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I. Dedication

When I first began to study Middle Eastern studies in 2014, everyone was asking what my studies are about? After five years of intensive studying I only can say that I just scratched the surface, but what I am able to tell is that I fell in love with the Middle Eastern cultures and languages. For this passion I was able to develop, which I find in this work I would like to thank so many.

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Pro Aris et Focis & Per Tenebras ad Lucem

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1. Introduction

The recent US presidential order to move the aircraft carrier *USS Abraham Lincoln* into the Gulf region has marked a new low in US-Iran relations. This move has been preceded by a wave of measures by the Trump administration to weaken the Islamic Republic's influence in the Middle East. Since the beginning of the Arab spring in 2011 and the hence resulting civil wars in Libya, Syria and Iraq, the Islamic Republic of Iran has supported and assisted its regional allies to defeat the monstrosities of these civil wars in order to secure its own regime. Although the cut of diplomatic relations the United States of America kept a blind eye on Tehran's policies and tried to bring back Iran into the international community. Following that the Obama administration with its allies and Iran concluded the Joint Comprehensive Plan of Action (JCPOA), which intended to regulate Iran's compliance to the international standards of its nuclear programme in exchange for the easing and partial lifting of US sanctions against Iran. With the election of Donald Trump as president of the United States, the US administration's behaviour towards Iran experienced a total reversal. On May 8th, 2018 president Trump announced the unilateral withdrawal of the United States from the JCPOA.¹ Following this blow the United States reintroduced its sanctions targeting the oil, transportation and banking sector in order to curb Teheran's influence in the Middle East.² Those two Trump ordered measures lead to an absolute low in the country's relation with the Islamic Republic and was even more severed with the recent order to move the carrier to the Gulf region.

This change of the Trump administration's Middle East policy not only affected the Islamic Republic, but also Iran's neighbours and allies. This alteration of the US Middle East policy seems similar to the Bush administration's policy after the 9/11 attacks on the World Trade Centre. These attacks marked a change in the US Middle East policy when president Bush declared the war on terror as a priority foreign policy goal.³ Subsequent to this call for war against terrorism, the United States declared war on Afghanistan's al-Qaeda government. After the overthrow of al-Qaeda in Afghanistan, Bush accused the Iraqi regime of collaboration with al-Qaeda. After the rise of these allegations and the additional allegation that *Saddam Husayn* would build mass destructive weapons, an international coalition under the leadership of the United States and Great Britain deposed the Iraqi long-term dictator in 2003. In the aftermath

¹ Zengerle, Patricia. 2018. "U.S. withdrawing from Iran deal, with window before imposing sanctions". *Reuters*. May 18th, 2018. <https://www.reuters.com/article/us-iran-nuclear-congress-calls/u-s-withdrawing-from-iran-deal-with-window-before-reimposing-sanctions-sources-idUSKBN192JZ>. (accessed May 11th, 2019).

² Wroughton, Lesley/ Hafezi, Parisa. 2018. "U.S. reimposes Iran sanctions, Tehran decries 'bullying'". *Reuters*. November 5th, 2018. <https://www.reuters.com/article/us-usa-iran-sanctions/us-reimposes-tough-curbs-on-iran-tehran-hits-at-bullying-idUSKCN1NA0ZR>. (accessed May 11th, 2019).

³ "Text of George Bush's Speech". *The Guardian*. September 21st, 2001. <https://www.theguardian.com/world/2001/sep/21/september11.usa13>. (accessed May 11th, 2019).

of the deposition of *Saddam Husayn* many Iraqi Shia opposition groups came back to Iraq from Iran. These groups had been exiled from Iraq during *Saddam*'s rule and were partly organised by the Iranian state administration. Through this organizational assistance the revolutionary regime was able to influence these Iraqi groups ideologically. This influence got visible when some of these opposition groups pledged their loyalty to Ayatollah Khomeini and adopted his political theory, the guardianship of the jurisconsult, *velayat-e faqih*.⁴

Following *Saddam*'s ousting they were able to return to Iraq, where these groups started to act politically and even military by attacking the occupation forces.⁵ These attacks from Shi'a militias and the suicide bombings from other radical Islamists, not only lead to an alarming deterioration of the security situation in Iraq, but also marked the starting point of the civil war, when radical Sunni elements bombed the burial place of Imam Husayn al-Askari in Samarra.⁶ Although the full-fledged sectarian conflict, the United States decided to hand over sovereignty to an elected Iraqi government as soon as possible. In 2008 during an interview with NBC Jordanian King coined the term "Shia Crescent", which equated with the rising Iranian influence in Iraq and the region.⁷ Since then this term has been referred to what US politicians and analysts marked as the fundamental goal for Iranian foreign policy.

When in 2011 a grocer burned himself in the streets of Tunis to protest against the oppressive measures of the regime, a wave of social protests and upheavals met the Tunisian capital where its citizens showed solidarity with him. Though this act of self-immolation was a distinct local act, through social media it ignited the anger of the oppressed citizens of other Arab capitals. These social protests which rushed the Arab world were able to bring down the long-term dictators of Egypt and Libya, but not all of these autocracies collapsed. Although the upheavals reached Damascus in early 2011, the predicted regime change did not occur as fast as it had done in Egypt or Libya.⁸ The upheavals were not only restricted to Damascus but were also present in all major Syrian cities. In order to make an example president Bashar al-Assad ordered the recapturing of the revolutionary hotbed of Hama, which for decades has been a

⁴ Jabar, Faleh A. 2003. *The Shi'ite Movement in Iraq*. London: Saqi Books. p. 249.

⁵ Arraf, Jane/ Mount, Mike. "Three U.S. soldiers killed in battle with Iraqi militia". *CNN*. May 5th, 2004. <http://edition.cnn.com/2004/WORLD/meast/05/05/iraq.main/index.html>. (accessed May 14th, 2019).

⁶ Worth, Robert. F. "Blast Destroys Shrine in Iraq, Setting Off Sectarian Fury". *The New York Times*. February 22nd, 2006. <https://www.nytimes.com/2006/02/22/international/middleeast/blast-destroys-shrine-in-iraq-setting-off-sectarian.html>. (accessed May 14th, 2019).

⁷ "Interview of King Abdullah II of Jordan". *NBC*. September 12th, 2004. http://www.nbcnews.com/id/6679774/ns/msnbc-hardball_with_chris_matthews/t/king-abdullah-ii-jordan/#.XNbVRC9XZQJ. (accessed May 11th, 2019).

⁸ Cutler, David. "TIMELINE-Arab Spring- a year that shook the Arab world". *Reuters*. January 13th, 2012. <https://www.reuters.com/article/tunisia-revolution-anniversary-idAFL6E8CD45F20120113>. (accessed May 14th, 2019).

stronghold of the Muslim Brotherhood.⁹ The siege of Hama turned out to be a crucial moment for the beginning Syrian civil war as the use of armed violence against protesters was regarded as illegitimate by European countries and the United States. Following that the situation deteriorated, when the peaceful demonstrations against the regime mutated into a full-fledged civil war in which the Syrian regime was nearly toppled. This almost regime change has been avoided through the intervention of Syria's allies, Iran and Russia, but the withdrawal of the Syrian Armed Forces (SAF) to its centres of power gave space to other actors like the Kurdish YPG forces on the one hand and the Islamic State in Iraq and al-Sham (ISIS) on the other.

The Islamic State in Iraq and al-Sham is a Sunni extremist group, which came into existence in Syrian prisons, where political dissidents and extremists were incarcerated.¹⁰ The group draws on the heritage of al-Qaeda, but additionally adopted the principle of establishing a caliphate by all means, though warned by al-Qaeda due to its experience in Afghanistan. This principle attracted not only the Syrian and Iraqi Islamists alike but also the cadres of the dissolved Iraqi army and Ba'ath party, which were forced to go underground after the American intervention in 2003.¹¹ Subsequent to the almost collapse of the Syrian regime the Islamic State captured vast areas in eastern Syria and turned its focus on Iraq, where it captured Mosul, Iraq's third largest city after the breakdown of the US trained Iraqi Security Forces.¹² As the group advanced on Baghdad without difficulties, the highest Shi'ite authority, the High Clergy of Najaf, called to volunteer and fight the radical Islamist group.¹³ The *fatwa* issued by *grand ayatollah Ali al-Sistani* as leader of the High Clergy addressed all citizens regardless of their belief and ethnicity and, thus, laid the basic foundation for an international controversial military institution, which became known as the Popular Mobilisation Forces (PMF) or in Arabic as *al-Hashd al-Sha'abi*.

The Popular Mobilisation Forces soon developed additionally to Iraq's Anti-Terrorism Units to one of the most effective institutions to fight the Islamic State. Despite the *fatwa* the organisation incorporated older groups, better known as the special groups, which fought the United States during the Iraqi occupation. Additionally, to these elder militias new ones were found to handle the masses of volunteers. The *fatwa* therefore not only laid the basic foundation

⁹ "Syria: Thousands protest in restive city of Hama". *BBC*. July 8th, 2011. <https://www.bbc.com/news/world-middle-east-14083087>. (accessed May 14th, 2019).

¹⁰ Khatib, Line. 2018. "The Pre-2011 Roots of Syria's Islamist Militants". *The Middle East Journal*. Vol. 72. No. 2. pp. 209-228.

¹¹ *Ibid*.

¹² Al-Salhy, Suadad/ Arango, Tim. "Sunni Militants Drive Iraqi Army Out of Mosul". *The New York Times*. June 10th, 2014. <https://www.nytimes.com/2014/06/11/world/middleeast/militants-in-mosul.html>. (accessed May 15th, 2019).

¹³ Rubin, Alissa J./ al-Salhy, Suadad. "Iraqi Shiite Cleric Issues Call to Arms". *The New York Times*. June 13th, 2014. <https://www.nytimes.com/2014/06/14/world/middleeast/iraq.html>. (accessed May 14th, 2019).

for the Popular Mobilisation Units but also bestowed upon it institutional legitimacy. Due to its experiences in Guerrilla and irregular warfare from the special groups' fight against the United States, the Popular Mobilisation Units soon gained the reputation as probable fighters against the Sunni extremists. These successes and the militias' reputation convinced the Iraqi government of then prime minister *Nouri al-Maliki* to legalise the mainly Shi'ite *Hashd Sha'bi* groups in 2016.¹⁴ The legalisation of the Popular Mobilisation Forces met international criticism because the groups were accused of being under direct control of the Iranian Revolutionary Guard's Quds Corps and, thus, just nominally under the jurisdiction of the Iraqi government.¹⁵ Despite these allegations the Iraqi administration decided not to disband the militias after then prime minister *Hayder al-Abadi* declared victory over the Islamic State group in mid-December 2017.

Even before this declaration of victory the militias incorporated in the Popular Mobilisation Forces announced their participation in Iraq's parliamentary election in May 2018. This announcement to form an electoral alliance came from *Ahmad al-Assadi*, general secretary of the pro-Iranian *Kata'ib Jund al-Imam*, Battalions of the Soldier of the Imam. This alliance was introduced as the *tahalif al-mujahiddi*, Mujahidin Alliance, and included those pro-Iranian groups, which had been created even before the fall of Saddam Hussain and fought the Islamic State not only in Iraq but also in Syria.¹⁶ This announced participation of the Mujahidin alliance convinced other militias to mutate or found a political party to compete in the elections. Between the declared victory and polling day the militias' parties formed either electoral alliances of their own or participated in established ones. These political movements were characterised by their leaders' relationship to each other and therefore made visible their religiopolitical alliance with the Shi'a clerical dynasties. These alliances between the religious elite and lay politicians have been created during the politicisation of the Shi'ite clergy from the 1960s onwards through the clergies' transnational network with its focal points Najaf, Karbala and Qom. Later on, during the Iran-Iraq war these relationships were altered with the arming of party loyal militias. These militias gained a lot of experience during the first and second Gulf war and were able to return to Iraq as mentioned above after the ousting of *Saddam*

¹⁴ "Iraq's parliament passes law legalising Shia militias". *Al-Jazeera*. November 26th, 2016. <https://www.aljazeera.com/news/2016/11/iraq-parliament-passes-law-legalising-shia-militias-161126133010696.html>. (accessed May 17th, 2019).

¹⁵ "Iraq's Shia militia 'must go home', says Tillerson". *BBC*. October 22nd, 2017. <https://www.bbc.com/news/world-middle-east-41715752>. (accessed May 14th, 2019).

¹⁶ "al-Assadi: "Tahālīf al-Mujahiddīn" munftah 'alā jamī' al-quwā l-mushārīka fī-l-ḥashd ash-sha'bi" [al-Assadi. "Mujahdin alliance is open for all forces which have participated in the Popular Mobilisation Forces"]. *Al-Ghad Press*. <https://www.alghadpress.com/news/الأخبار-العراق/132985/تحالف-المجاهدين-منفتح-على-جميع-القوى-المشار>. (accessed May 20th, 2019).

Husayn in 2003. Following their return, they engaged the American troops, whom they accused of occupying Iraq illegally and though tried to consolidate their position in the Iraqi civil society.

The Popular Mobilisation Forces have been topic of various scholars due to their impact on the war with the Islamic State and their relationship to the Islamic Republic of Iran.¹⁷ Therefore, many authors analyse the PMFs' possible integration in the Iraqi security sector. Walter Posch for example argues that the Popular Mobilisation Forces have their roots in the 1970s and 1980s, where the Islamic Revolution had a big impact on the politization of the Iraqi Shi'ite clergy, and consequently have adopted an anti-west rhetoric. After the collapse of *Saddam's* government, the militias returned to Iraq and fuelled the armed opposition against the US occupation of Iraq as well as the resulting sectarian conflict. The armed struggle against the Islamic State lead to a mushrooming of militias, which Posch divides along political theology formulated by clergy dynasties. He situates these ideologies between two extremes, the revolutionary *velayat-e faqih* of *Ayatollah Khomeini* and the traditional apolitical quietist line represented by *Ayatollah Ali al-Sistani*. Due to this variety of ideologies, he argues, that the Popular Mobilisation Units will fall apart.¹⁸

Inna Rudolf dealt with the Hashd Shaabi but focused on the post war scenario and their participation in the parliamentary elections 2018. She differentiates the militias of the Popular Mobilisation Forces similar to Walter Posch along their political theology between just only three traditions, that of *Ruhollah Khomeini/ Ali Khamene'i, Muqtada al-Sadr* and *Ali al-Sistani*. Rudolf further focuses her research on the militias' participation in the May election, in which they were able to win third most seats in the parliament, but she concludes that the election represents the defragmentation of the political landscape in Iraq. Consequently, the PMFs were able to gain more legitimacy in politics and will use this legitimacy to consolidate their power in the country.¹⁹ The thesis's question is *how have the clerical dynasties gained in the Iraqi parliamentary elections through the Popular Mobilisation Forces' participation?*

The Iraqi parliamentary election of 2018 showed that the Popular Mobilisation Forces despite their internal division were able to consolidate their power in the political life of Iraq and, hence,

¹⁷ Pregent, Michael. 2018. "Countering Iranian Proxies in Iraq". *U.S. House of Representatives Committee on Foreign Affairs*. <https://s3.amazonaws.com/media.hudson.org/files/publications/PregentTestimonySept26.pdf>. (accessed September 25th, 2019).

¹⁸ Posch, Walter. 2017. *Schiitische Milizen in Irak und Syrien: Volksmobilisierungseinheiten und andere*. https://www.academia.edu/34182023/Schiitische_Milizen_im_Irak_und_in_Syrien. (accessed May 21st, 2019).

¹⁹ Rudolf, Inna. 2018. *From Battlefield to Ballot Box: Contextualising the Rise and Evolution of Iraq's Popular Mobilisation Units*. <https://icsr.info/wp-content/uploads/2018/05/ICSR-Report-From-Battlefield-to-Ballot-Box-Contextualising-the-Rise-and-Evolution-of-Iraq's-Popular-Mobilisation-Units-1.pdf>. (accessed May 21st, 2019).

were able to broaden their influence in the Iraqi civil society and armed forces. This gain of influence and the consequent consolidation of power was influenced by several events.

The *fatwa* of the High Clergy of Najaf represented by *grand ayatollah Ali al-Sistani* boosted the legitimisation of the existing militias and gave the population the reason to volunteer and found new militias or to join the existing. This *fatwa* also has been regarded as denominational as it called on “all citizens to volunteer to stop the threat posed by the Islamic State”.²⁰ Consequently, this appeal addressed all confessions and religions as it called on the duty of every citizen to fight for his country despite his religious identity. Further it boosted the trust of the Iraqi people not to lose their confidence in the Iraqi state as the radical Islamist after taking most of the Sunni provinces of al-Anbar, Salah ad-Din and Nineveh turned to Iraq’s capital and the shrine cities of Najaf and Karbala.²¹

This *fatwa* therefore laid the basic foundation for the institutionalisation of the Popular Mobilisation Forces, on which the Iraqi government has drawn to create the forces. As the *fatwa* legitimised the foundation of militias, it also increased the position of the special groups, which have been active in Iraq since 2003. These groups had gained quite a lot of experience in asymmetrical warfare during the US occupation and the Iraqi civil war. Before the *fatwa* was issued many of these groups fought in Syria on the side of the government to protect the marginal Shia minority south of Damascus.²² When the Islamic State turned its eye on Iraq and captured Mosul, these militias returned to defend their homeland and, thus, increased the militias capacity to fight the Islamic State due to the fact that the extremist organisation used quite the same tactics as they used since the fall of *Saddam*. This experience enabled them to defeat the Islamic State several times, which lead to a shift in confidence from the Iraqi army to them. The Iraqi army, which had been trained by the United States and other European powers, collapsed during the battle of Mosul, where several hundreds of Jihadi fighters defeated superior armed army.²³ This collapse marked the complete loss of confidence of the Iraqis in the western trained security forces and when the militias were able to defeat the hatred Islamic State, they were hailed national heroes. In addition to the legitimacy bestowed on them through Ayatollah al-Sistani’s *fatwa*, the military successes contributed extensively to their influence in

²⁰ For the *fatwa* *Wajib al-Kifa’i* of al-Sistani see: <https://www.iraqafteroccupation.com/2015/05/21/-ممثل-المرجعية-الشيخ-عبد-المهدي-الكريل>. (accessed May 22nd, 2019).

²¹ Ibid.

²² Al-Tamimi, Aymenn Javad. 2015. “The Return of Iraqi Shi’i Militias to Syria”. *The Middle East Institute*. <https://www.mei.edu/publications/return-iraqi-shii-militias-syria>. (accessed May 22nd, 2019).

²³ Mahmood, Mona. 2014. “Iraqi army capitulates to Isis militants in four cities”. *The Guardian*. June 12th, 2014. <https://www.theguardian.com/world/2014/jun/11/mosul-isis-gunmen-middle-east-states>. (accessed May 22nd, 2019).

the Iraqi civil society, which they tried to consolidate by participating in the parliamentary elections.

Although the Popular Mobilisation Forces fought along the International Coalition lead by the United States of America, they were accused of being henchman of the Iranian government. This accusation is only partly true as the Shi'ite clergy is more homogenous than understood by western scholars, because it has not only pledged loyalty to the Iranian state ideology but has developed more religiopolitical ideologies than the Iranian one. This factionalism of the Shi'ite clergy has a direct effect on the Popular Mobilisation groups as the groups have pledged loyalty to one *marja'* and thus represent the clergy's homogeneity. Therefore, the elections and the ongoing security sector reform have shown how independent Iraq is from Iran as it was not possible for the Iranian inspired groups to take over the Iraqi state.

This thesis, thus, will examine the development the concept of Shi'ite *ulama'* leadership embodied in the liquid model of the *marja'iyya*. The analysis of the *marja'iyya* will, hence, be divided into the development of this concept in canonical law and the research of the sociological relations of the *marja'iyya* with the Shi'ite believers. After the trying to define the concept of *marja'iyya* the thesis will carve out the development of clerical dynasties and their political theology focusing on the *al-Sistani* led quietist trend and the *Khomeini* founded *velayat-e faqih* as poles in which the other dynasties are situated. Therefore, the thesis will examine the *al-Sadr* and *al-Hakim* families and their rise to religious leadership.

The second part of this thesis will focus in the different clerical dynasties and their political theologies' relations to political movements in Iraq beginning with the *Islamic Da'wa Party* and its history as the party can be considered the archetype of a Shi'ite oppositional movement before dealing with the *al-Sadr*s' movement of the disenfranchised and the *al-Hakims'* *Islamic Supreme Council in Iraq*.

The third part, hence, will examine the clerical dynasties' relations to the *Hashd Sha'bi* and the rise of this institution. As the *Hashd Sha'bi* became to international prominence, the thesis will deeply examine the reasons for their rise and their capability to transform their social esteem into political power in the 2018 Iraqi parliamentary elections.

As this thesis is analysing quite young phenomenon in Middle Eastern history the approach of analysing the institution of the *Hashd Sha'bi* will be based on historic deductions. Therefore, it will combine literature dealing with Iraqi and Iranian history as well as works on the Shi'ite theology and sociology. As the topic dealt in this thesis has not been surveyed that intensive as other problems of modern Middle Eastern politics and history have been, the literature available dates back to the 1960s though not having lost its importance as these works generally

tend to consult more Arabic and Persian sources than the modern academic literature. Another problem of the literature available is the underlying ideology some authors try to promote when arguing especially about the Iranian revolution and Iran's foreign policy. This problem has been able to be minimised by consulting not only Western literature but also by history written by authors originating and involved in the events happened. Although, this scarceness of academic literature it was possible to examine the subject from every angle.

