

Walter Posch

IRAN AND THE SHIA OF IRAQ

The rise of Shia influence in Iraqi politics has caused suspicion among (predominantly Sunni) Arab leaders and Western analysts alike. Questions arose how strongly Iran will be able to influence Iraqi affairs. Views on Tehran's influence are divided: some point out that the Shia of Iraq are so different from the Iranian that Tehran wields only a limited power in Iraq; in this case, they tend to idealize Iraq's Shia leaders, either as political quietists, as e.g. Grand Ayatollah Sistani, or as secularists, as e.g. Ibrahim al-Jafari. Others, however, see Tehran behind any group and any perpetrator of hostile acts against Western interests; in that case, they tend to hint at Sistani's Iranian origin and family interests in Qom, and hint at the Iraqi oppositions' long stay in Iran.

As seen from Tehran, the overthrow of Saddam Hussein poses chances and challenges: at best, a Tehran friendly government will come to power, the Iraqi society will be Islamised, the country will stabilise and tensions with the US will ease; at worst, the new Iraqi government will have to keep distance from Tehran so as not to come into view as Iranian stooges, the security situation will further deteriorate and tensions with the US will grow. Although many in Tehran consider US losses in Iraq not without a certain satisfaction, they on the other hand fear that instability in Iraq will affect Iran's border provinces and inflame dormant ethnic and sectarian strife in their own country. Iran, not unlike any other country in the region, strictly objects against the partition of Iraq and Kurdish independence. As for now, Tehran can claim to be in an advantageous position since the victory of the Shia-dominated "United Iraqi Alliance" was indeed disappointing for the US and encouraging for the mollahs: at least three of the main parties (PUK, SCIRI, Dawa) are close to Tehran, and one of them, SCIRI has intense relations with the political and military power of the Iranian theocracy. At the same time, Tehran has

all reasons to avoid too provocative behaviour towards the US; moreover, Iran has grudgingly accepted that the US will not leave Iraq – lest the Gulf region – soon. Both, the US and Iran will continue to pursue their interests in Iraq and neither will be able to impose its will upon the Iraqis. Iran however is in an advantageous position thanks to its geographic proximity, cultural affinity, and the fact, that it has over the years hosted important Iraqi political parties. But this influence does not mean that Tehran could control the Shia of Iraq, as many tend to believe.

The Shia of Iraq

Iraq's Shias are not a homogeneous group. Most of them are Arabs but there are also significant numbers of Faily Kurds, Turkmens, Persians and other nationalities. Among the Arabs, tribal and local affiliations still play an important role. For historic reasons the Shia denomination prevailed among the lower classes, as for example peasants and marsh dwellers, most of whom left for the slums of major cities. This does not mean that there have been no Shias in other strata of the society¹. Iraq's Shias did not form a unified monolithic bloc and neither they were isolated from the rest of the society: Sunni-Shia intermarriage in the Baghdad region for instance is rather rule than exception, and for the more secular layers of the Iraqi society a person's belonging to a peculiar denomination hardly played any role at all. The concept of a tripartite Iraq, i.e. Sunni, Shia and Kurds is therefore deeply flawed, for either one categorises the Iraqi people in religious terms – Shia and Sunna, or in ethnic terms – Kurds and Arabs, or –why not by using the terminology of classes. The latter approach might even have been a more useful one. Iraq would not have been divided into three big chunks of Sunnis, Shias and Kurds but into economically powerful mafia-like family enterprises with political outlets (parties or movements) and growing disappointment with this situation expressed through increasing Islamisation. If one decided to approach Iraq this way, it would be easier to understand, for instance, the movement of Moqtada al-Sadr. Nevertheless, the Islamisation of the Iraqi society in the last years of Saddam Hussein's rule and the distrust of the dominating Tikriti clans against the Shia majority, contributed to a more assertive Shia consciousness. At the same time, one should bear in mind, that Iraqi Shia political groups are in many cases organisationally linked to other Arab countries and they are more deeply immersed in Islamist internationalism². But this consciousness has in no way been contradictory to Iraqi nationalism or patriotism as one could see during the long war against Iran: Iranians are aware of this and are trying to keep a low profile, or at least not to overplay their card of confessional brotherhood.

¹ See the analysis by H. Battatu, *The Old Social Classes and the Revolutionary Movements of Iraq*, Princeton 1978/London 2004, pp. 44f.

² F. Abd al-Jabar, *The Shia Movement in Iraq*, London 2003, pp. 235, 237.

Main Shia Islamist Parties of Iraq

Iraq has given birth to several political Shia-Islamist movements in reaction against communism and atheism of the 1960s and against the Baath socialist-nationalist dictatorship of the 1970s. The Iran-Iraq war increasingly detached exile groups from inner affairs of Iraq, making them more dependent on Tehran. Only some cells of the Dawa party and other, minuscule political groups have survived in Iraq since before 1980. When Saddam fell, only two genuine and influential Iraqi Shia organisational structures have survived: the Marja'iyah (i.e. the traditional clergy) headed by Grand Ayatollah Sistani, and the originally clandestine Movement of Sadr Thani, lead by Moqtada al-Sadr. Politically, Shia unity depends nowadays on the degree to which Sistani and Moqtada are capable of cooperation. Other Shia parties, Islamist and secularist alike, are of lesser importance, though they provide mainly experienced brainpower and functioning party structures. The most important are the Dawa-Party and SCIRI: both with ties to Iran.

