The Last Marja

Sistani and the End of Traditional Religious Authority in Shiism

Mehdi Khalaji

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To the memory of those clerics who have been the unrecognized and hidden victims of torture, execution, and imprisonment at the hands of Shiite jurist rule in Iran, and to their families, the silent witnesses of this religiously justified violence.
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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 U.S. policy in Iraq. Sometimes the United States has relied too much on Grand Ayatollah Ali Hussein al-Sistani, expecting him to calm multiple tensions generated by different Shiite groups. Sometimes Americans have ignored the power and potentiality of the Iraqi Shiite religious network and its connection to the 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 Iran’s borders. Khamenei, in particular, has tried to expand his domination of the Shiite networks in the region. Through sophisticated mechanisms, he has altered the symbolic and material capacity of the Shiite religious institutions throughout the region in his own political favor, using them for his anti-Western 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 reinforcement of the 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 of 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 the Iranian government on different controversial issues.

The Shiite clerical establishment can be understood only by studying the economic sources on which it relies. The ample economic resources of political fundamentalists, not the force of the faith, drive some Shi-
ite 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 the Shiite network is the most difficult part of democratic countries’ efforts to help deconstruct 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.


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 living Shiite supreme legal authority” who supposedly possesses the exclusive authority to interpret sharia (Islamic law); 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 texts 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.

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 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 authori-
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4. A paradoxical conception of marja’iyyat exists in the seminary. Although one of the necessary conditions of being a marja’ is to be pious, devout, and not devoted to the pursuit of wealth, certain mojtaheds consider the position of marja’iyyat 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’i position although most high-ranking clerics believed that he was one of only a few mojtaheds who received Ijazeh-ye Ijtehad (a certificate of being a mojtahed) from his mentor, Abul-Qasem Khoi.
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 an *ijtehad* 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 in the religious milieu. 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 a modern judiciary and 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, former president Muhamad Khatami, 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.

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 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

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5. *Ijtehad* as a methodology for Islamic hermeneutics and understanding divine legal codes was originally 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’esotérisme en Islam* (Paris: Verdier, 1992), especially the last chapter.
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 political 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 societal forces in a 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 government decisions on referendums, elections, and formation of the constitution, or in calming sectarian tensions as well as 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 indicates 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 existed in the past 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 into 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 Imam 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. 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.

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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 administrator 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 clericship 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 in Hajj rituals as well as other issues, such as Iran’s annual demonstration against the United States, Israel, and Western countries that are deemed “the enemies of God” by the official ideology of the Islamic Republic. Nonetheless, a cleric needs to become informed about the details of pilgrim ritual through other sources, such as every marja’s important book on “Hajj codes” and, finally, 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 asked by the marja’s followers and especially by caravan 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 of 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, either 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 worshipers. 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 (tawzih 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 salaries 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; and controlling different financial and quasi-political affairs of the marja. How big and active an office is would certainly be good evidence of how many worshipers 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 confidential pilgrimage polling or Qom marja offices, nearly 80 percent of Shiite worshipers follow Ayatollah Ali Sistani. The rest of them follow other great marjas: Sayed Muhammad Hussein 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, Jawad Tabrizi, Muhammad Taqi Bahjar, 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 examining the Shiite clerical network in the Middle East and, through it, the multiple dimensions of the 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 Sistani as an outstanding example of a marja.

Sistani and His Road to Marjayat

Only by superficial generalization can we deduce some elements explaining the passage of a mojtahed to marjayat. 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, 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 clerical family. 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.

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

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 taxes. 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 Shites. Historically, most marjas are sayeds.

