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All Roads Lead to Najaf:
Grand Ayatollah Al-Sistani's Quiet Impact on Iraq's 2010 Ballot and its Aftermath

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Abstract

This paper explores the influence of Grand Ayatollah Sayyid Ali al-Sistani on political developments in Iraq in the post-Saddam Husayn era and examines the discourse surrounding Sistani regarding his perceived activism or “quietism” with respect to political matters. The doctrine and statements of this most prominent Shi'i religious leader are analyzed and interpreted in the context of Iraq's contemporary, often violent, history. Specifically, Sistani's public statements during the run-up to the 2010 parliamentary elections and their aftermath are examined for the extent to which his voice resonates among the Iraqi people. The analysis reveals that Sistani demonstrates concern for the “ground rules” of the Iraqi political system. This research also demonstrates that Sistani's involvement in shaping the course of Iraqi politics has evolved from one of complete non-interference in the Saddam Husayn era to one of selective activism today. Iraqi politicians and international actors currently seek Sistani's intervention, particularly in periods of increased political instability, proving that his influence remains very present.

Introduction

Walking through the dusty streets of Najaf's old city center, it is easy to overlook the alley that houses the modest dwelling of Grand Ayatollah Sayyid Ali al-Sistani. The lack of external grandeur belies the fact that this is the seat of the most respected Shi'i clergyman in Iraq, revered throughout the Shi'i world as one of its most learned men. Also in the vicinity are the homes of three other Grand Ayatollahs and one of Shi'ism's holiest places, the Imam Ali shrine. The elaborately decorated shrine, with its finely crafted glass mosaics, draws millions of Shi'i pilgrims each year from Iraq and abroad (mainly Iran), particularly during religious commemorations like *'Ashura*¹ and *Arba'een*.²

The homes of the Najafi Ayatollahs are oases of calm, representing the tradition of the Shi'i clergy, and the city of Najaf is home to a complex of *madrasas*³ and other religious institutions, collectively referred to as the *hawza*. The nearby shrine represents the material manifestation of Shi'ism and offers its adherents a stage for the public, and often collective, displays of piety that are an essential part of the profession of this belief. The presence of the Shi'i religious leadership and the location of the Imam Ali shrine have made Najaf into one of the foremost Shi'i centers in the world. Though always prominent, Najaf has gained added luster from the presence of Grand Ayatollah Al-Sistani, whose reputation is seen to have surpassed many of the Grand Ayatollahs before him. He is considered to have the largest following among the world's more than 100 million Shi'ites.⁴ Sistani is known not only for his immense religious knowledge but also for his influence in the political realm on a number of critical occasions in Iraq's contemporary history. So significant is his influence perceived to be that Sistani was the recipient of a letter from Barack Obama in which the US President requested that Sistani help push for the formation of a new government (Slavin, 2010), thus ending the existing political deadlock within Iraq at that time.⁵

This article will focus on the intersection of religious authority and politics in Iraq. Specifically, this essay examines Sistani's influence on contemporary political developments in Iraq during the run up to and aftermath of the parliamentary elections of 7 March 2010, which represented a political landmark in post-Saddam Husayn Iraq, and which, as an EU-elections observer in the city of Najaf, I had the unique opportunity to watch unfold. Particular attention is paid in this analysis to the discourse surrounding Sistani's perceived political activism or "quietism" and whether any trends in his behavior can be observed. Further, this article attempts to interpret the worldview of the Grand Ayatollah as expressed through his actions and statements—or the absence thereof—with regard to the political realm in Iraq. Finally, this analysis is placed within the context of diversity among the Shi'i religious leaders and communities. The views expressed in this article are strictly my own and are based on a one-year stay in Iraq⁶ (mainly Baghdad, but also in Najaf and other parts of the country), as well as on academic literature, media reports, and personal interviews.

Diversity and Competition among Shi'i Religious Leaders

Shi'ism has known a form of autonomous and institutionalized religious authority, *marja'iyya*, since the early or mid 19th century. Since that time, this institution has had either a single head, *marja' al-taqlid*⁷ (a source to follow or imitate), or a number of different heads. Until 1970, the *marja'iyya* was most often based in Najaf and occasionally in nearby Karbala or

Qom (Iran). From the 1970s onwards, there have been multiple centers in Najaf, Qom, Tehran, and Mashhad. These different centers compete not only for religious prominence, students, and followers but also for religious taxes (*khums*)⁸ and religious tourism to holy Shi'i sites. In the politico-religious realm, this competition has adopted a nationalist rhetoric, with the antagonism between Iran and Iraq at its focus. Walbridge commented on this conflict, stating, "The governments of Iran and Iraq [are] constantly trying to manipulate the *marja'iyya* and often pit various ulama against one another" (Walbridge, 2001b, p. 233). This power struggle was particularly apparent while Saddam Husayn was in power.

Shi'ism by nature is transnational in character, as is exemplified by Grand Ayatollah al-Sistani himself, who originates from Iran, but moved to Najaf in 1951.⁹ From the outset, it is important to note that Sistani has explicitly rejected the doctrine of *wilayat al faqih*¹⁰ (the guardianship of the jurist) as applied in Khomeinist Iran, where the Shi'i religious leadership, in the form of a Supreme Leader, has ultimate authority over the government. Sistani is reported to have said, "Even if I must be wiped out, I will not let the experience of Iran be repeated in Iraq" (personal communication with Ghassan Attiyah, cited in Cole, 2006, p. 8, footnote 6). Despite this, Sistani is revered in both Iraq and Iran, as well as in the global Shi'i community. (Some quantitative research has been conducted on the popularity of the different Shi'i religious leaders, and Jabar expressed the support for the pre-eminent leaders among the Shi'ites as follows: Sistani (Najaf) 40 percent, Ruhani (Qom) 40 percent, Khamenei (Tehran) 10 percent, and Shirazi (Qom) 10 percent.)¹¹ While the popularity of the different religious leaders cannot be precisely quantified, it is clear from available literature that Sistani's colleagues recognize him as the most learned among Shi'i leaders and that he is considered to be the most widely followed *marja'* in the world (Walbridge, 2001a, pp. 237-242; Gleave, 2007, p. 70).

Due to Sistani's prominence in the Shi'i world, his every statement or action is put under a microscope. Among academics, journalists, and political observers, serious debate exists as to whether Sistani can be categorized as a "quietist" or an Islamic activist (the implication being that he must necessarily be one or the other). "Quietism" is understood here as the intentional refraining from direct engagement in politics, a choice that would be consistent with and deeply rooted in the Shi'i tradition of avoiding confrontation with the rulers. While the media and security experts focus their energies on attempting to frame Sistani somewhere within the activist-quietist dichotomy, a number of scholars have exhibited a more in-depth grasp of Shi'i political intricacies and paint a nuanced picture of Sistani as a flexible and dynamic leader who often acts in ways not wholly bound by either quietism or activism. These scholars address and analyze some of the ambiguities surrounding this enigmatic character. In his landmark study, *The Shi'ite Movement in Iraq*, Jabar identifies Sistani as *apolitical* (Jabar, 2003, p. 273). However, this assessment of Sistani is made upon comparing him to Ayatollah Muhammad Sadiq al-Sadr,¹² who sits at the other end of the spectrum of quietism versus activism.

