explicitly unveiled his formulation of the theory.

⁶ Some revolutionary jurists who supported Khomeini went far beyond that and claimed that a ruler-*faqih* has the right to cancel any basic principle of the religion, such as monotheism. Ahmad Azari Qomi, who became an opponent of Khamenei after Khome-

Khomeini as a *marja* was not elected to leadership by the people or by an assembly of experts, which was created after the revolution. Khomeini reached the position of leadership within a revolutionary process and as the charismatic leader of the revolution. He was respected and obeyed by most of the political leanings in Iran, even by Marxists (like the Tudeh Party) and other secular groups.

After Iran's Islamic Revolution, a few ayatollahs in Qom opposed Khomeini's formulation of the *velayat-e faqih* and considered it an illegitimate tool for legitimizing the religious foundations of the Islamic Republic. Mohammad Shirazi, Mohammad Rowhani, Reza Sadr (Imam Musa Sadr's brother), and Hassan Qommi were among the opponents of the *velayat-e faqih* who publicly criticized Khomeini's attempt to use the theory to legitimize his government. The most important figure among them was Sayed Kazem Shariatmadari (1904–1985), who was known as a senior *marja* even before Khomeini. But the Iranian government, after a massive propaganda campaign against him, accused Shariatmadari of planning a coup with Sadeq Qutbzadeh. The government treated Shariatmadari harshly, arrested dozens of his assistants and followers, confiscated all of his personal and religious property, and sentenced him to house arrest. After a confession on state TV, Shariatmadari returned home and died a few years later. Mohammad Shirazi and Mohammad Rowhani were among the

ini's death (and died under house arrest), believed that the principle of monotheism and other principles of the religion can be annulled by the ruler-jurist in some circumstances. Ahmad Jannati, a hardliner cleric and a member of the Guardian Council, said that the expediency principle overrules other rules, and if under special conditions the ruler-jurist deems Islam to be incorrect, he can cancel basic principles of the religion. This belief was enunciated after Khomeini's order to stop the pilgrimage caravan to Saudi Arabia, because Saudi police crushed Iranian pilgrims in Mecca in a demonstration against Saudi Arabia, Israel, the United States, and other Western countries in September 1987. Following that event, Khomeini described the Saudi officials as nonbelievers and pledged that if Iran forgot the Palestinian issue or even the Iran-Iraq War, it would never forgive the Saudi regime. Khomeini, *ibid.*, pp. 420–423. A few years after Khomeini's death, Iran normalized its relations with Saudi Arabia, canceled its annual political demonstration in Mecca, and resumed sending pilgrims to Mecca and Medina.

mojtaheds who opposed *velayat-e faqih* and spent the last two decades of their lives under house arrest. Muhammad Reza Golpayegani, a popular *marja* in Qom, disagreed with Khomeini's formulation of the *velayat-e faqih* but was more cautious than Shariatmadari and criticized the government's behavior more lightly and through intermediaries. In order to prevent the opposition front in the seminary from spreading, Khomeini appointed Lotfollah Saafi, Golpayegani's son-in-law, as a member of the Guardian Council. By this appointment, Khomeini was assuring Golpayegani of the legitimacy of decisions made in the Islamic Republic.

Shahab-eddin Marashi Najafi was another popular *marja* and an example of a cleric in Qom who tried to be apolitical by avoiding criticism of the government and devoting himself to his religious duty. Khomeini's true rival, however, was the most-followed *marja* in Iran and abroad, *Sayed Abul-Qassem Khoi* of Najaf. A great number of religious scholars in Qom were the disciples of Khoi and under his school of influence. He was the richest *marja* of the Shiite world who had many institutes and schools in Iran and abroad. It was not easy, therefore, for Khomeini to oppose him, though a dispute between Khomeini and Khoi already had begun before Khomeini's return to Iran in the revolution.⁷ Khomeini avoided any explicit confrontation with Khoi and allowed Khoi's representatives to participate in the management of the seminary within the framework of the Supreme Council of Seminary Management.

The most problematic individual in this regard was Hossein Ali Montazeri. Second to Khomeini, Montazeri had a very high social and political status among the religious-revolutionary strata of the Iranian society. He was considered a respected *marja* who supported Khomeini during the revolution and greatly helped him in organizing the religious

network throughout the country. After the revolution, Montazeri was elected head of the assembly for formation of the constitution. In December 1982, an Assembly of Experts voted for him to be the Supreme Leader after the death of Khomeini. Because of his controversy with Khomeini, however, the Supreme Leader—in an illegal decision—dismissed Montazeri. He was the second *marja* after Shariatmadari in the Islamic Republic to fall into disfavor; but in contrast to Shariatmadari, who was not known as a revolutionary *marja*, Montazeri was one of the most important founders of the Islamic Republic.

Removing Montazeri from power in the last year of Khomeini's life was a deep and enduring crisis. It raised the question of Khomeini's successor. Nearly one month before his death, in a letter to *Sayed Ali Khomeini*, then the Iranian president, Khomeini appointed some political figures and ordered them to form an assembly to revise the constitution. He even specified the items of the revision, and leadership was the first.⁸ Five days after this letter, the assembly was formed, and Ali Meshkini, the head of the Assembly of Experts, was appointed to its head. In response to Meshkini's query about leadership, Khomeini wrote:

From the very beginning, I have believed that *marjayat* is not a necessary condition [for leadership]. A righteous jurist, who is confirmed by experts from around the country would be sufficient. If the people vote for experts in order to let them elect a righteous *mojtahed* as their leader of government, so a leader elected by the experts would be necessarily acceptable by people... I had said the same during the original writing of the Constitution, but friends insisted on the condition of *marjayat* and I accepted. I knew that there would come a time in the near future when this condition [for leadership] would not be possible to implement.⁹

⁷ On 1978, Khomeini implicitly attacked Khoi for his support of the Pahlavi regime and especially for sending the shah a ring.

⁸ Khomeini, *ibid.*, volume 11, pp. 687–688.

⁹ Khomeini, *ibid.*, p. 695.

Even though Khomeini's order to revise the constitution was constitutionally illegal, this constitutional adjustment and removal of the *marjayat* condition broke the impasse of the Islamic Republic and opened the way for middle-ranking clerics of the government to take positions of leadership. Though the assembly for the revision of the constitution was not yet complete at the time of Khomeini's death, the Assembly of Experts nevertheless immediately appointed Khamenei to leadership. This appointment was also constitutionally illegal, because the new constitution was not yet ratified by a referendum. In August 1989, the presidential elections and the referendum for the revised constitution took place simultaneously after Khamenei had taken over as the leader.

The revised constitution not only did not require the leader to be a *marja*, but it also greatly expanded the authorities of the Supreme Leader. According to the constitution and based on Islamic criteria, some political and juridical positions must be in the hands of a *mojtahed*, because orders issued in that position depend on the *ijtehad* (being a *mojtahed*) of their issuers: a judge,¹⁰ the six members of the Guardian Council, the minister of intelligence, members of the Assembly of Experts, and others. Above them, the Supreme Leader must be, at the very least, a *mojtahed*, because he possesses authorities vested only in a *mojtahed*.