2. Sayed Hossein Borujirdi was called “Marja al-al-ilaq,” 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.
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 Husaynyn, Sayed Murtadha Isfahani, 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 Shi‘ite 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 the Aal-Olbayt Institute for Revival of Shi‘ite Heritage (Mo’assassat Aal-Olbayt li-ihya ittorathi shi‘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, 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 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. Although the religious properties

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, to explain and answer the religious questions of worshipers, and finally, to collect their religious taxes. The representatives have many ranks; a few of them are mojtaheds, but most of them are not. Also, a few of them are 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 Sahsani, 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
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 Supreme Leader Ali Khamenei, 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, when Montazeri was disfavored by the government, Shahrestani worked on normalizing its relations with the cleric in order to prove that he (and consequently Sistani) was an independent marja and did not fear government security and police forces. When Abdullah Nori, former interior minister, 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 Malmadi 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 both the government and clerics 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.

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 would be 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 Supreme Leader 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 seminary salaries 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 salary amount, is
excused when he pays less while he collects more. But Shahrestani spends the money in other ways. He pays monthly salaries 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 the government at his office, and by virtue of such generosity he attracts the support of various parts of the seminary who are unable to resist government injustice or protest publicly.

**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 other classic and contemporary texts, 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 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 relationship 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, Isfahan, 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 Sistani’s sharia codes, into nearly thirty languages; reli-
gious publication; performance of ritual in Britain and other Western countries; and the sending of 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-Olbayat 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, 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 Qaznei, 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 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 Khoi and 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 is one of the prominent disciples of Khoi and was well known in Qom seminary much before Sistani because of his notes from the acroamatic (oral teaching) of his mentor Khoi, which has been published several times in Qom and Beirut and is considered to be one the most reliable sources for understanding Khoi’s principles and the methodological foundations of fiqh (Islamic jurisprudence).

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 salaries to all clerics. But other marjas, such as Fayyadh and Najafi or a few Qom marjas like Javad Tabrizi, pay salaries 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.

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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 Ilmey-ye Qom, Tarikh-e Shafahi-e Inqelab-e Islami-e Iran, edited by Qolamreza Karbaschi [Qom: Bonyad-e Tariikh-e Inqelab-e Islami-e Iran, 1374]).
Every morning, he reads some prominent Iraqi and Iranian newspapers or what his office has 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 Shahrastani.

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. So Shahrestani refused to meet the representatives of the British ministry of foreign affairs. When Sistani left the 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.

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 officials. 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, permitting Iranian minis-

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5. Javad Shahrestani, interview by author.
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 Ahli-lbayt (International Academy of Ahlilbayt)—an
try 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, formulation, or at least new concepts that replace old ones—that is, respond to old questions of a discipline and displace or discredit them by defining new ones in order to participate in the process of that discipline’s development—then 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. Ijtehad—which requires, by definition, one’s own endeavor to understand 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.

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 on 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 ijtehad as well. Thus, the most perfect acroamatic notes are published and become an indisputable document of both the mentor’s and the disciple’s ijtehad. None of the content, methodology, or subjects of current acroamatics of contemporary jurists in Qom or Najaf, nor publications that concentrate 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 worshipper 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 the separation of men and women and the 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 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,” 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 the 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.

Some might find it justifiable to say that Sistani lags behind the late Ayatollah Khomeini as a theoretician of sharia. Khomeini is 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 Khomeini and Sistani may be “the absolute power of the Shiite jurist,” which differentiates Khomeini from other mojtaheds in general.

Abul-Qassem Khoi, Sistani’s mentor, held that the authority (velayat-e faqih) who has all the conditions is limited to besbiaeh (religious) affairs, 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. Khoi’s opinion is not a special view that differs from the mainstream view on the subject. The problem remains, however, that some besbiaeh 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 besbiaeh affairs, like “enjoining the right/honorable and forbidding the wrong/dis-
honorable” is so general that it can be applied to any individual, social, or political issue. 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 faqib.

Even though a difference exists between Najaf schools and Iranian schools of thought, the difference essentially relates to the historical position and circumstances of faqib rather than their theological, legal principles.\(^{14}\) Chapter 3 tries to explain the differences between the two schools of Shiite 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 and eager to keep itself independent. But historical investigation shows that even Najafi ulama tried to intervene in politics when such activity was to their benefit.