Since the beginning of the 1990's, it was Muhammad Sadiq who had gradually revealed himself as an activist, mobilizing hundreds of thousands of followers from the rural and urban lower classes and, to some extent, the urban middle class. He had rapidly become "too popular" in the eyes of the Ba'ath regime and, along with two of his sons, was assassinated in 1999 in Najaf. Another of his son's, Muqtada al-Sadr, building on the prestige of his family name, advanced Shi'i activism advocating "street politics" and the use of violence¹³ as a means to achieving his goals. He openly criticized Sistani for remaining silent on important issues and for

reducing Najaf to what he called a “dormant seat of learning” (Visser, 2006, p. 21). Underlining his own activist attitude, the young Al-Sadr referred to his self-led Sadrist movement as “the outspoken trend within the seminaries of Najaf” (*al-hawza al natiqa* or *al-fa’ila*) (Nakash, 2006, p. 148). In fact, his late father, Muhammad Sadiq, had previously strongly condemned Sistani and other “quietist” Shi’ite leaders for not speaking out against Ba’athist oppression and thereby, in their view, perpetuating the regime. Muhammad Sadiq had developed the notion of the “silent jurispudent” and the “speaking jurispudent” (Cole, 2003, p. 552), claiming specifically that in times of tyranny, the *Maraji’* (plural of *Marja’*) have the religious *duty* to break their silence and speak out (or *act* out, as his son, Muqtada al-Sadr, would later do). Muhammad Sadiq’s pronouncements and condemnation of Sistani in the 1990s caused a deep rift among the Shi’i leadership and community. This rift continues today, reflecting the two currently existing, fundamentally different approaches of Shi’i religious leaders toward politics.

Within academic studies, views and perceptions of Sistani demonstrate a remarkable shift after the US-led invasion of Iraq. In pre-invasion literature, Sistani is often described as an authoritative Shi’i religious leader not engaged in politics. Walbridge, in 2001, representing this common line in academic thought, described Sistani as someone who was “totally engrossed in his religious studies and who has shunned all involvement in either Iranian or Iraqi politics” (Walbridge 2001b, p.237). During the Saddam Husayn regime, he was “virtually a prisoner in the city” (ibidem) and seen as the quintessential traditional *marja’*, out of touch with daily political reality. Later, looking back on the Saddam years, Cole characterized Sistani as “a quietist earlier in his career,” and said that Sistani “avoided coming into direct conflict with the one-party state” (Cole, 2006, p. 7). Post-Saddam Husayn, Cole continued to analyze Sistani’s immense influence on Iraqi politics under US occupation through his *fatwa*’s and public statements. In a balanced assessment of the Grand Ayatollah, Schmidt still qualified Sistani’s philosophy as essentially “quietist” but also stated that it was a “serious error of judgment” of the part of the US administration in Iraq to regard Sistani as entirely apolitical. In fact, Sistani had managed to formulate some of the more significant parameters of the Iraqi democracy, built on an Islamic legitimacy (Schmidt, 2009, pp. 128-131). As such, it might be more accurate to say of Sistani, as Cole also does, that Sistani appears to be committed to both the ballot box *and* the *Shari’a* (Cole, 2006, p. 8). In a landmark *fatwa*¹⁴ in June 2003, Sistani heavily criticized the Americans for their plans to appoint a committee tasked with drafting a new Iraqi constitution. He insisted that such a body should be elected by the people of Iraq and that subsequently, a national referendum should be held to decide on its adoption or rejection. Paul Bremer, the then head of the Coalition Provisional Authority, had planned to have the parliament elected by “caucuses,” but Sistani insisted that parliamentary elections be based on one person, one vote. Other Shi’i religious leaders and even Muqtada al-Sadr supported Sistani’s position. By January 2004, tens of thousands people took to the streets of Baghdad and Basra demanding one person, one vote. The Bush administration, which had advocated democratic change in the Middle East was forced to cut its losses and ultimately changed course. Finally, open elections for the Iraqi national Assembly were held on January 30, 2005, and the main Shi’i bloc, the United Iraqi Alliance (Supreme Council for the Islamic Revolution in Iraq/SCIRI, the Islamic Da’wa Party and others)–backed by Sistani–won 48% of the vote. This was a major victory for Sistani and firmly established his standing as the top Shi’i cleric in Iraq with both street credibility and mass appeal. He had now become a force to be reckoned with. The *marja’* who had previously been labeled, and even condemned, as a quietist, had now decisively proven his commitment to

inserting himself into the political landscape when necessary. This development jolted the outspoken Shi'i leaders to the reality that it was Sistani, not they, who had become the center of gravity to whom all others would defer.

Another well-known Iraq expert, Reidar Visser, views the period between June 2003 and November 2004 as Sistani's "most 'statist' époque" (Visser, 2009, p. 14), and post-2005, Visser observes Sistani's return to minimal involvement and a "general tendency of Sistani's to act as a non-state player, remaining on the sidelines" (ibidem, p. 16) of Iraqi politics, with some exceptions. For instance, Sistani did not stay on the sidelines, in 2006, when sectarian violence escalated. In February of that year, Sunni Arab militants bombed the Shi'i *Askariyyah* shrine in Samarra, which led to revenge killings, spiraling Iraq into Shi'i-Sunni carnage. Sistani appealed for restraint and an end to the bloodshed, but emotions ran so high that he was not able to calm the situation. Frustrated that the Shi'ites had ignored his appeal and that the violence had reached even higher levels of cruelty, Sistani said he would withdraw from public affairs (Cole, 2007, p. 77, footnote 29). But this was not to be permanent.

Visser maintains that the polarization of Sistani as a "quietist" on the one hand or as a "*great manipulator*" on the other (Visser, 2009, p. 18) is generally unhelpful. He sees a more dynamic Shi'i clergy and observes from Sistani and other clergy members "interaction with the state on a case-by-case basis" (ibidem, p. 18). According to Visser, the Shi'i clergy are not quietist, but rather, they simply do not prefer to become entrapped in the institutions of the state and, as such, tend to remain outside the realm of politics except for the occasions on which they believe it is critical to intervene. I agree with Visser that Grand Ayatollah Al-Sistani cannot be identified simply as either "quietist" *or* "activist." Quite clearly, in fact, Sistani has been shown to adjust his actions according to prevailing circumstances, and with reason. During the Saddam Husayn era, any political assertiveness of such a high-profile person would have resulted in certain death. This coupled with a traditional disdain for politics led to a reluctance on the part of Sistani to engage in politics in those years. However, after the fall of Saddam Husayn, Sistani underwent a personal evolution, becoming a cleric who would speak out on issues of importance.¹⁵ He articulated this transformation within himself in his doctrine of the "jurisprudent," who, he explained, should speak out only on political issues that have an effect on the "structure of an Islamic society" (Cole, 2007, p. 68). Through his statements and actions, Sistani shows that such issues include those which deal with the "ground rules" of the electoral system and the constitution; in practice, this has boiled down to Sistani involving himself in politics in an effort to safeguard the position of the majority Shi'ite population without oppressing the democratic rights of Sunni Arabs, Kurds, and other minorities.