The second and third part of this thesis deal with quite recent events happened in time range going back to 2005 it has been possible to consult several sources. One part of sources available have been the intelligence fails on Iraq of the United States and their respective authorities published on the website of Wiki Leaks. As these documents constitute the official US point of view, they have had to be dealt with highest accuracy as among them were not only interviews, but also interpretations based on then happening events. As these documents scarcely use academic sources, they tend to overestimate things or even confuse correlations. This also applies to interviews conducted by US officials as the person interviewed does not postulate an objective truth but rather a subjective interpretation based on his perception of events involved in. Interviews, thus, also can be problematic if they are asking about a distant past as the interviewee might mix up parts or has forgotten crucial details.

Beside the use of Wiki Leaks the thesis has relied on newspaper articles as sources, which like the documents available on Wiki Leaks can be problematic as they might have not been investigated with the needed care, thus, possibly being one-sided. Therefore, in order to minimise these problems, the thesis for English news has relied on the *New York Times* as classical western newspaper and the Middle East related news page *al-Monitor*. In addition to these aforementioned newspapers the content was checked by consulting Arabic and Persian newspapers, which despite their ideological orientation have been viable tools to develop this thesis theory.

The transliteration of this thesis has generally followed the common spelling used in the media and if not possible has been orientated towards the transliteration used in the *International Journal for Middle Eastern Studies*. Therefore, *al-Sīstānī* has been transliterated as *al-Sistani* following the transliteration used by the media. This also applies for Arabic words, which have no direct equivalent in English, thus, here they were transliterated and used appropriate.

2. The Rise of the Shi'ite Clergy Dynasties

Since the seizure of power of *ayatollah Ruhollah Khomeini* in revolutionary Iran in 1979 the position of the clergy in the civil society has been altered. This change of position has not only affected the Iranian society but also had its impact on Shi'a communities worldwide as Khomeini called on the oppressed people of the world irrespective of nationality and religion to unite and rise against their oppressing regimes.²⁴ Though, this theology of the guardianship of the jurisconsult became the official doctrine of the Islamic Republic of Iran, it evoked the criticism of parts of the Shi'ite clergy, especially from the quietist shaped traditional clergy then represented by *ayatollah Abu al-Qassim al-Khu'i* of Najaf. These differences are steadily and will continue into the future, but they have affected the formation of Shi'a opposition groups in the Arab world. In particular they have influenced the armed groups of the Popular Mobilisation Units and their role in the parliamentary elections of 2018. So before answering what the PMF gained from their participation in the elections, one must ask *how the clergy's role in politics has developed since the creation of Shi'ite opposition movements in the 1950s?* In order to answer this prerequisite this chapter will analyse the foundation of the *Marja'iyya* and the historical impacts on it. After the definition of *Marja'iyya* the focus will turn on the clergy dynasties and their political theology.

2.1. The concept of the *Marja'iyya*

One could believe that the institution of a *Marja'* is something clearly defined comparably to the description of a university professor, but it is rather hard to define *marja'iyya* as it has undergone several phases of development. The fundamental function assigned to the *Marja'iyya* is the guidance of the Shi'ite community after the occultation of the 12th Imam and exercising the religious leadership in representation for the occulted imam.²⁵

The first stage of development begins with the occultation of Muhammad al-Mahdi, the 12th Imam. The institution of the *Marja'iyya*, according to Shi'ite scholars, dates back to these times and has developed out of the necessity of godly religious leadership for the community, which was entrusted to the *ulama'* by the infallible Imams. This infallibility of the Imam reflects in the natures of the all-knowing and all-good and therefore, the leader of the community cannot fail in his leading because his failure would contradict the divine grace of the omniscience of

²⁴ Abrahamian, Ervand. 1993. *Khomeinism: Essays on the Islamic Republic*. Berkeley: University of California Press. p. 36.

²⁵ Louër, Laurence. 2008. *Transnational Shia Politics: Religious and Political Networks in the Gulf*. London: Hurst & Company. p. 69.; Jabar, Faleh Abu. 2003. *The Shi'ite Movement in Iraq*. London: Saqi Books. p. 161; Walbridge, Linda. 2001. "Introduction". In Linda Walbridge. *The Most Learned of the Shi'a*. Oxford: Oxford University Press. p. 4.

god.²⁶ Consequently, the authority to lead the community is the knowledge of the sacred Quran and the acts exemplified by the infallible Imams. As the authority lies in the hand of those who know the sacred texts, it is them who are able to answer question being derived from everyday life, therefore, two concepts have been developed to answer these questions. The basic method on which the *marja'iyah* draws until today is the method of reasoning, *aql*. Reasoning as a method was developed in the eleventh century by a jurist, who referred to the Quran, the *hadiths* and the *sunna* as foundations for *aql*. On the basis of this first development the method mutated from a mere method into another source for jurisprudence. After the transformation into a source tantamount with the Quran, the *hadith* and the *sunna* the *ulama's* position as authority was enhanced with the concept of *ijtihad*, interpreting the sacred texts. This concept shifted from belonging to presumptive knowledge to that of absolute knowledge like the sacred texts and, thus, gave the *ulama'* the absolute legitimacy to lead the community as it is only them to issue decisions on juridical questions in the form of *fatwas* due to their sole access to this knowledge.²⁷

As the *ulama'* is the only community with access to this divine knowledge the lay Shi'ite community had to seek their advice in legal questions. This concept of emulation, *taqlid*, is based on the necessity of the laity to seek legal advice by the *ulama'* due to the fact that only they can provide legal expertise whereas the laity is forced to earn their income with manual labour and cannot study the divine texts. On the basis of this necessity another custom developed, which recommended the laity to follow the most knowledgeable *mujtahid*. That, consequently, lead to the stratification of the clergy, in which a hierarchy developed, where it was differentiated between a low, middle and upper class within the *ulama'*.²⁸ Based on this stratification a threefold graduation has been argued, in which the Shi'ite clergy in the lower stratum is referred as *hujjat al-Islam*. This title indicates that the holder has already obtained *ijtihad*, but has no wider following among the believers.²⁹ This fact, that a *hujjat al-Islam* has less followers than an *ayatollah*, is the main distinction between the latter one, which also has been overused in the early twentieth century when the institution was consolidating in Iran.³⁰ Therefore, as the title *ayatollah* has been overused, the suffix *al-uzma* has been added to distinct

²⁶ Jabar, Faleh Abu. *The Shi'ite Movement in Iraq*. p. 161.

²⁷ Ibid.

²⁸ Ibid. pp. 161-163., Fragner, Bert. 1983. "Von den Staatstheologen zum Theologenstaat: Religiöse Führung und Historischer Wandel im Shi'itischen Persien". *Wiener Zeitschrift für die Kunde des Morgenlandes*. Vol. 75. pp. 73-98. pp. 92-93.

²⁹ Algar, Hamid. 2004. "Hojjat-al-Eslām". *Encyclopædia Iranica*. Vol. 12. Fasc. 4. p. 426. updated version available at <http://www.iranicaonline.org/articles/hojjat-al-eslam>. (accessed September 9th, 2019).

³⁰ Algar, Hamid. 1987. "Āyatollāh". *Encyclopædia Iranica*. Vol. 3. Fasc. 2. p. 133. updated version available at <http://www.iranicaonline.org/articles/ayatallah>. (accessed September 9th, 2019).

a mere *ayatollah* from a *marja'*, who also can be addressed as *ayatollah al-uzma*.³¹ Though, there is a differentiation in titles, the usage of those is up to the intention of the use. Faleh Jabar has indicated that addressing another *marja'* with the much inferior title can be used for the reason to dishonour him due to political circumstances.³²

The concept of knowledge, which is only accessible to the *Marja' iyya*, lay the precondition for the *Marja' iyya*'s right for guidance. This right of leadership in classical Shi'ite *fiqh* is limited to the leadership in spiritual matters in order not to get in a confrontation with the secular authority. This claim to lead the community only in spiritual matters had been subject to some changes throughout the 20th century and resulted in a division between this classical interpretation on leadership and the extensive role articulated by Ayatollah Khomeini, who extended this authority to the political powers in his theology of *velāyat-e faqīh*.³³ This right to govern has been deduced from Sura 4, verse 59:

*"Oh, ye believe! Obey God, and obey the messenger, and those charged with authority among you!"*³⁴

This verse gives authority to three groups. The first and second group are God and the prophet, but the third group had been interpreted by the *Marja' iyya* as to be the infallible Imams. With the occultation of these, this right to lead the community had been passed over to their intermediaries, the *ulama'*, as their representators during the time of occultation.³⁵

The development of these two principles of *aql* and *ijtihad* lead to rift within the Shi'ite clergy and consequently to the development of two rival factions, which became to be known as the *Usuli* or *Mujtahidi* school and the *Akhbari* school of thought. The *Usuli* school came into existence with the development of the *ijtihad* due to its emphasize on the clergy. The *Akhbari* school on the other hand challenged the emulation of one *marja'* because they did not accept the concept of legal reasoning.³⁶ Juan Cole argued that this differentiation between the two schools of thought should be seen as an ideological based competition of the *ulama'* to assert

³¹ Algar, Hamid. 1987. "Āyatollāh". *Encyclopædia Iranica*. Vol. 3. Fasc. 2. p. 133. updated version available at <http://www.iranicaonline.org/articles/ayatallah>. (accessed September 9th, 2019).

³² Jabar, Faleh Abu. *The Shi'ite Movement in Iraq*. p. 228.

³³ From now on *velayat-e faqih*

³⁴ Sura 4. Verse 59. al-Qur'ān al-Karīm. Qom: Āyīn Dānesh. p. 87

³⁵ Jabar, Faleh Abu. *The Shi'ite Movement in Iraq*. p. 164.

³⁶ Keddie, Nikki/ Cole, Juan. 1986. "Introduction". In: Juan Cole & Nikkie Keddie. *Shi'ism and Social Protest*. Yale: Yale University Press. p. 6.; Walbridge, Linda. 2014. *The Threat of Mu'awiya: The Making of a Marja' Taqlid*. Bloomington: The Ramsay Press. pp. 16-17.

their respective influence in court and society.³⁷ This competition was preceded by the rise of the *Usuli* school of thought in the 15th century founded Persian empire.

The Safavids, in order to differentiate themselves from the Ottoman Empire's sultans' claim to be *khalif* over all Muslims, decided to adopt Shi'a Islam and, therefore, recruited clerics from *Jabal 'Amil*, in modern south Lebanon, and from the shrine cities of Iraq. The recruitment of Arab clerics and their appointment to high positions like Friday prayers in the major cities' Friday mosques served not only the narrow tying of the clergy to the Safavids but also served the Safavids legitimation in Iran.³⁸ This alliance, thus, had been rejected by the clergy establishment of other Shi'ite communities in the Arab world as they were beyond the Safavid sphere of influence and did not gain patronage from the Safavids. These had been the main reasons for the Arab Shi'ite clergy to turn their eyes to the *Akhbari* school of thought as it rejected the *Usulis*' dominance in the Persian state.³⁹ In 1722 the Safavid state collapsed due to conquering Sunni Afghan tribes, who abolished the state-patronized *Usuli* school of thought. This collapse of the state and the confiscation of the clergy's property prompted the scholarly families to flee Iran for the Ottoman dominated Iraqi shrine cities. There, the welcome of the displaced Iranian *Usuli* scholars was more than frosty as the Iraqi shrine cities had developed to centres of the revived *Akhbarism*. During this phase of chaos, the remaining Iranian clergy had been forced in other professions such as money lenders or administrators, which constituted the basis for their financial independence in the future. Additionally, they developed strong ties with the *bazari* community, in which they partly found new patrons.⁴⁰

With the rise of the Zand and later the Qajar dynasty in Persia, the restoration of the *Usuli* school of thought began. In Iraq a plague caused massive casualties among the Arab *Akhbari ulama*', which, other than their Iranian colleagues, could not flee for Iran and left a vacuum. This vacuum, thus, got filled by Iranian clerics, who just adopted *Akhbarism* due to the Arab dominance. This trend was also supported by the weakening of the Ottoman state, which allowed the shrine cities to adopt a more autonomous position within the empire. In Iran, the Zand and the later Qajar dynasty were relatively weak and, thus, could not exercise control on the clergy as during Safavid times. This weakness further allowed the clergy to consolidate its autonomy as it was not dependent on the ruling dynasty's financial support.⁴¹ This autonomy

³⁷ Cole, Juan. 1985. "Shi'i Clerics in Iraq and Iran, 1722-1780: The Usuli-Akhbari Conflict reconsidered". *Iranian Studies*. Vol. 18. No. 1. pp. 3-34.

³⁸ Keddie, Nikki/ Cole, Juan. *Introduction*. p.8.; Jabar, Faleh. A. *The Shi'ite Movement in Iraq*. p. 165.

³⁹ Jabar, Faleh A. *The Shi'ite Movement in Iraq*. pp. 165-167.

⁴⁰ Ibid. pp. 167-168.; Keddie, Nikki/ Cole, Juan. *Introduction*. p.8.

⁴¹ Jabar, Faleh A. *The Shi'ite Movement in Iraq*. pp. 168-169.; Louër, Laurence. *Transnational Shia Politics*. pp. 71-72.

in the shrine cities further provoked a never seen cohesion in the clergy, which resulted in tendencies to centralize the *marja' iyya*.

The cohesion gained out of the *marja' iyya*'s autonomy in the Iran and Iraq resulted in the centralisation of the clerical establishment. This centralisation of the clergy was induced by the autonomy of the shrine cities as described above laid the cornerstone for the formation of the *marja' taqlid* as the most senior cleric. This title of *marja' taqlid*, thus, dates back to the midst 19th century when the Middle East states like the Ottoman Empire or the Persian Empire began to centralise their states influenced by European states. This also affected the clergy of the shrine cities, which adopted according to Faleh A. Jabar a division in religious duties.⁴² This division of work splatted the duties in four parts, of which every division was headed by a *mujtahid*. The duties were organised along prayer leadership, judiciary functions, teaching and issuing *fatwas* and commanded emulation. Out of this last position the *marja' taqlid* was developed, who took the leadership of the clergy as the most learned among them.⁴³ As this office is a rather complex system, there is a controversy who has been the first *marja' taqlid*. Cole has argued that *Muhammad Hassan an-Najafi* was the first *marja' taqlid* and in order to formalize this position further appointed *Murtadha al-Ansari* as succeeding *marja' taqlid*.⁴⁴ Faleh A. Jabar on the contrary takes this only as an assumption and writes that this office could also had been passed on to *Murthadha al-Ansari* from *Muhammad Hassan an-Najafi*.⁴⁵

Although, there were tendencies to define and centralise the *Marja' iyya* and the consequent office of the *marja' taqlid* as the most learned *mujtahid*, the Shi'ite clergy is spread to various countries, all with different centres of learning. This transnationality also influenced the development of the clerical establishment. From the 19th century onwards three major centres of learning had developed. In Iraq, the shrine cities of Najaf and Karbala came to prominence as the most influential centres, whereas the Iranian city of Qom rose in the early 20th century. All of these cities have a common feature, which is that they are the burial places of either one of the Imams or one of their relatives. In Najaf is the resting place of Imam *Ali*, first Imam and prophet Muhammad's son-in-law. Karbala, on the other hand, is the last rest of Imam *Hussain*, the third Imam, who died like most of the Imams an unnatural death during the battle of Karbala. In the Iranian city of Qom lies *Fatima Ma'suma*, the sister of Imam *Ridha*, the eighth Imam, buried. Najaf has been the traditional centre of learning throughout centuries but gained its

⁴² Jabar, Faleh A. *The Shi'ite Movement in Iraq*. pp. 169-170.

⁴³ Ibid. pp. 169-170.; Keddie, Nikki/ Cole, Juan. *Introduction*. p.9

⁴⁴ Cole, Juan. 1983. "Imami Jurisprudence and the Role of the Ulama': Murtaza Ansari on Emulating the Supreme Exemplar". In Nikki Keddie. *Religion and Politics in Iran: Shi'ism from Quietism to Revolution*. New Haven: Yale University Press. p. 41.

⁴⁵ Jabar, Faleh A. *The Shi'ite Movement in Iraq*. p. 169.

reputation back from Isfahan with the rise of the *neo-Usuli* school of thought in the nineteenth century.⁴⁶ Both, *Muhammad Hassan an-Najafi* and *Murtadha al-Ansari*, taught in Najaf and, thus, restored its reputation as foremost centre of learning. Najafi remained the most important centre of learning until 1922, when Ayatollah *Abd al-Karim b. Muhammad Ja'far Ha'iri* arrived in Qom to visit the shrine of *Fatima*. This visit lay the cornerstone for the rise of Qom and finally succeeded Najaf as foremost centre of learning when Ayatollah *Hussain Borujerdi* assumed the leadership of the *hawza* in Qom.⁴⁷

After the death of *Borujerdi* in 1961, the title of *marja' taqlid* passed by to the Iraqi cleric *Muhsin al-Hakim*, who wasn't recognised as *marja taqlid* by everyone as in Qom resided another three *maraji'*. Since then the title of *marja' taqlid* has not been used, but maybe in the future there will be a candidate worthy this title. After *Borujerdi's* death one of the teachers in Qom's *hawza* resumed his political activities. This teacher though not recognised as *marja'* in 1961, was *Ruhollah Khomeini*. *Khomeini* had a tense relationship with *Hussain Borujerdi* as the latter represented the quietist branch of the clergy, whereas the young *Khomeini* engaged actively in politics, which was unduly for the members of the *hawza*.⁴⁸ *Khomeini's* interference into Pahlavi politics lead to more than one arrest and he was expelled to Turkey in 1964, where he made his way for Najaf. Here, he was welcomed frostily and, therefore, not really accepted in the *hawza*. Though he was not welcomed warmly, he praised Najaf as the centre of Shi'ite jurisprudence. His esteem for Najaf diminished gradually and after 1970 *Khomeini* accused the Najaf based clergy of indifference to political affairs.⁴⁹ After his triumphant return to Iran in 1978, he praised Qom as the foremost centre of religious studies as it not only adhered to the classical teaching like Najaf but also obeyed *Khomeini's* call for political engagement.⁵⁰ His campaign against Najaf continued until his death in 1989, but as the question of succession of Ayatollah *Khomeini* threw the Islamic Republic into a constitutional crisis, the anti-Najaf rhetoric softened. Although, this rivalry between Iraqi Najaf and Iranian Qom shaped the *Marja'iyya*, another inner-Iraqi rivalry affected the clergy. Some hundred kilometres north of Najaf lies the city of Karbala, which is the burial place of Imam *Hussain*, the third Imam. As Imam *Hussain* takes a special role among the Imams, Karbala also became a centre of Shi'ite learning. Although, Karbala developed to a centre of learning, a rivalry with Najaf broke out.

⁴⁶ Stewart, Devin. 2003. "The Portrayal of an Academic Rivalry". In Linda Walbridge. *The Most Learned of the Shia: The Institution of Marja' Taqlid*. Oxford: Oxford University Press. p. 217.

⁴⁷ Ibid. p. 219.

⁴⁸ Stewart, Devin. 2001. "The Portrayal of an Academic Rivalry". In Linda Walbridge. *The Most Learned of the Shia: The Institution of Marja' Taqlid*. Oxford: Oxford University Press. p. 219.; Abrahamian, Ervand. *Khomeinism*. pp. 8-10.

⁴⁹ Stewart, Devin. „The Portrayal of an Academic Rivalry”. pp. 222-224.

⁵⁰ Ibid. p. 225.

Karbala in comparison to Najaf was received as more Iranian than Arab, which lowered its influence in the Shi'ite world.⁵¹ This perception also affected Karbala's political credentials, which had an impact on its participation in the formation of the *Da'wa* Party, the foremost Shi'ite party in Iraq.⁵²

The development of the concept of *Marja' iyya* from the 19th century onwards and the rise of the Najaf and Qom as the foremost centres of Shi'ite learning ended the short period of single leadership in the worldwide Shi'a community. Since the death of Ayatollah *Borujerdi* and latest with the death of Ayatollah *Muhsin al-Hakim*, the fragmentation of the transnational Shi'a community began. This fragmentation as shown above resulted in the development of two opposing religiopolitical ideologies, which formed the two poles in which other movements situated themselves.

2.2. How to become a *Marja' Taqlid*?

The section above intended to outline the definition of *Marja' iyya* and, thus, described the historical concept of that development. Based on the conclusion that one only can become *Marja' Taqlid*, if he is the most learned among the *ulama'*, the following section asks how one can rise to the position of *Marja' Taqlid*?

Quite similar to the education of other professions like lawyer or physician, the student has to take several years if not decades of training to become a *mujtahid*. The difference between the traditional religious learning and the secular Western education lies in the concept of instruction. Whereas Western styled education has duration fixed curricula a student has to take, the religious education is more flexible in terms of its duration. The education provided by a *madrassa* lasts up to thirty years and, thus, contains different levels of learning, which are taught in Islamic styled schools, the *madrassa*.⁵³ Although Najaf and Karbala in Iraq and Qom and Mashhad in Iran are the modern focal points of religious scholarship, there are many places where Shi'ite knowledge is transmitted. So, these schools are located between Lebanon as the eastern end over the Damascene outskirt of *Sayyida Zaynab* and Samara' in Iraq as far as the *madrassas* lying in the Indian Oudh state. The tradition of Shi'ite scholarship taught in *madrassas* had been influenced by the Sunni centres of learning around the tenth century. The Seljuk vizier *Nizam al-Mulk* founded the *Nizamiyya* in Baghdad for the Shafi'ite clergy. Though, this school intended to focus on Sunni Shafi'ite fiqh, many of the academic stuff had been of Shi'ite

⁵¹ Louër, Laurence. *Transnational Shia Politics*. pp. 88-96.

⁵² Jabar, Faleh. A. *The Shi'ite Movement in Iraq*. p. 104.

⁵³ Nakash, Yitzhak. 2003. *The Shi'is of Iraq*. Princeton: Princeton University Press. p. 244.

creed.⁵⁴ According to Yitzhak Nakash the foundation of the first Shi'a *madrasa* in Najaf is related to the Seljuk occupation of Baghdad. The occupation of Baghdad forced *Abu Ja'far Muhammad al-Tusi*, then one of the most learned Shi'ite scholars to flee Baghdad to Najaf, where he founded this first *madrasa* inspired by the Sunni model.⁵⁵ Out of this *al-Tusi* founded tradition developed the Shi'ite *madrasa* tradition, which has been practised until today.