“The Party of the Islamic Call – Dawa” (*Hizb Da'wa al-Islamiyya*) is the oldest Iraqi Shia Islamist party; in the 1980s and 1990s it split into various branches since several influential members disagreed with the Iranians on theological and political issues³. Parts of the Dawa have been pressed by Tehran to join SCIRI, yet most branches have resisted. Its branches in Lebanon and Kuwait were involved in terrorist activities against Saddam's regime throughout the 1980s. During the 1990s some branches in Western Europe embraced more democratic views, but the party remains Islamist and its prominent members as e.g. al-Jafari insist on Islam playing a major role in public life. The exile organisation does not yet seem united with the remnants of the Iraqi Dawa, at least they were running as a separate formation in the United Iraqi Alliance.

“The Supreme Council for the Islamic Revolution in Iraq – SCIRI” (*Al-Majlis al-'ala li-th-thawrati l-islamiyya fi-l-'Iraq*)⁴ has since the beginning been an Iranian project and should have functioned as a front organisation for many Islamist groups, including Sunnis⁵. Among them the Iraqi-Kurdish Hizbullah, run by Muhammad Khalid Barzani, the cousin of Kurdistan Democratic Party leader Mas'ud Barzani and leader of the Barzani's influential Naqshibandi order of Dervishes⁶. But in the end, SCIRI became a solely Shia endeavour dominated by the influential Iraqi al-Hakim family. SCIRI has access to the very core of Iran's political power. Two members of SCIRI's leadership council – Ali al-Taskhiri and Mahmud al-Hashimi al-Shahrudi – serve in the Islamic Republic of Iran's Supreme leaders' office; the Iraqi refugee Shahrudi has even been appointed by Kha-

³ R. Shanahan, *The Islamic Da'wa Party: Past Development and Future Prospects*, „Middle East Review of International Affairs”, 8/2 June 2004, pp. 16-25; for the ramifications of the Dawa splinter groups see: Jabbar (2003), pp. 257f.

⁴ Literature provides also the acronym SAIRI standing for *Supreme Assembly for the Islamic Revolution in Iraq*. However, the proper acronym is SCIRI. See the party's homepage: <http://www.sciri.btinternet.co.uk>.

⁵ F. Abd al-Jabar (2003), pp. 235-255.

⁶ W. Posch, *Irak unter Saddam Hussein. Das Ende einer Ära? Historischer Hintergrund, Akteure, Szenarien*, (Studien und Berichte 13) Vienna 2002, p. 156.

menei to the post of Iranian justice minister. And SCIRI's military wing, the Fay-laq Badr (Badr Brigade), was trained, equipped, and staffed by the Iranian Pasdaran, the Revolutionary Guards.

Of more limited importance are the "Organisation of Islamic Action – MAI" (*Munazzamat al-Amal al-Islami*), which is a political body representing the clerical families of the Modarresi and Shirazis, who over years have opposed Khomeini; and the Iraqi Hizbullah. This group led by Abdalkarim Abu l-Hatim al-Muhammadawi has been the last remaining resistance movement in South Iraqi marshes. Another home-grown organisation is *Fadhilah/Virtue*, a party based in Basra, where it imposed strict Islamic laws on the population. The party was founded by Muhammad Ya'qubi of Najaf, a follower of Moqtada's father, who fell off with Moqtada and insisted that he was the chosen successor of Muhammad Sadiq Sadr.

Finally, one has to comment on the *United Iraqi Alliance* (UIA list 169). It is not as much a political party as a loose framework unifying secular and Islamist Shia parties under the lead of the Dawa and the SCIRI, created for the purpose of the elections of January 2005. The list is often referred to as the Sistani list, even though Sistani himself is trying to keep his impartiality and does not qualify for voting, as he has no Iraqi citizenship. Long-time opposition leader, Ahmad Chalabi, was the mastermind in forging the alliance between the parties involved, including clerical firebrand Moqtada al-Sadr⁷ who declines to vote in any elections as long as the occupation continues⁸ but who did not object to his followers casting their ballots and forming their own list. As of 23rd February 2005⁹ the allocation of seats to the Shia Islamists inside the UIA was as follows: 18 seats to SCIRI; 15 seats to Islamic Dawa Party; 9 seats to the Islamic Dawa Party-Iraq organisation; 9 seats to the Islamic Virtue Party; 13 seats to the Shia Islamic Council; 4 seats to the Faili Kurds; and 21 seats to Al-Sadr's Current. This means that the UIA holds 89 of the total of 140 seats. This does not make them the dominant majority, but they are a very powerful block capable of dominating Iraq's National Assembly if they keep the UIA together and are capable of forging a coalition. As one can clearly see, the main questions are whether all these groups can hold together, and whether their political aims will remain focused on certain core issues, as e.g. the constitution. Most likely, there may arise a rift between the groups or inside the parties between radicals and pragmatists: a fact parties are aware of. Here is where Sistani comes in: as arbiter and moderator who alleviates dissents and tries to find compromise. But the mortar, which in the end will hold together the UIA – in cooperation with Sistani – will be the pragmatists in the Dawa and SCIRI as well as Ahmad Chalabi. In case of success, the UIA would be in the unique position to comprise three different political currents of Shia Islamism: the Iraqi one – the Dawa-Iraq, and two exiled ones: the pro-western with Jafari and Ahmad Chalabi, and the pro-Iranian

⁷ B. Bull, *The coming of Shia Iraq*, „Prospect”, November 2004, pp. 38-45.

⁸ M. 'Arshi, M. Sadr, *Ta zamani ke eshghalgaran dar 'Eraq hastand vared-e siyasat nemi shawam/I will not join politics as long as the occupiers are in Iraq*, „Aftab-e Yazd”, 4 Esfand 1383/22 February 2005, (www.aftabyazd.com).

⁹ Numbers of Al-Hayat as reported by Juan Cole see: www.juancole.com as of 23rd February 2005.

(SCIRI) one. In other words, UIA could use well-established contacts with the two most serious adversaries in the region, the USA and Iran, both of whom are – for different reasons – uncomfortable with the unpredictable power of Mashhad-born Grand Ayatollah Seyyed Ali Hussaini Sistani, who is one of if not *the* most important religious leader of the Shia worldwide.