Sistani as a disciple of Khoi basically holds to his mentor’s view on velayat-e faqib, 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 faqib. In one of his edicts, he responded to the question of what his opinion is about velayat-e faqib. He states that in the traditional sense of velayat-e faqib that refers only to hisbiyah affairs, every faqib has the authority (velayat). But in cases other than hesbiyah affairs, which are general affairs “with which social order is linked, velayat-e faqib and enforcement of velayat depend on certain conditions, one of which is the popularity and acceptability of faqib among the majority of worshipers.”\(^{15}\) Despite Khomeini, who understood velayat-e faqib as a privilege assigned to faqib 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 ablation 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 faqib because if he declares that he holds that velayat-e faqib 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-faqib (vali-e faabi), not only in Iraq but also in the Shiite world. Sistani knows, Mohri adds, that he does not have the capability that Khamenei projected, without

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17. Ibid., p. 12.
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 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*.

Javad Shahrestani, in his response to a question on Sistani’s view on *velayat-e faqih*, said that he does not know exactly what his father-in-law thinks about it and was even unaware about what is published on Sistani’s website with regard to the concept. 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 the Iranian government.

What a researcher on Sistani’s view can say with certainty is that Sistani’s view on politics is very different from Khomeini’s formulation of *velayat-e faqih*. 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 the emergence of *ijtehad* 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 *mojtaheds* in the last four centuries sheds light on the fluidity of Shiite juridical perception of the political role and rule of *faqibs*.

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 taken by a *mojtahed*, especially at the current time:

- The political actions of a *mojtahed* are 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, *mojtaheds* in general use all means for expanding their popularity or capability, even against the government’s interests, provided that such means do not lead to any explicit confrontation with the 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 that he is capable of leading a social or politi-

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 the 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.

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
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. 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 is good from a religious perspective and to prevent it from what he believes 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 give Sistani and future marjas the legal right to influence the policymaking 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.

20. Taqiah is a Shi’ite’s duty when the person feels or fears a real danger if she or he expresses her or his beliefs. Shi’ite 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 the past 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.”
Sistani’s actions will be sophisticated, but they cannot be played down. He will continue the traditional role of a marja in a time of crisis. While he will not espouse a Khomeini-style Islamic government, he will intervene to maintain the country’s Islamic legal framework and act as the center of gravity for the Shiite community in Iraq. Yet, it is unclear to what extent and how long he can play these roles effectively in the face of ever-increasing Iranian influence.

The policies of Ayatollahs Khomeini and Khamenei are fundamentally shifting Shiite politics. In the next chapter we will discuss the politics of revolution followed by the politics of building an all-powerful clerical state and their impact on marjayat and future Shiite politics.
Iran’s Islamic Revolution and the Confluence of Two Authorities

AYATOLLAH RUHOLLAH KHOMЕINI, the founder of the Islamic Republic of Iran, transformed the marjāyati 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 marjā. Conditioning leadership on marjāyati 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 Imam’s representative, the vali-e faqih has all the authorities, rights, and

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2. Constitution of the Islamic Republic of Iran, article 2.
3. Ibid., article 4.
4. In Twelve 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-Aasdi, Abu Jafar Muhammad bin Uthman, Abu-Qasim Husayn bin Tuh al-Nabukthi, and Abu-Hassan Ali bin Muhammad al-Sanmirri. 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 Shiite Islam: Abu Ja’far Ibn Qiba Al-Razi and His Contribution to Imamite Shiite 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-Iman” (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-Iman” was replaced by the title “imam,” which was surprising and unacceptable for the nonrevolutionary 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 Ghazali, 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, Musa Sadr, an Iranian cleric who immigrated to Lebanon and became the leader of the Lebanese Shiites, was called Imam, which was obviously in the Arabic context of its usage (see H. E. Cheshabi and Majid Tafreshi, “Musa Sadr and Iran,” in Distant Relations: Iran and Lebanon in the Last 500 Years, ed. H. E. Cheshabi [London and New York: Center for Lebanon 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 rular-faqih is a general representative of the Imam who is elected by the people, and the other is based on the assumption that the rular-faqih is a jurist who is personally appointed by God to be a ruler, but that
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.  