THE *IJTEHAD* OF KHAMENEI

Sayed Ali Khamenei, before he assumed leadership, was called "Hojjat ol-Islam" (the proof of Islam), a title that shows one's middle rank and lack of *ijtehad*. On the same night he was appointed as Supreme Leader by the Assembly

of Experts, state radio and television referred to him for the first time as an ayatollah. Such a term has the explicit connotation that the holder is a *mojtahed*. Obviously, this title change was striking for clerics, especially the nonextremist ones. At that moment the controversy began over Khamenei's degree of religious knowledge. Rumors spread in clerical circles that Khamenei was trying to convince some *mojtaheds* to issue him a certificate of *ijtehad*. Most *mojtaheds* in Qom believed that Khamenei had not sufficiently studied the religious sciences to be eligible for a certificate of *ijtehad*. Certain assistants of Khamenei went to Qom to the offices of *marjas* (*bayts*) or *mojtaheds* in order to encourage them to recognize the Supreme Leader as a *mojtahed*. Their attempts to convince Muhammad Reza Golpayegani, a senior *marja* in Qom, failed and he stated that he knew nothing of the educational level of Khamenei. Through threats and coaxing, they were able to convince only a few *mojtaheds* in Qom, such as Mohammad Taghi Bahjat, to issue a certificate of *ijtehad* for the leader. Those *mojtaheds* issued the certificate not because they were convinced of the *ijtehad* of Khamenei, but because the petitioners justified the matter of *ijtehad* for political reasons—if Khamenei did not get the certificate, then the reputation of the only Shiite government in the world would be at risk.

Golpayegani's refusal to give the certificate to Khamenei was very significant. Although it did not indicate that Khamenei is not a *mojtahed* and has no constitutional right to rule, it did mean that Khamenei does not have the religious right to give orders regarding issues that require the decision of a *mojtahed*. Furthermore, it was a sign that Golpayegani believes he is the right person to issue orders regarding some governmental matters, which would clearly be an instance of interference by a *marja* in government, and something Iranian leaders did not necessarily want—except for Khamenei who was trying to consolidate all power in himself. In this case, a cautious cam-

¹⁰ In Islamic *sharia*, a judge should be a *mojtahed*, but after the revolution, Iranian leaders found that not enough *mojtaheds* were in the country. Hence, Ayatollah Khomeini resolved the problem through administrative mechanisms. He appointed some *mojtaheds* (or clerics whom he considered *mojtaheds*) over the judiciary system to supervise judicial procedures, especially on life sentences. Now, in Iran, few judges are *mojtaheds*, but the head of the judiciary, the general prosecutor of the country, and some other top officials are supposed to be *mojtaheds*.

paigned against Golpayegani took place. Golpayegani was the *marja* who prayed over Khomeini's body. The prayer for the dead is significant, and Khomeini's prayer was supposed to send a signal that the next supreme *marja*—to be confirmed by the government—would be Golpayegani. But as a result of the issue of Khamenei's *ijtehad*, Golpayegani fell out of favor. On one hand, the Supreme Leader in political affairs could not claim to be a *marja*, because even his claims of *ijtehad* were the subject of much suspicion. On the other hand, Montazeri, Marashi, and Khoi could be confirmed by the government as religious successors of Khomeini for different reasons. Then the government decided to appoint a *marja* countering the other candidates.

Muhammad Ali Araki (1894–1994) was a respected *mojtahed* in Qom from the first generation of the Qom seminary and a disciple of Sheikh Abdu al-Karim Haeri Yazdi, the founder of the Qom seminary. He was in his mid-nineties when Khomeini died. He was not a *marja*, he had not written a book of *sharia* codes,¹¹ and he was completely unknown to the public. Also, he suffered from many age-related illnesses and was hard of hearing and speech. Politically, he was known for his ignorance about political affairs; he never read a newspaper in his life. Khamenei chose Araki to be Khomeini's successor as *marja* first, because he was on the threshold of death, so he could not make long-term problems; second, because he was absolutely apolitical, not ambitious, and unable to interfere in political issues; and third, because he owed his *marja* status to Khamenei, Araki could be used as

Khamenei's tool. Furthermore, Araki was one of the few *mojtaheds* at the time who believed in the legality of following a dead *mojtahed*; as a follower of Khomeini while Khomeini was alive, Araki had no problem continuing to follow Khomeini after his death. That belief allowed all the governmental regulations following Khomeini's edicts to remain relatively untouched and disarmed other *mojtaheds* like Golpayegani from protesting against the illegitimacy of government decisions in the absence of a *mojtahed* atop the political order.

Khamenei mobilized his institutions in Qom, notably Daftar-e Tablighat-e Islami-e Howzeh-ye Ilmiyeh-ye Qom, to establish Araki's *marjayat*. They built an office for him and compiled a book of *sharia* codes in his name and started to campaign for him in the media. Golpayegani and other *mojtaheds* and clerics who did not support the revolution were angry but could not speak, because Araki was highly respected for his religious morality as a veteran of the seminary and they were under pressure from security forces to keep silent and not to interfere in political issues such as *marjayat*.

Nevertheless, the controversy over the *ijtehad* of Khamenei did not stop. Nobody could really be convinced that Khamenei is a *mojtahed* except low-ranking pro-revolutionary clerics. High-ranking clerics who were skeptical about his *ijtehad* gradually divided into many factions, particularly after the death of senior *marjas* Abul-Qassem Khoi in Najaf, Muhammad Reza Golpayegani, Shahab Oddin Marashi Najafi, and Muhammad Ali Araki in Qom.

When Muhammad Ali Araki (who ironically outlived other senior *marjas*), passed away on December 2, 1994, Jameh-ye Moddaressin Howzeh-ye Ilmiyeh-e Qom¹² issued a

¹¹ Publication of *sharia* codes is a very significant act in contending for *marjayat*. According to a confidential survey by Daftar-e Tablighat-e Islami-e Howzeh-ye Ilmiyeh-ye Qom, nearly 400 published *sharia* codes exist in Iran alone, which indicates that nearly 400 people claim to be *Marjas* and expect others to follow them. Each *marja* publishes his own *sharia* codes. To understand the mentality of *marjas*, one can read the cover and the first page of each of the *sharia* codes. Readers will find that *marjas* describe themselves with self-assertive and laudatory religious titles, such as "The sign of God in the two worlds" (Ayatollah-e fi al-Alamein) or "The proof of God in the two worlds" (Ayatollah fi al-Arazein). The titles *marjas* give themselves in the beginning of their *sharia* codes are very similar to one another.