The Shia Clergy

One of the major differences between Shia and Sunni Islam is the fact that Shias know an equivalent of the clergy, whereas Sunni Islam is a state-run affair. Sistani is one of approximately two dozen Grand Ayatollahs and the head of the respected Hawza Ilmiya in Najaf: a theological body of Shia learning. The prestigious shrine of Imam Ali in Najaf apparently belongs to his jurisdiction. Thanks to his being a *marja'-e taqlid*, a “source of emulation”, many pious Shias from all over the world follow his rules and regulations (*fatwas*) and pay him a certain tax (*khums*). An administrative apparatus of representatives (called *jihaz*) supports the *marja'*. The system that decides when and how one could become a *marja'* is not really fixed but public acclamation, the number of theology students, recognition by peers and, to a lesser degree, by the political authority play an important role¹⁰. The rulings of a *marja'* are binding for those who emulate him, whether it is about fasting, divorce, participation in elections or homeland defence (*jihad*). The authority and institution of the *marja' al-taqlid* is the *marja'iyyah*. When Sistani insists on the authority of the *marja'iyyah*, he seems in most cases to mean the five Grand Ayatollahs of Najaf, of whom he is the most revered one. In general, the *marja's* have abstained from politics and prefer to play the role of higher spiritual instances. Many observers drew the wrong conclusion from the *marja's* apparent reluctance in engaging in politics. It is to be noted that, as religious authorities, they even dared to challenge Saddam Hussein on matters of moral and Islam in the society¹¹. Yet, the Baath regime constrained the activities of the clergy and brutalized them after the 1991 *intifadha*. Najaf consequently ceased ground against the theological centres of Qom in Iran.

Although religious authority is not hereditary, many families have for generations monopolised certain posts of the clerical hierarchy. The most important of these families are the Khalisi, the Hakim, the Sadr, the Kashif al-Ghita, the Bahraluloum, the Kubba (Iraqi Arabs) as well as the Modarresi, the Shirazi, the Khoei, the Haeri (Iranian and mixed Iranian–Iraqi). Most of them have family members in influential positions in the economy and politics. Typical examples include Ayatollah Bahraluloum, whose son used to be Iraqi oil minister as well as the fact that

¹⁰ Cf.: A. W. Terriil, *Nationalism, Sectarianism, and the future of the U.S. Presence in Post-Saddam Iraq*, „Strategic Studies Institute”, July 2003, p. 22; L. Al-Rachid, *Du Bon Usage du Chiisme Irakien*, „Politique Internationale” 2003, no. 101, pp. 95-111 and W. Buchta, *Who rules Iran? The Structure of Power in the Islamic Republic*, Washington 2000, p. 54.

¹¹ See the analysis of F. Abd al-Jabar, *The Genesis and Development of Marjaism against the State*, Jabar (2002), p. 61-85.

some families have monopolised entire political parties or movements (Modarresi, Hakim, Sadr).

The *marja's* have at their disposal vast financial resources. Taxes and donations they receive are invested in foundations, and the revenues gained are re-invested in charities that support students and conduct similar activities. The most important foundations are the London-based Al-Khoei foundation, named after Sistani's teacher, al-Khoei, and directed by members of the al-Khoei family¹², yet, there are numerous others under the control of prominent and famous clerical families, as e.g. the Shirazi, the Modarresi and the Bahraluloums. Sistani has also a say in the prosperous al-Khoei and Aalulbayt foundations. Moreover, a plethora of well-established foundations, research institutes and technology centres, hospitals, and libraries in London, Damascus, Qom, Mashhad, Tehran, and Pakistan are more directly related to him¹³. Statistics on the money he retrieves from his followers are generally not available, but in December 2003 Sistani's representative in Qom (Iran) reportedly sent him donations of USD 3.5 million from his followers in Iran¹⁴. Judging from Sistani's popularity among the faithful Shia and his worldwide activities, the total amount must be remarkable.

Theologians trained in Najaf and Kerbala play an important political role in Iraq, Lebanon, the Gulf states, and Iran. Most clerical members of Iran's political elite, for example, have spent some time studying in Iraq where they made contacts with Iraqi and Lebanese scholars and politicians. Political support for Shia Islamist groups was therefore only natural, once they came to power in Iran. Tehran hopes that these contacts will now pay off and strengthen its position in Iraq and beyond.

Najaf was also a center where modern Arabic political thought like Pan-Arabism, the Palestinian cause, Seyyid Qutb's *jahiliyya*-theory, and similar standards of modern Islamism were discussed and compared with Shia theology. For historic reasons, the Persian influence was strongest among the clergy in the holy cities of Najaf, Karbala, Samarra and Kazimain. The bond between the Shia clergy in Iran and Iraq is still very strong and intermarriages are so common that in many cases it is difficult to tell whether the offspring is Persian or Arab; Iranians and other non-Arabs continue to play a dominant role among the higher echelons of the Shia clergy until this day. The five Grand Ayatollahs in Najaf are: Mirza Ali Hus-saini Sistani from Iran, Muhammad Ishaq Fayyadh of Pakistan, the Afghan Hussein Bashir Najafi (or al-Afghani), and Muhammad Sa'id al-Hakim, who hails from the famous Iraqi al-Hakim dynasty¹⁵.

¹² www.alkhoeifoundation.com.

¹³ See: www.sistani.org, www.seestani.com, www.najaf.org, and www.aalulbayt.org.

¹⁴ B. Dargahi, *Al-Sistani mixes tradition with modern outlook*, „Washington Times“, 9 March 2004.