With the foundation of these schools a curriculum had been developed, which ended in the certification of *ijtihad*, meaning that a jurist is able to provide opinions on a legal question. This curriculum is divided in three stages, the *muqadamat*, the *sutuh* and the *bahth al-kharij*. The *muqadamat* takes some three to five years, in which a senior student teaches Arabic grammar, syntax, prose and logic. Additionally, the students can choose courses in Arabic literature, mathematics and theology.⁵⁶ In the *sutuh* stage, the students are taught rational jurisprudence and the principles of jurisprudential interference as well as interpretation of the Quran and the *hadiths* and religious philosophy. This stage like the *muqadamat* lasts for three to six years and together they are seen as the toughest stages to become a *mujtahid*.⁵⁷ During these two stages many students drop out, but when they finish, they enter the third stage, the *bahth al-kharij*.

In this stage the students and even some *mujtahids* get taught by a senior *mujtahid* in the principles of jurisprudence or practical jurisprudence. The *mujtahid* would usually raise a problem, on which he comments, discuss the opinions of the different schools of thought and finally, give his own opinion on the question. The students would debate the different arguments and even try to challenge the *mujtahid*'s argument, which fosters their talent in debating and arguing.⁵⁸ Whereas the students are free to change their teachers in the first two stages, they definitely do have to decide during the *bahth al-kharij* which *marja'* they should get taught by.⁵⁹ After graduating from the *bath al-kharij*, they can obtain the *ijtihad* certificate, which states that they are able to issue *fatwas*. Though, they are allowed to change the *marja'* in the first two stages, they finally do have to stick to their decision whom to follow during the *bath al-kharij* as this course influences them with the specific legal opinions the *mujtahid* is giving.⁶⁰ This first three stages are the same in all Shi'i *madrasas*, but are only a prerequisite to become *marja' taqlid*.

⁵⁴ Nakash, Yitzhak. *The Shi'as of Iraq*. p. 239.

⁵⁵ Ibid.

⁵⁶ Ibid. p. 245.; Jabar, Faleh A. *The Shi'ite Movement in Iraq*. p. 157.

⁵⁷ Nakash, Yitzhak. *The Shi'as of Iraq*. p. 245.; Jabar, Faleh A. *The Shi'ite Movement in Iraq*. p. 157.

⁵⁸ Ibid.

⁵⁹ Aziz, Talib. 2003. "Baqir al-Sadr's Quest for the Marja'iyah". In Linda Walbridge. *The Most Learned of the Shia*. p. 142.

⁶⁰ Nakash, Yitzhak. *The Shi'as of Iraq*. p. 245.

To become a *mujtahid* is only the prerequisite for one who is aspiring to become *marja' taqlid*. In order to become *marja' taqlid* one must build a strong network of patronage and deepen one's academic qualities. The academic abilities are strengthened when the *mujtahid* is assigned by the *marja'* he is following to teach the *bahth al-kharij* in his name, but only the most knowledgeable students are assigned this task.⁶¹ Although, one gave lessons, it was not uncommon that young *mujtahids* attended the lessons of the *marja' taqlid* they followed. After several years of teaching and if one wants to spread his *marja'iyya*, he is obliged to write a *risala 'amaliyya*. This tradition to write a *risala* is a quite young as it has been practised since the death of Ayatollah Muhammad Kazim Tabataba'i Yazdi in the early twentieth century. The tradition demands that a *mujtahid* who wants to spread his *marja'iyya* must comment on his teacher's *risala* in the form of footnotes, where he presents his own legal opinion. This commenting on his teacher's work is to underline the strong teacher-student relationship but also is designated for the laity, which the *mujtahid* wants to follow him in spiritual matters.⁶² Though the *risala* is intended to tie the laity to one *marja'*, the language used is far from colloquial, rather it is written in a kind of expert language. Despite this distinctive style of language, the *risala* can be written in the *marja'*'s first language, which might be Arabic as well as Persian or Hindi.⁶³ For a *mujtahid* the writing of a *risala 'amaliyya* is only a formal precondition whereas spreading his *marja'iyya* relies on the networking of his *wukala'*, his representators, and sources of income.

Having pointed out the academic career one must undertake, if he wishes to spread his *marja'iyya*, the aspirant must create various socio-economic networks to succeed in his desire. Creating these patriarchal networks is based on two principle foundations. The first base is a steady flow of money, which comprises out of the *khums*, a religious tax, and other religious alms given to the *marja'* and the second root is the loyalty of a *mujtahid's* kinship and *wukala'*, his representatives. Those two foundations are entangled tight since the *mujtahid's* *wukala'* collect religious taxes on his behalf and gain social influence through the *marja's* religious influence.

The *marja'iyya's* economic situation has been altered throughout the history. With the rise of the Safavid state in the early 16th century the clergy had been incorporated into the state administration. The Safavid state organised the clergy strict hierocratic under the leadership of

⁶¹ Aziz, Talib. „Baqir al-Sadr's Quest for Marja'iya". p. 141.; Corboz, Elvire. 2016. *Guardians of Shi'ism: Sacred Authority and Transnational Family Networks*. Edinburgh: Edinburgh University Press. p. 23.

⁶² Walbridge, Linda. 2001. "The Counterreformation: Becoming a *Marja'* in the Modern World". In Linda Walbridge. *The Most Learned of the Shi'a*. Oxford: Oxford University Press. p. 213.; Walbridge, Linda. *The Threat of Mu'awiya*. p. 20.

⁶³ Walbridge, Linda. *The Thread of Mu'awiya*. p. 21.

the *sadr*.⁶⁴ With the collapse of the Safavid Empire on the hands of the Afghan Sunni conquerors the *ulama*'s financial back bone broke down and left them without revenues from the pious endowments as the following Afsharid had converted these endowments into crown lands.⁶⁵ Though the Zand rulers of Iran showed largesse to some high-ranking *mujtahids*, the bulk of the Persian clergy had to leave Iran due to economic crises for Ottoman Iraq. This migration not only influenced the two dominant schools of thought, but also had an impact on the economic situation of the *ulama*'. With the revival of the *Usuli* school of thought as discussed above the *ulama*' had to reassert their commercial activities to find a vital source of income.⁶⁶ Although the Qajar dynasty of Persia had to rely on the Shi'ite clergy to derive legitimacy for their rule, they only to some extent integrated the *ulama*' into the state's administration. Since the Qajars had no interest in restoring the Safavid administration, they had search for other sources of income. In difference to Floor's fourfold categorisation, I would like to adapt Floor's classification in order to represent the current forms of income by the clergy. In the first form is personal wealth gained by inheritance or commercial activities. The second form of income are revenues paid by the state or grants given by individuals without a religious obligation. The third category is money received from the laity out of religious obligation.⁶⁷

The first category of wealth accumulated by *ulama*' represents personal wealth. With disintegration of the clergy in the occupied Persian state under the Afghans and the Afsharids, the *mujtahids* had to search for other forms of income than stipends received by the Shah. Low-ranking clerics, thus, got involved in the trade of the traditional *bazari* community. Due to the clergy's influence in society, they were regarded as authorities in the community and additionally to their training in the *hawza*, they were full-trained jurists. These abilities attracted the attention of *bazaris*, which were more or less religious merchant class, who consequently sought to gain advantages from the *ulama*'s legal competences. This legal capacity of the clergy enabled it of judging over disputes between two parties and to act as notary to attest the effect of contracts between merchants.⁶⁸ Through these evolving shared commercial activities and beginning interdependence, the *ulama*' and the *bazaris* formed an alliance, which is lasting until nowadays and had influenced not only the constitutional revolution of 1905 in Iran but

⁶⁴ Floor, Willem. 2001. "The Economic Role of the Ulama' in Qajar Persia". In Linda Walbridge. *The Most Learned of the Shi'a*. Oxford: Oxford University Press. pp. 58-59.

⁶⁵ Ibid. p. 59.

⁶⁶ Cole, Juan. 1985. "Shi'i Clerics in Iraq and Iran, 1722-1780: The Usuli-Akhbari Conflict reconsidered". *Iranian Studies*. Vol. 18. No. 1. pp. 3-34.

⁶⁷ Floor, Willem. 2001. "The Economic Role of the Ulama' in Qajar Persia". In Linda Walbridge. *The Most Learned of the Shi'a*. Oxford: Oxford University Press. p. 60.

⁶⁸ Ibid. p. 62.

also the Islamic revolution of 1979.⁶⁹ Senior *mujtahids* on the other hand, which had been born into a wealthy family, participated personally or through intermediaries in the bazaar. For these potential senior *mujtahids* it was not uncommon that they were landowners having vast agricultural lands or lucrative urban possessions.⁷⁰ Both, the senior *mujtahids* and the lower-ranking *mullas* benefited from the piety of the Shi'i population which bequeathed parts of their inheritance to the clergy. In some cities of Iran, the *ulama'* developed out of this voluntary donation a prerogative to acquire a fixed share of one's inheritance and if not handed out by heir, the clergy's *lutis* enforced this prerogative by force.⁷¹

The second form of income given to the *ulama'* is gained out of stipends received by the ruling class and voluntary grants by individuals without a religious obligation. Although the collapse of the Safavid empire forced the clergy out of its privileged role in society, the following ruling houses saw the need of a close cooperation between themselves and the *ulama'*. This cooperation was thought to bring the needed legitimacy for the Afsharid and the later Qajar dynasties and in return for the drawn legitimacy, the state reinstated some of the *ulama'*s offices, which had been prominent during the Safavid rule, but kept the right to appoint *mujtahids* to these offices. This right of appointment gave the rulers a kind of control over the *ulama'* on the one hand and on the other gave the clergy the control over the society's moral values as well as access to state funds. With this system established the *ulama'* and *bazaris* gained an unexpected source of power which they made them resilient against government policies and demands as they were in control of the vox populi.⁷² While the stipends granted by the state were mere symbolic, the clergy received donations from wealthy individuals without a religious obligation. These donations not only came from the *mujtahid's* home country but also from foreign patrons. One of the donations which enabled the British to influence the Iraqi shrine cities of Najaf and Karbala throughout the nineteenth century and the early twentieth century was the Oudh bequest.

The Oudh bequest was a donation from the wealthy Hindi ruler of the Oudh, in today's North-India. This donation resulted from the interest of a ten-million-rupee loan from the aforementioned prince to the British East India Trading Company. To obtain this loan it was agreed that the British should by the yearly interest to four of the Sultan's beloveds as long as they live.⁷³ Further it was stipulated that if the beneficiaries should die, the two-thirds of the yearly interest should be paid to the *mujtahids* of Najaf and Karbala for the distribution among

⁶⁹ Nakash, Yitzhak. *The Shi'is of Iraq*. pp. 209-211, 231-232.

⁷⁰ Floor, Willem. "The Economic Role of the Ulama' in Qajar Persia". p. 61.

⁷¹ Ibid.

⁷² Floor, Willem. "The Economic Role of the Ulama' in Qajar Persia". p. 64.

⁷³ Nakash, Yitzhak. *The Shi'is of Iraq*. p. 211.

deserving persons.⁷⁴ In 1850 the Oudh bequest money the first time reached Najaf and Karbala and dated to some 10 000 pound Sterling which outnumbered the annual revenues taken as religious taxes by the foremost *mujtahid* of that time. Due to the fact that agreement left open several gaps for interpretation, it enabled the British to influence the clergy's opinion on political issues like the British presence in the Persian Gulf, which was regarded sceptical by the *ulama* ' in that time.⁷⁵

The third sort of income acquired by the *ulama* ' are several types of religious taxes of which *zakat* and *khums* are the most prominent ones. *Zakat* according to the Quran is one of the five pillars of Islam and hence has to be paid by every pious Muslim.⁷⁶ According to Muhammad Kashif al-Ghita:

*"For the Shi'a zakat is the second pillar of faith after prayer. Some traditions have it transmitted that the prayer of he who pays no zakat is void. In the words of al-Mawardi, zakat functions as both purification for the donor and support for the recipient."*⁷⁷

Whilst the Quran only mentions *sadaqat* as a form of religious tax, the jurists interpret *sadaqat* as an equivalent to *zakat*. *Zakat* is to be paid by a sane male Muslim in the height of 2.5 percent of the disposable of one's annual income.⁷⁸ So far, the Sunni schools of thought do not differ from the Imami school of thought, but regarding the collection of *zakat* they disagree on who should collect the religious tax. The Sunnis argue that a pious Muslim should pay *zakat* directly to the ruler against the Shi'ite *mujtahids* who argue that a Muslim should pay *zakat* to them because it is them who as representatives of the vanished twelfth Imam are in charge of collecting this tax. They claim that only a jurist having the knowledge of the sacred texts and knowing the traditions of the Imams can truly decide on what to use *zakat*.⁷⁹

Whereas *zakat* has to be paid by Sunnis and Shi'as alike, the two confessions differ on *khums*. This other religious tax dated back to the early times of Islam and was developed out of a pre-Islamic concept. In those days, warriors were allowed to keep four out of five parts of the taken war booty. *Khums*, literally the fifth share, thus, was reserved for prophet Muhammad. While Sunni jurists as Abu Hanafi confined *khums* to *anfal*, the spoils of war, the Shi'ite *fuqaha*

⁷⁴ Nakash, Yitzhak. *The Shi'is of Iraq*. p. 211.

⁷⁵ Ibid. pp. 212-229.

⁷⁶ Sura 9. Verse 60. al-Qur'ān al-karīm. Qom: Āyīn Dānesh. p. 178.

⁷⁷ Al-Ghita, Muhammad Kashif. 1994. *Asl al-Shi'a wa Usulha*. (The Origins and Foundations of Shi'ism). London-Rome: Bazaz Publications. Cited in Faleh, Jafar Abu. 2003. *The Shi'ite Movement in Iraq*. London: Saqi Books. p. 147.

⁷⁸ Faleh, Jafar Abu. *The Shi'ite Movement in Iraq*. p. 147.

⁷⁹ Ibid. p. 148.

combined *anfal* with *fa'i*, the money taken from the people of the book without force. Out of these combined sources the *fuqaha* developed a six-share division. The first three shares are said to belong to the Imam and due to the occultation of the last Imam, they are received by the *mujtahids* as his representatives and so this share is called to be the *Sahm al-Imam*.⁸⁰ The other three shares of the *khums* belong to the poor, orphans and descendants of the Bani Hashimi, the clan of prophet Muhammad. Speaking if the *mujtahid* is a Sayyid, a descendant of the Hashimi tribe, he is allowed to take the other half as well.⁸¹ As the Shi'ite world is not restricted to Iraq and Iran alone and due to the fact that paying *khums* is every pious Muslims' duty, the Shi'ite *ulama'* was able to develop a far-reaching international network of agents and representatives, who are selected by every *mujtahid* personally and hence represents "his" *mujtahid* in a specific region or city.⁸²

Since the *mujtahid* has to rely on help in order to collect and administer the religious taxes, he need to create strong personal relationships. The Middle Eastern society in general is shaped by strong interpersonal relationships which influence the daily life of everybody, this what Ibn Khaldun in his famous *Muqaddima* has described as *asabiya*. This strong social cohesion also affects the world of the *ulama'*.⁸³ In order to spread one's *marja' iyya* the aspirant must not only be the most learned but also has to build a loyal and trustworthy transnational network.

This network consists out of his offspring and wisely selected *wukala'*, representatives. If a *marja'* to be intents to spread his *marja' iyya*, this transnational network presents a crucial possibility for him since he is the only one in charge to choose whom he trusts to be his representative in a specific area or certain city in the Shi'ite world as well as to whom he wants to marry his children to. The main purpose of this network is to collect and administer the religious taxes of *zakat* and *khums* in the name of the *marja'* as well as to provide the laity help in religious and administrative matters. These mentioned functions of the network are only the fundament for the real opportunity of such social relations which is to increase the *marja'* to be's reputation. Linda Walbridge described this form of relationship between the *muqallid*, the follower, and the *mujtahid* being so intimate though the follower never had established personal contact with the *mujtahid* he is imitate.⁸⁴ This close social cohesion is granted by the *ayatollah's* *wukala'*, because it is them who draw on their own personal relationship with the *mujtahid* to

⁸⁰ Faleh, Jafar Abu. *The Shi'ite Movement in Iraq*. pp. 148-149.

⁸¹ Ibid.

⁸² Floor, Willem. 2001. „The Economic Role of the Ulama' in Qajar Persia“. p. 64., Faleh, Jafar Abu. 2003. *The Shi'ite Movement in Iraq*. p. 150.

⁸³ Khuri, Fuad Ishaq. 1990. *Imams and Emirs: State, Religion and Sects in Islam*. London: Saqi Books. pp. 49-61.

⁸⁴ Walbridge, Linda. 2001. "The Counterreformation: Becoming a Marja' in the Modern World". In Linda Walbridge. *The Most Learned of the Shi'a*. Oxford: Oxford University Press. p. 230.

transmit this cohesion to the *muqallid*, the follower.⁸⁵ Since it is on the *mujtahid* to choose his *wukala*’ the connection established between them and the *ayatollah* is highly personal and due to a *mujtahid*’s social influence it is not only detrimental for the *wukala*’ themselves. Through representing an *ayatollah* in a specific city, the *marja*’ offers the son of a close companion or friend a secure economic position which increases also this *wakil*’s social position as he is in charge to manage with the local authorities.⁸⁶ This additional economic character of the *mujtahid-wakil* should also deepen the loyalty of the *wakil* to the *marja*’ he represents and, thus, it brings the representative in the position to propose his *mujtahid*’s *marja*’*iyya* at the right time.⁸⁷ To announce one’s *marja*’*iyya* at the right time is fairly complex endeavour as it requires a good knowledge not only of possible fellow campaigners but also of the social environment in order to prevent to announce the claim to *marja*’*iyya* too early which would ruin the effort of announcing completely.⁸⁸ Since this undertaking involves a deep understanding of Shi’a *fiqh*, many of the *wukala*’ are themselves clerics whom have studied with the *marja*’ they represent. In addition to collect *khums* these clerical *wukala*’ are issued an *ijaza*, a certificate which regulates the responsibilities and duties a *wakil* is permitted to perform. The highest level of *ijaza* enables the *wakil* to respond to legal question the *mujtahid* has dealt with in his *risala*’*amaliyya* as he only has to deduce the answer out of the *risala* without judging the question itself.⁸⁹ As the Shi’as of the Gulf region do not have centres of learning themselves and consequently lesser clerics than Iran and Iraq, the *marja*’ also can choose a businessman as his representative. In this specific case the *wakil*’s duty is only to collect *khums* and if the *marja*’ authorises it, he has to use the *khums* for the local community.⁹⁰

Although a *mujtahid* can choose loyal clerics as his *wukala*’ basically he appoints parts of his kinship as his representatives since those are members of his own family and family-in law. While the representatives can increase the *ayatollah*’s prestige, planned marriages also boost his social reputation and may contribute positively to the spreading of his *marja*’*iyya*.⁹¹ Michael Fischer argues that the elites tend to intermarry and recruit new talent to their marriage

⁸⁵ Walbridge, Linda. 2014. *The Thread of Mu’awiya: The Making of Marja’ Taqlid*. Bloomington: Ramsay Press. pp. 35, 38-39.

⁸⁶ Corboz, Elvire. 2016. *Guardians of Shi’ism: Sacred Authority and Transnational Family Networks*. Edinburgh: Edinburgh University Press. pp. 25-26.

⁸⁷ Walbridge, Linda. 2014. *The Thread of Mu’awiya: The Making of Marja’ Taqlid*. Bloomington: Ramsay Press. p. 35.

⁸⁸ Ibid. p. 36.

⁸⁹ Ibid. pp. 32-33.

⁹⁰ Ibid. p. 33.

⁹¹ Ibid. p. 30.

alliances.⁹² This principle of intermarrying the offspring of the elite lay the basic foundation not only for the Habsburg but also for the decades lasting clerical dynasties which influence the political situation of Iraq and Iran until nowadays. This practise also affected the *ulama'* as if one intends to spread his *marja'iyya*, he precisely plans whom he marries and to whom he marries his children. Due to this principle of intermarrying within the elite, *maraji'* are in need for sons as they are the closest in the kinship of a *mujtahid*. Sons not only are representatives for the *marja'* in religious matters, they are more the managers of his *marja'iyya*.⁹³ Hanna Batatu in his *The Old Social Classes and the Revolutionary Movements of Iraq* argues that the descendants of *ulama'*, even if they were not themselves *ulama'* always retained influence among the people and were respected through their families.⁹⁴ They make use of their social influence when managing their father's offices and handling with his followers and state officials to contribute to their father's reputation. Since the *mujtahids* have to be pious and humble, they should not to use money paid by the *muqallid* for personal matters as it would damage their image of being the most devout emulators of the Imams.⁹⁵ Since this rule of being frugal with *khums* for personal use applies more to *maraji'*, in recent the sons of a *mujtahid* are exempted, but they also can be accused of misusing the laity's money, which consequently would harm their father's prestige. In order to prevent this problem of misusing *khums* money the single dynasties have begun to create foundations which are similar organised like traditional *waqfs*.⁹⁶ As these foundations are not a general phenomenon for every dynasty, these institutions will be examined in the analysis of every single dynasty. The institution of *marja'iyya* dates back to a centuries-long history but has experienced its rise with the consolidation of the *neo-Usuli* school of thought in the 19th century after the collapse of the Safavid empire. Since then the aspirations to centralise the *marja'iyya* have been positively supported from historical occurrences and the weakness of the Ottoman and Qajar empire. Due to the abolition of the state-patronised clerical offices, the *ulama'* has been able to find and develop other sources of income. As the *marja'iyya* is heavily reliant on a patron-client network, strong transnational social networks have been developed which are in charge to administer the financial grants to the *marja'*. These networks, thus, have a reciprocal benefit

⁹² Fischer, Michael M. J. 1980. *Iran: From Religious Dispute to Revolution*. Cambridge: Harvard University Press. p. 89.