The Bumpy Road to Elections

In the months preceding the parliamentary elections, political leaders and their parties positioned themselves to have the best point of departure for entering the battle for the Iraqi ballot. This went on to such an extent that attempts were made to adjust the rules of the game. First, there was bickering regarding the Election law. All sides tried to push for changes that would best suit their own constituencies. Another notorious action, in January 2010, was aimed at disqualifying candidates under the pretense that they had Ba'athist affiliations. The Accountability and Justice Commission, charged with vetting candidates, drafted a list of 499

candidates who should be banned from taking part in the elections.¹⁶ The general sentiment among Sunni Arabs was that both actions were aimed at side-lining Sunni-Arabs, as well as secular politicians.¹⁷ Sunnis saw these pre-election machinations as proof of a Shi'i plan to establish hegemony over Iraqi politics and marginalize the Sunni-Arab population. The specter of a return to sectarian violence loomed large over Iraqi politics.

The run-up to the March 7, 2010 parliamentary elections offers the ideal context in which to determine the extent to which Ayatollah Sistani's engagement with the affairs of the state has evolved and whether any trends can be distilled from his actions. Ultimately, the reason for this examination is not to determine the influence Sistani as a person holds over Iraqi politics, but rather to determine what the future relationship might be between the institutions of the Republic of Iraq and the *marja'iyya*. This relationship will be one of the key determinants to the identity of Iraq, which has been contested for centuries with great vigor and violence, at least since the end of Ottoman rule. In its current incarnation, the influence of the *marja'iyya* in Najaf extends well beyond the Shi'i religious realm. In the post-Saddam Husayn era, many politicians seek advice in Najaf, particularly the guidance of Grand Ayatollah Ali al-Sistani. Remarkably, not just Shi'i politicians but also Sunnis and secularists have sought his counsel and continue to do so. Arguably more important than the advice they receive itself, is the public stamp of approval politicians who seek his counsel try to obtain, or at least feign interest in obtaining, by travelling to Sistani's dwelling, transforming it to a contemporary *sanctum sanctorum* of Shi'i belief.

The statements that have been ascribed—rightly or wrongly—to Sistani during these sessions create an ambiguous picture of Sistani, and he has sometimes been compared to the *Delphi Oracle*.¹⁸ It might do more justice to Ayatollah Al-Sistani to compare his moral authority and “soft power” with that of the Pope¹⁹ within the Roman Catholic Church or with the Thai monarch, King Bhumibol Adulyadej, who, constitutionally, does not wield any direct political power but has, in moments of turmoil, changed the course of the country's history with a single statement. Nevertheless, such comparisons should not be taken too far, as they are from completely different cultural, religious, and political backgrounds. Regardless of culture or religion, people turn to iconic figures for guidance and assurance, particularly in times of uncertainty and instability. Ayatollah Sistani is one such figure, and he employs a number of strategies to transmit his views. These strategies include statements and *fatwa*'s by Sistani, statements by his representatives, and views that he presents during meetings with politicians. Sistani also has a website in Arabic, Farsi, English, French, Urdu, and Turkish²⁰ in which he publicizes his views (mainly in the form of answers to questions on religious topics). In the months prior to the parliamentary elections, all these modes of communication were employed in one way or another. The *fatwa* Sistani issued in 2003, which strongly advocated the one person, one vote system for parliamentary elections, and which helped shape the political rules of the game is an example of one particularly clearly transmitted message from Sistani to the Iraqi people. Prior to the second parliamentary elections in the new, post-Saddam Husayn era, Sistani's voice also resonated on a number of occasions.

Before describing and analyzing such occasions, it is important to note that Ayatollah Sistani is not the only one among his peers to grant audiences to politicians. The other three *maraji'* in Najaf, Grand Ayatollah Muhammad Ishaq al-Fayyadh, Grand Ayatollah Muhammad Sa'id al-Hakim, and Grand Ayatollah Bashir al-Najafi also receive such visitors. Foreign diplomats, too, occasionally visit the *marja'iyya* in Najaf, with the exception of Sistani, who refuses to meet with American or other diplomats. The few who have dared to venture out to this

Shi'i holy city, have been offered the opportunity to meet with one or two of the other *maraji'*. Sistani's refusal to meet with diplomats is likely intended to avoid giving his followers the impression that he is under the influence of any country. He has however, made one allowance: the Special Representative of the UN Secretary General Ad Melkert has visited Sistani a number of times.

To give an impression of the atmosphere and content of an audience with a *marja'*, I will describe an example of such an audience.²¹ On a visit to Najaf a few days before the March 7, 2010 elections, I was invited to a private audience with Grand Ayatollah Bashir al-Najafi at his home in the old city.²² The white-bearded Al-Najafi, who hails from Jalandhar in then British India,²³ turned out to be very assertive, eager to debate religious and worldly affairs, and equipped with a sharp wit. The *marja'* was seated on a cushion on the floor, wearing a large white turban, black-rimmed spectacles, and a long brown robe covering a traditional grey outfit. The views he expressed in our conversation were very much in line with general Shi'i religious thought. He stressed the doctrine that knowledge of Islam had to be learned from the source, which meant at the *maraji'* like himself. He said: "People must learn Islam from the source, from me, and not from others" and "do not take Islam from commoners, but from scholars. [...] If you know Islam, you know me". In his words lay not only the notion of the *marja' al-taqlid*, the source that should be followed, but when stressing his own authority, Al-Najafi seemed to hint at the competition for followers that is known to exist among the *maraji'*. Although the leadership of the Najaf *marja'iyya* is indisputably vested in Sistani, the ranking among the other three *maraji'* is not so clear, leading to subtle positioning for a future after the aging Sistani is gone. Bashir al-Najafi went on to say that many

Islamic countries take information from the enemies of Islam. This creates a wrong image through terrorism. Enemies from the outside try to disfigure Islam and some actions did not come from Islam but from persons who do not represent Islam. [...] Most Europeans take information from the wrong sources. The *hawza*²⁴ (sometimes used instead of *marja'iyya*) always tries to reveal the sunny and calm face of Islam.

The Ayatollah was clearly attempting to correct the misconception in the eyes of some Westerners that the Shi'i clergy in Iraq supported acts of violence in Iraq. The reference to "enemies from the outside" is frequently heard from Iraqis when they discuss who is responsible for the continuing bombings and shootings in the country. Shi'ites often blame ex-Ba'athists, Al Qaeda, Syria, the Kingdom of Saudi Arabia, or other Sunni majority countries for such violence. Many Sunni Arabs, in turn, see the hand of Iran in all acts of terrorism. During the meeting, Al-Najafi was very critical of Western-style democracy, which in his eyes leads to oppression of the minority by the majority. He regularly receives Iraqi politicians seeking advice. Al-Najafi said that he sometimes gives specific advice meant "to awaken [the] conscience" of the politician. When his advice is not followed, the next meeting with the same individual might involve some tough discussion, and according to Al-Najafi, "some politicians will start to cry in front of everyone" out of remorse. His implication being that the politicians either feel (or feign) remorse or guilt for having ignored the advice of a Grand Ayatollah.

Being in the presence of one of the top Shi'i religious leaders has an intimidating effect on Iraqi visitors, as evidenced by the great respect with which they treat the *maraji'* during the visit. The atmosphere of an audience with the *maraji'* is one of humility on the part of the visitor, who speaks few words, and complete silence on the part of the advice-seeker's entourage. When a *foreigner* visits Ayatollah Al-Najafi, there is opportunity for debate (which was the case during my visit) on topics including democracy and whether the West supported Saddam Husayn, among others. Although revered, the *marja'* himself is not necessarily solemn. During my visit, for example, Ayatollah Al-Najafi displayed visible joy at debating and burst out in laughter, which put the other Iraqis in the room at ease. Their Western visitor had, after all, not embarrassed the accompanying Iraqi party. Al-Najafi even extended a warm invitation to visit his house again in future.