¹⁵ Cf. W. Posch, *Die irakischen Schiiten nach dem Fall Saddam Husseins*, [in:] W. Feichtinger (ed.), *Irak 2003, Aspekte eines Umbruchs*, Vienna LVAK 2003, pp. 101-154, see: p. 117.

Squabbles over Priority

Sistani is said to be the most important of all Grand Ayatollahs. He follows the political quietist school of Grand Ayatollah Abu l-Qasim al-Khoei (d. 1992), who himself succeeded Muhsin al-Hakim (d. 1972, father of the SCIRI leaders Muhammad Baqir and Abdulaziz), who was preceded by Borujerdi (d. 1961, the teacher of Khomeini). Borujerdi was the last unanimously accepted *primus inter pares* of all Grand Ayatollahs – or *marja' taqlid mutlaq*. The line of traditional *marja's* running from Borujerdi via Hakim and Khoei to Sistani is the Iraqi or Najaf School¹⁶, which rejects political activity of the clergy. Khomeini's Iranian school¹⁷ is in opposition to the Najaf tradition. Khomeini, who was himself a Grand Ayatollah and *marja' taqlid* attempted to unite the spiritual with the political power. His theory of the “guardianship of the jurispudent” (*velayat-e faqih*) was rejected – or ignored – by the clerical establishment of Najaf, who were then under the leadership of Al-Khoei, Sistani's teacher¹⁸. Until this day, almost all of the approximately twenty Grand Ayatollahs reject the Iranian system, while a semi-clandestine “Organisation for the Defence of the Right of the *marja* has been founded in London¹⁹”.

The relations with Iran

After the revolution, Khomeini and his followers introduced the *velayat-e faqih* in Iran. Today, his successor, Seyyed Ali Hussaini Khamenei, holds the post of *velayat-e faqih* and “Supreme Leader of the Islamic Revolution – Rahbar” (*rahbar-e enqelab-e eslami*). This function means that control of, among other things, the Armed forces, security and intelligence apparatus, and judicial bodies. As long as Khomeini was alive, this concept was to a certain degree credible in theological terms, thanks to Khomeini's personal charisma and high theological rank. His successor, Khamenei, though claims to be the leader of all Shias worldwide and highest *marja'*, found it a problem to be recognised by other Grand Ayatollahs. In effect, they never accepted Khamenei as an equal, lest as their leader, and many doubt whether he would ever be a full Ayatollah²⁰. The disagreement about who would be the highest spiritual leader of the Shias was of minor importance as long as Saddam Hussein controlled Najaf and the Iran-based Grand Ayatollahs were silenced by Tehran. Nevertheless, the existence of a functioning and powerful Najafi-based clerical hierarchy without constraint is a serious challenge to the Iranian system. It is more the case when some of these clerics wield considerable influence in Iran itself, as it is with Sistani, who rejects the system of the “guardianship of the

¹⁶ J. Al-Qazwini, *The School of Najaf*, [in:] F. Abd al-Jaber (ed), *Ayatollahs, Sufis and Ideologues. State, religion and social Movements in Iraq*, London 2002, pp. 245-264.

¹⁷ J. Al-Qazwini, *The School of Qom*, [in:] Jaber (2002), pp. 265-282.

¹⁸ Both Khoei and Sistani reportedly disliked Khomeini personally.

¹⁹ See: Buchta (2000) p. 48; London hosts many Sistani-friendly foundations and organisations.

²⁰ *Ibidem*, p. 48, 52f., *passim*.

jurisprudent". If Sistani were to be openly declared *marja' taqlid mutlaq*, the loss of prestige of Khamenei would aggravate and be a serious blow to the regime's reputation and even legitimacy²¹. For this reason, Khamenei has to remain involved in Iraqi affairs, and since he oversees Iran's armed forces, security services and judicial bodies, the question of clerical rank and hierarchy between Najaf and Tehran includes a serious security aspect.

The delivery of Najaf from Baathist constrains seemingly weakened Tehran's position even among those groups who accept the Iranian system. A trend towards splitting the Shia clergy's responsibility between Persians and Arabs has already emerged and some pro-Tehran groups ask why the same person (Khamenei) should be responsible for the Muslims of Iran and of Arab countries²². Their most vociferous voice is the Najaf-born Lebanese Grand Ayatollah Muhammad Hussein Fadhlallah, who since the mid-1990s has openly criticised the dominant role played by Iran²³. If this trend continues, Tehran's influence will remain only with Hizbullah, and without any chance to see Khamenei recognised as the head of the Shia elsewhere. Yet, it appears that Sistani and Khamenei carefully avoid any disagreement or at least do not let it surface; neither do they have any interest to start an open discussion on the legitimacy of the Iranian theocracy. They are rather interested to prolong the *status quo*, i.e. the Iranian system coexisting with Najaf. As long as the situation continues this way, Sistani will not challenge Khamenei, who treats Sistani with respect and politeness²⁴. In matters of protocol, one refers to Khamenei as "Supreme Leader of the Islamic Revolution" or the Supreme Leader in short. This title is more a reflection of his function as the head of Iran's power elite than of his standing among the Shias worldwide. On the other hand, it must not be forgotten that Khamenei has the power to seize all assets of Sistani's foundations and may harass his relatives, who reportedly fear the Iranian authorities, in Iran.²⁵ However, in the long run, Sistani will prevail and Khamenei's role will be more and more confined to its political function as head of the Iranian state apparatus.

Generation X

Sistani represents the elder, more traditionally-minded generation that lived in Iraq and survived Saddam Hussein's onslaughts unlike many other prominent Islamic thinkers and theoreticians who were systematically killed or expelled by the Baath regime. He too, like the Shiite politicians who have recently returned from their exile, fosters rather moderate political views. However, the movement of Moqtada

²¹ Posch (2003), p. 141.