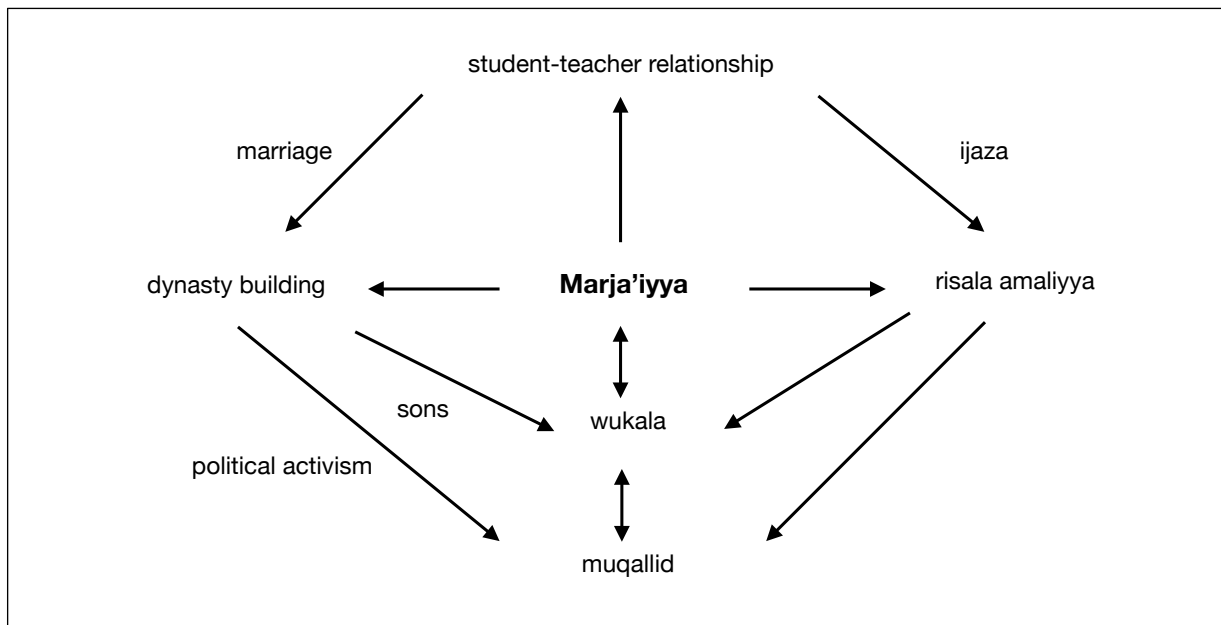
⁹³ Walbridge, Linda. 2014. *The Thread of Mu'awiya: The Making of Marja' Taqlid*. Bloomington: Ramsay Press. p. 30.

⁹⁴ Batatu, Hanna. 1978. *The Old Classes and Revolutionary Movements of Iraq: A Study of Iraq's Old Landed and Commercial Classes and of Its Communists, Ba'athists, and Free Officers*. Princeton: Princeton University Press. p. 1141.

⁹⁵ Nakash, Yitzhak. *The Shi'is of Iraq*. p. 214.

⁹⁶ See for example: Imam al-Khoei Foundation, <https://www.al-khoei.org/about-2/the-foundation/>. (accessed July 31st, 2019).

for the *mujtahid* and the *wakil*. The *wakil*, if he performs his duties carefully, is in the position to propose one's *marja' iyya* and in return gains social and economic benefits from the personal relationship to a *marja'* and his social prestige. Since only one of the most learned *mujtahids* can push forward for *marja' iyya*, he has to publish a *risala 'amaliyya* which lays the basic foundation for the *muqallid* to follow him as in this work he argues his juridical opinion of everyday questions. Before he is able to publish a *risala* he has to undergo years of religious



education, which is the time to improve his teacher-student relationship which can be deepened if he marries into a well-established clerical dynasty. This intermarrying of the religious elite lay the basis for the decades-old clerical dynasties which until nowadays influence the political life of Iraq and Iran.

2.3. The Making of an *Ulama'* Dynasty

As the religious elite tended to intermarry their offspring powerful *ulama'* dynasties emerged out of this. These dynasties developed their own political theology and created or participated in the founding of political organisations which adopted their political philosophy. These political philosophies, which were influenced by the political events of the twentieth century, developed away from the traditional apolitical quietism towards a highly revolutionary political theology. The other ideologies, thus, oscillate between the apolitical quietism represented by the line of *ayatollah Ali al-Sistani* and the revolutionary pan-Islamism embodied within *ayatollah Ruhollah Khomeini's* theory of *velayat-e faqih*.⁹⁷ Within this two poles the other ideologies commute as they all developed out of the quietist line, but broke with it at certain

⁹⁷ Abrahamian, Ervand. 1993. *Khomeinism: Essays on the Islamic Republic*. Berkeley: University of California Press. p. 11.

points in the twentieth century and influenced by the Islamic Revolution of Iran adopted to some extent *Khomeini's* guardianship of the jurisconsult. These religiopolitical ideologies laid the basic foundation for groups that were to become part of the *Hashd Shabi*. Consequently, this part will try to analyse the circumstances that influenced the development of these religiophilosophical thoughts and their interdependence with the clerical dynasties. The first chapter will deal with the traditional quietist line of *grand ayatollah Ali al-Sistani*. This will follow an analysis of the radical and revolutionary *velayat-e faqih* of *Imam Khomeini*. After trying to formulate those two antitheses, an examination of the *sadriyya* movement represented by young *Muqtada al-Sadr* will follow. As the *sadriyya* is a purely Iraq centred theology, the chapter will close with a survey of the *hakimiyya* before a final conclusion on these ideologies.

2.3.1. Quietism- a Gradual Politsation

The demise of the Persian state under the Safavids marked not only the acute collapse of the state's patronage for the *ulama'* as pointed out above but also indicated the beginning of the politization of the Shi'ite clergy. Since the *ulama'* needed to reconsolidate their economic situation, they had to search for a new place to settle. This place was found in the Iraqi shrine cities of Najaf and Karbala and thus lead to an intensified transnationalisation of the *ulama'*.⁹⁸ With this transnational network established, the *ulama'* was able to respond directly to political events in Ottoman Iraq and Qajar and later Pahlavi Iran which contributed to the gradual politization of the clergy.

Since the *ulama'* as the elite of the countries' society found itself in a time of major economic and political change, they had to react to the foreign imperialism in the country. With the consolidation of the Qajar monarchy a relative stable period begun which contributed to the prosperity of the Iranian economy. Though the economic situation in Iran was good, the Qajars neglected any form of political reform. This insistence on the traditional model of rule and the emerging internationalisation of trade networks lead to the weakening economy, which had been the back bone of the Qajar monarchy as the wealthy merchants were the money lenders for the shahs.⁹⁹ As the Iranian merchants were not able to finance the Qajar wars against Tsarist Russia in the 19th century, the Qajars in order to avert a financial crises had to grant far reaching concessions to the imperialist Russia and Britain. These concessions though contributed further to the demising Persian *bazari* community because now they were forced to pay customs on their goods to the Belgian administered custom offices and ultimately lead to the bankruptcy of

⁹⁸ Momen, Moojan. 1985. *An Introduction to Shi'i Islam: The History and Doctrine of Twelver Shi'ism*. New Haven: Yale University Press. pp. 127-128.

⁹⁹ Issawi, Charles. 1971. *The Economic History of Iran: 1800-1914*. Chicago: Chicago University Press. pp. 43-48.

the merchant class.¹⁰⁰ Since the *ulama*’ had strong matrimonial relations to the *bazaris*, their bankruptcy also affected the clergy as their revenues from *khums* and *zakat* dropped significantly, which erupted in a rising opposition to the shah’s policy towards imperial forces.¹⁰¹ This situation escalated in 1891 when *Naser al-Din Shah* granted a five-year concession over the monopoly of distributing and exporting tobacco to an Englishmen. With the arrival of the company’s agents in Shiraz protests broke out and the *ulama*’-*bazari* alliance first came into effect as the *marja*’ *Mirza Hassan Shirazi* is said to have ordered a national boycott of tobacco which forced the shah to renounce the concession.¹⁰² *Ayatollah Mirza Hassan Shirazi* further is said to be the founder of the *shiraziyya* dealt later. This success over the Shah’s policy pointed out effectiveness of the *bazari-ulama*’ alliance, which also contributed to the Iranian Revolution’s success.

Since the *ulama*’ considered themselves as the social elite, they demanded a fair share in the government. Thus, the tobacco protests proved only to be the forerunner of the coming constitutional revolution. Trigger of what was to become the constitutional revolution was the punishment of several merchants by the governor of Tehran because they had not lowered the price for sugar. Again, the shah’s policy towards imperialism proved to be the root as the price was heavily affected by concessions given and customs raised. The punishment was protested by the *ulama*’ which formulated a list of demands handed forward to the shah who felt not obliged to adhere to these demands. As violence against the population continued, two leading preachers who voiced criticism against the governor’s policy were to be ousted, but this order was not acceptable for the *ulama*’ and *bazaris* and more and more merchants and peasants joined the clergy in their protest leading to a total standstill of the Persian economy. The protesters, thus, not only demanded the dismissal of the governor but also the establishment of a parliament, which the shah had to agree to.¹⁰³ Due to the clergy’s interference a conflict between the more liberal and conservative *ulama*’ broke out as the conservative side argued that legislation would be an innovation which contradicts the *na’ibiyya* and would be forbidden as it leads to the acceptance of an unjust ruler.¹⁰⁴ *Ayatollah Na’ini*, though, countered that

¹⁰⁰ Tabari, Azar. 1983. “Shi’i Clergy in Iranian Politics”. In Nikki Keddie. *Religion and Politics in Iran: Shi’ism from Quietism to Revolution*. New Haven: Yale University Press. pp. 51-52.

¹⁰¹ Floor, Willem. 2001. „The Economic Role of the Ulama’ in Qajar Persia“. In Linda Walbridge. *The Most Learned of the Shi’a*. Oxford: Oxford University Press. pp. 62-63.

¹⁰² Keddie, Nikki. 1983. “Introduction”. In Nikki Keddie. *Religion and Politics in Iran: Shi’ism from Quietism to Revolution*. New Haven: Yale University Press. p. 7., Keddie, Nikki. 2006. *Modern Iran: Roots and Results of Revolution*. New Haven: Yale University Press. p. 61., Fischer, Michael M. J. 2003. *Iran: From Religious Dispute to Revolution*. Madison: Wisconsin University Press. p. 30., Abrahamian, Ervand. 1982. *Iran between two Revolutions*. Princeton: Princeton University Press. p. 73.

¹⁰³ Keddie, Nikki. *Modern Iran*. p. 67.

¹⁰⁴ Tabar, Azar. *Shi’i Clergy in Iranian Politics*. p. 57.

legislation would only be *bid 'as* if a non-Islamic clause would be stipulated. Although, the constitutionalists won the *ulama*'s role in the democratic system was not embodied, which later plaid into *Khomeini*'s hands.¹⁰⁵

Though the tobacco protests were a merely Iranian event, a similar incident against foreign imperialism occurred in Ottoman Iraq. While Iraq was part of the Ottoman Empire, it always has been of interest for Iran and the Ottomans. With the rise of transnationalising commerce in the Persian Gulf, also the British sought to interfere into Iraqi affairs since they considered Iraq as strategic possession for their government in India.¹⁰⁶ Due to this strategic interest Britain invaded Iraq in World War I and obtained the League of Nations' mandate to prepare Iraq for independence. In 1920 the Iraqi dissatisfaction erupted when *Mahdi al-Khalisi*, the residing *marja'* in Baghdad's *Kazimiyya* shrine, and *Muhammad al-Sadr* called out to the people not to participate in the general elections as those would give the British authority to administer Iraq.¹⁰⁷ Although public unrest has been spread in every social class, it was the *ulama*'s call that the unrest resulted in a full-fledged armed revolution against the imperialist occupiers. Though the Iraqi clergy managed to incite a revolution, the death of *marja' al-taqlid Fathallah Isfahani* in 1920 marked the collapse of the single leadership in the transnational network of the *ulama'*. With the competition for single leadership open the British were able to crack down on the revolution. Though the revolution is said to be the birth of Iraqi nationalism, the British were able to crown Sunni Hashemite prince *Faysal* as king of Iraq and forced the two inciters to pledge allegiance to the monarchy.¹⁰⁸ Since the revolution had failed the *maraji* as no one was able to rise to the position of *marja' al-taqlid* continued to work against the government, which consequently, expelled the leading *maraji* regardless of them being Iranian nationals or not. With the leading Persian *maraji*, *Mirza Hassan Na'ini* and *Abu Hassan al-Isfahani*, and Persian dealt *Mahdi al-Khalisi* deported to Iran and the latter including his family to Aden, a rivalry between the Persian and the Arab *mujtahids* evolved.¹⁰⁹ During this turbulent time of political instability and leadership plurality the students whom were to become the future religious leadership attended the *hawzat* of Najaf and Karbala. Although, *Faysal* allowed

¹⁰⁵ Tabar, Azar. *Shi'i Clergy in Iranian Politics*. pp. 58-59.

¹⁰⁶ Peterson, J. E. 2009. "Britain and the Persian Gulf: At the Periphery of Empire". In Lawrence G. Potter. *The Persian Gulf in History*. London: Palgrave Macmillan. pp. 279-280.

¹⁰⁷ Rutledge, Ian. 2014. *Enemy on the Euphrates: The British Occupation of Iraq and the Great Arab Revolt 1914-1921*. London: Saqi Books. p.246.

¹⁰⁸ Nakash, Yitzhak. 2003. *The Shi'ites of Iraq*. Princeton: Princeton University Press. pp. 75-77-.

¹⁰⁹ Ibid. pp. 81-87.

the leading *mujtahids* to return into Iraq under the condition not to interfere into politics, the position of the *ulama*’ in Iraq had been weakened lasting.¹¹⁰

Though the *ulama*’ abided to this prohibition to interfere into politics, this participation in politics had a big impact on the younger *ulama*’. Although, the *ulama*’ posed the elite of the society because it was them to set the moral standards, they tried to check the government’s authority in order to maintain their social prerogatives. In the twentieth century these prerogatives came under pressure as with the rise of the Pahlavi dynasty the government pushed for far-reaching reforms.¹¹¹ Meanwhile in Iraq the clergy had lost a significant share of power due to the lost struggle against the British and their imposed Hashemite monarchy which was further in decline due to the Sunni dominance.¹¹² Centred between east and west mainly socialist and Marxist ideas influenced the political of the public which in democratic or revolutionary ways tried ensured their influence. In return the governments adopted a more autocratic style in order to maintain their grip on power. This struggle of power between the people and the government imposed a heavy burden on the *ulama*’ as they were not only threatened by socialist atheism but also by a hostile cult of the tyrant. Though, the clergy had to abide an active involvement, it interfered from time to time to defend its social position.

In this time, when the Iraqi *ulama*’s position was weakened after their forced renunciation to interfere into politics *ayatollah Hossein Borujerdi*, an Iranian residing in the city of Qom was able to establish himself as *marja’ al-taqlid* depriving the shrine cities of Iraq the first time since the rise of *neo-Usulism* their dominance as centres of the Shi’ite world.¹¹³ Though, *Borujerdi* was *marja’ al-taqlid*, he influenced mainly Iran and due to his relationship with *ayatollah Khomeini* will be dealt later. The young Iraqi *ulama*’ influenced by these experiences was bound to scholarship and traditional religious life, but one of these young clerics began to draw attention on himself when *mujtahid Abu al-Hasan al-Isfahani* passed away in 1946. *Muhsin al-Hakim*, whose place of birth remains a myth, is said to be born in 1889 either in Bint Jbeil in southern Lebanon or in Iraqi Najaf. He attended the *hawza ilmiyya* of Najaf at the age of thirteen, where he finished the *sutuh* classes within seven years. Following that he obtained *ijtihad* in 1919 after attending the *bahth al-kharij* lectures of the middle ranking *ayatollahs* at Najaf.¹¹⁴ After receiving his *ijazat al-ijtihad* he pursued his studies with *ayatollah Na’ini*,

¹¹⁰ Walbridge, Linda. 2001. “The Counterreformation: Becoming a Marja’ in the Modern World”. In Linda Walbridge. *The Most Learned of the Shi’a*. Oxford: Oxford University Press. p. 232.

¹¹¹ Tabari, Azar. *Shi’i Clergy in Iranian Politics*. pp. 59-60.

¹¹² Nakash, Yitzhak. 2003. *The Shi’ites of Iraq*. pp. 87-88.

¹¹³ Faleh, Jafar Abu. 2003. *The Shi’ite Movement in Iraq*. London: Saqi Books. p. 174., Walbridge, Linda. 2014. *The Thread of Mu’awiya: The Making of a Marja’ Taqlid*. Bloomington: The Ramsay Press. pp. 46-47.

¹¹⁴ Corboz, Elvire. 2016. *Guardians of Shi’ism: Sacred Authority and Transnational Family Networks*. Edinburgh: Edinburgh University Press. p. 23.

whose forced exile to Iran in the nineteen twenties influenced his opinion on politics.¹¹⁵ Focusing intensively on scholarship, *Muhsin al-Hakim* wrote several books on *usul al-fiqh*, which allowed him to attract followers in Baghdad. Although, an aspirant *marja'* marries into a well- established clerical family *al-Hakim* married into the Lebanese *al-Bazzi* family, which expanded his leadership into the. Lebanese Shi'a. With this small community of *muqallidun* he also increased his prestige in the *hawza* by extensive teaching. Additionally, he got appointed as *imam al-juma'* of the al-Hindi mosque, which helped to boost his reputation among Najafis especially when he replaced demised *ayatollah Na'ini* as evening prayer in the court of the Imam Ali shrine.¹¹⁶ Although spreading one's *marja'iyya* requires excellent scholarship, a *marja'* to be needs strong and loyal social networks. *Muhsin al-Hakim* in contrast to his predecessors not only sent *wukala'* into every Iraqi city but also provided the Iraqi tribes their own representatives. The tribes' representatives, thus, enabled him to exercise *wasta*, mediation among them during conflicts, which increased his popularity within the population unforeseeably.¹¹⁷ Since a *mujtahid* is obliged to wait to announce his *marja'iyya* until the demise of the foremost *marja'*, *Muhsin al-Hakim* waited until *Hossein Borujerdi* died in 1961 before publishing his *risala 'amaliyya*. Due to his wide-spread popularity and extensive scholarship he was put forward by the leading *mujtahids* for *marja'iyya* and this assumed the position of *marja' al-taqlid* respectively.¹¹⁸ Linda Walbridge in contrast argues that *al-Hakim* already was referred as *marja' al-taqlid* in 1957, which would be four years before *Borujerdi's* death.¹¹⁹

Muhsin al-Hakim's position as the foremost *mujtahid*, thus, fell into a time shaped by revolutions beginning with the proclamation of the Iraqi republic of Colonel *Abd al-Karim al-Qassim* in 1958 and the final rise of Ba'thism in 1968. During this period *al-Hakim* had to react on two threats arising from the regimes. Since of both of them were heavily influenced by socialist ideas, the first mainly by communism, which was the cause for the rise of Ba'thism, which was influenced first by Nasserism and later on in order to differentiate from the former by pan-Arabism.¹²⁰ Although, *Muhsin al-Hakim* had his problems with the Iraqi monarchy, the rising influence of communism forced him to react to this growing threat. In general, he kept

¹¹⁵ Walbridge, Linda. 2001. "The Counterreformation: Becoming a Marja' in the Modern World". In Linda Walbridge. *The Most Learned of the Shi'a: The Institution of the Marja' Taqlid*. Oxford: Oxford University Press. p. 232.

¹¹⁶ Corboz, Elvire. *Guardians of Shi'ism*. p. 24.

¹¹⁷ Ibid. pp. 25-29.

¹¹⁸ Batatu, Hanna. 1986. "Shi'i Organizations in Iraq: al-Da'wah al-Islamiyah and al-Mujahidin". In Juan Cole/ Nikki Keddie. *Shi'ism and Social Protest*. New Haven: Yale University Press. p. 193.

¹¹⁹ Walbridge, Linda. *The Thread of Mu'awiya*. p. 6.

¹²⁰ Farouk- Sluglett, Marion/ Sluglett, Peter. 2001. *Iraq Since 1958: From Revolution to Dictatorship*. London: Saqi Books. pp. 62-66.

silent to political issues as long as they did not interfere too much into the religious world, which was perceived as positive by the regime. The regime in return tried to draw legitimacy from the high-ranking *mujtahids* by visiting them in the shrine cities and when dealing with their representatives, but when the Qassim regime introduced a socialist influenced, *al-Hakim* needed to react. Since the reform intended to crack down big landowners and expropriate vast property, he protested by sending a delegation to Baghdad as the landowners were major contributors to the *ulama*'s economic position. Though, the government amended the law the situation remained tense.¹²¹ It further aggravated when *Muhsin al-Hakim* issued a *fatwa* forbidding the membership in the communist party which started to attract the Shi'ite youth.¹²² This resulted tensions resulted in the *ayatollah* refusing to meet state officials as a form of protest, which consequently, had a negative influence on the regimes legitimacy. Although the Ba'athist regime rose to power in 1968 *al-Hakim* due to his high age only lived two years on before dying in 1971. Regardless of this short period of time he openly voiced his critique against the regime ending in a raid in his Baghdad residence by night not only intimidating the *ayatollah*'s family but also having a warrant for his eldest son.¹²³ With the demise of *grand ayatollah Muhsin al-Hakim* the single leadership of one *marja' al-taqlid* passed away since the conflict between the revolutionary *ulama*' and the quietist clergy escalated and thus several *mujtahids* were able to establish their *marja'iyya*.¹²⁴ This collapse of single leadership is also the beginning of the consolidation of the religious dynasties.