¹² This institution was spontaneously created by many teachers of the seminary before the revolution in order to support Iran's Islamic Revolution, but especially after Khomeini's death it went under the Supreme Leader's control and became fully affiliated to his office. Therefore, the institution's announcement took place with Khamenei's confirmation and can be considered as indirectly issued by him.

resolution emphasizing that only seven people are *mojtaheds* who are eligible to be followed: Muhammad Fazel Lankarani, Muhammad Taghi Bahjat, Ali Khamenei, Vahid Khorasani, Javad Tabrizi, Mossa Shobeiri Zanjani, and Nasser Makarem Shirazi.¹³

The death of Araki was an important turning point that left room for the new generation of *marjas*. A new wave of competition among various persons who claimed *marjayat* began, although it truly had begun just after the death of Khomeini in 1989.¹⁴

In the list of Jameh-ye Modarressin, many *marjas* were absent: Yussof Sanei, a disciple of Khomeini and former prosecutor of the Islamic Republic, and Abdul-Karim Moussavi Ardebili, the former head of the Supreme Court. After the death of Khomeini both of them posed mild opposition because they did not believe that Ali Khamenei deserved the leadership. More significant, two important *mojtaheds* were not on the government's list: Hossein Ali Montazeri and Ali Sistani, the successor of Abul-Qassem Khoi in Najaf. Needless to say, Montazeri was left off because he was disfavored by Khomeini and consequently by Khamenei. The absence of Sistani from the list, which was issued by the greatest political institute of the seminary, proves that at that time the social reputation of Sistani was weak enough that Khamenei and his team in Jameh-ye Moddaressin were able to ignore him as a *marja*. Ironically, however, the ignored *marjas*, especially Montazeri and Sistani, gradually became the most-followed *marjas* in Iran.

Leaving out certain *marjas* and introducing some *marjas*—who cooperate with the government or who at least are silent with regard to political issues and particularly to the

Supreme Leader's political behavior—was meaningful. The action was necessary to insert the name of the Supreme Leader (the third name in the resolution's order) onto the list.

The *marjayat* claim of Khamenei provoked a vast controversy. In October 1997 in his *fiqh* course, Hossein Ali Montazeri openly criticized Ali Khamenei's despotism, his overreliance on his security forces, and his disrespect of the seminary. Then Montazeri loudly attacked Khamenei's claims of *marjayat* and stated: "Mr. Khamenei? Why *marjayat*? You are not at the level of *marjayat*." Montazeri, who was the mentor of Khamenei for a short time in Qom before the revolution, claimed that Khamenei does not have sufficient religious knowledge and is academically incapable of issuing an edict (*fatwa*).¹⁵ After his speech, a thousand security forces violently attacked Montazeri's home and office, beat his office members and students, confiscated his property, and damaged the buildings. Montazeri thus began several years under house arrest isolated from the outside world except through his family.

The opposition to Khamenei's claim for *marjayat* was not unobtrusive. After a few weeks, Akbar Hashemi Rafsanjani, then the president, in his sermon in Friday prayer implicitly and mildly criticized Khamenei and said that the Supreme Leader "has no intention of being *marja* inside the country and his *marjayat* is effective only for abroad," an astounding statement that Khamenei and his loyalists took amiss. It served to diminish the tension somewhat, however.

After Khamenei took over leadership, not only did semi-public criticism of his personal *marjayat* or *ijtehad* begin, but also criticism of the concept of *velayat-e faqih* in the clerical and intellectual milieus strengthened. In his book *Theosophy and Government*,¹⁶ Mehdi

¹³ To read the entire resolution (in Persian), see www.jameehmodarresin.com/bai/730911.htm.

¹⁴ People like Nasser Makarem Shirazi, who had many institutions, such as Madrasah Ol-Amir al-Momenin, and was considered a very rich *marja* who relies on his business activities more than religious traditional resources, had begun their *marjayat* campaigns just after Khomeini passed away, principally by publishing their *sharia* codes.

¹⁵ For full text of Montazeri's speech, see www.bazgasht.net/archives/2006/06/272/.

¹⁶ Mehdi Haeri Yazdi, *Hekmat va Hokoomat* (London: Shadi, 1994). Despite the book's publication outside Iran, it has been widely distributed in Iran, especially in Qom seminaries, and many criticisms have been written against it.

Haeri Yazdi, son of Abdul-Karim Haeri Yazdi, the founder of the Qom seminary, and a disciple of Ayatollah Khomeini, explicitly criticized and delegitimized the notion of authority of the Shiite jurist. In contrast, Abdul-Karim Soroush, an Islamic philosopher, published his magnum opus, *The Theory of Evolution of Religious Knowledge*,¹⁷ which generated a huge debate in the cultural atmosphere. In this book, Soroush argued that the traditional methodology of understanding religious texts is no longer adequate and that modern hermeneutics should be applied in a modern paradigm. Consequently, the authority of the *faqih* that supposedly comes from his “sacred” knowledge became questionable. Dozens of books and articles have been published since the death of Khome

ini that explicitly or implicitly, from a religious perspective or a secular viewpoint, criticize any absolute power—including that of a jurist. Therefore, the theoretical legitimacy of *velayat-e faqih* is bound to lose strength as time goes on. Hence, Ali Khamenei not only failed to reconstruct the unity of the religious authority as created by Ayatollah Khomeini, but he also unknowingly created many problems in the theory and practice of *velayat-e faqih*, *ijtehad*, and *marjayat*.

Unexpectedly, however, after a long period of tyranny under Saddam Hussein, the most powerful and followed *marja* in Iran emerged from Najaf, a city that was expected to be religiously barren for a long time, where no *marja* was expected to emerge after Khoi.

¹⁷ Abd ol-Karim Soroush, *Qabz va Bast-e Theoric-e Shariat* (Tehran: Serat, 1991).

Marjayat, Politicizing the Seminary, and Clerical Economic Networks

The traditional financial resources of the *marjayat* have been fundamentally affected by politics since the clerics became involved in the struggle with Pahlavi's dynasty that led to the victory of Iran's Islamic Revolution in 1979.

Muhammad Reza Shah's regime pursued a specific policy of gradually controlling religious activities. To pursue that goal, some state institutes, such as the Faculty of Theology (Daneshkadeh-ye Uloum-e Ma'ghoul and Manghoul) in Tehran University and the Ministry of Education, had begun to hire clerics to organize them in the government's religious program. Many clerics went to the university, either as teachers of theology or as students, as well as to the ministry of education to teach religious doctrines. Revolutionary figures like Morteza Motahhari, Muhammad Mofatteh, Muhammad Beheshti (the first head of Islamic Republic's judiciary), Muhammad Javad Bahonar (former prime minister), and Muhammad Khatami (Iranian former president) were among the clerics who left the seminary for the university in order to teach or study. Many clerics were hired by the judiciary system. Muhammad Reza Shah's regime had allowed the clerics to take some government positions. For the first time in the modern period, Iranian clerics became official employees of the government and enjoyed an income that was essentially different from their traditional income. Muhammad Reza Shah had his policy for supporting Shiism in the Middle East, especially in Lebanon, and was regularly and financially supporting some clerics, such as Imam Musa Sadr, an Iranian cleric who went to Beirut to raise the Shiite community's living standard and organize it. The shah also supported the Hamburg Mosque that was built by Boroujirdi, the *marja* of that time, and financially equipped the imam of that mosque (Muhammad Be-

heshti, Muhammad Mujtahid Shabestari, and Muhammad Khatami were successively the imams of Hamburg Mosque). Certain clerics who benefited from government positions and economic incomes were revolutionaries who fought undercover against the shah's regime, whereas many others supported and served the shah.