²² Radio Free Europe/Radio Liberty, „Iraq Report", 6.31, 17th July 2003.

²³ R. Schaery-Eisenlohr, *Iran the Vatican of Shi'ism?*, „Middle East Report", 223/2004, pp. 40-43; one may also add (Grand?) Ayatollahs Shirazi and Modarresi.

²⁴ See www.khamenei.ir/EN/Message/detail.jsp?id=20040811A: Khamenei refers to Sistani and to himself simply with the technical term "ayatollah".

²⁵ B. Daragahi, *Al-Sistani mixes tradition with modern outlook*, „Washington Times", 9th March 2004.

al-Sadr challenges this relatively moderate trend in Iraqi Shia politics. The trend of radical Shiism emerged unbeknown to most observers in the 1990s, when Moqtada's father, Grand Ayatollah Muhammad Sadiq Sadr (or Sadr Than i.e. the second)²⁶ became popular among the disenfranchised masses of Shias in Sadr (then Saddam) City and the Marsh Arabs during the sanctions regime against Iraq. The Iraqi Regime tried to bolster Muhammad Sadiq's status in order to have an Arab "source of emulation" as opposed to the Persian Grand Ayatollah Sistani. Sadiq Sadr, who hailed from a very famous Iraqi Arab clerical family, attracted his followers partially through his own system of food-distribution to the poor, and partially by his unique combination of Islamic-Sharia law and tribal customs. After his assassination in 1999, his only surviving son, Moqtada al-Sadr, went into hiding only to re-appear after the US-led invasion. The existence of this extended network came to Western and Iranian observers as a surprise.

Moreover, Moqtada's movement was extremely successful and challenged ex-Baathis, the clerical establishment in Najaf, Iran and the USA alike. It consists of three components: the core clerical group, Moqtada's father's charity network, and spontaneous mobs²⁷. The last have by now been transformed into the Mahdi Army – Moqtada's ramshackle militia. The importance of this movement lies in the fact that it shares social base and populist approach with some other radical Islamist movements of the region that emerged in the 1990s. His followers, as e.g. the young combatants of the Taliban, the GIA or other radical groups, owe little to the refined political and theological discourse of the elder generation but share the experience of war and oppression. They are by and large young, urbanised, disenfranchised, disillusioned and detached from the traditional clerical hierarchy. They are Iraq's Shia version of an "Islamist Generation X", which knows that their aspirations for upward mobility will not materialise in the nearest future, which are highly politicised and more open to radical solutions of any kind²⁸.

Their main feature is a relative lack of Islamic education – Moqtada is a lightweight in Islamic theology and scholarship as in political thought. Moqtada offers neither a concise political system, nor a definition of what Iraq should look like; given the case he would get things run along the lines of his preference. He is, therefore, not to be compared with Khomeini who had a precise ideological vision and the political savvy to out-manoeuvre his opponents, but rather with the Taliban²⁹. Like them, Moqtada improvises somewhere between his understanding of Sharia and nationalism, as the citizens of Najaf could observe, when his men took over the town for a number of weeks. Since the disenfranchised followers of Moqtada al-Sadr are the result of the general "de-culturation" of Iraq's society, co-

²⁶ His brother, Muhammad Baqir Sadr, is Sadr I. He was one of the most respected Shia theologians and political theorists. Saddam Hussein's henchmen murdered him in 1980.

²⁷ Jabbar (2003), p. 26.

²⁸ Jenny White first used the term "Islamist Generation X" in her study of Turkish Islamism and vernacular politics. By this, she meant (a) the young, urban generation who (b) have loosened if not lost their ties to the traditional Islamic institution (in their case: patrons and brotherhoods), but are (c) religiously educated and (d) live in dire economic circumstances with no chance for amelioration of their economic situation. See: J. B. White, *Islamist Mobilisation in Turkey. A Study in Vernacular Politics*, Washington D.C. 2002, p. 132.

²⁹ Bull, p. 39.

produced by a decade of economic sanctions and Saddam Hussein's crony-based dictatorship, they are nevertheless a genuine, nativist Iraqi political power, to be reckoned with³⁰.

Sistani's Politics

The fact that Sistani does not support the Iranian system of *velayat-e faqih* made many observers mistakenly perceive him as apolitical or a kind of secularist³¹, neither of which is true. Sistani, whose political vision includes Islamic and democratic tenets, denies the higher clergy the right to run the government, though he is clear about pushing the society in a more Islamic direction. He wants the *marja'iyah* to stay aloof of politics, transcending party politics, and giving the direction matters more than aspiring political power that could only destroy his moral credit, as it happened with the clerics in Iran. Sistani's *fatwas* and political statements directed and formulated the political claims of Iraq's Shia. Recurring topics are the sovereignty of Iraq, democracy, and Islamic values. Although most Western observers will not be enthusiastic about the Islamic direction Sistani heads for, he must be credited for his peaceful methods and, unlike Khomeini's followers, not encouraging the use of violence against political competitors. Sistani, in our view made two points clear; first: that he will remain in the political game for the foreseeable future, and second: that, if not equal to Sistani, Moqtada is at least the 'number two' in Iraq's Shia movement.

Step I: Setting the Stage and restoring the Marja'iyah's authority

Sistani did certainly not step into politics voluntarily; he was forced to do so by the chaotic circumstances in the aftermath of the US-led invasion. Sistani issued immediately *fatwas*³² in order to interdict looting, random killings of Baath members and any acts of anarchy. He was helped by the organisational structures that Saddam Hussein could not entirely destroy – the *marja'iyah*'s networks of mosques and other institutions. Furthermore, Sistani encouraged the spontaneous constitution of neighbourhood committees to facilitate distribution of aid and to provide rudimentary security structures³³. These committees served also as bases for Islamisation of the daily life, as e.g. the interdiction of alcohol consumption and obligation to wear Islamic garments for the women. The spontaneous organisation was so efficient that it was able to structure the masses of pilgrims, who flooded Najaf

³⁰ Cf. Jabar (2003), p. 25f.