Grand Ayatollah Al-Sistani is, of course, the most sought after Shi'i religious leader in Iraq. Indeed, meetings with him can be of national interest for Iraq. Sistani's Iraqi visitors are often in awe of his charismatic personality and his ability to influence the course of events in Iraq. However, the reverence Sistani enjoys does not prevent politicians from using an audience with him to boost their own credentials. This occurs to such an extent that Sistani felt it necessary to hold a special press conference at his home in September 2009, during which he requested politicians not use meetings with him as election propaganda. He stated:

In my meetings with political parties, I say to them, do not make the *marja'* [...] a front for your actions. The people elected you in order to bear this responsibility; you are the ones that run the country.²⁵

These strong words have not succeeded, however, in deterring politicians from claiming support from the highest *marja'*, a phenomenon that demonstrates, perhaps, the extent to which Iraqi politicians themselves often place Sistani in a position of political leadership or influence (thus further complicating the question of whether Sistani is or is not an "activist.") In the period before the elections, the frequency of politicians visiting Sistani in Najaf increased. Politicians clearly felt that they needed to be publicly seen seeking Sistani's political counsel, as they needed the Shi'i religious leader to endorse (or at least not oppose) their political plans. Any (perceived) disapproval by Sistani of the ideas or actions of a particular politician could have rendered that particular person politically impotent in the eyes of many Iraqis. It is in this way that, despite Sistani's own stated preference to occupy a space outside the political arena, Sistani is, in effect, *made* into a political figure by the politicians who must appear to be endorsed by him in the eyes of the electorate.

Someone who called on the *marja'* regularly prior to the 2010 elections was the Shi'i Prime Minister, Nouri al-Maliki. Following the elections, different political parties, among them two large Shi'i parties—the ISCI, led by clergy (though not the highest clerics) and Al-Maliki's Da'wa Party—were negotiating alliances. In January 2010, Al-Maliki paid a visit to Sistani and subsequently released a press statement in which he claimed that Sistani supported the unification of the Da'wa Party and ISCI.²⁶ Sistani's Najaf office quickly released a statement saying, "The Najaf religious authority will not support any specific electoral list in the coming elections" (Sahib, 2010). Sistani, again, clearly wanted to remain above the parties and not be pulled into party politics. He is very much aware of the pitfalls of Iraq's political arena, with its

intrigues, backstabbing, mudslinging, changing of allegiances, and sometimes political assassinations. To this effect, Walbridge concluded in 2001 that both Sistani himself and “the Shi’a in general are opposed to a politicization of their religious leadership” (Walbridge, 2001b, p. 244). This assessment seems consistent with Sistani’s own behavior and public statements. In fact, Sistani’s influence is to a large measure based on his refraining from active interference in politics. He recognizes the example of the regime in Iran, in which the regime’s attempt to combine religious and worldly power has actually undermined the role of the *marja’iyya* there, in a sense to the benefit of Sistani’s own religious authority in the Shi’i world.²⁷

Despite his insistence that he is not a political *leader*, Sistani continues to demonstrate clear political involvement when he considers it critical to do so. Prior to the 2010 elections, Sistani again made his influence clear (although perhaps not as decisively as he had when negotiating the ground rules for the 2005 parliamentary elections). Specifically, one of the issues that had to be settled before the 2010 elections could take place was the amendment of the Election Law. A revision to the law was necessary because this time, voters would be selecting representatives by province, as opposed to nation-wide. Lawmakers had to make a choice between a closed list system and an open list system. In the open list system, the electorate would be able to cast a vote for a specific candidate as well as a political party. The political battle over the Election Law brought sectarian fault lines in Iraqi society once again to the surface and risked dragging the country back to the dark years of inter-sectarian carnage. After the 2003 US led invasion, the Sunni Arab segment of the population (estimated at about 20 percent) felt marginalized and had refrained *en masse* from voting in 2005. This sentiment among Sunni Arabs of being excluded was one of the key factors in the escalation of sectarian violence. At the time, a number of fundamental decisions by the US, such as the de-Ba’athification of all government agencies and the disbanding of the Iraqi army were perceived as anti-Sunni measures. Nasr fittingly describes this by stating, “Many [Sunni Arabs] saw ‘de-ba’athification’ as another name for ‘de-Sunnification.’ The championing of the policy by once exiled Shi’a politicians [...] only heightened this angst. Sunnis associated growing Shi’a power with Iran” (Nasr, 2006, p. 198).

The disagreement among Shi’ite, Sunni, and Kurdish parties on the Election Law focused on the allocation of parliamentary seats among the 18 provinces, and each of the (sectarian) political parties tried to get as many seats as possible for the provinces in which they were strongest. The whole process came to an impasse when, on 18 November 2009, the Sunni Arab Vice-President, Tariq al-Hashimi,²⁸ vetoed a draft of the amended Election law that had been passed by parliament. Al-Hashimi explained to the press and the diplomatic corps in Baghdad that he objected to a clause that allocated only 5 percent of parliamentary seats to minorities and Iraqis abroad. His obstruction was generally interpreted as a defense of his Sunni Arab constituency because the majority of Iraqis living abroad were understood to be Sunni Arabs. Vice President Al-Hashimi went as far as to hold up the specter of the sectarian bloodshed between 2005-2007 if more “compensatory seats” were not allotted to these groups.²⁹ This immediately sparked a flurry of talks. Grand Ayatollah Al-Sistani at this time felt compelled to intervene, and his representative in Karbala, Sheikh Abdul Mahdi al-Karbala’i, urged political leaders to come to a solution. Sistani pointed out the dangers of a constitutional vacuum, including the possibility of increased sectarian violence (Lucas, 2009). Hashimi could not ignore pressure from Sistani and quickly sent a delegation to Najaf (Al-Sabah al-Jadid, 2009, 22

November) in order to explain his position and probably to underline that he, a Sunni Arab, did not seek sectarian confrontation. He openly asked Sistani for advice.³⁰ However, emotions ran high and just a day later, on November 23, a coalition of Shi'i Arab and Kurdish MPs, seeking to teach Al-Hashimi a lesson, adopted an amended Election Law that was even more unfavorable to Sunni Arabs. In this draft, a number of allocated seats were taken away from predominantly Sunni Arab provinces and given to the Kurdish North in order to meet the Kurdish desire for more allotted seats. This issue was linked to the position of the disputed areas, particularly oil rich Kirkuk, which the Kurdish parties tried settle to their advantage. Meanwhile, Sistani expressed his hope that all concerned parties would reach a compromise over the Election Law and advised against annulling Vice-President Al-Hashimi's veto (Al-Sabah al-Jadid, 2009, 23 November). After the threat of a second veto by Al-Hashimi, two weeks of frantic negotiations and efforts to resolve the conflict by the US and the UN—supported by the EU and other countries—followed. Finally, shortly before the midnight deadline on 6 December, Iraqi lawmakers managed to agree on an Election Law that was acceptable to all parties.³¹ The number of compensatory seats was increased to 15, the effect of which was somewhat diluted by an increase in the total number of MPs from 275 to 325. This effectively brought the final text quite close to the first draft. It was also decided that the system of open lists, upon which Sistani had insisted, was to be applied. As a result of months of political haggling, time was too short for the Independent High Electoral Commission (IHEC) to organize the elections, which were subsequently postponed from 16 January to 7 March 2010.