Revolutionary *mojtaheds* like Ruhollah Khomeini changed the traditional financial mechanism of the seminary. Traditionally, the exclusive income of a *marja* came from his followers' religious taxes. These taxes included *khums*—a tax of a one-fifth share on profits of various sorts that in the thirteenth century was split into two portions (one portion went to support indigent descendants of Muhammad, and the other portion went to *mojtaheds*); *zakat* (an obligation of Muslims with financial means to give 2.5 percent of their net worth annually to charitable causes); and other taxes and income related to performing religious duties, such as the Hajj. According to the later *sharia* schools in Shiism, each worshiper has to pay most of his or her religious taxes to the *mojtahed* he or she follows and give the rest to poor people. In the course of Iran's Islamic Revolution, many people who favored the revolution converted from their own *mojtahed*, if he was not revolutionary, to Khomeini, who was the religious leader of the revolution. Although traditionally choosing a *mojtahed* to follow was based on religious criteria, at that time politics intervened and affected people's choices. Especially starting in the early 1970s, when the shah injected the sharply rising income from petroleum into the national economy and made people very rich, especially the bazaaris, Khomeini's income increased greatly as a result of his followers' greatly increased contributions of religious taxes. Some experts believe

that without the shah's faulty petroleum policy, Khomeini could not have achieved his political goals.¹ Khomeini's religious income overshadowed other *marjas'* income only because of the country's political conditions and his position as a leader of a revolution. Meanwhile, in Iraq Saddam's pressure on the Shiite community began in the early 1970s and coincided with the political movement in Iran, thus reinforcing the power of Iranian *marjas*.

THE SEMINARY UNDER KHOMEINI

When the revolutionary clergy came to power in 1979, they felt that an important source of danger might come from the seminary and so felt the need to develop a system to control such an amorphous institution. The basis of the government's legitimacy was Islam, and the official exegeses and interpretations of Islam are issued by the seminary; therefore, if the government fails to keep the seminary within its grasp, the source of legitimacy remains uncontrolled and open to opponents. For the dominant clergy, being made illegitimate by the members of the seminary on the basis of theological arguments is more harmful and dangerous than being made illegitimate by secular scholars and political activists. The citadel of legitimacy was the potential source of threats.

After the revolution, Khomeini succeeded in securing full access and control in the government, but as a very popular and overwhelming *marja* in Iran, he did not need to use direct and immediate governmental resources to control the seminary. Instead, he eliminated and suppressed many *marjas*, such as Mohammad Kazim Shariatmadari and other clerics who did not support his fight against the shah or publicly criticized his theocratic principle of *velayat-e faqih*. He also confiscated their properties and gave them to newly built pro-government clerical institutes like

the Center for Islamic Propaganda (Daftar-e Tablighat-e Islami).

He tried to show his willingness to protect the seminary's independence by allowing the other traditional *marjas* who were not political to participate in the management of the seminary. After the revolution and while the country's political atmosphere was energized, a wave of young people from the high schools and universities immigrated to Qom to follow the revolutionary examples of clerics and realize their ideological ideals by studying in the seminary. The traditional seminary suddenly became crowded with a new generation of students who were mostly political and had different expectations and demands.

The Council of Management of Qom seminary had been created by the contributions of *marjas* like Abul-Qassem Khoi (in Najaf), Muhammad Reza Golpayegani, and Shahb al-Din Mar'ashi Najafi, but the institute was basically under the influence of Khomeini. The duties of this Management Council were basically administrative, arranging the admission process in a very basic way and the annual exams. It did not grant any degrees and had no official graduates, but it had some superficial control. It provided the exemption certificate to those liable for military service and some simple recommendations for those who wanted to enter the judicial system or the Leader's Representation in Military and Police (Namayandegi-e Vali-e Faqih dar Sepah or Artesh) or Ideological and Political Organization (Sazman-e Aqidati Siassi), two ideological organizations that were founded a few months after the revolution in order to strengthen control over military and police forces.

Although the political support of the seminary and its students was very important for Khomeini, he did not directly and explicitly push for any change in the seminary's structure. Rather, he tried to slightly change the seminary's composition to take it into his grasp. Before the revolution, certain political pro-government institutes in the seminary

¹ Alinaqi Aalikhani, the first Iranian minister of economy, in "Iranian Revolution and the Decline of Monarchy," a serial documentary program broadcast by Radio Farda (the U.S.-government-funded Persian-language radio station) in 2004.

were created spontaneously, like the Association of the Qom Seminary's Mentors (Jameh-ye Modarresin-e Howzeh-ye Ilmiyeh-ye Qom), but now Khomeini began creating institutes in the seminary that could control it ideologically and politically. Alongside the Management Council, Ayatollah Khomeini founded the Special Court for Clerics, outside judiciary supervision and totally against the Islamic Republic's constitution, which does not allow anybody to form any judicial center outside judiciary control.²

The declared reason behind the formation of this special court was that the special reverence and social prestige of the clerics required that their cases—even when they involve common crimes—be tried in a special court rather than in regular courts like other people. Thus, the Special Court was originally supposed to be a respectful, safe place for clerics, but after a short while, this court became the most efficient formal judicial institution to try the political cases of clerics. Two grand *marjas* became victims of this court: Ayatollah Mohammad Kazem Shariatmadari in 1980 and Ayatollah Hossein Ali Montazeri in 1988. Dozens of clerics, at all religious and scholastic levels, are still being imprisoned, violently tortured, and executed by the Special Court. The court rapidly became a political court under direct supervision of the Supreme Leader and linked to the Intelligence Ministry and other political and security organizations. This court is not a judicial body dealing with legal procedures, but rather a Star Chamber that has its own regulations.

In the decade after the Iranian revolution, although the income of other *marjas* in Iran did not see a dramatic change, Abul-Qassem Khoi's income greatly increased for many reasons. He was the representative of moderate and traditional Shiism who opposed Khomeini's ideology and did not believe in the prin-

ciple of *velayat-e faqih*. He also was more Arab than Iranian even though he was born in Iran; consequently, nationalist Shiite Arabs were more attracted to him than to Khomeini. Most of Khoi's income was in Arab countries' currencies or dollars, whereas Khomeini's income relied on Iranian currency. Many of Khoi's former representatives say that when he passed away, he left \$2 billion cash that went into his sons' hands. Khoi founded many institutes in Qom and Mashhad, but his international network was managed from his institutes in London and Africa.

From the beginning of the Islamic Republic, Khomeini's position of superiority over the seminary was evident. The monthly salary he paid to the clerics was much more than that of other *marjas*, and he had many institutes that provided the clerics with economic facilities and benefits. In accordance with the ideological slogan of the Islamic Republic—export of the revolution—pro-government clerical institutes started admitting foreign students to Qom seminary. Hundreds of people from Lebanon, Afghanistan, Pakistan, Iraq, India, and other Islamic countries throughout Asia and Africa and even Muslims from the United States and Europe immigrated to Qom in order to learn Shiite doctrines and study at the seminary. Foreign students had a different educational program that focused on Islamic ideology rather than theology, and the objective of that program was to make the students able to propagate the Islamic Republic's ideology in their own countries. A hefty budget was allocated to this program, and many schools and campus were dedicated to it. All foreigners were (and still are) under strict control of the government and Khomeini-appointed managers.³

Under Khomeini, the seminary was linked to the external world for the first time. Institutes affiliated to the seminary, like the Center for Islamic Propaganda, started training stu-

² Constitution of the Islamic Republic of Iran, article 159. The courts of justice are the official bodies to which all grievances and complaints are to be referred. Their formation and their jurisdiction are to be determined by law.