³¹ E. Schmitt, *U.S. Officials Say a Theocratic Iraq Is Unlikely*, „New York Times”, 7 February 2005.

³² The first point of his *fatwa* is clear enough: “Reject any foreign rule in Iraq”, see: www.sistani.org/messages/eng/ir2.htm.

³³ The introduction of his *fatwa* reads: “to fill the current vacuum with suitable and devout people. To cooperate in restoring law and order by establishing councils for each province [...] and district whereby well-known spiritual figures and committed older members of the community, heads of tribes and others can assist in organizing the affairs of the country and restore law and order to each area.”

and Karbala at Ashura in 2003³⁴. In the few weeks immediately following the fall of Saddam, Shia groups managed to create structures that replaced those of the once omnipresent Baath party. In the end, an Iraqi Shia civil society came into existence with Sistani being its rallying force. What has to be made clear, is the fact that this is a very Islamic and from its definition anti-occupation minded civil society³⁵. Sistani was able to prove his moral power and amidst the ongoing chaos in Iraq his voice sounded reasonable, and was therefore increasingly heard, also by Western observers. In the end, the Shia political setting of Iraq was defined, local groups and parties exerted power in their respective domains, and Sistani reassured the authority of the *Marja'iyah*. By June 2004, he felt so confident as to advice to the United Nations "kindly [to] convey the position of the Religious *Marja'iyah*"³⁶. Newcomers to Iraq had to fit into this new political environment and to reckon with the *Marja'iyah*'s increasing political influence. Among them were the occupation forces and exiled political parties, or in other words: the USA and Iran.

Step II: Spreading the Message of Sovereignty, Democracy and Islam

It took the US a few months to realize how important Sistani actually was, he faced down the Coalition Provisional Authority (CPA) on many occasions, starting with the now famous *fatwa* of 25th June 2003, when he denied the CPA any authority to write a constitution³⁷. He finally reached his goal: the US had to accept the return of the personnel to Iraq, Sistani's comments on the Transitional Administrative Law (TAL), and it was him who rejected the inclusion of the TAL in UNSCR 1546³⁸. Yet, he was never blocking or insisting on unrealistic positions, for instance he accepted the fact that the elections to the National Assembly would be held later than he originally wanted. Thus the elections of 30th January 2005 were as much his success as the US administration's. Sistani will leave day-to-day politics to the politicians of the victorious United Iraqi Alliance, but he will definitely co-author Iraq's future constitution and ensure that Sunni voices will be heard too. (Another co-author if not the main drafter will be the US.)

State-Islam relations will be among core problems in the drafting of the constitution. It will be interesting to see what language will be used, since any wording that would bring Iraq close to an "Islamic Republic" (like Pakistan and recently Iran) is unacceptable for the US. Nevertheless, the groundwork for the Islamisation of Iraq has already been done in the aftermath of the fall of Saddam Hussein, with the Shia groups having filled the power vacuum. Was it not obvious from the beginning that Sistani and his followers had a vision of an Islamic Iraq they will not gladly abandon? Islam is therefore to become the source of legislation, as it was

³⁴ Posch (2003), pp. 120f.

³⁵ A. Arato, *The occupation of Iraq and the difficult Transition from Dictatorship*, „Constellations” 2003, vol. 10/3.

³⁶ www.sistani.org/messages/eng/bay8.htm.

³⁷ See: A. Arato, *Sistani v. Bush. Constitutional Politics in Iraq*, „Constellations” 2004, vol. 11/2.

³⁸ <http://www.sistani.org/messages/eng/bay8.htm>.

already stated in the final conclusions of the US-sponsored London conference in December 2002³⁹: “*al-islam masdar al-tashri*’/Islam is *the* source of legislation”. Official English translations tried to cover up this fervently Islamist declaration by using a wording more satisfying to secular Western ears. After the elections of 30th January 2005, the spokesman of the Hawza reiterated that Islam should be made the source of legislation in the permanent constitution, while other sources close to Sistani warned officials “against the separation of state and religion”⁴⁰.

Sistani will have no problem with a secular government, provided it does not act against Islam, as defined by the *Marja’iyyah*. The clerics will not rule in Iraq, but they insist on the right to approve laws, and Sistani expects any future government to heed his *fatwas* on social issues. This is very similar to the Iranian constitution of 1906⁴¹. Both Sistani’s education and spiritual lineage (Khoei, Borujerdi) would confirm this assumption. Sistani does not mean to reject democracy as it appears to be the second root of his political vision for Iraq. He believes free and fair general elections to result in a pluralistic and representative parliament encompassing ethnic and religious minorities. Yet, one has to ask whether the *marja’iyyah* and the Shia Islamists simplify the concept of democracy. Majority rule and the people as source of power and legislation, bring the same result in both cases: Shias will rule, since they are the majority, and therefore they will hold power. “A corollary to democracy, the Islamists usually overlook,” writes Faleh Abd al-Jabar “is pluralism, along with civil and human rights”⁴². Nevertheless Sistani seems to have a genuine interest in democracy and the outcome of the elections forces the United Iraqi List to find allies, make compromises, and to cooperate with all parties. At the same time, Sistani and many other representatives reach out to the Kurds and the Sunnis and declare their willingness to cooperate. As in the case of the elections, Sistani’s moral support for the government during the drafting of the constitution is crucial. Needless to say, the government will neither be anti-clerical nor will they enact any anti-Islamic legislation.