Closer to the election date, Sistani again spoke out and urged Iraqis to participate in the ballot and to elect the candidate that would best represent their interests (Al Adalah, 2010, 28 February). This was very similar to the 2005 elections, when Sistani issued *fatwa*'s compelling Shi'ites to vote.³² Furthermore, Sistani's representative in Karbala issued a *fatwa* declaring vote-buying *haram* (forbidden under Islamic law). He called on the candidates to refrain from dishonest means of influencing the electorate. "Dishonest means" included the distribution of money, gifts, and promises of future financial awards, practices for which elections in Iraq are notorious. Despite his issuing a *fatwa* regarding political proceedings, Sistani categorically denied backing any politician, though some religious teachers and students in the *hawza* were claiming as much. To maintain his (and other clerics') distance from specific political figures Sistani said, "I renew my appeal to people linked to the *marja'iyya* to maintain strict neutrality towards political parties" (Al Jazeera, 2010, 27 February). This statement was actually made in response to remarks made by his close associate, Grand Ayatollah Bashir al-Najafi, who was quoted as having harshly criticized a number of cabinet ministers for "corruption and negligence in most fields providing services to the population like water, electricity, agriculture, oil and ration cards" (Ibidem). Al-Najafi explicitly mentioned the Ministers for Education, Commerce, Oil, Electricity and Agriculture, and Sistani felt that the *marja'iyya* should restrict itself to providing moral guidance and should refrain from publicly playing any political role. Though consistent with his previous statements and his interpretation of the doctrine of the "jurisprudent," this public rebuke of a fellow *marja'* revealed serious doctrinal differences among the highest Shi'i religious leaders over the role of the *marja'iyya* with regard to the state and its polity. These differences demonstrate clearly that the role of Sistani (not to mention the role of the *marja'iyya* itself) simply cannot be reduced to fit neatly within the quietist-activist dichotomy. Meanwhile, Iran's senior clergy followed such dynamics attentively, particularly with an eye to the post Sistani era. A Sistani-successor who might be less adamantly against the

wilayat al faqih doctrine would be welcomed by the Iranian Supreme Leader, particularly if this meant increased influence of the Iranian clergy on Iraqi Shi'ites.

E-Day and Post-Electoral Trauma

Despite the late adoption of the amended Election Law, the IHEC achieved a major feat by organizing the parliamentary elections in an orderly fashion. The security situation was tense in the week before the elections, with expectations running high that extremists such as the Islamic State of Iraq (an umbrella organization of Sunni insurgents, including Al Qaeda in Iraq), ex-Ba'athists, and other groups would disrupt the elections, thereby discrediting Prime Minister Al-Maliki, who had made security his number one priority. The Iraqi security forces, with the assistance of US troops, practically sealed Iraq off from the outside world: the Baghdad International Airport was closed, and numerous roadblocks were set up in Baghdad and other places where attacks could be expected. Unfortunately, even these tight security measures did not completely prevent bomb attacks and shootings, with casualties occurring in a number of places. There were several attacks in Baghdad and cities like Mosul, Fallujah, and Baquba, with more than 60 people killed and dozens wounded. Relative peace in Najaf was rudely disturbed, one day before the general elections, by a bomb explosion on a bus that was parked in the vicinity of the Imam Ali shrine.³³ However, many had expected far worse, and no large-scale suicide bombings took place. Attempts to drive truck bombs into Baghdad were fortunately foiled. On March 4, special elections were held in which members of the army and police, as well as hospital patients and detainees—in total about 700,000 voters—had the opportunity to vote. It was a test-run for the general elections on March 7.³⁴

Turnout at the parliamentary elections on 7 March was not so much affected by the security issue as it was by other factors. On average, 62.4 percent of the electorate exercised their democratic right to vote. This was a bit lower in the Southern Shi'i provinces, where people voted with a marked lack of enthusiasm. Throughout the country, however, many Iraqis simply stayed at home and did not vote. While the most prominent reason for abstention was disillusionment over broken promises and poor public services (electricity, water etc.),³⁵ in the Shi'i holy city of Najaf, some people abstained from voting because they felt it was impossible to know what vote would be "correct" from a religious perspective. (This fear was exemplified by a voter who was afraid he would be considered "a sinner on judgment day"³⁶ if he voted for a candidate who, after being elected, did not act in accordance with Islam.) Another reason for the lack of enthusiasm among Shi'i voters could be that the *marja'iyya* was not very visibly in support of the elections. In previous elections, at least one or two of the Grand Ayatollahs of Najaf were televised casting their ballot. However during these elections, none of the four *maraji'* of Najaf were shown on TV.

In the Shi'i holy city of Najaf, the party most closely associated with the *marja'iyya*, ISCI (as a member of the Iraqi National Alliance), was soundly beaten by Prime Minister Al-Maliki's State of Law coalition. The secular Al-Iraqiya coalition of former Prime Minister Iyad Allawi, a secular Shi'a, came in third. Nationally, however, the results were very different, with Al-Iraqiya clinching a narrow victory over State of Law, 91 parliament seats to 89. INA came in third, with 70 seats, of which 40 seats were won by the Sadrist. Al-Maliki's loss against Allawi came as a big shock to Al-Maliki himself, who had boasted the day after the elections that he

was sure he had 100 parliament seats in the pocket and that he was confident he would continue as Prime Minister.³⁷ Analyzing the elections at both the provincial and local levels, it is clear that the voting was, to a large extent, conducted along sectarian lines, with the electoral base of State of Law and INA being overwhelmingly Shi'i. Regarding Al-Iraqiya, Visser observes what he calls a 'Sunnification' of the coalition, which received most of its votes from Sunni areas, with some exceptions. This is not surprising, as the attempt before the elections by the Accountability and Justice Commission to disqualify 499 candidates for alleged links to the former Ba'ath party was perceived by many Sunni Arabs as a ploy against them by Shi'i Islamists instigated by Iran. This came on top of the previously mentioned Election Law skirmishes and triggered sectarian reflexes that most Iraqis had hoped had been defused after the relatively smooth provincial elections in January 2009.

The close, initially contested finish between Al-Iraqiya and State of Law ushered in a period of political bickering about possible coalition governments and who would lead such a government. The INA was also part of the almost daily fluctuating coalition options, with the Kurdish parties occasionally joining the fray, albeit not in their traditional role as Kingmaker. For varying reasons, leaders of the three main blocs—Al-Iraqiya, State of Law, and INA—prevented one another from forming a new government. Iyad Allawi felt that as leader of the largest party in parliament, he should become Prime Minister, but Nouri al-Maliki made it clear that he wanted to continue as Prime Minister. Both politicians spoke to INA-leaders Ammar al-Hakim and Adil Abdul Mahdi, but the Sadrists within INA did not want Al-Maliki as Prime Minister, at least initially because, among other reasons, he had broken the back of the Sadrists' Mahdi army in Basra in 2008. The other coalition option, namely between Al-Iraqiya and INA, was also fraught with obstacles, including fundamental differences between Iyad Allawi's secularists and nationalists on the one hand and between INA's Islamists on the other. Additionally, the attempt by the Shi'a dominated Accountability and Justice Commission to disqualify alleged (ex-) Ba'athist candidates prior to the elections was mainly seen as an attack by Shi'i Islamists on Al-Iraqiya. In short, old feuds and grandstanding led to a political deadlock. The question was: "Who could cut this Gordian Knot?"