³ For many years, Montazeri was in charge of foreign students, such as Arab students. After he was dismissed by Khomeini, all the establishments and facilities Montazeri ran came back under Khomeini's control.

dents and teaching them Arabic and English in order to send them to foreign countries as “prophets of the revolution.” The ideological agenda of the government required systematic connection to all fundamentalist Islamist cells, groups, and movements throughout the world. The traditional structure of the seminary definitively ended after the revolution, when the seminary was supposed to become the symbolic center of the revolution and its ideological arsenal.

THE SEMINARY UNDER KHAMENEI

Ayatollah Ali Khamenei lacked two important elements that characterized Ayatollah Khomeini: charisma and *marjayat*. His leadership was problematic for two reasons: first, because he did not have an image of *faqih* in the seminary, and second, because Ayatollah Montazeri, who was expected to be Khomeini’s successor, was dismissed by Ayatollah Khomeini just a few months before his death. Ayatollah Montazeri, as a *marja* and as one of the founders of the Islamic Republic, was popular in Iranian society and among the seminary clerics. Khamenei was appointed to leadership by the Assembly of Experts June 4, 1989, amid a political crisis and a deep shock in the seminary. At that time, he needed to claim to be a *faqih* and try to get an *ijtehad* certificate from some pro-government *marjas*. His scholastic weight did not allow him to interfere with seminary affairs directly. But after the death of grand *marjas* like Ayatollah Golpayegani, Ayatollah Najafi, Ayatollah Khoi, and Ayatollah Araki in the following four or five years, he claimed that he was a *marja* as well. As a non-*marja*, Ayatollah Khamenei could come to power only according to the revised version of constitution that was finally ratified after Khomeini’s death, because in accordance with the original constitution only a *marja* can hold authority as a leader. At that time, consensus existed that Khamenei was not a *marja*. He became leader in a clouded and doubtful atmosphere about whether he

could even be called a *mojtahed* or had not yet achieved such a degree.

Therefore, Ayatollah Khamenei approached the seminary cautiously in the beginning. He mostly focused on clerics’ welfare issues and housing problems. Despite not being a *marja* at the time, he started giving pensions to the clerics. In seminary tradition, only a *marja* can pay pensions to clerics, because only he benefits greatly from religious financial resources. After Khomeini passed away, Khamenei was in charge of the deceased leader’s religious offices in the seminary and around the country. Khamenei not only tried to convince the people that he was eligible to inherit Khomeini’s political position, but furthermore, claimed to be his successor in religious authority as well. He consequently increased his pensions to the clerics to cover the gap between the *marjayat* and leadership.

Spring 1995 was a new turning point for the seminary. Khamenei made a well-organized and highly planned trip to Qom with a retinue of his office members and pro-government clerics to give a public speech in Madraseh-ye Fayziyeh. He talked about the need for fundamental reform in the seminary structure, which observers considered the vanguard of deep-rooted changes to come in the seminary. He emphasized mainly the needs for restructuring the educational programs and improving the living conditions of the clerics. He even insisted that to make the seminary more efficient, the clerics should take English as a compulsory course. His gestures made some people hopeful and left others in despair. The low-ranking clerics who coveted the improvement of their economic conditions heard his speech as a glad tiding of economic reform, whereas the high-ranking clerics, like most independent teachers, *marjas*, and *mojtaheds*, felt that Khamenei had an ax to grind. These groups intuited that Khamenei wanted to compensate for his lack of *ijtehad* and charisma by spending and spilling governmental resources into the seminary,

thus turning it into an obedient, dependent, and pro-government institution, and by cracking down on all his opponents, especially the critics of *velayat-e faqih*. After the death of Ayatollah Khomeini, *velayat-e faqih* was increasingly exposed to criticism, and secular scholars and independent clerics had felt freer to reconsider the Islamic principles of the government and stand aloof from the revolutionary ideas that ideologized religion and led to a particular kind of theocracy. As previously mentioned, critiques coming from the seminary are more threatening than others, because without an Islamic interpretation from the seminary, no justification would exist for the religious legitimacy of that state.

Ayatollah Khamenei changed the Management Council of the Seminary to the Management Center of the Seminary, totally excluding other *marjas*. *Marjas* and top-level clerics are welcome to cooperate with the Management Center, provided that they accept the principle of the absolute power of *faqih* (*velayat-e motlaqeh-ye faqih*). Some new *marjas*, such as Naser Makaerm Shirazi or Hossein Noori, felt themselves obliged to work closely with the Management Center, partly to protect their economic activities and investments in the import/export business. But most independent *marjas* and clerics were mistrustful, apprehensive, and isolated.

One of the most active and efficient parts of the Management Center is called the Statistics Office. That name could be misleading for those who do not know its functions. The misdirection may be intentional, to hide the real nature of its work, which in the absence of any official report, I can describe to some extent, based on my experience and presence in the seminary until 2000 as well as on my interviews of clerics at various levels in Iran and abroad.

- Every *marja* pays a monthly pension to every cleric. The amount of the pension depends on the financial ability of each *marja*, which varies. Every month, each

cleric collects the pension from the office of each *marja* and the sum of all these pensions is his monthly income. After the revolution, in accordance with an unwritten rule, Ayatollah Khomeini paid higher pensions to the clerics. The amount of the pension is significant, because the financial ability of a *marja* dictates the quantity of his followers and then his social and religious power (the traditional source of a *marja*'s financial resources is religious money that is paid by each follower to each *marja*). Ayatollah Khomeini distributed relatively high pensions, because he was a *marja* himself and more than half of the worshipers in Iran and a great number of Shiites abroad were his followers and they discharged their religious debts to him. Thus, that Khomeini's pensions were higher than others' pensions seemed logical. But Ayatollah Khamenei was not recognized as a *marja* and consequently did not have the same religious financial resources as others. Nevertheless, he continued the policy of Ayatollah Khomeini by paying the highest pension among the *marjas*. To do so, he needed to know the financial resources of the other *marjas*. The Statistics Office is supposed to monitor the personal office of each *marja* in Qom (including the office of Ayatollah Sistani there) and their financial records. This office tries to maintain the economic balance in the seminary in favor of the Supreme Leader.

- Before spring 1995, the financial records of each *marja* were confidential and nobody could estimate the real amount of his assets, income, and expenses. Nobody had the right to ask a *marja*'s office to give a pension to somebody or rule out anybody. The process of paying pensions was almost free of government surveillance and based only on the *marja*'s responsibility. But the Statistics Office gathered all the account books of pensions of each *marja*,

computerized the information, and ruled the roost. Thus, the eligibility of each cleric to receive a pension is at the disposition of the Statistics Office, restricting the free transfer of religious money.