Step III: Holding the Ground

The apparently apolitical role Sistani envisions for the clergy does not naturally concern the question of his (and his fellow grandees’) authority in theological terms. This role, however, still allows lower clergymen, let us say – below of the rank of Ayatollah – to hold political posts. This applies to Moqtada al-Sadr and Abdulaziz Hakim: in both cases Sistani has no means to stop their political activities anyway. But concerning Najaf and the Hawza Ilmiyya, Sistani assured that the

³⁹ F. Abd al-Jabar, *The Worldly Roots of Religiosity in Post-Saddam Iraq*, „Middle East Report” 2003, 227, pp. 12-18: p. 14.

⁴⁰ *Iraq Shia leaders demand Islam be the source of law*, „Agence France Press”, www.turkishpress.com on 6th February 2005.

⁴¹ A. J. Rubin, *Ayatollah Sistani to shape future as Shia bloc win looms*, „The Indian Express”, 07th February 2005.

⁴² F. Abd al-Jabar, *The Shia Movement in Iraq*, London 2003, p. 21.

game was played by the rules of the Marja'iyya and not Moqtada's or Tehran's. Hence, the only real threat to Sistani was Moqtada al-Sadr, who, at least for some time, cooperative.

It has been said already that neither Najaf nor Tehran have any interest in disputing religious and political differences concerning the system of the Islamic Republic. Tehran or personalities close to Tehran have nevertheless tried to exert a greater influence on Najaf's Hawza seminary that unites the five Iraq-based Grand Ayatollahs. The one most likely to succeed was Ayatollah Muhammad Baqir al-Hakim, who was welcomed by thousands of followers at his return to Iraq. Muhammad Baqir was personally selected by Khomeini to become the leader of the Islamic Revolution in Iraq. In due course Hakim accepted the Iranian system of the "guardianship of the jurispudent". In May 2003 however, Hakim distanced himself from the Iranian system and joined the Hawza as a teacher to become a full *marja'* and Grand Ayatollah, handing the leadership of SCIRI over to his younger brother Abdulaziz. The gruesome death of Ayatollah al-Hakim in August 2003 made people forget the significance of this act. Hakim was a close friend and long-time follower of Supreme Leader Ali Khamenei, whom in theory he had to emulate. Joining the Najaf School having given up the Iranian system underscores the unpopularity of the latter in Iraq. On the other hand, this would be a price worth paying for Tehran if the result could bring someone who knows about Iranian political sensibilities into the Hawza.

At the same time, Tehran has tried to exert influence on Moqtada al-Sadr. Grand Ayatollah Kazim al-Haeri, for example, declared Moqtada's *fatwas* as being of the same value as those of any revered Ayatollah. The rationale behind this move was twofold: for Tehran to get a hold on Moqtada, who is only a minor cleric, for Haeri to win over Moqtada to grasp a certain power base in Iraq and to have support for joining the Hawza. However, Haeri and Moqtada lost off and the relationship between Najaf-born Haeri, who seems to be one of the Grand Ayatollahs, and the Hawza is not entirely clear⁴³.

Moqtada al-Sadr, as his father before him, openly supports the concept of the "rule of the jurispudent" though it is extremely doubtful that he would accept Khamenei as Supreme leader. Given Moqtada's xenophobic feelings that include Iranians as well as all non-Arabs and non-Iraqis, and even Iraqi exiles in general – this would come as a major surprise. Soon after the invasion, Moqtada threatened Sistani due to his foreign (i.e. Iranian) origin, and he would certainly have him expelled from Iraq, if armed tribesmen would not have come and relieved Sistani. At the same time, Moqtada was allegedly involved in the murder of Majid al-Khoei in Najaf's mosque. Moqtada's followers undertook an attempt to get hold of the mosque's administration, the sepulchre of Imam Ali, and the mosque's vast treasury. Moqtada's second attempt to get hold on this holiest place of Shia Islam was perhaps not planned but rather triggered off by Paul Bremer, who closed down Moqtada's newspaper and declared (in a language that resembled Saddam Hussein's)

⁴³ Posch (2003), p. 144.

in's). The four-month siege of Najaf during the summer of 2004, when US troops finally expelled Moqtada's ramshackle Mahdi Army, was a total success for – Sistani, who at that time had to undergo medical treatment in London and to return in a timely manner in order to sign and seal a deal on cooperation with Moqtada⁴⁴. In this case, these were the US troops and not Arab tribesmen that came to restore Sistani's authority in Najaf. The arrest warrant against the cleric firebrand has become somehow forgotten.

This has so far been the last challenge to Sistani's authority, however, he is well advised not to want more in terms of influence and to hold the course of an apolitical *marja'*, for in most cases, the faithful accept Sistani's spiritual and theological superiority, but for political leadership they look at Moqtada⁴⁵. And Moqtada's followers have repeatedly voiced their dissatisfaction with the behaviour of the ayatollahs during the crisis of summer 2004, albeit without mentioning Sistani by name⁴⁶. The framework of Iraq's Shia has already been defined as set between the two poles of Moqtada's low-class radicals of the Generation X on one extremity, and Sistani's venerated centuries-old institution of high-rank clerics on the other. Sistani will have to maintain his relations with Moqtada but he also has to take the US and Iran into consideration.

Baghdad, Tehran and Washington: happy together?