The quietist branch, which is more a line of unrelated clerics, was than to be continued by *al-Hakim*'s student *Abu al-Qasim al-Khu'i*. *Al-Khu'i* was born in a Medinese *sayyid* family, which settled in the small town Khu'y in Iranian Azerbaijan. Like his father he attended the *hawza* in Najaf after having received preliminary religious education in Azerbaijan. Seven years after joining the *hawza* he attended the *bahth al-kharij* lessons of *ayatollah Na'ini* to whom he established close contacts. Even before obtaining his *ijazat al-ijtihad* he began giving *sutuh* lessons and some years after getting his *ijtihad* he taught himself *bahth al-kharij* lectures. Thus, he established himself as the "teacher of the hawza" gaining a famous reputation as scholar. *Al-Khu'i* underpinned his excellent academic credentials with various publications in *fiqh*, *usul al-fiqh* and *ilm al-rijal*.¹²⁵ Although, *al-Khu'i* was considered to be one of the most learned *mujtahids* already after the death of *Borujerdi*, he did not push forward to spread his

¹²¹ Corboz, Elvire. *Guardians of Shi'ism*. pp. 125-126.

¹²² Ibid. p. 127.

¹²³ Corboz, Elvire. *Guardians of Shi'ism*. pp. 128-129.

¹²⁴ Jabar, Faleh A. *The Shi'ite Movement in Iraq*. pp. 174-175.

¹²⁵ Corboz, Elvire. *Guardians of Shi'ism*. p. 49.

marja' iyya.¹²⁶ Thus, he grew closer to *Muhsin al-Hakim* and his *bayt*. Since it is uncommon to take over his predecessor's network several of *al-Hakim*'s *wukala'* pledged loyalty to *al-Khu'i*. Even before the death of *al-Hakim* *ayatollah al-Khu'i* spread his network by sending his students out to preach and proselytize among the Iraqi population.¹²⁷ When *ayatollah al-Hakim* died in 1971 the Najafi *hawza* put forward *al-Khu'i* as *al-Hakim*'s successor. *Al-Khu'i* soon was able to consolidate his position as *marja'* and became one of the most followed *ayatollahs* during his lifetime.

Different to his predecessor *al-Khu'i* had to deal not only with the oppressive Ba'thist regime in Baghdad but also with the surging conflict with the revolutionary Iranian *ulama'* lead by *ayatollah Khomeini*. In contrast to *Muhsin al-Hakim* who according to one of his advisors combined religious guidance and political leadership in a perfect way, *al-Khu'i* was not able to voice his political critique that open.¹²⁸ These two problems forced *al-Khu'i* into political silence throughout the seventies and eighties whereas cautious political initiatives during the Second Gulf War resulted in the absolute political neutrality of the Najafi *hawza*.

Whereas *Borujerdi* and *al-Hakim* had an ambivalent relationship with the revolutionary Iranian *ulama'* *al-Khu'i*'s relations with *ayatollah Khomeini* aggravated continuously during the latter's exile in Najaf. Thus, these tensions reached the absolute low throughout the Islamic Revolution as *al-Khu'i* not only denied the political leadership of the clergy *Khomeini* argued in *velayat-e faqih* but also did not give crucial support to the revolutionary *ulama'* during their struggle against the shah. *Khomeini* who was forced into exile in the early sixties due to his agitation against the Pahlavi regime made his way from Turkey to Iraqi Najaf. Although having been the political advisor to *Borujerdi* he was welcomed frostily in the *hawza ilmiyya*.¹²⁹ This desultory welcome soured the relations with the quietist circle and *Khomeini* who began to voice critique against the shah's reforms in Iran. That *Khomeini* criticised the imperial government of Iran, thus, disgruntled the traditional clergy in Najaf as they continued to have diplomatic relations with the shah, which in fact frustrated *Khomeini* as he had hoped to find allies against *Muhammad Reza Shah*.¹³⁰ With the relations between *Khomeini* and the quietist *ulama'* already aloof another blow aggravated the relation between the two men.

In 1970/1971 *Khomeini* delivered several lectures on Islamic government, in which he argued that due to the *mujtahid*'s role as representatives of the hidden Imam they were not only

¹²⁶ Walbridge, Linda. *The Thread of Mu'awiya*. p. 6.

¹²⁷ Corboz, Elvire. *Guardians of Shi'ism*. p. 50.

¹²⁸ Walbridge, Linda. *The Counterreformation*. p. 232.

¹²⁹ Corboz, Elvire. 2015. "Khomeini in Najaf: Religious and Political Networks for a Life in Exile". *Welt des Islams*. Vol. 55. No. 2. pp. 221-248. p.

¹³⁰ Corboz, Elvire. *Guardians of Shi'ism*. pp. 166-168.

religiojuridical leaders as the *Usuli* school of thought restricted it but also political. This extension of the classical *wilaya* to political leadership was rejected by *marja' al-taqlid al-Khu'i* which was a severe blow to *Khomeini's* theory as it denied him the fundamental basis the theory built on.¹³¹ This answer given to a student severed the relations of the two men further and when the Islamic Revolution broke out in 1978 they reached their absolute low. *Ayatollah al-Khu'i* in compassion with the people of Iran cancelled his lessons as did the leading *mujtahids* in Qom. Though, he did not oppose an Islamic government, he feared it might not be able to assert himself against a possible communist putsch, which *al-Khu'i* sought to prevent by any means.¹³² Therefore, he supported the revolution if at all, not more than hesitant. His reputation, thus, crumbled away in the eyes of the revolutionary *ulama'*, when he was forced to receive empress *Farah Diba* whom without arranging an appointment compelled him to meet her. Though, the empress tried to convince *al-Khu'i* to mediate on behalf of the royal family between them and the revolutionary leadership, the *marja'* refused as it been a sign of public support of the ancien regime.¹³³ This failure to support incited the resentment of not only the revolutionary *ulama'* in Iran but also that of the politicised clergy in Najaf and Karbala. Having a part of the clergy against him he also had to deal with the oppressive Ba'athist regime of *Saddam Husayn*. The regime more than once tried to manipulate him into its favour, but *al-Khu'i* always refused. Therefore, the *ayatollah* considered a confrontation would not pay off since he was an Iranian citizen, whom the Iraqi regime easily could exile to Iran where a him hostile government would await him. Thus, he abstained mostly from politics but only took a regime critic position during the Second Gulf War. Soon after the Ba'athist takeover relations with imperial soured since the *Saddam* renounced the convention regulating the use of the *Shatt al-Arab* waterway. In order to emphasise its anti-Iran stance, the regime began to exile Iranian nationals among them high-ranking members of the *ulama'*. *Ayatollah al-Khu'i* was able to intervene and secure the return of the *al-Hakim* brothers, but in latter public protest against the regime he was not able intervene. Even, when *Muhammad Baqir al-Sadr*, another leading *mujtahid* was arrested and to be executed, he remained silence, which is one major reason between the rift of *al-Sistani* and *Muqtada al-Sadr*. During the Iran-Iraq war the regime tried to secure his support as he was the most followed *marja'* even in Iran by forcing him to

¹³¹ Rose, George. 1983. "The Thought of Khomeini". In Nikki Keddie. *Religion and Politics in Iran: Shi'ism from Quietism to Revolution*. New Haven: Yale University Press. pp. 176-177., Corboz, Elvire. *Guardians of Shi'ism*. p. 169.

¹³² Ibid. p. 168.

¹³³ Fischer, Michael M. J. 2003. *Iran: From Religious Dispute to Revolution*. Madison: University of Wisconsin Press. p. 203.

denounce the new regime in Tehran and by limiting his network. The regime, thus, in retaliation executed one of his sons-in-law for his continued refusal to support them.¹³⁴

Although, he kept away from politics during the Iran-Iraq War, he engaged in as much during the Second Gulf War by issuing two *fatawat* forbidding Shi'ites to deal with looted Kuwaiti property and the second to respect private and public property. Due to the defeat of the Iraqi armed forces and president Bush's call for rebellion *al-Khu'i* issued his second order to establish a committee to take over government responsibilities. This committee was created to distribute food, manage the hospitals and to control the spread of arms. For the Ba'th regime the establishment of such a committee was an over challenge to its authority. In retaliation for this insubordination, the regime arrested several hundred members of the *al-Khu'i's bayt* of whom most disappeared without ever returning. *Al-Khu'i* himself was brought to Baghdad where he had to condemn the uprisings in the presence of *Saddam* on tv.¹³⁵ These moves of the regime discredited the *ayatollah's* reputation finally even though members of his *bayt* tried to convince the *muqallidun* that the interview had taken place under coercion. Placed under house arrest *al-Khu'i* passed away a year later in 1992 as silent opposition to Baghdad.

With the regime cracking down every Shi'ite opposition after the crushed uprising against the oppressive Iraqi state the succession of *al-Khu'i* passed to one of his lesser known students, *Ali al-Sistani*. Born in 1930 in Iranian Mashhad into *ulama'* family he first studied with *Marja'-e Taqlid Borujerdi* in Qom after leaving for Najaf where he studied under *al-Hakim* and *al-Khu'i*.¹³⁶ As *al-Sistani* became part of *al-Khu'i's bayt* he was one of those being arrested after his teacher's *fatwa* organising the supervisory council. To his luck one of the guards knew him who arranged his release as he was not considered a threat towards the regime with his anti-Iranian mindset. This is said to be the reason why he kept silent during most of *Saddam's* reign as he stood under close surveillance of the regime which even prevented him to gather students.¹³⁷ Though, having focused on his scholarship *al-Sistani* until the death of his teacher had only written his *risala 'amaliyya*, in which he commented on his teacher's comments of *Kazim Yazdi's al-urwa wuthqa*.¹³⁸ Although having reached the highest level of scholarship *al-Sistani's* rise to the position as *marja'* was exceptional as he was not able to build strong social networks due to the regime's repressive measures. The decisive advantage to consolidate his *marja'iyya* was the election as senior mentor of the *al-Khoe'i Foundation*. The foundation as its name indicates had been founded by *ayatollah al-Khu'i* after the Second Gulf War in

¹³⁴ Corboz, Elvire. *Guardians of Shi'ism*. pp. 174-175.

¹³⁵ Ibid. pp. 175-176.

¹³⁶ Walbdrige, Linda. *The Thread of Mu'awiya*. pp. 95-96.

¹³⁷ Ibid. p. 96.

¹³⁸ Ibid. p. 97.

reaction to the cutting off of the Iraqi banking system which prevented the *wukala'* from transferring the *khums* money into Iraq. Due to *al-Khu'i*'s reputation as most followed *marja'* he did collect more *khums* than everyone before him. This money, therefore, was administered by the foundation with its seat in London. After his demise the foundation had to search for a new patron who granted the foundation its rights to collect *khums* on his behalf and to use it for their projects.¹³⁹ Due to the seniority of *ayatollah Gulpaygani* the board of trustees elected him, but due to his advanced age he died immediately after. Thus, a circle within the foundation brought forth *al-Sistani*'s name and elected him promptly.¹⁴⁰ This decision by the foundation was influenced by the declaration of the *khojas*, another Shi'ite ethnicity. Tracing back to the Isma'ili Shi'a the *khojas* are a well-organized transnational community which seeks guidance by one single *mujtahid*.¹⁴¹ Further, they prefer to stay out of politics, which makes them preferring Najaf over Qom. Thus, when they asked for advice among the *ulama'* in Najaf, most of the *mujtahids* recommended *al-Sistani* whom had shown great respect for the *khojas*. Hence the announced *ayatollah al-Sistani* to be their spiritual leader, which due to their connection to the *al-Khoe'i Foundation* influenced the latter when deciding to make him also the foundation's source of emulation.¹⁴²

Al-Sistani being under close surveillance of the *Ba'ath* regime in Baghdad and seeing the regime's cruelty when they not only executed *Baqir al-Sadr* in 1982 but also *Muhammad al-Sadr* in 1999 stayed away not from politics. This attitude towards political silence changed when the international coalition removed *Saddam* from power in 2003. The collapse of the regime not only enabled *al-Sistani* to spread his *marja'iyya* but also allowed him to interfere in the political future of his country of residency. Therefore, he proudly referred to the role of the Najafi *ulama'* during the constitutional revolution in Iran, that accordingly influenced the clergy's thoughts on a symbiosis of western constitutionalism and Islamic law.¹⁴³ Recognising popular sovereignty as the best solution for Iraq, *al-Sistani* issued a *fatwa* in which he disagreed with the American occupation's force plan to appoint a government, which then would draft a constitution.¹⁴⁴ Ambassador Bremer's plan, therefore, incurred the displeasure of the *hawza ilmiyya* as Bremer intended to enforce his plan without taking advice from some old religious men. In return for not taking their position in mind *al-Sistani* called for protest marches in

¹³⁹ Walbridge, Linda. *The Thread of Mu'awiya*. pp. 99-101.

¹⁴⁰ Ibid. p. 102.

¹⁴¹ Ibid. pp. 102-106.

¹⁴² Ibid. pp. 106-108.

¹⁴³ Cole, Juan. 2006. *The Ayatollahs and Democracy in Iraq*. Amsterdam: Amsterdam University Press. p. 7.

¹⁴⁴ Ibid. pp. 10-11.

several metropolis of Iraq to show his disgust with the proposed plan.¹⁴⁵ After this show off parts of the Interim Governing Council defected to the *marja*'s position, which forced the Americans to adhere to some of *al-Sistani*'s wishes.¹⁴⁶ Since the approving of the constitution *ayatollah al-Sistani* interfered selectively into Iraq's politics when he feared that the government was about to act against Islam. This attitude to intervene on behalf of Islam, thus, made him issue a non-*fatwa* which laid the foundation for what was to become the legitimisation of the *Popular Mobilisation Units*.

Since the ousting of the Ba'athist regime in 2003 the shrine cities were partly able to restore their former prestige. This restoration of their former reputation is also related to the *marja*'iyya's rediscovered confidence, which makes them to interfere into daily politics sparsely but always when Islam is in danger. Although, representing the apolitical line of the Shi'a, the *hawza ilmiyya* of Najaf under the leadership of *ayatollah Ali al-Sistani* is able to draw on a substantial political heritage, which had characterised the clergy's position as the Iraqi and Iranian societies' elite. Seen from the perspective that *ulama*' always regarded itself as the voice of the people which, when major social upheavals took place, was the only class of society to voice critique against the state. This right to criticise the government's policies could not have been denied by the state as it partly derived legitimacy from the clergy's position as leader of public opinion. Though, that was reduced during the Ba'athist rule in Iraq, also *Saddam* tried to rally the *ulama*' behind his positions in order to get public consent to his ambitious aspirations. With the regime of *Saddam Husayn* overthrown the quietist line was able to reassert itself and, thus, rise again to its former prestige.

2.3.2. Khomeinism- an Authoritarian Revolutionary Theology

Ayatollah Khomeini's rise to political power during the Islamic revolution in Iran was just the beginning of the consolidation of his philosophical heritage embodied in the theory of the guardianship of the jurisconsult. Referring to the oppression of the pious Muslims in this theory, he supported the export of the Revolution into countries with a Shi'ite stratum, thus, exploiting his religious network in order to politicise this social classes with the idea of establishing Islamic republics equal to the Iranian model.

Khomeini's impressive way to political leadership was fuelled by his frustration over the quietist *ulama*' which he accused of ignoring the continuing decline of Muslim culture in Iran due to the shah's pro-western reforms. *Ruhollah Khomeini* was born into a well-situated clerical

¹⁴⁵ Ibid. pp. 13-18.

¹⁴⁶ Cole, Juan. 2006. *The Ayatollahs and Democracy in Iraq*. Amsterdam: Amsterdam University Press. pp. 23-24.

Sayyid family in 1902 in the town of Khomeyn close to Qom and Arak.¹⁴⁷ Having family relations to the leading *mujtahid* Husayn Khonsari *Khomeini*'s way of continuing the family tradition was clear. Thus, in 1920 he joined the *hawza* of Arak to study with than *marja'-e taqlid Abd al-Karim Ha'eri*. *Ha'eri*, although, being said of scrupulous avoiding politics became *Khomeini*'s mentor for the next years. There he did not stay long as his teacher decided to revive one of the *hawzas* in the city of Qom.¹⁴⁸ Since the Iraqi shrine cities had to deal with the aftermath of the revolution against the British, thus, being unable to propose a leading *mujtahid*, Qom became the spiritual centre of Shi'ism since *Ha'eri* and latter *Borujerdi* settled in the city. *Khomeini*, therefore, benefited from this development as many *mujtahids* settled in Qom and he was able to focus on the controversial subject of mysticism, *irfan*. Focusing on mysticism was regarded as atypical since it claimed that the believer could establish a direct link to god, which would undermine the clergy's hierocracy. When *ayatollah Ha'eri* died in 1937 his position was filled by *ayatollah Borujerdi* whom had secured a secret agreement with young *Mohammad Reza Shah* to support the monarchy and silence political motivated colleagues in return for the postponing of the shah's secular reforms.¹⁴⁹ This agreement made *Borujerdi* appear as the archconservative *mujtahid Khomeini* and his followers criticised intensively for their apolitical attitude. Although, he had risen to an influential position when becoming *Borujerdi*'s personal secretary and his political advisor. He, thus, secured his status by marrying his daughter into his teacher's family in order to lay the foundations for his *marja'iyya*. Though, *Khomeini* was *Borujerdi*'s advisor for political affairs, his teacher forced him to stay out of politics, which frustrated *Khomeini* who focused on teaching instead.¹⁵⁰

After the death of *Borujerdi* *Khomeini* started to voice openly critique against the shah's reforms and going so far of denouncing the shah as *kafir*, which in retaliation lead to *Khomeini*'s arrest and later to his forced exile in Turkey but making his way to Iraqi Najaf.¹⁵¹ In 1961 he also had published his *tawzih al-masa'il*, his *risala 'amaliyya*, there. Though, he had put forward his claim to *marja'iyya* after his teacher's demise after a building up excellent academic credentials, it is not easy to proof when his *marja'iyya* is said to be consolidated since the late *Borujerdi* throw his support behind the quietist *Muhsin al-Hakim* as pointed out

¹⁴⁷ Abrahamian, Ervand. 1993. *Khomeinism: Essays on the Islamic Republic*. Berkely: University of California Press. p. 5.

¹⁴⁸ Abrahamian, Ervand. *Khomeinism*. pp. 6-7.

¹⁴⁹ Ibid. p. 8.

¹⁵⁰ Ibid. p. 9., Walbridge, Linda. 2014. *The Threat of Mu'awiya: The Making of a Marja' Taqlid*. Bloomington: The Ramsay Press. pp. 46-47.

¹⁵¹ Corboz, Elvire. 2015. "Khomeini in Najaf: Religious and Political Networks for a Life in Exile". *Welt des Islams*. Vol. 55. No. 2. pp. 221-248. p. 226.

above.¹⁵² Elvire Corboz argues that only *Khomeini* was able to consolidate his *marja' iyya* after the *al-Hakim*'s demise in the early 1970ies¹⁵³ whereas Faleh Abu Jafar sees his *marja' iyya* consolidated only during the Islamic Revolution in 1979.¹⁵⁴ Having risen to the rank of *marja' taqlid* he was able to establish the Islamic Republic on the basis of his political philosophy, which until nowadays remains the basis of the Iranian constitution.

Though, *Khomeini* had followed the traditional way to claim his *marja' iyya* it is yet somehow extraordinary as he was forced into exile more than a decade into a city which regarded him as a revolutionary stranger which did not fit the traditional *ulama'* establishment. This characteristic of being a misunderstood stranger not only led to a further radicalisation but also to a deterioration of relations with the traditionalist quietist *ulama'* which he accused them of denying the gradual decline of Muslim culture through the shah's pro-western reforms. The prerequisite of his frustration was his forced avoidance of political matters which had been imposed on him by *Borujerdi* who in return for the postponing of far reaching reforms such as the forced unveiling of woman, had secured him a deal with the shah's son *Mohammad Reza* for his support of the monarchy and political silence.¹⁵⁵ *Khomeini*'s first political endeavour was the publication of the unsigned tract *Kashf al-Asrar* in which *Khomeini* attacked secularists like the *Reza Shah* and *Ahmad Kasravi*. This work was mainly a reaction to one of *Kasravi*'s follower's work which was denouncing the *ulama'* and had scrutinised the historical authenticity of central Shi'i beliefs.¹⁵⁶

Only after his teacher's demise *Khomeini* felt no more bound to adhere *Borujerdi*'s pact and began to voice critique against the imperial government. When the government tried to impose new reforms such as a land reform and reform of the election bill, the *ulama'* collectively denounced the reforms urging the shah to postpone these reforms, but they were anyway approved by the parliament. These reform package included the controversial election bill which allowed woman to cast their vote, which the traditional clergy saw as the beginning of the moral corruption.¹⁵⁷ Although, the government renounced the woman's suffrage, the shah announced to grant this right to woman, which was followed by protests of the clergy, which called for the closure of the bazaars and public demonstrations. The regime reacted by attacking the *Fawzieh* school in Qom wounding dozens. This attack against a religious institution incited

¹⁵² Walbridge, Linda. *The Threat of Mu'awiya*. p. 47.

¹⁵³ Corboz, Elvire. 2016. *Guardians of Shi'ism: Sacred Authority and Transnational Family Networks*. Edinburgh: Edinburgh University Press. pp. 50, 95.

¹⁵⁴ Jabar, Faleh A. 2003. *The Shi'ite Movement in Iraq*. London: Saqi Books. p. 175.

¹⁵⁵ Abrahamian, Ervand. *Khomeinism*. p. 8.