- What criteria make a cleric eligible to receive a pension? The educational files are in the educational section of the Management Center of the Seminary. The office is not interested in what a cleric studies or how he passes the exams. The essential criteria are political. First, the cleric should be faithful and obedient in practice to the absolute power of the leader (*velayat-e motlaqah-ye faqih*). Second, the cleric should not be inclined to modernist ideas in theology and philosophy or be capable of instilling doubts in other clerics' minds or be doubtful himself, in order to—as one of the pro-government seminary figures once said—prevent the clerics from atheism and protect the seminary against Westernization. For that goal, the office needed to know what each member of seminary says in writing or sermons. Therefore, the agents of this office collect a huge archive for potential inquisition.
- In both previous cases, finding a cleric not obedient in practice to the current political order or ideological beliefs of the Management Center can make the person subject to several sorts of punishment: stopping payment of his pension (not only the pension from the Supreme Leader but also from all the *marjas*); refusing to give him any certificate (from educational certificates to exemption certificates); preventing him from getting a passport and leaving the country; and, finally, introducing him to the Special Court for Clerics, which can pronounce sentences on him varying from deprivation of wearing clerical clothes (turban, clergy robes) to execution.
- And last but not least, the most important function of the Statistics Office is rooted in its daunting image among the clerics.

Almost everybody feels the restrictions imposed on him and the censorship he should submit to. The fear is internalized and nobody can escape it.

Ayatollah Khamenei built numerous facilities, including *madreseh* (schools), libraries, and so on; introduced the clerics to electronic information technology by founding the Center for Islamic Computerized Research; brought internet to the seminary; founded the Insurance Center for Clergy and an Islamic Mortgage Institution in order to enable clerics to resolve their housing problems and finally created a residential district for clerics. In my view, however, Khamenei's most important work in the seminary field was and is making the Qom seminary a more structured and bureaucratic institution. Through executive mechanisms such as the Statistics Office, he succeeded in documenting and making files for every member of the seminary, which may explain how he transformed the previously amorphous and unstructured seminary into a manageable center and established a huge system of political and security control.

In fact, the Islamic government played the greatest role in modernizing the Qom seminary and created a bridge between the Shiite institution and “modern” technology, management, and administrative order, but this fact was not the result of a series of internal challenges and developments in the clerical institution. Instead, the modernization of the seminary happened thanks to an authoritarian government that provided an eclectic ideology that took modern technology but left behind the values, ideals, and basic concepts of modernity. Modernizing the seminary resulted not in a modern seminary but rather in a more divided, fragile, and hopeless institution.

The injection of the government's money into the seminary along with strict political and security surveillance has transformed the traditional structure of the seminary into a quasi-governmental institution that prevents even traditional *marjas* like Sistani or the *mar-*

jas who want to be independents from engaging in independent activities without government supervision. Khamenei has successfully controlled the transfer of religious funds in Qom and all clerical networks in Iran.

Outside Iran, Khamenei attracts Shiites in Arab Gulf countries like Kuwait using different motivations. Dozens of Kuwaiti millionaire businessmen pay their annual religious taxes to Khamenei; his annual income from Kuwait reaches billions of dollars. Khamenei has built many mosques and schools through his businessmen followers in Kuwait and has tried to organize the Kuwaiti political community, especially through his nonclerical representative in Kuwait, who is prayer imam in Imam Hossein Mosque. Khamenei also makes connections between Hizballah and Shiite or Sunni anti-Israel businessmen. After Iran's Islamic Revolution, the government's aid to Shiites around the world has been overlapped by religious aid, making the distinction between the government's financial network and traditional religious network very difficult. Especially in countries such as Lebanon, where Khamenei has religious offices, military organizations like Hizballah are using religious networks for cover. The Iranian regime's aid to Shiite organizations is not limited to Hizballah. The Shiite Supreme Council was taking \$360,000 annually from the Iranian government, and when Muhammad Khatami came to office aid was increased to \$460,000. But almost all Shiite religious activity in Lebanon is under the control of the Iranian Intelligence Ministry. Even the office of Sistani in Beirut and his representative's phones are believed to be under surveillance of the Iranian intelligence service.

An important factor is the mechanism of money transfer, which is very primitive but very effective and far beyond bank system control. Muhammad al-Rumaihi, a Kuwaiti sociologist close to the government, told me that the Kuwaiti government has attempted several times to uncover the Shiite financial networks in Kuwait but failed. Money transfer takes place in cash and to some extent resembles a mafia money transfer. For instance, in the *marjas'* offices in Mecca and Medina, clerics gather the money and put it into a big sack and carry it out themselves to Iran by air. Of course, arrangements with airport officials are well organized, but transferring millions of dollars in this way is very hard to imagine. Much cooperation takes place between different *marjas'* offices outside Iran, and by giving them advantages, the Iranian regime uses their network for its own goal. For instance, Sistani's office in different places may be used for money transfer by the Iranian regime. Those religious networks can cover the Iranian regime's political activities in foreign countries, especially in Europe or the United States.

What the Iranian Supreme Leader did in the last two decades in terms of transformation of religious institutions and networks into political ones certainly has tremendous implications for the religious establishments as well as for the politics of Shiite governments and movements. As a prominent Lebanese Shiite cleric told me, Khamenei ended the *marjayat* era, a project which was started by Khomeini, and this change could lead to secularization of Shiism—probably not toward democracy in the short term but toward the empowerment of Shiite radicalism in the region.

The End of *Marjayat* and Its Political Implications

Shiite religious authority in its modern form, which came to existence during the Qajar period, will fade after Sistani. Because the formation of *marjayat* depends on a specific epistemological and theological paradigm as well as a chain of social, cultural, and political historical contexts, the decline of *marjayat* can be ascribed to the paradigm shift as well as historical changes.

That Sistani is the last *mojtahed* to achieve such popularity and influence is not accidental. In Iran, the process of becoming a *marja* has gradually come under the government's control and surveillance, and *marjayat* has almost lost its legitimacy as a civil and independent institution. In Iraq, the seminary itself—isolated from Iran and unable to receive Iranian students, who have more chance of achieving *marjayat* than other nationalities—has been in decline for many decades because of political and historical reasons. Najaf seminary is in such a tough situation that it will be intellectually impotent for decades to come. Seminary intellectual production, if any exists, is centralized in Iran; even if Iraq achieves stability, the seminary is not capable of dynamic and lively intellectual activities in terms of high-level courses or publications and the like.

Needless to say, because the Shiite clerical establishment lacks an official institutional hierarchy, a *marja* has in theory and generally also in practice no power and right to appoint his successor. In Shiism, a *marja* passes away without delivering his political and social influence or his economic wealth to anybody else. His properties and financial heritage remain in the hands of his family, and the family usually keeps the assets, spending part of them for religious expenses and keeping part of them as their personal benefits and wealth. A

marja's symbolic and material wealth is not transferable at all.