One of the more surprising coalitions in the up-run to the Iraq invasion was US-SCIRI cooperation. It was facilitated by the Iraq liberation act of 1998 and the more liberal climate following the election of president Khatami in 1997. It actually dates back to the early 1990s, with SCIRI's contacts to Ahmad Chalabi's Iraqi National Congress. Iran's revolutionary leader Khamenei must have accepted personally SCIRI's participation in Ahmad Chalabi's US-sponsored Iraqi National Congress as well as the increasing cooperation between SCIRI and the US. In the end, SCIRI managed to walk a fine line between the US and the Iranians, carefully acting more and more independently from Tehran. A similar development of Shia political organisations emancipating themselves from Tehran has already taken place in Lebanon, where Iranian NGOs became, over the years, totally Lebanised. Tehran's relations with Grand Ayatollah Fadhlallah⁴⁷ are another case in point, while signs of a polite distancing from Tehran have been recorded even among Tehran's closest allies, the Lebanese Hizbollah⁴⁸. Tehran is aware of the fact that it has now poorer leverage on SCIRI. What they can, nonetheless, count on are personal networks and interrelations between Iran's security apparatus headed by the

⁴⁴ Bull, p. 38.

⁴⁵ *Ibidem*, p. 41; This is corroborated by the election's outcome, Moqtada's followers gained majority in Maysam Province and Sadr city.

⁴⁶ E. Eckholm, *Ally of Militant Cleric is on the Stump in Sadr City*, „New York Times“, 5 January 2005.

⁴⁷ It shall be noticed that Fadhlallah is a follower of Abu l-Qasim Khoei and therefore an opponent of Khamenei.

⁴⁸ Shaery-Eisenlohr, p. 43.

Supreme Leader Khamenei and the SCIRI leadership. SCIRI's intelligence and security apparatus as well as the party's militia, the Badr Brigade, were until recently run entirely by Iranian security personnel. Members of the Badr militia are already volunteering for the Iraqi security forces, at the same time, some talk about an integration of the entire Badr brigade into the Iraqi army. In our view, a possible take-over of major SCIRI and Badr human resources will result in Iraqisation of these organisations rather than in an Iranisation of Iraq's institutions.

For this reason, this vision is definitely not the one the US has for the future of Iraq's security apparatus. Here, the US counts on ex-Baathis rather than on radical Shias⁴⁹. In July 2003, Ahmad Chalabi, apparently following the guidelines issued by the US, approached members of the "Turkey" and "Iran" departments of the *Mukhabarat*⁵⁰, the notorious security apparatus of the Baath Party.⁵¹ In the following months, Iyad Allawi gained more ex-Baathi officers for the Army and other security forces⁵². Even at the height of the crisis at the standoff in Najaf, the Iraqi government preferred to attack Iran for meddling with Iraqi affairs and the SCIRI of being directed by Tehran, than Moqtada and his Mahdi Army. Defence minister Sha'lan and Mukhabarat director Shahwani have ever since increased their negative comments on Tehran's policy⁵³, though if their efforts were to diminish the SCIRI's chances at the elections, they were in vain. Given the current situation in Iraq, the US and Iran have to face two realities:

- a) any Iraqi army will draw heavily on Shia conscripts and officers, many of them from the Faylaq Badr, one of the few organisations that have combat experience. Taking into consideration the outcome of the elections, the US will also have to recognize a more important role of SCIRI and Dawa staff in the ministries. Yet while Iran will not have the leverage on the highest management of either party, the Iranians are able to provide material and financial aid to the social services of the Shia Islamists, thus restoring their image and creating new contacts with the Islamic Republic at the grassroots level,
- b) on the other hand, everybody will have to accept the fact that US advisers will stay in central positions and largely direct Iraq's foreign and security policy. Further, Iraq's armed forces are unlikely to become independent of US military and contract military personnel in near future. The US has also ensured that the national security advisor and the head of the national intelligence, both elected by Iyad Al-

⁴⁹ In this case, I argued elsewhere that Iyad Allawi's government is a "Baath-light" version. Cf. W. Posch, *Von der Baath-Herrschaft zur Neo-Baath Regierung*, „Aus Politik und Zeitgeschichte", 22nd November 2004, pp. 31-38; for a similar view of the Allawi government see: www.juancole.com.

⁵⁰ I. al-Mar'ashi, *Iraq's Security and Intelligence Network: A Guide and Analysis*, „Middle East Review of International Affairs", 6.3 September 2002, pp. 1-13; here pp. 5f.

⁵¹ N. Benerjee and D. Jehl, *US helps Iraq rebuild units that monitor Iran*, „New York Times", 22. July 2003; Similar activities were reported from the CIA see N. Rosen, *Unsavory Allies stack CIA's deck*, www.post-gazette.com, 24th August 2003.

⁵² E. Wong and E. Eckholm, *Allawi Presses to Effort to Bring Back Baathists*, „New York Times", 12th October 2004.

⁵³ Cf. *Iraqi minister, intelligence chief to be investigated over unwarranted arrest*, in: www.chinaview.cn; 21st September 2004.

lawi, are given five-year terms of office⁵⁴. That means that key positions in Iraq will be held for at least four more years by pro-US officers.

This having been said, it can be ascertained that neither the US nor Iran are able to outmanoeuvre one another in the fabric of Iraq's security structures, not to say driving the opponent out of Iraq. Both external powers will remain engaged. Iraqis, Iranians, and the USA share the same views concerning the unity and territorial integrity of Iraq and the end of the insurgency. No party is interested in a full-fledged civil war that could result in a direct US vs. Iran confrontation with unpredictable consequences. In this case, a rapprochement between Iran and the USA would be a logical step. Admittedly, Iraq is only a single aspect of the US/Iran relations, and will certainly not provide the main reason for the rapprochement, even though a certain tacit understanding should be possible. This is even more necessary, when one considers the tasks and challenges the Iraqi government is facing: winning over the Sunnis, assuring Kurdish support, and writing a new constitution that would include nothing less than a definite solution of the Kurdish autonomy including the status of Kirkuk and, last but not least, organisation of future elections scheduled for December 2005.

⁵⁴ M. Rai, *Whoever You Vote for, Washington Wins. How Washington Plans to Dominate the New Iraqi National Assembly*, „Electronic Iraq”, 16th February 2005: electroniciraq.net.