¹⁵⁶ Ibid. p. 9.

¹⁵⁷ Floor, Willem. 1983. "Revolutionary Character of the Ulama'". In Nikki Keddie. *Religion and Politics in Iran: Shi'ism from Quietism to Revolution*. New Haven: Yale University Press. p. 84.

the *ulama*'s hate, which issued pamphlets denouncing the shah and the regime. The tense situation escalated when a policeman was killed by a crowd of *Khomeini*'s supporters and sparked national protests in every major city. *Khomeini*, thus, escalated the situation when comparing the shah with Sunni caliph *Yazid* who killed *Husayn* during the battle of Karbala and going further when attacking Israel as archenemy of Muslims.¹⁵⁸ This demonstration of power by the *ulama*' not only made visible the government's weak position but more important lead to the consolidation of *Khomeini*'s position of leader of the religious opposition, which was reacted with exiling him to Turkey.

Although, expelled to Turkey *Khomeini* made his way to the shrine city of Najaf, where he would settle for the next decade. Since Najaf's *ulama*' came under close surveillance during the Ba'athist regime, they refrained from supporting *Khomeini*'s critique against the Iranian regime. This lack of support, therefore, contributed to his radicalisation and affected the *ulama*'s relation after *Khomeini* became supreme leader of the Islamic Revolution.

Even before his entry in Najaf *Khomeini* was regarded as a stranger as he was the absolute opposite of the leading *mujtahids* in the shrine city whom like his teacher in Qom maintained quite reasonable relations with the imperial government of Iran.¹⁵⁹ Although, the leading *ayatollah* of Qom had sent a telegram to the leading *mujtahids* of Najaf, *Khomeini*'s reception was half-hearted. The first visit paid to him was by *al-Khu'i*. After a good start, the meeting ell short and *al-Khu'i* left earlier quite perturbed as *Khomeini* did not show the fundamental etiquette which was standard to that kind of meetings. The second proceeding with *ayatollah Shahrudi* went on quite well, but the last with *marja' al-taqlid Muhsin al-Hakim* was intended to show *Khomeini*'s position in Najaf. Contrary to the custom to visit a high-ranking newcomer the same day, *al-Hakim* and his *bayt* only visited *Khomeini* the next evening, thus, violating the traditional hospitality. Though, this disregard the meeting went well, but relations continued to stay aloof during *Khomeini*'s stay in Najaf.¹⁶⁰

The aloof situation remained the same from the arrival of *Khomeini* in Najaf until the death of *marja' al-taqlid Muhsin al-Hakim*. His demise ended the single leadership in the Shi'ite *ulama*' and, thus, marked the beginning of plurality in leadership as not only *Khomeini* pushed forward his *marja'iyya* but also *al-Khu'i*. Due to this collapse of spiritual guidance a fierce rivalry between the quietist branch and the *Khomeinist* line broke out since *Khomeini* broke with the traditional interpretation of the representation of the imam extending it to political leadership

¹⁵⁸ Floor, Willem. 1983. *Revolutionary Character of the Ulama'* pp. 88-91.

¹⁵⁹ Corboz, Elvire. *Guardians of Shi'ism*. p. 167.

¹⁶⁰ Corboz, Elvire. 2015. "Khomeini in Najaf: Religious and Political Networks for a Life in Exile". *Welt des Islams*. Vol. 55. No. 2. pp. 221-248. pp. 228-229.

as well. *Khomeini*, therefore, broke with this traditional interpretation, which restricted to the *wilaya* to religiojuridical matters only by arguing that since the Shi'a lived in oppression any participation in government would be impure. Therefore, only the imams were capable to lead the community of believers and since the occultation of the twelfth imam only the most learned *mujtahid* of the *ulama*' could guide the laity not only in religious but also in political matters as only he with his superior knowledge of the holy Quran and the traditions could lay down the moral standards for the community.¹⁶¹ This theory of an Islamic government were delivered by *Khomeini* and he immediately incurred critique for his treatise from the traditional *ulama*' lead by *ayatollah al-Khu'i*, who during one of his classes responded to a student's question, whether such a deputyship existed, that none such *wilaya* existed, thus denying the basis of *Khomeini*'s theory.¹⁶²

This denial of *Khomeini*'s theory soured the relations lastingly and brought it to an absolute low when *al-Khu'i* failed to support the Islamic revolution. As mentioned above *al-Khu'i*'s credentials as apolitical *mujtahid* were weakened when empress Farah Diba forced him to receive her without an appointment.¹⁶³ *Khomeini* also accused *al-Khu'i* for not supporting the revolution since the latter feared that a communist government take over from the collapsed theocracy, thus, endangering the basics of Islam.¹⁶⁴

This failed support for this *Khomeini* inspired revolution and the treatment in exile soured the relations between the quietist and the *Khomeinist ulama*' that much that revolutionary branch of the clergy sought to reduce the traditionalist *ulama*'s reputation. with all means. In retaliation for his failed backing the revolutionary forces started to defame *al-Khu'i* denouncing his religious credentials to make the laity follow *Khomeini* instead since *al-Khu'i* was still the most followed *mujtahid* worldwide.¹⁶⁵ Not to be the most followed *mujtahid* in Iran challenged *Khomeini*'s position as leader of the nation as the traditional clergy could easily threaten the young Islamic republic if they called for protests. Therefore, in order to prevent this, *Khomeini* not only accepted the defamations of the non-Iranian *ulama*', but also sought to crack down the traditionalist *mujtahids* in Iran. *Ayatollah Shari'atmadari* although being opposed to the shah was more a reformer than a revolutionary and, thus, not supported the *Khomeini*'s *velayat-e faqih* for the very same reasons *al-Khu'i* denied it. This denying, thus, challenged *Khomeini*

¹⁶¹ Fischer, Michael M. J. 2003. *Iran: From Religious Dispute to Revolution*. Madison: Wisconsin University Press. pp. 151-153., Abrahamian, Ervand. *Khomeinism*. pp. 24-25., Rose, Gregory. 1983. "The Thought of Khomeini". In Nikki Keddie. . *Religion and Politics in Iran: Shi'ism from Quietism to Revolution*. New Haven: Yale University Press. pp. 168-171.

¹⁶² Walbridge, Linda. *The Threat of Mu'awiya*. p. 49., Corboz, Elvire. *Guardians of Shi'ism*. p. 169

¹⁶³ Fischer, Michael M. J. *Iran: From Religious Dispute to Revolution*. p. 203.

¹⁶⁴ Corboz, Elvire. *Guardians of Shi'ism*. p. 168.

¹⁶⁵ Ibid. pp. 171-172.

who in order to consolidate his position forced the *ulama'* of Qom to denounce *Shari'atmadari's* status as *marja'-e taqlid*.¹⁶⁶

Having silenced the dissident Iranian clergy, *Khomeini* had to deal with the question of succession which would prove to be a lasting problem since the Islamic Republic's constitution embodying *velayat-e faqih* had to be changed in order to find a possible successor to *Khomeini*. Though, the threat of challenge from the traditionalist *ulama'* remained, it turned out to be harder to find a revolutionary *mujtahid* whose credentials would allow him to rise to the rank of *marja'-e taqlid*. Since *ayatollah Montazeri* fell out with *Khomeini* over human rights, although he was a pioneer for *velayat-e faqih*, he was put under house arrest and dismissed as *Khomeini's* successor.¹⁶⁷ Following that *Khomeini* had to change the constitution because it demanded leader of the revolution only could be a *marja'-e taqlid*.¹⁶⁸ Since the leading Iranian clergy continued to stay aside from politics the constitution was altered to accept a cleric in the rank of *hujjat al-Islam* which is far below *marja'*. Although, this change resolved the succession problem it degenerated the legitimacy of the office of leader of the revolution and, thus, exposed it constantly to the quietist *ulama''s* possible challenge.¹⁶⁹ This fear turned out to be right as even the quietist *ulama'* of Iran did not recognize current Supreme Leader *Ali Khamene'i* as new *rahbar-e enqelab*. Therefore, before putting forward *Khamene'i's marja'iyya* put forward two older *maraji's* leadership before announcing *Khamene'i's*, but even then he was not able to silence the opposition and, thus, proposed that Iranians should be free to choose their *marja'-e taqlid* whereas the rest of the Shi'ite world is *muqallid* to him.¹⁷⁰ This prescription, consequently, earned critique from non-Iranians due to this differentiation between them and the Iranians, but it also makes visible how volatile the Iranian religious leadership in general is. In order to consolidate the theocracy, the religious leadership embodied in *ayatollah Khomeini* and later *Khamene'i*, thus, responded to these potential risks with an offensive defensive strategy by trying to export the Islamic revolution in countries with a Shi'ite stratum. *Ayatollah Khomeini* by calling the oppressed to rise against their oppressive regimes thought to reduce the risk of external intervention in Iranian affairs, if he managed to incite revolutions in Iran's

¹⁶⁶ Arjomand, Said Amir. 1988. *The Turban for the Crown: The Islamic Revolution in Iran*. Oxford: Oxford University Press. pp. 155-156.

¹⁶⁷ Walbridge, Linda. *The Threat of Mu'awiya*. p. 54.

¹⁶⁸ Abrahamian, Ervand. *Khomeinism*. pp. 34-35.

¹⁶⁹ Keddie, Nikki. 2006. *Modern Iran: Roots and Results of Revolution*. New Haven: Yale University Press. pp.309-311.,

¹⁷⁰ Walbridge, Linda. 2003. "The Counterreformation: Becoming a Marja' in the Modern World". In Linda Walbridge. *The Most Learned of the Shi'a: The Institution of the Marja' Taqlid*. Oxford: Oxford University Press. pp. 235-237.

immediate neighbourhood.¹⁷¹ Iran managed to play with this fear perfectly, but the Gulf kingdoms only were able to estimate Iran's influence in their countries, when the Bahraini ministry of interior was able to uncover a coup d'état planned by a Iranian sponsored liberation movement.¹⁷² This also applied to Iran's neighbour Iraq which it regarded as the most menacing. This fear proved to be correct, when *Saddam Husayn* declared war on the young Islamic Republic. Iran, on the other hand, made use of Iraq's oppressed Shi'a opposition which it sought to unite and use against Iraq.¹⁷³ This long-term initiative, thus, failed, but it in combination with Lebanon's Hezbollah laid the basic foundation for the creation of a model revolutionary organisation, which Iran was able to export into several adjacent countries, hence, having a lasting force in those countries, which Iran may use if needed against those countries. Although, the revolutionary religious elements in Iran have tried to reduce tensions with the quietist *ulama'*, many differences remain of which the denying of *velayat-e faqih* remains the foremost. This denial of the political leadership of the clergy, on the contrary, not only is the main difference between them but also poses the greatest threat to the current Supreme Leader *Ali Khamene'i* since his academic credentials are inadequate in comparison to *Ali al-Sistani*.¹⁷⁴ In order to overcome this threat, the religious leadership sought and still tries to export the Islamic revolution to its neighbours not only to weaken their political leadership but also to ally with the Shi'ite stratum of these countries to reduce the respective dangerous influence of their *ulama'*. The *Khomeinist* branch of the *ulama'*, thus, is characterised by their additional claim towards political leadership, which brings them into conflict with the traditionalist quietist line and its ambition to export the revolution by helping to create and aiding Muslim opposition groups, of which they expect the adherence to the instructions to the Supreme Leader.¹⁷⁵ The religiopolitical leadership by taking these actions, therefore, tries to accommodate the danger of the quietist *ulama'* and by denouncing the traditionalist *mujtahids'* reputation tries to lower their esteem within the community of believers.

¹⁷¹ Halliday, Fred. 1986. "Iranian Foreign Policy since 1979". In Juan Cole/ Nikki Keddie. *Shi'ism and Social Protest*. New Haven: Yale University Press. pp. 100-102.

¹⁷² Ramazani, R. K. 1986. "Shi'ism in the Persian Gulf". In Juan Cole/ Nikki Keddie. *Shi'ism and Social Protest*. New Haven: Yale University Press. pp. 49-50.

¹⁷³ See the Supreme Council for the Islamic Revolution in Iraq.

¹⁷⁴ Kadhim, Abbas/ Slavin, Barbara. 2019. "After Sistani and Khamene'i: Looming Succession Will Shape the Middle East". *The Atlantic Council Issue Brief*.

https://www.atlanticcouncil.org/images/publications/After_Sistani_and_Khamene'i-Looming_Successions_Will_Shape_the_Middle_East.pdf. (accessed August 14th, 2019).

¹⁷⁵ Posch, Walter. 2013. "The Third World, Global Islam and Pragmatism". *SWP Research Paper*. https://www.swp-berlin.org/fileadmin/contents/products/research_papers/2013_RP03_poc.pdf. (accessed September 9th, 2019).

2.3.3. *Sadriyya*- a Martyred Dynasty

Within the arising poles of traditional quietism and revolutionary *Khomeinism* the *hawzas* of Qom, Najaf and Karbala were divided. In this time when *Khomeini* endured his exile in Najaf another *mujtahid* was on the rise whose philosophy nearly prevailed after the ousting of *Saddam Husayn*. *Ayatollah Muhammad Baqir al-Sadr*'s reform orientated socio-political philosophy which sought to modernise the institution of the *marja' al-taqlid*, thus, had been transferred into a social movement relying on the pauper in Sadr-City by his paternal nephew *Muhammad Muhammad Sadiq al-Sadr*. This social movement draws on the heritage of its two spiritual leaders, which both have been killed on the hands of the oppressive regime of *Saddam Husayn* thus, not only rejecting the *Khomeinist* political theory but also abhorring the traditional *ulama'* due to their silence in the time of execution.

The *Sadriyya* traces back to the *ayatollah Muhammad Baqir al-Sadr* who was born in 1936 in the shrine city of *Kazimayn*, a suburb of modern day's Baghdad.¹⁷⁶ *Baqir al-Sadr* joined the *hawza ilmiyya* of Najaf in the age of twelve, thus, even with his young age becoming an outstanding scholar on philosophy and *fiqh*. He proved this talent by publishing his *Falsafatuna*, Our Philosophy, and *Iqtisaduna*, Our Economy, in the age of 24, which brought him to fame in the Iraqi intelligentsia.¹⁷⁷ Although, his academic credentials brought him to sudden fame, his political attitude developed during his life decided his fate, when *Baqir al-Sadr* was to be the first *grand ayatollah* executed on the hand of *Saddam*'s forces, thus, constituting the break between the quietist line and *Sadriyya*.

After publishing his works on philosophy, he became actively engaged in the establishing of the *Da'wa Party*. This engagement in partisan politics posed a threat for the *ulama'* which forced him to abandon his role in the party. Thus, the *Sadriyya* until nowadays has been clashing with the traditionalist clergy over their coercion of *Baqir al-Sadr*'s engagement in *al-Da'wa Party*. Since the Iraqi state was shaken by political upheavals and instabilities after World War II, a new form of activism developed after *Qassim*'s coup d'état in 1958. After this violent takeover of a general who heavily relied on communism to rule the country, the laity sought to found a political movement, thus, establishing the first Shi'ite party in Iraq.¹⁷⁸ The foundation of such a political party was outstanding for the reason that political active clerics and Islamists

¹⁷⁶ Aziz, Talib. 2003. "Baqir al-Sadr's Quest for the Marja'iya". In Linda Walbridge. *The Most Learned of the Shi'a: The Institution of Marja' Taqlid*. Oxford: Oxford University Press. p. 141.

¹⁷⁷ Walbridge, John. 2003. "Muhammad Baqir al-Sadr: The Search for New Foundations". In Linda Walbridge. *The Most Learned of the Shi'a: The Institution of Marja' Taqlid*. Oxford: Oxford University Press. pp. 132-134.

¹⁷⁸ Batatu, Hanna. 1986. "Shi'i Organizations in Iraq: Al-Da'wah al-Islamiyah and al-Mujahidin". In Juan Cole/Nikkie Keddie. *Shi'ism and Social Protest*. New Haven: Yale University Press. pp. 189-191.

joined Sunni organisations such as the *Tahrir Party* despite their confessional disputes.¹⁷⁹ Thus, with the *Da'wa Party* founded *Baqir al-Sadr* due to his outstanding philosophical reputation was asked to become *faqih al-hizb*. In his position of party jurist, it was him to become the ideological father of the party, since he was the sole writer of the party's constitution. Although, *Muhsin al-Hakim* himself tolerated the political activities, in which also two of his sons were engaged, since he also engaged in political matters as he sought to contain the rising influence of communism in the youth, he for the sake of the *ulama'* issued a warning to restrain from political activities since it would delay the occurrence of awaited imam *Mahdi*. Although, this message was mere a cover for the real motive as *al-Hakim* feared the regime's reprisals for the *ulama'*'s involvement in a political organisation which sought to establish an Islamic government through a revolutionary struggle.¹⁸⁰ *Baqir al-Sadr* who understood the message, thus, resigning as jurist of the party and beginning to focus on teaching in the *hawza*.

Despite *Baqir al-Sadr's* established political position, he had to undergo the traditional way to become a leader of community, which incurred him the anger of the traditionalist clergy due to his unconventional claim for *marja' iyya*. After the forced resignation as party jurist *Baqir al-Sadr* focused on the archaic way to build up his *marja' iyya* by teaching *bahth al-kharij* lessons in Najaf. Due to his intellect it is said that even *al-Khu'i*, then Najaf's foremost teacher, acknowledged that *al-Sadr's* classes on *fiqh* and *usul* were outstanding in their quality. These extraordinary lessons convinced political followers of him to push forward his *marja' iyya*. This soured relations with *al-Khu'i* who after the demise of *al-Hakim* had succeeded as *marja' al-taqlid*, since the tradition demanded that one can only push forward his *marja' iyya* after the death of his peer. *Baqir al-Sadr* sought to circumvent this problem by commenting on *Muhsin al-Hakim's* *risala 'amaliyya*, though he was a student of *al-Khu'i*.¹⁸¹ Although, this was considered by *al-Khu'i's* entourage as attempt by an upstart which was about to undermine his teacher's reputation. *Baqir al-Sadr*, in order to ease tensions with his peer, asked a companion to write a letter to him concerning the possibility to be *muqallid* to him. He, then, replied that he was not worthy to follow but advised everyone to be *muqallid* to his peer *al-Khu'i*.¹⁸² Though, he sought to calm relations with his peer's entourage he was accused of defying the traditions. This accusation came from that *Baqir al-Sadr* wrote his *risala 'amaliyya* not in the

¹⁷⁹ Aziz, Talib. *Baqir al-Sadr's Quest for the Marja' iyya*. p. 141.

¹⁸⁰ Walbridge, Linda. 2014. *The Threat of Mu'awiya: The Making of a Marja' Taqlid*. Bloomington: The Ramsay Press. pp. 68-69., Jabar, Faleh A. 2003. *The Shi'ite Movement in Iraq*. London: Saqi Books. p. 87.

¹⁸¹ Aziz, Talib. *Baqir al-Sadr's Quest for the Marja' iyya*. pp. 142-143., Walbridge, Linda. *The Threat of Mu'awiya*. p. 75.

¹⁸² Aziz, Talib. *Baqir al-Sadr's Quest for the Marja' iyya*. p. 143.

cumbersome traditional academic language only trained jurists understood but in modern Arabic grasped also by ordinary people which had at least obtained some schooling.¹⁸³

This was not the only tradition *Baqir al-Sadr* broke with, but only the beginning of a far-reaching reform of the *marja' iyya*, which disgruntled *al-Khu'i* and his entourage. One of those hatred reforms intended the very central institution of *marja' al-taqlid*. *Baqir al-Sadr* spoke out openly against the lack of accountability in the education of the *ulama'* due to its unpredictability. In his eyes the institution had to be reformed that it would be clear for everyone how long for which grade of education he would need, further, criticizing the student's choice for a teacher. In order to overcome this dissatisfying situation *Baqir al-Sadr* participated in the creation of the *Usul al-Din College* in Baghdad, thus, drawing suspicion on him by the *hawza*.¹⁸⁴ The predominantly intended reform held for the *marja' iyya* itself, thus, dissolving the personal *marja' iyya* which draws on *wukala'* as representatives and the *mujtahid's* charisma in order to create an institutionalized *marja' iyya* which would instate the *maraji'* as God's vicars who would rely on an organized institution, thus, becoming more transparent and democratic.¹⁸⁵ These reforms shook the *hawza* of Najaf since it would be an absolute break with thousand year old traditions, which speaking frankly have been created just some hundred fifty years ago.

The final rift within the *hawza* came when *Baqir al-Sadr* and his sister *Bint al-Huda* were arrested in the aftermath of the Islamic revolution by the Iraqi *Mukhabarat* and later in 1980 were executed. This execution not only was a warning to political active clerics but also brought to an end the relationship between the quietists and the followers of *al-Sadr* since the latter accused the former of being betraying the believers and supporting the oppressive regime.

The tensions between *Baqir al-Sadr* and *al-Khu'i* had soured over *al-Sadr's* claim for *marja' iyya* and his political stance. This low-profile engagement in politics had been enough to arrest him before 1979 but ended in a final arrest in 1979. *Baqir al-Sadr* who though being a student of *al-Khu'i* was impressed by the events taking place in Iran, thus, he supported a public demonstration in support of the Islamic revolution organized by the *Da'wa* cadre competing with his *wukala'*. Although another coup d'état had taken place granting *Saddam* absolute power, the Ba'thist regime did not crack down the demonstration, but documented it deliberately. Days later Iraq's security forces rounded up 4000 to 5000 supporters of the *Da'wa* and *Baqir al-Sadr* including his *wukala'* whom were executed immediately.¹⁸⁶ *Baqir al-Sadr*,

¹⁸³ Walbridge, Linda. *The Threat of Mu'awiya*. p. 76.

¹⁸⁴ Aziz, Talib. *Baqir al-Sadr's Quest for the Marja'iya*. p. 142.