From the beginning, *marjayat* was tightly wound up with the state of political authority and the existing government. As previously noted, when the central government is weak, the involvement of the *marja* in political affairs or in the general in public sphere increases, and vice versa: when the central government is strong and capable of implementing its authority in the country, the political and social power of the *marja* decreases. Thus, *marjayat* as an independent establishment could operate on the political and social level during various opportune moments, such as the Tobacco Affair of the Nasir al-Din Shah period¹ or, most obviously, Iran's Islamic Revolution. But in all cases, *marjayat* did its job not from a political position but merely as a religious authority. Whatever Sistani does in the political domain also occurs from that perspective. He does not regard himself (nor do his followers regard him) as a political figure with a political agenda or ambition but rather as a religious and spiritual authority who has the right to control public crises or its effects on the political process. After Sistani, a kind of polarization will happen: on the one hand, a category of *mojtaheds* will keep themselves from any political tendency and action, and on the other hand, other *mojtaheds* will try to become official *marjas* of government. In both cases their religious and consequently their political influence and social popularity will remain limited to narrow strata of worshipers or government loyalists.

The Islamic Republic of Iran as the first religious government in the Shiite world in

¹ This episode is described in detail in Nikki Keddie, *Religion and Rebellion in Iran: The Tobacco Protest of 1891–92* (London: Frank Cass, 1966).

the history of the last centuries and Ruhollah Khomeini as a *marja* who founded a government by theological justification have played a major role in the secularization of *marjayat* and the transformation of Shiite religiosity, at least in Iran. Religiosity in Iran, under the failed political agenda of *fiqh* for governing, has been remodeled from a maximalist perception of religion and the belief in its eligibility and capability to manage all of society and politics to a minimalist perception of *sharia* that allows it to govern only the relation between God and human beings. Hence most of a *marja*'s influence will be confined to religious individual duties of worshipers as well as rituals and will hardly reach politics. Politicizing of religion has ironically led to depoliticizing of religion. Future *mojtaheds* will be forced to conform to the new circumstances; either they will officially join the political power structure and lose their independence, or they will try to be apolitical and take care of personal states and collective rituals of religiosity.

POLITICAL IMPLICATIONS OF THE DECLINE OF *MARJAYAT* IN IRAN

It is very hard to imagine that in Iran, in any political development in the future, *mojtaheds* can play an important role as they did in the 1906–1910 Constitutional Revolution or in the Islamic Revolution. The limited influence of the *mojtahed* in quality (as it would be limited by religious individual tasks and rituals) and in quantity (because many of the younger generation do not pay their religious taxes or do not follow a *mojtahed* as their ancestors did), makes him unable to socially and politically mobilize and organize people for political and social goals. In the last decades, especially after most Iranian *mojtaheds* and clerics supported Muhammad Khatami's rival, Ali Akbar Nateq Noori, and their decisive failure, experience proved that the clerical establishment, including *mojtaheds*, has lost its political and social ability for mobili-

zation. The increasing power of *maddahs*, or noncleric preachers, in the last decade, which worried the government, is a significant proof that even in the realm of rituals with regard to *Moharram* or other religious ceremonies, worshipers prefer nonclerics to clerics. This phenomenon is very important to the extent that clerics as well as the Supreme Leader have attacked such nonclerics mildly, and the Assembly of Experts has created a committee to consider the issue.

Deterioration of *marjayat* results in the empowerment of two religious groups: nonclerics who are in charge of the management of religious ceremonies and rituals, like *maddahs*, and religious intellectuals.² After much criticism addressed to fundamental religious concepts, especially its social and political promises and roles, religious intellectuals were able to discredit the clerical understanding of Islam in general. For the Iranian young generation, especially the students, the traditional perception of Islam produced in the seminary has been delegitimized for many epistemological and historical reasons. In this situation, *mojtaheds* do not represent the "real" Islam but rather that role falls to the intellectuals who can understand Islam in a way that makes the believer able to reconcile his beliefs with liberal democratic ideals of modernity. Henceforth, two kinds of religiosity will appear or already have appeared: a popular, ritual-focused, and traditional religiosity, which chooses its reference in groups such as *maddahs*, and a new form of religiosity, which is reasoned, critical, and dynamic and seeks its reference in intellectuals. Although noncleric managers of religious affairs cannot undertake the responsibility for any kind of social and political leadership, the intellectuals have the chance to mobilize the people in certain circumstances.

The beginning of the post-*marjayat* era is one of the effects of the dramatic change in

² By religious intellectuals, I do not mean the group that calls themselves so, but in the general sense of the word, all the intellectuals, whether believers or not, who think about and study Islam in non-traditional ways.

financial resources of the clerical establishment. Whereas traditionally the main financial resources of *marjas* were the bazaar (commerce) and worshipers' religious taxes, in the new era, a *mojtahed* who does not belong to any government would have only small and limited financial resources and instead the wealthy *mojtahed* would be the one who officially works with the government, has its business and investments out of traditional model as well as benefits from governmental favoritism and monopolies. Hence the power is where the money is. Having more power, a *mojtahed* is forced to become loyal to a government and dependent on it; being depoliticized means that he accepts the limitation of his financial resources and then social popularity and influence. Ironically, both categories—state *mojtaheds* and nongovernmental *mojtaheds*—are depriving themselves of social popularity and the difference depends on wealth. In the history of *marjayat*, the wealth of a *mojtahed* was a major component of his religious authority and social popularity, but in the post-*marjayat* era, the wealth of a *mojtahed* is like the wealth of a businessman or a political figure and does not help him that much to set up a religious advantage and social acceptance.

The Iranian clerical networks in Iran and abroad will become essentially political rather than religious networks. One of the main differences between a religious network and a political network is that the first is very traditional and primitive and the second is very modern and sophisticated, using advanced technology for expanding its political and social authority. Therefore, in the post-*marjayat* era, the nature of clerical networks will change.

The post-*marjayat* period is the result of the accomplishment of the Islamic Republic's project for confiscation of the seminary in the service of political regime. Financial resources of the seminary and almost all religious institutions, from shrines and endowments to study

centers and publications, now depend on the government. The money-making institutions have come under government control (for example, shrines and endowments), and institutions that cannot produce money need the government's support. By allocating a hefty budget to religious institutions, the Islamic Republic took their independence and made them very fragile. Any dramatic political change in Iran that leads to removal of the religious regime will tremendously affect the situation of religious institutions. The Islamic Republic's project for governmentalization of the religious institutions not only led to their secularization but also made their destiny obscure and ambiguous.

POLITICAL IMPLICATIONS OF THE DECLINE OF *MARJAYAT* IN IRAQ

In the absence of a great *marja* in Iraq, such as Sistani, any other *mojtaheds* would have a small community of followers in the country without having chance to expand their network outside Iraq. Localization of *marjayat* would have many consequences, including a transformation of the social and political role of *mojtaheds*. In such a situation, the political and social influence of a *mojtahed* would seem to be no more than the influence of a tribal head. Whereas the head of a tribe has a position of authority within a precisely defined community on specific issues as determined by tradition, the authority of a *mojtahed* in quantity and quality would remain obscure, fluid, and flexible.