Grand Ayatollah Al-Sistani was once again sought for advice. The parliamentary elections had not produced a clear winner, and violence was on the rise.³⁸ In pursuit of a resolution, all roads seemed to lead to Najaf, and politicians from a variety of political parties travelled to the old city, each hoping to use an audience with the *marja'* to back his own position. Collectively, they sought to discern whether or not Sistani supported the formation of a Shi'i mega bloc consisting of Al-Maliki's State of Law and INA, which would result in the sidelining of the actual winner of the elections, Allawi's Al-Iraqiya. At some point, State of Law members informed the media that Sistani indeed favored a Prime Minister from one of the Shi'i coalitions over election-winner Al-Iraqiya. An Al-Iraqiya source countered such statements and told the media:

We spoke directly and frankly with the *marja'*, and we asked whether the *marja'* truly preferred that the next [Iraqi] Prime Minister come from one of the two Shia coalitions and whether he supports them. (Al-Sharq al-Awsat, 2010, 25 May).

That media source furthermore stated:

The *marja* was surprised by these statements [attributed to him], and he confirmed his neutrality and that he keeps an equal distance from all [political parties]. He also issued a categorical denial that he had suggested such a scenario, and he said that he supports the implementation of the constitution and leaves the issue of forming a government to politicians, so long as this government is a government of national participation. (Al-Sharq al-Awsat, 2010, 25 May).

Given these contradictory accounts, it is difficult to discern exactly which statements have some truth in them, since the different political blocs have a tendency to mix fact with fiction in order to strengthen their respective positions in negotiations on government formation. However, the indication that Sistani does not support any particular political party and that he maintains his neutrality in this regard is consistent with statements he has previously made.³⁹ Sistani has also historically been an advocate of inclusiveness (Knights & Ali, 2010), which in Iraq's sectarian context means that he believes representatives of the Sunni Arabs should be enabled to participate in the political process and in government. Sistani appears to understand that banning Sunnis entirely from the corridors of power would appear to confirm Sunni suspicion of a Shi'i drive for hegemony, providing further fodder for the extremists.

Despite not explicitly supporting any party, the *marja'iyya* in Najaf did appear to be getting increasingly impatient with the lack of progress in the formation of a new government. One of the *maraji'* in Najaf, Grand Ayatollah Muhammad Ishaq al-Fayyadh, vented his frustration and is reported to have said:

We demand that all the political blocs work hard [...] to solve the many choking crises [from which] the country is suffering and intensify the efforts to provide the basic services as soon as possible. Otherwise, the people's patience is almost running out. (Parker, Salman, & Fakhrildeen, 2010, 15 August).

It is also reported that a senior spokesman for Sistani warned that if the deadlock continued, the only option would be "the intervention of the authority" (Sistani). Not surprisingly, the *marja'iyya's* dissatisfaction and impatience with the lack of progress in government formation was matched by that of Iraqi politicians, even non-Shi'a politicians, who indicated that it might be necessary for Sistani to intervene if the impasse continued for much longer. Calls for Sistani's intervention increased with every step Iraq took down the path of violence and chaos. Such appeals were also heard from unexpected corners. Foreign Policy magazine reported that in July 2010, US President Obama sent a letter to Sistani "urging him to prevail upon Iraq's squabbling politicians to finally form a new government."⁴⁰ Obama's letter was supposedly sent after Vice President Joe Biden's visit to Iraq at the beginning of July had not yielded any clear results.⁴¹ Finally, in October, seven months after the elections, the news broke that Al-Maliki's State of Law and the Sadrists had made a coalition and would attempt to form a new government. However, this plan was contradicted by several politicians and did not seem to materialize. In the meantime, in this political vacuum, the security situation deteriorated, and violence increased

significantly. The UN SG's Special Representative, Ad Melkert, continued his efforts to facilitate the formation of a new Iraqi government, and on 19 October he was once again received by Sistani in Najaf.⁴² They discussed the impasse in the formation of a government, but the content of the deliberations were kept confidential. Melkert's visit to Najaf emphasized that Sistani remained an authority figure who, despite his wishes to limit his explicit political involvement, could nonetheless, as a revered public, religious, and cultural figure, substantially influence the political *process*.⁴³

Conclusions

In this article, I have analyzed and interpreted the actions and statements, or the lack thereof, of Grand Ayatollah Ali al-Sistani regarding the parliamentary elections that were held in Iraq on 7 March 2010. An important political event such as these elections serves to concentrate the focus of all citizens and foreign observers on the political process. It also magnifies existing divisions within society and brings underlying social and religious currents to the surface. Elections are not only a snapshot of political opinions among the population but also offer an opportunity for "analytical stocktaking" of the major forces present in society and an analysis of the ways in which these forces can influence the course of a nation.

The position of Grand Ayatollah Al-Sistani with respect to Iraqi politics has evolved over time from one of almost complete non-interference in politics during the reign of Saddam Husayn to one of *selective* activism in the post-Saddam Husayn era. Due to the changed political environment post-Saddam, Sistani has become a "speaking jurispudent," one who chooses to speak out on political matters only when it appears critical to do so. In practice, perhaps Sistani is closer to a "whispering jurispudent," given his demonstrated reluctance to become involved in anything but the most pressing of political issues and his continued insistence on remaining a neutral figure among political and governing bodies. Sistani comes from a tradition of Shi'i clerics who do not want to be too involved in day-to-day political affairs. Not only is it the religious realm (not the political realm) that is the source of their authority, it is also not seen as "chic" to meddle too directly in politics. In this tradition, the study of religious texts is a noble activity, whereas political activism is corrupting. Non-interference or disengagement from the political sphere was also expedient as a strategy when an oppressive regime did not tolerate any alternative center of power. All of this changed, however, with the US-led invasion of Iraq in 2003. At that time, the center of power was destroyed, and multiple centers, which had been gathering force for some time, broke through the surface to claim a stake in shaping the country. As such, it became critical, at times, for Grand Ayatollah Al-Sistani to assume a position of limited political involvement in those issues that directly affected the "structure of an Islamic society" (Cole, 2007, p. 68).

My analysis of the occasions on which Sistani expressed his views, either directly or through intermediaries, reveals (1) Sistani's clear concern that the "ground rules" be adhered to with respect to Iraqi democracy and democratic elections in Iraq and (2) his general preference for refraining from involvement in day-to-day politics, outside of enforcing those fundamental ground rules. In this way, Sistani seems to be occupied more with macro-level development of democracy in Iraq than he is with the micro-level "politics" of supporting or opposing particular individuals or parties within that democracy. As such, Sistani's approach cannot be reduced to fit neatly into the "quietist-activist" dichotomy. His actions depend on the situation at hand.

Because of this, and also because the foundations of Iraqi democracy have already been laid and built upon, Sistani's actions may appear less *visible* than they did during the formative years of Iraq's democratization, but they are critical nonetheless. In fact, his current tendency toward selective intervention has, in my view, had a more profound and lasting impact on Iraqi politics and society than it would if he were to more frequently intervene.