¹⁸⁵ Ibid. pp. 144-145.

¹⁸⁶ Jabar, Faleh A. *The Shi'ite Movement in Iraq*. pp. 230-232.

hence , was placed under house arrest, where he remained until his final arrest. Though, being placed under house arrest, the regime after several armed attacks on its events was reported that *Baqir al-Sadr* had issued *fatwas* forbidding membership in the Ba'th party and the second calling for armed struggle. These *fatwas* made the regime issuing a degree subjecting membership of the *Da'wa Party* to death penalty and, therefore taking the *ayatollah* to Baghdad with his sister. There, both were executed by the oppressive regime causing a vacuum filled by *Khomeinist* organisations.¹⁸⁷ Executing a *marja'* had been a novelty no one could imagine, thus, the traditional *ulama'* drew hate on themselves since not even *al-Khu'i*, who despite his tense relations with *al-Sadr*, had urged him to restrain from politics otherwise he could not protect him, neither paid a visit to imprisoned *Baqir al-Sadr* nor voiced any word of protest against his disciple's arrest.¹⁸⁸ This apathy not even trying to save a member of Najaf's *hawza* lead to the absolute break of relations between the two lines, which ended in fierce attacks on *al-Khu'i*'s successor in the early 2000s.

Whereas the quietists' silence over the execution constituted the intra-clerical rift, *Khomeini*'s arrogance put to an end the *Sadriyya*'s hopes in his backing. *Baqir al-Sadr* admired *Khomeini* for his revolutionary establishment of an Islamic republic and, thus, congratulated him by referring to him as imam.¹⁸⁹ *Al-Sadr*, further, intended to visit Iran in order to adhere to the tradition of making a visit of courtesy to successive *ayatollah Khomeini*. This visit, though, prepared well by *al-Sadr*'s *wukala'*, was prevented by a cable publicly casted in Iran's Radio Tehran Arabic service addressing *Baqir al-Sadr* with the inferior title of *hujjat al-Islam* only urging him to stay in Iraq.¹⁹⁰ Though, this might seem a mere detail, it offers an insight in *Khomeini*'s disdain of *Najaf*, even though he had admirers in the shrine city of Najaf. This disregard and not even attempted help for *al-Sadr* strained the relations between the *Sadriyya* and the *Khomeinists*.

Following the execution of *Baqir al-Sadr* the *al-Sadr* dynasty lost its leading figure, but this endured only until *Muhammad Muhammad Sadiq al-Sadr* made his name in the 1990s. *Sadiq al-Sadr* who was the paternal nephew of executed *Baqir al-Sadr* should suffer the same fate as his predecessor. Although, *Saddam* was weakened following the failed Second Gulf War, he followed a more oppressive strategy, which costed *Sadiq al-Sadr*'s when he fell out with the regime. This conflict, thus, radicalized the opposition movement he had created, hence, further souring up the intra-clerical feuds.

¹⁸⁷ Jabar, Faleh A. *The Shi'ite Movement in Iraq*. pp. 233-234.

¹⁸⁸ Walbridge, Linda. *The Threat of Mu'awiya*. pp. 78-79.

¹⁸⁹ Jabar, Faleh A. *The Shi'ite Movement in Iraq*. p. 228.

¹⁹⁰ Mallat, Chibli. 1993. *The Renewing of Islamic Law: Muhammad Baqir al-Sadr, Najaf and the Shi'i International*. Cambridge: Cambridge University Press. pp. 52-53.

Before his assassination the relations within the various factions within the *ulama'* were strained due to the regime's support for *Sadiq al-Sadr*. *Sadiq al-Sadr's* rise began when the Najafi *hawza* mourned the demise of *al-Khu'i*. Since the death of the leading *mujtahid* of the *hawza* opened competition for succession, the *Saddam* sought to interfere by supporting *Sadiq al-Sadr* over *Ali al-Sistani*. *Saddam* after the crushed Shi'a rebellion in 1991, tried to win over the Shi'ite stratum in order to stabilise his weakened regime by supporting *Sadiq al-Sadr* emphasising nationalism.¹⁹¹ The *hawza* on the other hand supported Iranian born *Ali al-Sistani* who had been chosen by *al-Khu'i* as his successor as written above. Therefore, *al-Sadr* became isolated within Najaf as he was accused of having sold out to the regime, which had not only had attacked the Shi'a but also had destroyed the shrine cities during the revolution 1991. *Sadiq al-Sadr*, though being at odds with the regime first, had profited from the crackdown of the Shi'a during the intifada since he adopted the policies of *Muhsin al-Hakim* and *Baqir al-Sadr* by establishing welfare institutions distributing food, water, clothes and other social services, thus, winning the loyalty of the poor in Saddam City, later Sadr City and the central and southern tribes.¹⁹² These creation of a welfare system throughout contributed to his reputation, which was further exceeded when *Saddam* authorised the introduction of Friday prayers in his mosque in Kufa. This allowance brought him at odds with the clerical establishment since popular Shi'ite rituals had been banned after the failed revolution. Though, the Friday prayer was not obligatory for believers, it enabled him to distance himself from the regime since rumours had spread that he was a collaborator of *Saddam*.¹⁹³ In order to distance himself from those claims, he made a fatal move when attacking the regime openly for its oppression against the Shia. This turned out to be his doom, since *Sadiq al-Sadr* and two of his sons, hence, got assassinated when two allegedly *Mukhabarat* officers gunned them down. Though, the regime denied any involvement there have been contradictions since one of the suspected assassins had been in jail when the incident took place.¹⁹⁴ This presumably involvement of the regime lead towards a confrontation between the security forces and the Islamic opposition but was crushed by *Saddam's* forces. Although, the *al-Hakim* brothers had promised the support from the *Badr*

¹⁹¹ Walbridge, Linda. 2003. "The Counterreformation: Becoming a Marja' in the Modern World". In Linda Walbridge. *The Most Learned of the Shi'a: The Institution of the Marja' Taqlid*. Oxford: Oxford University Press. p. 238.

¹⁹² Baram, Amatzia. 2010. "Sadr the Father, Sadr the Son, the "Revolution in Shi'ism," and the Struggle for Power in the Hawzah of Najaf". In Amatzia Baram/ Achim Rohde/ Ronen Zeidel. *Iraq Between Revolutions: Perspectives from 1920 to the Present*. London: Palgrave Macmillan. p. 144., Jabar, Faleh A. *The Shi'ite Movement in Iraq*. pp. 272-273.

¹⁹³ Baram, Amatzia. *Sadr the Father, Sadr the Son, the "Revolution in Shi'ism," and the Struggle for Power in the Hawzah of Najaf*. p. 144.

¹⁹⁴ Raphaeli, Nimrod. 2004. "Understanding Muqtada al-Sadr". *Middle East Quarterly*. Vol. 11. No. 4. pp. 33-42. p. 34.

Brigades for the uprising, but it never came, thus, creating animosities with the *al-Hakim* dynasty which had already been fuelled by the *Sadriyya*'s frustration over *Badr*'s escape to Iran, which let them alone against *Saddam*'s oppressive regime.¹⁹⁵

After the assassination the *Sadriyya* movement went underground, so did his new leader *Muqtada al-Sadr*, the fourth son of *Sadiq al-Sadr*. Being at odds with every other major Shi'ite movement, the *Sadriyya* radicalised due to the vacuum created by the forceful deposition of *Saddam*'s regime in 2003.

This radicalisation of the movement began with the disappearance of *Muqtada al-Sadr* who due to constant surveillance developed an obsession with the occulted imam *Mahdi*. This assassination of his father and brothers affected *Muqtada*'s mental health severely forcing him to care about the left families of the dead. His mental health is said to be ailing due to the continuous surveillance of *Saddam*'s *Mukhabarat* prior to 2003, when he had to hide in the holy cemetery of the Imam Ali shrine.¹⁹⁶ During his hiding he studied the occultation of imam *Mahdi*, thus, developing an obsession with the occulted imam going as far as identifying himself and his camp with the *Mahdi*. His obsession, hence, manifested when he acknowledged to be in regular contact with the *Mahdi* in a *fatwa*.¹⁹⁷ This manifestation of his obsession further exposed his mental weakness when one of the commanders of his *Jaysh al-Mahdi* in an interview stated that the United States only intervened in Iraq in the Second Gulf War and now in *Saddam*'s deposition to prevent the immediate return of the *Mahdi* which would herald the Last Judgement.¹⁹⁸

Influenced by this obsession *Muqtada al-Sadr* revived his father's movement, which he armoured to enforce his goals. Building upon *Baqir al-Sadr*'s concept of leadership and his father's social policies, he created the *Mahdi Army* as armed wing of his movement. The *Jaysh al-Mahdi* after the collapse of the Iraqi state began to engage the occupation forces to prevent their mission of killing the arriving *Mahdi* as written above. *Al-Sadr* in order to achieve this goal relied on the Iraqi uprising in the 1920s, thus, inciting a new wave of Iraqi nationalism, but this was not his primary objective. *Muqtada al-Sadr* only being in his 30s lacked his father's scholarly reputation to fill his position as source of emulation and, hence, ultimately fell out with the *hawza* of Najaf because their financial potential he lacked. This lack he tried to

¹⁹⁵ Baram, Amatzia. *Sadr the Father, Sadr the Son, the "Revolution in Shi'ism," and the Struggle for Power in the Hawzah of Najaf*. p. 145.

¹⁹⁶ Raphaeli, Nimrod. 2004. "Understanding Muqtada al-Sadr". *Middle East Quarterly*. Vol. 11. No. 4. pp. 33-42. p. 35.

¹⁹⁷ Baram, Amatzia. *Sadr the Father, Sadr the Son, the "Revolution in Shi'ism," and the Struggle for Power in the Hawzah of Najaf*. p. 153.

¹⁹⁸ *Ibid.* p. 152.

compensate by taking over the shrine cities to get access to their financial resources. Before he launched his attacks on Karbala and Najaf, the journal of his movement began to attack the quietist clergy for their cooperation with the intruders denouncing them as stooges and traitors. The journal went so far as emphasising their Iranian origin, thus, calling for them to leave Iraq and not to interfere in Iraqi political matters.¹⁹⁹ In order to emphasize his seriousness, *Muqtada* order the removal of his rival *Abd al-Majid al-Khu'i* who had been the head of the *al-Khoe'i Foundation* as he was considered a rising political as well as religious leader who would have outranked *Muqtada* in his claim for political leadership.²⁰⁰ After a first failed attempt to seize Najaf, *Muqtada al-Sadr's Jaysh al-Mahdi* planned a second attempt during *al-Sistani's* medical treatment in London. When the latter heard of the imminent danger, he promptly returned to Iraq negotiating a solution with *al-Sadr*. In this solution it is said to be agreed that *Muqtada* would receive up to fifty percent of the shrine city's revenue for permanent peace.²⁰¹ This peace agreement, thus, enabled him to cement his power since he was able to broker such a deal everyone doubted to negotiate.

The success of the *Sadriyya* to prevail against the other factions enabled it to cement its position as influential lumpenproletariat movement, which if necessary, would not recoil from using violence to achieve its goals. This characteristic makes the movement more dangerous for the other Shi'ite traditions and dynasties, since it is at odds with every other movement present in Iraq. The *Sadriyya's* ability to use force is derived from its narrow social basis which relies on the poor and needy of Sadr City and other shantytowns in southern Iraq. This narrow social basis is cultivated by providing essential goods and by granting security in those areas. In addition to these services *Muqtada al-Sadr* draws on the ordeals of his martyred family members, which allows him to rely on a large set of motives he can manipulate in order to achieve his ambitions.

2.3.4. *Hakimiyya*- an Epitome of Flexibility

The second prominent Arab regarded family are the *al-Hakims*. This family after the demise of their patriarch *Muhsin al-Hakim* in the early 1970s, already had laid the foundations for a social movement, which would exert influence in post-*Saddam's* Iraq. This influence draws on the heritage of *Muhsin al-Hakim's marja'iyya* and the family's flexibility towards political

¹⁹⁹ Baram, Amatzia. *Sadr the Father, Sadr the Son, the "Revolution in Shi'ism," and the Struggle for Power in the Hawzah of Najaf*. pp. 146-148., Raphaeli, Nimrod. 2004. "Understanding Muqtada al-Sadr". *Middle East Quarterly*. Vol. 11. No. 4. pp. 37-40.

²⁰⁰ Raphaeli, Nimrod. 2004. "Understanding Muqtada al-Sadr". *Middle East Quarterly*. Vol. 11. No. 4. pp. 33-42. p. 38.

²⁰¹ *Ibid.* p. 154.

circumstances. This attitude of adaptability has proved the *al-Hakims* foremost asset to consolidate its dynasty's reputation as a leading family in the Shi'ite world.

This flexibility of the *al-Hakim* dynasty expressed itself after the death of their patriarch *Muhsin al-Hakim* when the family went into self-imposed exile into Iran and, thus, managed to consolidate the established network. Though, the death of *Muhsin al-Hakim* marked the collapse of single leadership among the *mujtahids* in Iran and Iraq, this also posed the beginning of the divisions of the *ulama'* based on their attitude towards politics. Since the *marja'iyya* of *Muhsin al-Hakim* was regarded as the perfect combination of religious and political leadership, his work laid the basic foundation for the *Hakimiyya*. Though, *al-Hakim* is regarded as the archetypical quietist *marja'*, he as written above adopted a political stance when he saw Islam endangered. This development was mainly influenced by *Abd al-Karim al-Qassim's* government's reliance on communism, which affected not only the Shi'ite peasants' youth but also gained attractors among the offspring of the *ulama'*.²⁰² This rising influence of communism concerned the *ulama'* in as much that it engaged in the founding of political organisations to encounter communism. This support from the senior *ulama'* was crucial since it gave those organisations religious legitimacy, which on the contrary the communist party had been deprived of due to *al-Hakim's* anti-communism *fatwa*.²⁰³ Though, the *ulama'* first supported the *Da'wa Party* as an encounter against communism, the Ba'thist putsch made the senior clergy to rethink its decision, thus, withdrawing its support and forcing the involved clerics among those *Muhammad Baqir al-Sadr*, *Muhammad Baqir al-Hakim* and *Mahdi al-Hakim*, the latter two being the sons of *Muhsin al-Hakim*, to withdraw.²⁰⁴ Despite this forced resignation, the engagement in the *Da'wa Party* left a deep impression on the sons of *Muhsin al-Hakim*.

The demise of *Muhsin al-Hakim* proved to be a setback as his oldest son *Yusif*, although, being considered a potential successor for his father, opted for the accession of *Abd al-Qasim al-Khu'i*. Nevertheless, having lost the highest rank within the *ulama'*, the *al-Hakim* family continued to engage politically. This political engagement of the *al-Hakims* ended in the founding of the Supreme Council for Islamic Revolution in Iraq as an Iranian sponsored Iraqi opposition group during the Iran-Iraq War, thus, showing the *al-Hakims* pragmatism towards different political ideologies.

²⁰² Batatu, Hanna. 2004. *The Old Social Classes & Revolutionary Movements in Iraq: A Study of Iraq's Old Landed and Commercial Classes and of Its Communists, Ba'thists and Free Officers*. London: Saqi Books. pp. 752, 1000.

²⁰³ Jabar, Faleh. A. 2003. *The Shi'ite Movement in Iraq*. London: Saqi Books. pp. 110, 122-123.

²⁰⁴ Ibid. p. 87., Yasin, Yasin Taha/ Kata', Ahmad Abd al-Sattar. 2015. "Al-Sayyid Murtada al-Askari and his role in the founding of the Islamic Da'wa Party". *The Arab Gulf* (Journal of the University of Basra). No. 43. Vol. 1-2. pp. 1-34. pp. 9-12., Corboz, Elvire. 2016. *Guardians of Shi'ism: Sacred Authority and Transnational Family Networks*. Edinburgh: Edinburgh University Press. pp. 130-131.

Since the Ba'athist regime adopted an oppressive policy towards the Iraqi Shi'a, the traditionalist quietist line under *al-Khu'i* opted to refrain from politics to the discontent of his disciple *Baqir al-Sadr*. Among *al-Sadr*'s students were the early political engaged *Muhammad Baqir al-Hakim* and *Abd al-Aziz al-Hakim* whom promoted *Baqir al-Sadr*'s *marja' iyya*.²⁰⁵ This student-teacher relationship affected the *al-Hakims*' political understanding as both argued for an active *marja' iyya* *Baqir al-Sadr* had developed. Since the Iraqi regime cracked down the Shi'ite opposition in the late 1970s, they had to see their teacher executed and, thus, left for exile Iran, which after the Islamic Revolution proofed to be hospitable to the Islamic opposition. Contrasting to their brother *Mahdi*, *Muhammad Baqir* and *Abd al-Aziz* knew to arrange with the Iranian leadership, despite the family's aloof relation with *Khomeini* developed during the latter's exile in Najaf.²⁰⁶ *Muhammad Baqir al-Hakim*, before emigrating proofed to be a suitable politician and, thus, after arriving in Iran undertook to found an opposition group. Although, the first two attempts to found such an organisation had failed due to disunity between the different in Iraq established groups.²⁰⁷ Sole the last attempt worked out due to *Khamene'i*'s support for *al-Hakim* to found an opposition group. Faleh Jabar argues that this first two attempts failed since Iraqi Shi'ite groups were more immersed in the Islamist international whereas the Iranian groups were rooted more in Iranian nationalism. These Iraqi groups, thus, advocated for several leadership models. These models differed in the form of leadership, since *Baqir al-Sadr*' students endorsed a collective leadership over the *Muhammad Baqir al-Hakim* proposed single leadership, which resembled the *Khomeinist* model.²⁰⁸ The question of leadership, hence, resolved, when both parties agreed to adopt a vice-leadership, in which *Baqir al-Hakim* served as speaker whilst *Mahmud al-Hashemi*, the preferred student of *Baqir al-Sadr*, became president of the organisation, which was to develop into the Supreme Council of the Islamic Revolution in Iraq (SCIRI). This compromise did not last long as *Baqir al-Hakim* after serving some years as the council's speaker got appointed as its president, since *Baqir al-Hakim*'s family name outweighed *al-Hashemi*'s due to *Baqir al-Hakim*'s descent from a well-established Arab *ulama'* dynasty.²⁰⁹ After having gained grip over the position as chairman of the SCIRI, *Baqir al-Hakim* abolished the vice-leadership in favour for the *Khomeinist velayat-e faqih*, which allowed him to maintain the position as the SCIRI's president. Corboz argues that *Baqir al-Hakim*'s grip over power not resulted from the introduction of the *Khomeinist* theory, but from his rejection of democratic instruments to elect

²⁰⁵ Corboz, Elvire. *Guardians of Shi'ism*. pp. 39-42.

²⁰⁶ Ibid. p. 135.

²⁰⁷ Jabar, Faleh. *The Shi'ite Movement in Iraq*. p. 236.

²⁰⁸ Jabar, Faleh. *The Shi'ite Movement in Iraq*. p. 237.

²⁰⁹ Ibid. p. 238., Corboz, Elvire. *Guardians of Shi'ism*. pp. 41-42.

a president.²¹⁰ This approach, though, does not make a difference in the result since the *al-Hakim* family has been able to hold the presidency ever since this only shows the family's ambition to hold a share of political power going so far as subordinating the own political opinion.

The *al-Hakim* dominated SCIRI remained in exile until the deposition of *Saddam* by the United States in 2003, thus, remaining a mere opposition organisation, but after the dictator's end the family returned to Iraq, where it has been able to consolidate its influence. The *al-Hakim* family's decision to relocate to Iraq was mainly driven by their ambition to obtain a role in the political process after the *Saddam*'s ousting.

After the fall of *Saddam* in 2003 the SCIRI decided to move back to Iraq in order to engage politically in order to consolidate its position in the country. This decision was overshadowed by the *Baqir al-Hakim*'s assassination allegedly carried out by the Sunni radical organisation al-Qaeda. Although, the death of its long-term leader was mourned, it gave the group an asset, which also the *Sadriyya* relied on, namely having a prominent martyr to draw on. The SCIRI, thus, capitalised on this incident by representing *Baqir al-Hakim* as the ideal oppositionist. *Baqir al-Hakim*'s network which built on his father's enabled SCIRI to be recognised as a well-established opposition movement since it was him to establish contacts with enemies of the Iraqi regime. The first contacts established, were those with the Syrian president *al-Asad* who indeed did not offer material support but allowed *al-Hakim* to establish contacts with Iraqi refugees in Syria. He, usual for a *mujtahid*, sought to support the refugees with basic goods in order to gain their loyalty, thus, creating a wide transnational network of oppositionists.²¹¹ After Iraq's failed occupation of Kuwait, many of Iraq's former allies became the country's enemies, which enabled *al-Hakim* not only to build up a support basis in Kuwait but also allowed him to meet Saudi prince *Sa'ud al-Faysal* since it was in Tehran's interest to normalise relations which had been tense after Islamic Revolution.²¹² Later on, he even was received by Saudi king *Fahd* for a private audience discussing the Iraqi regime's oppression of the Shi'a population and the Saudi's generosity towards the refugees from Iraq.²¹³ These contacts, though, they did not bring forth material support, they made the SCIRI appear to be a well-connected and internationally recognised opposition movement.²¹⁴ Out of this position the SCIRI, further, was able to rely on the work *Mahdi al-Hakim* had undertaken to point out the human rights'

²¹⁰ Corboz, Elvire. *Guardians of Shi'ism*. pp. 42-43.

²¹¹ Ibid. pp. 139-140.

²¹² Mojtahed-Zadeh, Pirouz. 1999. *Security and Territoriality in the Persian Gulf: A Maritime Political Geography*. London: Routledge. pp. 34-44.

²¹³ Corboz, Elvire. *Guardians of Shi'ism*. p. 141.