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. 5 But 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 Qutba-deh. 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 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 Saeed, 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 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 Khameini, 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 Khameini, 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 Khameini’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 Khameini after Khomeini’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 overrides 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.
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 and 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. 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 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, the 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. 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.

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, the six members of the Guardian Coun-

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

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.

11. Publication of sharia codes is a very significant act in contending for marjaat. 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.
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 Talbighat-e Islami-e Howzeh-ye Ilmiyeh-e Qom, to establish Araki’s marjat. 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 to not interfere in political issues such as marjat.

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-Qasem 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 Qom issued a resolution emphasizing that only seven people are mojtaheds who are eligible to be followed: Muhammad Fazel Lankarani, Muhammad Taghi Bahjat, Ali Khamenei, Vahid Khorassani, Javad Tabrizi, Mousa Shobeiri Zanjani, and Nasser Makarem Shirazi.

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 marjat began, although it truly had begun just after the death of Khomeini in 1989.

In the list of Jameh-ye Modaressin, many marjas were absent, including Yusof 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 Khamenei deserved the leadership. More significant, two important mojtaheds were not on the government’s list: Montazeri and Sistani, the successor of Abul-Qasem 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 Modaressin 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 fiqih 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). After his speech, as many as a thousand security forces personnel 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 to 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, Mehdi 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, which generated a huge cultural debate. 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 Khomeini 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, 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, 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. This and other challenges to his regime’s legitimacy propelled Khamenei to undertake future measures to strengthen and extend his religious authority and influence over clerics and their institutions. The next chapter will show the impact of Khamenei’s policies and their long-term consequences.

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.
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 Maqoul va Manqoul) 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 the Islamic Republic’s judiciary), Muhammad Javad Bahonar (former prime minister), and Muhammad Khatami (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 Beheshti, Muhammad Mujahid 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 of various profits 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. 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 Propagation (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-Qasem Khoi (in Najaf), Muhammad Reza Golpayegani, and Shahb al-Ddin 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 simple way and coordinating 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 join the Leader’s Representation in Military and Police (Namayandegi-e Vali-e Faqih dar Sepah-Artesh) or the Ideological and Political Organization (Sazman-e Aqidati Siassi), two ideological groups founded a few months after the revolution in order to strengthen control over military and police forces.

Although the political support of the seminar 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 were created spontaneously, like the Association of the Qom Seminary’s Mentors (Jameh-ye Modarresin-e Howzeh-ye Ilmiyeh-e Qom), but now Khomeini began creating institutes in the seminary that could control it ideologically and politically. Alongside the management council, 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

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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.
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 principle 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.

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

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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 that Montazeri had run came back under Khomeini’s control.
bly 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 the 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 a leader in a clouded and doubtful atmosphere, facing questions 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 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 Madrasche-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 mainly emphasized the need for restructuring 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 veelayat-e faqih. After the death of Ayatollah Khomeini, veelayat-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 (veelayat-e motlqeh-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
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 the pension account books of each marja and computerized the information. 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 motlaq-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 marjas who want to be independent actors 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 motivational tools. 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 at Imam Hossein Mosque. Khamenei also makes connections between Hizbollah and Shiite or Sunni anti-Israel businessmen. Since Iran’s Islamic Revolution, the government’s religious assistance to Shiites around the world has overlapped with its financial aid, making the distinction between the government’s financial network and traditional religious network very difficult to make. Especially in countries such as Lebanon, where Khamenei has religious offices, military organizations like Hizbollah are using religious networks for cover. The Iranian regime’s aid to Shiite organizations is not limited to Hizbollah. 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 representatives’ phones are believed to be under surveillance by the Iranian intelligence service.