Not only does Sistani truly believe that the *marja'iyya* ought to be primarily concerned with religious affairs (as opposed to political ones), his public persona also requires him to publically proclaim as much. In other words, his "success" as the most revered *marja'* necessarily involves, for him, finding the right balance between too much involvement in politics and too little. Specifically, too direct an involvement in political activism might estrange some political parties, while too limited an involvement in activism might increase the risk of his becoming less relevant to the political scene. The authority of Sistani (and of the *marja'iyya* as an institution) depends on the recognition of Sistani as the most learned among his peers. To the masses, Sistani's appeal further depends on his charisma and public image. The (constructed) image of him as a wise man living a frugal life in near isolation in one of the holiest Shi'i cities, is a powerful and effective one. As such, for Sistani to maintain both moral and political influence beyond the traditional Shi'i followers, he must maintain and manage this image partly by keeping some distance from the mundanities of daily life. Grand Ayatollah Al-Sistani is well aware that too close an association with the mundane might well break the "spell" of his image and that he must, in some ways, cloak himself in the robe of "functional mysticism."

In times of uncertainty and instability, Sistani's voice and moral authority are heard more clearly, and he is simultaneously more sought after. Conversely, during times of greater stability and a smoothly functioning political system, it would appear that Sistani is less influential, although it may be the case that he simply does not need to appear as visible during stable times, though his opinions are no less significant. Around the elections and even more so during its aftermath, many state actors and some foreign actors turned to Sistani to find a way out of the political impasse in the talks on a new coalition government. Politicians did not visit Sistani for strictly religious reasons, however, and many attempted instead to use an audience with him as an opportunity to shore up their own credibility, thereby strengthening their positions in negotiations. In my opinion, all this attention on Sistani proves wrong those who claim that his influence is fading. His involvement in state affairs in the post-Saddam Husayn era has been fluctuating, but his opinion is nonetheless influential and is sought with great frequency. In the years 2003 to 2005, Sistani's impact on the new ground rules of the electoral system and the constitution were visible and decisive. In the subsequent period, 2006-2007, the dynamics of sectarian strife were too powerful for the "soft power" of Sistani. Instead, the "hard power" of militias and counterinsurgency measures by the US armed forces and Iraqi army dominated events. After the founding of the Sunni Awakening Councils, General Petraeus' "Surge," and Al-Maliki's "Charge of the Knights" in the South (with US assistance) had broken the backbone of the different insurgents, however, the primacy of the political sphere was re-established. As such, from 2008-2009 Sistani's voice was again heard more clearly, particularly in the run-up to the 2010 parliamentary elections and during the subsequent government coalition talks, during which time politicians sought his advice and support.

When attempting to assess Sistani's political relevance, what appears to go largely unnoticed by many observers is the fact that he is a counterbalance against Iranian aspirations in

Iraq. The Grand Ayatollah has openly stated that he abhors the Khomeinist doctrine of *wilayat al faqih* and will do anything to prevent the implementation of such a system in Iraq. Sistani can defeat those of the Islamic republic's clerics who promote this doctrine, even on their own terms. As the pre-eminent *marja' al-taqlid* today, Sistani has both intellectual credibility and legitimacy in the Shi'i world. Therefore, the fabric of Shi'i religious life in Iraq is more resilient against Iranian schemes than is often thought. Further research is needed into the possible reverse influence of the Iraqi *marja'iyya*, particularly Sistani, on politico-religious thought in Iran.

The downside of the towering figure of Sistani to the Najafi *marja'iyya* is its dependence on him as far as the prestige of Najaf, the number of religious students, and religious taxes are concerned. This is not to say that the prestige of the other *maraji'* in Najaf is negligible, but simply that it does not compare to that of Sistani. The octogenarian does not have eternal life, however, at least not in this world, and it is likely that his earthly demise will reduce the international prestige of Najaf. With that will come uncertainty over who will take on his role as ultimate counsel on state affairs. A successor may want to give in to the temptation to establish a more direct influence of the *marja'iyya* on political life, with all the risks of further sectarian polarization. A successor may also be unprepared or unwilling to fend off unwanted Iranian religious and political interest. For the time being, however, the enigma that is Sistani will continue to be consulted by Iraqi politicians from a wide spectrum of parties, particularly when the political and security situation is volatile. Foreign observers and governments would be wise to continue following the intricacies of the *marja'iyya's* actions and views because these are a measure of the temperature of Iraq's political scene.

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¹ On 'Ashura Shi'ites commemorate the martyrdom of Husayn ibn Ali, the grandson of the Prophet Muhammad, who was killed at the battle of Karbala on the 10th day of Muharram in the year 61 AH (680 AD) of the Islamic calendar. This battle was a defining moment in the schism between Sunni Islam and Shi'i Islam.

² *Arba'een* is forty days after the day of 'Ashura, which is the usual number of days of mourning. On both occasions millions of Shi'ites visit both Karbala (the tomb of Husayn Ibn Ali) and Najaf (the tomb of the first Shi'i Imam, Ali ibn Abi Talib)

³ A *madrasa* is a religious school where the Islamic sciences are taught

⁴ Nasr mentions a figure of 130 million to 195 million Shi'ites, cf. Nasr, 2006, p. 34. Visser gives a figure of 100 million Shi'ites worldwide, cf. Visser, 2009, p. 11

⁵ In 2006 Sistani had received a letter from President George W. Bush requesting his help in ending the political deadlock that existed due to the fact that Prime Minister Ibrahim Ja'fari was unacceptable to the non-Shi'ite political parties. Sistani refused to intervene. Cf. Cole, 2007, p. 75

⁶ I was Chargé d'Affaires a.i. at the Royal Netherlands Embassy in Baghdad from February 2009 to March 2010. Currently, I am based in The Hague and besides my job I have been doing research on a puritan reformist movement in the predominantly Malay Muslim provinces in South Thailand.

⁷ The term *marja' al-taqlid*, or just *marja'*, is intermittently used for *Ayatollah*. A Shi'i cleric first has to become a *mujtahid*, who is someone well advanced in religious studies. Only a few *mujtahids* succeed in gaining acceptance of a large number of followers to become a *marja' al-taqlid*. Cf. Nakash, 2006, p. 6. Furthermore, Walbridge writes "The *marja'*" is supposed to combine the qualities of learning and reason with those of extreme piety and devotion and a just character. As the representative of the "general deputyship" of the Imam, the *marja'*, as a source of emulation, enjoys the dual role of chief legal expert and spiritual model for all Shi'a. Cf. Walbridge, 2001a, p. 5

⁸ *Khums* means literally "one fifth" in Arabic. This is the proportion of profit which every Shi'ite has to pay to his *marja'*. The total amount can run into millions of dollars per year and a major part should be distributed among the religious institutions and charities. This has allowed the Shi'i community in Iraq to carve out its own autonomous space parallel to the state's institutions.

⁹ Ali al-Sistani was born in 1930 in a clerical family in the Shi'i holy city of Mashhad (Eastern Iran). Around 1948 he went to Qom for higher studies. He worked there with the greatest Shi'i authority at the time, Ayatollah Husayn Burujirdi. By the end of 1951 Sistani moved to Najaf to complete his studies and he has stayed there since.

¹⁰ *velayat-e faqih* in Persian

¹¹ These figures are obtained from the Kho'i Foundation (Jabar, 2003, p. 183 and endnote 105). This foundation is associated with Ayatollah al-Sistani. It should be noted there is no mention of Muqtada al-Sadr who gained popularity "on the street" due to his opposition against the American military presence in Iraq from 2003 onwards, and his criticism of the traditional Shi'i clergy.

¹² He is often referred to as "Sadr II", as he was another famous scion of the Al-Sadr family and cousin of Grand Ayatollah Muhammad Baqir al-Sadr who co-founded the Shi'a ideological Da'wa party in the late 1950's. This Ayatollah and his sister were arrested and executed in 1980 by the Ba'ath regime.