In a context such as Iraq, where religion and sect are not merely a matter of spiritual belief but also a component of political and social identity, every Shiite political party needs to attract the support of *mojtaheds*. But in the absence of a great *marja*, the variety and number of *mojtaheds* and their followers will diminish the importance of their support, leaving no choice for the relation between political parties and religious authority but a fundamental change. If dur-

ing the last three years, Muqtada al-Sadr, the radical Shiite militant, could not be fully controlled by a *marja* like Sistani, or Sistani could not manage the hostility between Shiites and Sunnis in today Iraq, then after him a *mojtahed* can hardly have any significant superiority or authority on a political movement or party.

In a post-*marjayat* arena that coincides with the politicization of the religious network and the economic weakness of independent *mojtaheds*, Khamenei's influence in Iraq will increase. By injecting money into charities and civil or religious institutions and by supporting financially the religious establishment in Najaf and other Shiite areas, Khamenei will expand the Shiite network in Iraq and take the advantage of the absence of a great *marja* to create an overwhelming Shiite network that is not only Iraqi but also connected to a large universal network controlled by Khamenei.

Religious authority in Iraq would remain independent from the Iraqi government and without any ambition to participate in government decision making except in crisis moments. But because the Iraqi seminary is not strong intellectually and financially, it will remain eclipsed by the Qom seminary. The Najaf seminary, if it wants to survive and revive, must cooperate closely with Qom, which means working with an establishment that has already come under the government's control. Iranian authority in Iraq will restrict the activities of Iraqi *mojtaheds* and carry out strict surveillance on them as it did for Sistani. The *mojtaheds* in Iraq see themselves as having their own considerations and hesitations with respect to the Iranian government. If Iraqi *mojtaheds* keep themselves independent from the Iraqi government, they will be more dependent on the Iranian government.

By politicizing religious authority, the independent *mojtahed* will be marginalized and without any significant importance and influence. The process of politicizing religious

authority will reduce the independence of the clerical establishment, and its political and social activities and functions will be linked to political power games and balance and balance of power. In a stable and secure future Iraq, its clerical establishment appears unable to play a fundamental role while remaining independent.

POLITICAL IMPLICATIONS OF THE DECLINE OF *MARJAYAT* IN THE MIDDLE EAST

At the period of post-*marjayat*, the winner in the short term is the Iranian Supreme Leader, who has appropriated the religious network in the Middle East. From Kuwait and other Gulf countries to Lebanon, the Supreme Leader has already taken most clerical networks in his control. Besides Iran and Iraq, only Beirut has a *marja*, Muhammad Hossein Fadlallah, who does not have many followers even in Lebanon. Despite respect for him in Lebanon and abroad, his financial resources would not allow him to set up a vast network and compete with Khamenei's network even in Lebanon. His dispute with the Iranian Supreme Leader on the notion of *velayat-e faqih* and Khamenei's claim that he is the leader of Islamic world has considerably hurt Fadlallah's position in the much politicized climate of Lebanese Shiites. Khamenei has launched an effective campaign against Fadlallah in Lebanon and Qom and tried to discredit him religiously as well as politically. Now Fadlallah has his own humble network, and he and Khamenei try not to clash, but Fadlallah knows very well that he cannot expand his *marjayat* network further without Khamenei's cooperation.

In the post-*marjayat* era, the Iranian Supreme Leader will become the head of religious networks in the Middle East that may not represent the diversity of Shiite discourses but that monopolize the religious networks with a massive financial facilities and capabilities.

The effect of politicizing religious establishments and networks that harmonize with the degeneration of *marjayat* is not the same in Iran and abroad. Its effect in Iran is perhaps the reverse of what may happen outside Iran. Politicizing religion in Iran would enable re-

ligion and its institutions to mobilize socially and politically, whereas outside Iran such politicization would unify the Shiites under the leadership of Iran's Supreme Leader in order to protect their identity in political and social quarrels and challenges.

Conclusion

The decline of *marjayat*, which is related to the waning of the Shiite seminary's independence, is essentially caused by two facts: the anti-Shiite policy of Saddam Hussein in Iraq, and the emergence of a Shiite clerical government in Iran. Both in opposite ways succeeded in destroying the seminary and the authority that comes from it—the first by suppressing it directly and hostilely, and the second by depriving it of its independence and transforming the seminary from a semi-independent semi-civil institution into an affiliate of the political authority.

The end of *marjayat* is a sure sign that Shiism has used up all its theological and historical capital for becoming more political. The process of politicizing Shiism has its historical roots in and also is affected by political development in the region, especially in Iran, Iraq, and Lebanon. The process of confiscation of Shiite networks by Iran will probably be very challenging to the West and devastating to the region. In the absence of Shiite moderate organizations and independent political institutions, the tolerant, liberal, democratic, and moderate front in Shiite worlds will remain seriously weak and unable to launch an effective political, social, and cultural operation. Moderate forces, whether traditional or modernist, are in such a divided, scattered, and unorganized position that no effective and operative independent moderate forces exist in the Shiite world who can derail or resist the vast suppressive and aggressive machine of Shiite extremist forces, whether in the form of government or in the framework of a group or organization.

Politicizing the seminary and ending *marjayat* are indebted, first of all, to Ruhollah Khomeini and his successor, Ali Khamenei. Among the various Shiite networks in the region, the Iranian Supreme Leader is above all. He, who believes himself to be “the

Leader of the Islamic World” (his official title in Iranian state media), has achieved the creation and expansion of a Shiite network at least throughout the Middle East. He became the master of the network through his radical ideological propaganda, which responded to the multiple aspects of the crisis in the region, the absence of democratic forces or the ineffectiveness of democratic intellectuals, and the tremendous gap between them and the society, as well as the dysfunctional and undemocratic governments of other Islamic countries. He also reached a position of leadership of the Shiite network by allocating a hefty part of the country's national income to his ideological campaign in a way that overwhelmed the traditional financial resources of the seminary.

Khamenei now is the master of the Shiite network in the region. Even Sistani as the greatest *marja* of the Shiite world has no great power to make any dramatic change in politics or on social grounds. Developments in Iraq have shown that Sistani has been incapable of preventing the Shiite political groups from entering into a sectarian war. He no longer seems particularly able to use his role as a spiritual figure to reduce tensions.

Most important, from the viewpoint of American policy, is the fact that a post-*marjayat* era means the success of the Iranian regime's ideology to mobilize all Shiite radical forces in the region and organize them against Western interests. In every political crisis in the region, the United States should be aware of the extraordinary degree of influence Iran has on any political organizations among Shiites throughout the region. The United States also should be aware that the traditional independent Shiite religious authorities no longer exist or they are on the threshold of decline. Those authorities cannot be taken as one that can be relied on in re-

solving the crisis in the favor of Western countries.

Among many mechanisms for fighting Shiite radicalist networks in the region, the most important is the cultural and intellectual campaign against Shiite extremism and especially against the Iranian regime. Supporting liberal and democratic secular intellectuals in the region also may help the traditional mod-

erate clerics to defend themselves against the Iranian regime or Shiite radical groups.

In sum, the beginning of the post-*marjayat* era is a challenging time for the United States and may lead to escalation of tension between Islam and West, if Western countries do not seriously take this fact into consideration and reprioritize their diplomacy toward Middle East.

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