An important factor is the mechanism of money transfer, which is very primitive but very effective and far beyond banking 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, put it into a big sack, and carry it to Iran themselves 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 trans-
fer by the Iranian regime. Those religious networks can cover the Iranian regime’s political activities in foreign counties, especially in Europe or the United States.

What the Iranian Supreme Leader did in the last two decades to transform religious institutions and networks into political ones 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 that was started by Khomeini, and this change could lead to the 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 into 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 such as 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 or 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 period 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 recent centuries) and 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 a 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 rela-

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tion 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 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 mobilization. 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 mildly attacked such nonclerics, and the Assembly of Experts has created a committee to consider the issue.

The 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. After much criticism of fundamental religious concepts, especially their social and political promises and roles, religious intellectuals were able to discredit the clerical understanding of Islam in general. For younger Iranians, especially 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. Instead, 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 nonclerics managers of religious affairs cannot undertake the responsibility for any kind of social and political leadership, 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 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 limited financial resources. In his stead, the wealthy mojtahed would be the one who officially works with the government, with traditional business investments 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 their effect on social popularity and influence. Ironically, both categories—state mojtaheds and nongovernmental mojtaheds—are depriving themselves of the means to increase their social popularity. In the history of mar-

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2. By religious intellectuals, I do not mean the group that calls themselves so, but in the general sense of the word: all intellectuals, whether believers or not, who think about and study Islam in nontraditional ways.
**Jayat, 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 comes mainly from nonreligious sources and does not help much in setting 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 Islamic Republic’s successful project of confiscating the seminary in the service of the 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 away their independence and made them very fragile. Any dramatic political change in Iran that leads to removal of the religious regime will affect the situation of religious institutions tremendously. The Islamic Republic’s secularization of 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 the 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 and 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 but for the relation between political parties and religious authority to undergo a fundamental change. This would also diminish the role of marjas in the community. If during 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’s Iraq, then after him a mojtahed can hardly hope to usurp or have any significant authority over a political movement or party.

In a post-marjayat era 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 financially supporting the religious establishment in Najaf and other Shiite areas, Khamenei will expand the Shiite network in Iraq and take 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 global 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 government control. Iranian authority in Iraq will restrict the activities of Iraqi mojtaheds and carry out strict surveil-
lance of 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 left 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. Even in a stable and secure Iraq, its clerical establishment would likely be unable to play a fundamental role while remaining independent.

**Political Implications of the Decline of Marjayat in the Middle East**

In the post-mujrayat period, the winner in the short term is the Iranian Supreme Leader, who has usurped the religious network in the Middle East. From Kuwait and other Gulf countries to Lebanon, the Supreme Leader has already taken control of most clerical networks. 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 the Islamic world has considerably hurt Fadlallah’s position in the highly politicized milieu 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-mujrayat 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 authority and influence with massive financial facilities and capabilities.

The effect of politicizing religious establishments and networks and the consequent 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 religion 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 protect their identity in political and social quarrels and challenges.
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 developments in the region, especially in Iran, Iraq, and Lebanon. Tehran’s confiscation of Shiite networks 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, operative, and independent moderate forces exist in the Shiite world that 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 the direct result of deliberate policies carried out by Ayatollahs Ruhollah Khomeini and 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 regional crisis; to the absence of democratic forces, or the ineffectiveness of democratic intellectuals; to the tremendous gap between these intellectuals and society; and to the dysfunctional and undemocratic governments of other Islamic countries. He also reached this position of leadership over 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 is now 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 all 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 are on the threshold of decline. Those authorities cannot be considered reliable in resolving the crisis in 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 may also help the traditional moderate clerics defend themselves against the Iranian regime and Shiite radical groups.
In sum, the beginning of the post-marjayat era is a challenging time for the United States and may lead to the escalation of tension between Islam and the West, if Western countries do not seriously take this fact into consideration and reprioritize their diplomacy efforts in the Middle East.
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