¹³ Muqtada al-Sadr is held responsible for the lynching by his followers of the prominent Shi'i cleric Majid al-Kho'i together with the custodian of the shrine of Imam Ali on 10 April 2003 in Najaf. Cf. Jabar, 2003, pp. 23-24. Al-Sadr's Mahdi Army has committed numerous acts of cruelty and violence in the post-Saddam period.

¹⁴ Juridical advice of a religious scholar. Within the Shi'i clergy this should be a scholar who has reached the level of competence at which he can practice *ijtihad*, or individual interpretation of the sources of Islamic law, namely the Qur'an and the Hadith.

¹⁵ On the issue of whether Sistani is a quietist or activist see Rahimi

¹⁶ This commission was a successor to the De-Ba'athification Commission and it was overseen by Ahmad Chalabi, a Shi'ite who had previously been supported by the US, but later became close to Iran. The legal status of the commission was uncertain.

¹⁷ Interestingly, the majority of the banned candidates were (secular) Shi'ite, but the main target was the non-sectarian Al-Iraqiya and one of its leaders, Saleh al-Mutlaq. In the end a number of candidates were replaced and the whole issue was lifted over the elections. The UNSG's special representative Ad Melkert, was instrumental in achieving a solution.

¹⁸ Joost Hiltermann refers to Sistani as Delphic oracle. Cf. Hiltermann, 2010. The Delphic oracle was a priestess in ancient Greece who lived at the temple of Apollo at Delphi on mount Parnassus, and who made prophesies to people visiting her. It was commonly held that her prophesies were unintelligible, but some scholars contest this.

¹⁹ Walbridge sees some analogy between the role of a *marja'* in a Shi'ite's life and the role of a saint in the life of a Catholic. Cf. Walbridge, 2001b, p. 241

²⁰ See <http://www.sistani.org/local.php?modules=main>

²¹ I do not claim that audiences with other *maraji'* follow the same pattern or have the same content, but I do think that the views expressed on religious doctrine are shared among the *maraji'*, who frequently discuss such issues.

²² Personal meeting and interview with Grand Ayatollah Bashir al-Najafi, Grand Ayatollah's residence, Old City center of Najaf, March 3, 2010.

²³ He was born in 1942 in British India and moved to Pakistan during the partition. In the 1960s, he moved to Najaf for further studies. Al-Najafi studied with Ayatollah Fadlallah and was 1 year junior to Sistani.

²⁴ The *hawza* is the term for the religious institutions and madrassas in the Shi'i holy cities. It's often used, particularly by foreigners, when referring to the Shi'i religious authority and institutions in Najaf.

²⁵ The press conference at Sistani's house was possibly also called in order to refute press reports about his bad health. Cf. Al-Kaabi, 15 September 2009.

²⁶ In the end Al-Maliki's Da'wa Party did not form an alliance with ISCI to enter the 2010 elections. Each went his own way. An important reason for this was that Al-Maliki felt that he had a better chance to win the elections without the Shi'i Islamist ISCI and as a Prime Minister he had built his own powerbase. Al-Maliki wanted to capitalize on the appeal he had among Sunni Arabs, particularly after reigning in the Shi'i militia in Basra (the "charge of the knights"). Also his nationalist agenda and anti-Kurdish rhetoric resounded with Sunni Arabs. With his tough law and order policy he attracted support from Shi'i and Sunni followers. Al-Maliki included some smaller Sunni Arab parties in his State of Law Coalition. He wanted to be the leader of any alliance which included his Da'wa Party. ISCI would not have accepted that.

²⁷ Walbridge keenly analyzes the criticism of Ali Khamene'i as Supreme Leader of Iran. Cf. Walbridge, 2001b, p. 244.

²⁸ From 2005, the Presidential Council consisted of a Kurdish President, and two Vice-Presidents, Sunni and Shi'a

²⁹ During a briefing by Vice-President Al-Hashimi on 24 November 2009 (one day after the second draft was adopted) which I attended, he seemed irreconcilable and said "*A veto was suggested by the Council of Representatives (parliament) before I made up my mind. The CoR wanted me to veto the law, and said it could then be amended. I had no choice but veto it.*" He said his only goal was to serve justice to minorities like Christians, Yezidis and others.

³⁰ Briefing by Vice-President Al-Hashimi, the compound of the Presidential Council, November 24, 2009.

³¹ Reportedly, phone calls from the White House reassured the President of the Kurdish autonomous region, Massoud Barzani, that a national census would be conducted in 2010 in the disputed territories, in order to decide their status. Cf. Parker & Salman, 2009.

³² Nasr writes that Sistani went as far to tell women that it was their religious duty to vote even if their husbands were against it. Cf. Nasr, 2006, p.189 footnote 3, referring to Nordland, Rod, "The Cities Were Not Bathed in Blood", *Newsweek*, Feb. 9, 2005

³³ This bomb on 6 March, could be clearly heard in the outskirts of Najaf where I stayed.

³⁴ I observed the parliamentary elections in Najaf, as EU observer. Throughout Iraq 127 EU-observers were dispatched from 14 EU Member States, the largest foreign team. I travelled with a US observer team in Najaf. We visited 6 polling centers and due to the tense security situation our team was transported in MRAPs, protected by the US army and a close protection detail of the US Bureau of Diplomatic Security, as well as Iraqi security forces.

³⁵ Based on personal interviews in the election week with citizens of Najaf

³⁶ Information obtained from local Iraqis. Identities withheld for security reasons

³⁷ Nouri al-Maliki radiated confidence at a dinner he hosted for all election observers on March 8, 2010 at the Rashid Hotel in Baghdad

³⁸ The EU condemned the escalation of violence since election day, in a declaration on April 14, 2010 by the High Representative, Lady Ashton

³⁹ Sistani stressed to an interlocutor that he did not want to exclude any political party from the coalition government. This source can not be disclosed.

⁴⁰ Cf. Slavin, 2010. The source of this information was someone who claimed to have received the information from relatives of Sistani.

⁴¹ In June 2010 it was reported in some media that the French Ambassador to Iraq had tried to convey two messages from President Sarkozy to Grand Ayatollah Al-Sistani: 1) appreciation for the important role of the *marja'iyya* in stabilizing the political situation in Iraq, and 2) request the *marja'iyya* to intercede with Iran in order to stop its nuclear program. According to the reports, Sistani had refused to meet with him and alternatively he met with Grand Ayatollah Bashir al-Najafi and Grand Ayatollah Muhammad Sa'id al-Hakim. The son of Bashir al-Najafi, Ali al-Najafi, reportedly said that the *marja'iyya* had strongly refused the French request because it was a political affair. Cf. Rashad, 2010, 24 June, and Husayn & Al-Mish'an, 2010, 25 June.

⁴² The perils of such a trip became very clear when an IED exploded near Melkert's convoy, killing one Iraqi policeman and injuring three others.

⁴³ On 11 November 2010, events seemed to take a positive turn, when in a package deal, Iraqi President Jalal Talabani, a Kurd, was re-elected by a majority in parliament. Iraqiya-member Osama al-Junaifi, a Sunni Arab, was elected Speaker of the parliament. Al-Maliki was instructed by the president to form a new cabinet in 30 days. Iyad Allawi agreed on becoming the chair of the Council for Strategic Policy that is supposed to be established.

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