²¹⁴ Ibid. p. 142.

violation *Saddam's* regime committed against the Iraqi population. Though, this drew the attention of the Western governments, the *al-Hakim* lead SCIRI withdraw from the Iraqi National Congress, an umbrella organisation for the Iraqi opposition, due to direct American support, which the SCIRI feared would delegitimize it in the eyes of the Iraqi population, but worse it would raise problems with its host Iran due to the tense American-Iranian relations.²¹⁵ Nevertheless, this international reputation as a leading opposition movement made it possible to consolidate its power in Iraq post-2003.

This reputation as international recognised opposition movement allowed the *al-Hakims* to capitalise on this in order to gain their share in Iraqi politics, but their flexibility also proved to be a weakness since in 2012 SCIRI's military arm, the *Badr Brigades*, split to become a party itself.

After having been incorporated the in the political establishment of post-*Saddam* Iraq, the SCIRI also normalised relations with the *hawza* of Najaf, thus, allying itself with *Ali al-Sistani* on the matter of popular sovereignty.²¹⁶ This alliance, on the contrary, soured relations with *Muqtada al-Sadr's* movement, which already had been strained to SCIRI's mere lip service to support the *Sadriyya* in the uprising in the aftermath of the Second Gulf War.²¹⁷ During this time the SCIRI dropped the term Islamic Revolution renaming itself the Islamic Supreme Council of Iraq (ISCI). This change of name also marked the definite shift from *Khomeini's* leadership model towards *Ali a-Sistani* as the movement's foremost source of reverence. This ideological change, Laurence Louër argues, came out of pure pragmatism to fit in better the Iraqi context than the revolutionary model of *Khomeini* which would have alienated the majority of Iraqis. Although, ISCI dropped its main ideological bridging with the Iranians, contacts were not be broken off to keep an open door for the future.²¹⁸ In 2009 ISCI's leader *Abd al-Aziz al-Hakim* died of cancer, thus, opening the leadership for his son *Ammar al-Hakim*, who had been his father political advisor and also held posts within the *Badr Brigades*. *Ammar al-Hakim's* liberal leadership and the ideological shift are said to be the main reasons for the *Badr Brigades'* schism, since the brigades were controlled by the old elite near to the Iranians, thus, feeling disregarded in essential questions.²¹⁹ This schism proved to be a setback for the

²¹⁵ Ibid. pp. 144-148.

²¹⁶ Cole, Juan. 2006. *The Ayatollahs and Democracy in Iraq*. Amsterdam: Amsterdam University Press. pp. 9-10.

²¹⁷ Baram, Amatzia. 2010. "Sadr the Father, Sadr the Son, the "Revolution in Shi'ism," and the Struggle for Power in the *Hawzah* of Najaf". In Amatzia Baram/ Achim Rohde/ Ronen Zeidel. *Iraq Between Revolutions: Perspectives from 1920 to the Present*. London: Palgrave Macmillan. pp. 145, 154-155.

²¹⁸ Louër, Laurence. 2012. *Shiism and Politics in the Middle East*. London: Hurst & Co Publishing. pp. 89-90.

²¹⁹ Corboz, Elvire. *Guardians of Shi'ism*. p. 157.

political reputation of the *al-Hakim* family, but due to its strong alliances within Iraq and the Shi'ite world was bridgeable.

The *al-Hakim* family's fine instinct on political changes and its ability to react with confidence to unfavourable circumstances allowed it to consolidate its power in post-*Saddam* Iraq by gaining an influential share in the nation's politics. These abilities to detect changes and react to them appropriate is further underpinned by the *al-Hakims*' flexibility towards their political theology. Although, they have not managed to put forth a possible successor to the family's patriarch *Muhsin al-Hakim*, they were able to profit the most from the deceased *marja*'s reputation, out of which they have created an opposition movement adhering to *Khomeini*'s *velayat-e faqih*, which the patriarch had opposed. The *al-Hakims* return to the quietists' position is very best example for their ideological pragmatism and their diplomatic mastery, since they did not alienate the movement's main supporter, which is the Islamic Republic of Iran.

2.4. Conclusion

The collapse of the Safavid state in the 18th century was the turning point for the Shi'ite *ulama*' because during the Safavids they like their Sunni counterparts until today were mere state agents promoting and complying monarchy. This collapse in this respect marked the beginning of the development of a new institution, which only was enabled with the prevailing of the *Usuli* school of thought. This reliance of the *Usuli* principle of *ijtihad* allowed the clergy to develop independent sources of income making it economically self-sufficient. This economic independence, thus, laid the foundation for the gradual politicisation of the *ulama*', which first acted in the Tobacco Concession protests in Iran forcing the royal government to cancel the concession. The second crucial event which contributed to the politicisation of the *ulama*' was the Constitutional Revolution in Iran. During this time not only lasting alliances between the clergy and other social classes formed but also the new ideas arose due to the globalisation of the world. These events proved to have impacted the *ulama*' lastingly.

The institution of *marja' al-taqlid* as the foremost source of emulation institutionalised the hierocracy of the *ulama*', thus, enabling the *marja' al-taqlid* to concentrate powers in his hands. Although, the Iraqi shrine cities of Najaf and Karbala had been the prestigious centres of religious learning, the Iranian *mujtahid Hosseyn Borujerdi* managed the rise of Iranian Qom as foremost centre of learning when he assumed the rank of *marja'-e taqlid* after World War II. This shift lowered the prestige of the Iraqi shrine cities but led to the igniting of the fierce academic rivalry between the two countries. Although, the foremost *mujtahid* after *Borujerdi* returned the rank of *marja' al-taqlid* to Iraq, *Muhsin al-Hakim* would be the last cleric to hold

this title. *Muhsin al-Hakim*'s leadership as *marja' al-taqlid* also is said to be the perfect combination of religious guidance and political leadership as he had to deal with the results of the progressive globalisation, which made Iraq penetrated by western ideologies and thoughts. He, thus, saw Islam endangered when *Abd al-Karim al-Qassim* overthrow the Iraqi monarchy establishing a republican government which enacted communist inspired secular reforms. This threat communism posed to the Shi'ite youth, forced *al-Hakim* to act twofold. First, issuing a *fatwa* condemning communism and second, allowing or even supporting the creation of political organisation. His demise, hence, marked the end of single leadership but also is the beginning for the rise of several trends in the *ulama'*.

Every of these trends has the roots in the *marja'iyya* of a prominent family member or influential student. Although, the model of only one leading *mujtahid* collapsed, the requirements to rise to the position have remained applicable. One not only needs to be an outstanding scholar but also has to build up a loyal social network to push forward one's claim to *marja'iyya*. Though, these general requirements have to be met, exceptions are possible like *Baqir al-Sadr's marja'iyya*. After the demise of *Mushin al-Hakim* some four trends have developed differing on their political attitude.

The continuation of *al-Hakim's marja'iyya* lives through *grand ayatollah Ali al-Sistani* who assumed position after the death of *al-Hakim's* student and *al-Sistani's* peer *Abu al-Qasim al-Khu'i*. *Al-Sistani*, though nominally being referred as the quietist cleric, continued to interfere into politics whenever he saw Islam endangered. Like his predecessors he only tries to engage in politics selectively, but since he is the most followed source of emulation, his influence is immense as proved in his ability to bring down the American plan of how to hand back sovereignty to Iraq.

In contrast to *al-Sistani's* quietist approach, *Ali Khamene'i* has inherited *Ruhollah Khomeini's* radical revolutionary theology of *velayat-e faqih* or the guardianship of the jurisconsult. *Khomeini's* rise as *marja'* ended in the success of the Islamic Revolution in Iran making him as *rahbar-e enqelab* the epitome of politicised cleric. This success of the Islamic Revolution resulted in the establishment of theocracy on the model of *Khomeinist* guardianship of the jurisconsult giving a *mujtahid* near infinite powers. The death of *Khomeini*, thus, forced the Islamic Republic to break with its constitution as it was impossible to find a suitable successor to *Khomeini*. Only after this breach inferior *Ali Khamene'i* was made new leader of the revolution inheriting his predecessor's strain relations with the other trends.

The *Sadriyya* and *Hakimiyya* are rooted in their ancestors' *marja'iyya*, on which those trends had been able to build their trends. Both have common to commemorate their ancestors' ordeal

and their far-reaching attempts to reform the *ulama*'. The *Sadriyya*, thus, relies on *Baqir al-Sadr*'s ideas for modernisation, which his paternal nephew *Sadiq al-Sadr* moulded in a social movement drawing on the poor and needy of the Shi'ite stratum of Iraq. This social movement has been radicalised on the death of *Sadiq al-Sadr* falling out with the other religiopolitical trends. The *Hakimiyya*, on the other hand, built upon *Muhsin al-Hakim*'s legacy an international opposition movement which made use of the family's reputation and diplomatic abilities. Though, having been an exile movement, their pragmatic attitude in shifting their political theology, made them a driving force in post-2003 Iraq without souring their relations with their main supporter Iran and the United States as political partner.

3. Fighting the Islamic State- the Rise of the *Hashd Sha'bi*

Iraq post-*Saddam* has been confronted with many difficulties, of which one proved to be the toughest to deal with. Since 2003 experienced fighters of various of Jihadist outlets have come to Iraq to fight the Western forces. These fighters allied with the alienated unemployed ex-Ba'athist officers who had gone underground after the dismissal of the Iraqi security forces and, hence, formed an organisation which should become famous under its name Islamic State in Iraq and Levant. This organisation operating from eastern Syria was able to seize about one third of Iraq's soil including the metropolis of Mosul and, thus, Islamic State's leader *Abu Bakr al-Baghdadi* declared on July 24th, 2014 an Islamic caliphate in the areas conquered.²²⁰ This proclamation of the caliphate, hence, presented another nightmare for the Iraqi population, which has been living in constant fear since during Iraq's long-term dictator *Saddam Husayn*'s regime. Since after the forced removal of the dictator Iraq slid in a constant state of chaos comprising of sectarian violence, state corruption and cronyism. These circumstances allowed organisations like the Islamic State to rise and take over the state, thus, undermining the population's trust in state institutions. These feelings strengthened when the security forces turned out to be incapable to fight the insurgents losing battle after battle. The Islamic State's advance and the immediate danger that the terrorists might take the capital Baghdad and the shrine cities of Najaf and Karbala forced the *hawza ilmiyya* to react not only to safeguard itself from the zealots but also to boost the people's moral to join the armed forces and fight Islamic State militants.²²¹ This call of the *hawza ilmiyya*'s foremost *mujtahid Ali al-Sistani* bestowed

²²⁰ "Isis rebels declare 'Islamic State' in Iraq and Syria". *BBC News*. July 24th, 2014.

<https://www.bbc.com/news/world-middle-east-28082962>. (accessed August 23rd, 2019).

²²¹ Rubin, Alissa/al-Salhy, Suadad/ Gladstone, Rick. "Iraqi Shiite Cleric Issues Call to Arms". *The New York Times*. June 13th, 2014. <https://www.nytimes.com/2014/06/14/world/middleeast/iraq.html?searchResultPosition=2>. (accessed August 23rd, 2019).

religious legitimacy to the mainly Shi'ite militias fighting alongside the security forces. These militias got organised under an umbrella organisation called *al-Hashd al-Sha'bi*, the Popular Mobilisation Units (PMU). Since militias are not a new phenomenon to Iraq, some of them date back to the early 1980s, therefore, this chapter will deal with the rise of the *Hashd Sha'bi* asking *what have been the driving factors behind the rise of this institution?* This chapter, thus, first will deal with the institution of the *Hashd Sha'bi* before dealing with the different militias and their relationship to the clerical dynasties analysed above.

3.1. The Institutionalisation of the Popular Mobilisation Units

Since the security situation in post-2003 Iraq has been shaped by a constant sectarian conflict, each of the different confessions' groups relied on paramilitaries to defend their believers. These militias, thus, became a constant feature of the political landscape in Iraq and remained present in one way or another, but after the Islamic State seized more than one third of Iraq's territory including the metropolis of Mosul and threatened to take the country's capital Baghdad, these militias returned back to active duty fighting the Sunni zealots.

3.2. Religious Legitimacy

The immediate threat to capture the Shi'ite shrine cities of Najaf and Karbala forced the foremost *mujtahid* of the *hawza ilmiyya* to react, thus, issuing a call to take up arms. This call to arms *Ali al-Sistani* offered bestowed the religious legitimacy upon the militias' quest to fight the Sunni terrorists and the volunteering of the population to serve in the country's security forces. This legitimacy to fight the Sunni zealots and to volunteer for the conscription derives from *Ali al-Sistani's marja'iyya* as he is the foremost source of emulation for Shi'ite believers in and outside Iraq.

Al-Sistani's call to arms came in a time when the Islamic State was about to take the shrine cities of Najaf and Karbala, both the most sacred places for the Shi'a worldwide as those two cities are the burial places of imam *Ali* in Najaf and imam *Husayn* in Karbala. Since the Islamic State has shown his behaviour towards those he considers as *takfiris*, unbelievers, in Mount Sinjar hunting down the Yazidi minority,²²² the Shiite *ulama'* feared to suffer the same fate. Further, they feared the destroying of the holy shrines of the imams since the Islamic State's ideology like other Salafists' principles forbids the commemoration of saints as religious innovation. Against this backdrop the leader of the *hawza ilmiyya Ali al-Sistani* issued a *fatwa*

²²² Jalabi, Raya. "Who are the Yazidis and why is Isis hunting them?". *The Guardian*. August 11th, 2014. <https://www.theguardian.com/world/2014/aug/07/who-yazidi-isis-iraq-religion-ethnicity-mountains>. (accessed August 23rd, 2019).

calling the nationals to take up arms and join the national security forces. This *fatwa* was delivered by *al-Sistani*'s representative in Karbala *Shaikh Abd al-Mahdi Karbala'i* on June 13th, 2014 as traditional Friday sermon in the *Imam Husayn Shrine*.²²³ Although, other scholars like Faleh Jabar or Inna Rudolf have argued that the *fatwa* has been a crucial reason for legitimising the Popular Mobilisation Units,²²⁴ no one has focused so far on the canonical implications of the message *al-Karbala'i* delivered in the *Imam Husayn Shrine*. Therefore, I would go further arguing that *fatwa* delivered in Karbala is not an ordinary *fatwa* but is the *marja'iyya*'s call for a defensive *jihad*, which would explain the volunteering of such masses. Though, *jihad* is a concept rather associated with the Sunni experiences in Afghanistan during the Soviet occupation or the attack on the World Trade Centre in New York, also the Shi'ite *ulama'* has developed a concept of *jihad* differing from their Sunni counterparts. The concept, hence, has undergone several developments passing the tradition of *jihad* back to prophet *Muhammad* and the twelve imams. Early Islamic scholars, thus, argued that *jihad* is a central pillar of Islam and becomes righteous, when the community believers is in danger, so it becomes duty of every Muslim to defend it.²²⁵ Due to the Shi'a oppression during the early caliphate, the scholars debate, that it was a central tenet of faith to rise against those who oppress the community of believers or rise against the family of the prophet and their descendants.²²⁶ When *Ali* assumed leadership as caliph, thus, this case occurred since the supporters of *Aisha* revolted against *Ali* at Mount Camel near modern Basra. The fight of the Camel Mountain became, hence, the most referred example for *jihad* in Shi'ite scholarship, but when the Sunnis finally rose to power, the Shi'a developed the concept of *taqiyya* to pre-cautiously conceal their true believe by dissimulation, thus, suspending the concept of *jihad* until the return of occulted imam *Mahdi*.²²⁷ Therefore, *al-Muhaqiq al-Hilli* developed the concept further that only a person appointed by the *Mahdi* can summon the believers to wage *jihad*.²²⁸ This theory, hence, focused on the descendants of the family of the prophet, which the Safavids said to stem from. As descendants

²²³ Mā warada fī Khuṭba l-Juma'a li-Mumathil al-Marja'iyya al-Dīniyya al-'Uliyyā fī Karbalā' al-Maḥdusa al-Shaykh 'Abd al-Mahdī al-Karbālā'ī fī (14/Shā'abān/ 1435 h) al-Muwāfiq (13/6/2014m) [What be mentioned in the Friday sermon from the representative of the high religious marja'iyya in holy Karbala Shaykh Abd al-Mahdi al-Karbala'i from (Shaaban 14th, 1435) equal to (June 13th, 2014)]. <https://www.sistani.org/arabic/archive/24918/>. (accessed August 23rd, 2019).

²²⁴ Rudolf, Inna. 2018. "Holy Mobilisation: The Religious Legitimation behind Iraq's Counter-ISIS Campaign". *ICSR Trends: Research & Advisory*. pp. 5-6., Mansour, Renad/ Jabar, Faleh A. 2017. "The Popular Mobilization Forces and Iraq's Future". *Carnegie Middle East Center*. p. 7.

²²⁵ Kohlenberg, E. 1976. "The Development of the Imāmi Shī'ī Doctrine of *jihād*". *Zeitschrift der Deutschen Morgenländischen Gesellschaft*. Vol. 126. pp. 64-86. pp. 64, 68.

²²⁶ Ibid. pp. 69-70.

²²⁷ Ibid. p. 78.

²²⁸ Ibid. p. 80., Lambton, Ann. 1970. "A Nineteenth Century View of *Jihād*". *Studia Islamica*. Vol. 32. pp. 181-192. p. 182.

of the prophet they deliberately summoned the believers to wage *jihad* against the Ottoman Empire.²²⁹ The collapse of the Safavid empire, thus, not only affected the *ulama*'s economic situation but also affected the theory of *jihad* since they altered it that only them as only representatives of the imam could summon the community of believers to wage *jihad* against a potential foe limiting it to five types of which four mainly are permissible to defend territory and Muslims whereas the fifth type allows to fight offensively against infidels.²³⁰ Since the *Usuli* school of thought asserted itself against the *Akhbari* school, the *ulama*' are the only recognised deputies of the occulted imam as long as he will appear heralding the Last Judgement, thus, the believer to have to obey the orders of the *ulama*' not to be punished as disobeying their imam.²³¹ Since the Perso-Russian Wars in the late nineteenth century, *jihad* to protect the country not falling under the rule of infidels had only been declared once by *Mehdi al-Khalisi* against the British in the famous 1921 uprising in Iraq.²³²

This tradition of *jihad* in mind *marja'* *Ali al-Sistani* issued the afore motioned *fatwa* building upon these points

1. *Iraq and his population face a huge challenge and grave danger as the terrorists not only intend to control some governorates like Nineveh and Salah al-Din but also declared to target all governorates especially Baghdad, Holy Karbala and Noble Najaf. They target all Iraqis in all regions and, thus, the responsibility to confront and fight them is the responsibility of all, not of one confession or of one party.*
2. *Though the challenge is great, the Iraqi people are known for their courage and boldness, bearing their national responsibilities and duties in difficult circumstances when they faced even greater challenges and dangers. In the present time, the responsibility is to protect our country, and our holy sites from danger, and this provides us with more incentive for sacrifice in the causes of preserving the unity of our country, its dignity, and the defence of its holy places from being disgraced by these aggressors. The citizens, pledged to patience and courage, must not allow fear and frustration to creep up in their minds, but this must be as an incentive to more sacrifice in the cause of preserving the country and its holy sites.*
3. *The political leadership faces a huge historical, national responsibility and duty, to leave behind the differences and rivalries of this difficult period, unify their position and words, and support for the Iraqi forces, and make this an additional strength for the Iraqi army, to make them steadfast and constant.*
4. *The defence performed by our Armed Forces and security organs, is a holy defence against these terrorist aggressors. This is confirmed when we clearly see the methods of these terrorists which are*

²²⁹ Lambton, Ann. *A Nineteenth Century View of Jihād*. p. 183.

²³⁰ *Ibid.* p. 187.

²³¹ *Ibid.* pp. 188-189.

²³² Nakash, Yitzhak. 2003. *The Shi'is of Iraq*. New Haven: Princeton University Press. pp. 75-77.

unjust methods far from the spirit of Islam, they reject co-existing with others in peace, depending on violence and the shedding of blood, and provoking sectarian strife, in order to advance their influence and domination over Iraq and other states. Oh people of the Armed Forces, you face a historical, national responsibility and duty, your purpose, intention, and motive will be defending the sanctity of Iraq and its unity, preserving the safety of its citizens and protecting its holy places from dishonour, and pushing the evil away from this aggrieved country and its injured people. The Marja'iyah stressed its support for you, and urges you to show courage, bravery, fortitude, patience, and, this is an important point, he amongst you that sacrifices his life for his country, its people, and its land, will be a martyr, God willing. The father must encourage his son, the mother her son, the wife her husband, in steadfastness and constancy in defending the sanctity of this country and its citizens

5. *The nature of the imminent threat to Iraq in the present time requires defending the nation, its people, its land and citizens, and this is collective duty, a duty incumbent on those capable of realizing the objective, which is preserving Iraq, its people and its holy sites. To clarify this with an example, if ten thousand take up the call and achieve the objective then the duty is not incumbent upon others, if the objective isn't achieved then the duty remains. Therefore, it is incumbent on citizens able to carry weapons and fight the terrorists, to defend their country, their people, and their holy sites, they should volunteer to serve in the security forces for this holy purpose.*
6. *Many of the officers and soldiers have performed admirably in defending and remaining steadfast and have made sacrifices. The concerned bodies must honour these with special honour, so they obtain their entitlements so that this becomes an incentive to others to perform the national duty which rests on their shoulders.*²³³

This *fatwa*'s main intention is that the Iraqi population without regard to their confession should volunteer in the armed forces to fight against the Islamist terrorists of the Islamic State. In order to achieve this, the *fatwa* is well-minded phrased not to open up varying interpretations, which consequently could be abused by someone to benefit over another. The almost obsessive evoking of national feelings among Iraqis to regard this call to arms as a national duty for everyone and not as the justification for a sectarian conflict. This avoidance not to ignite sectarianism has its roots in Iraq's post-Saddam trauma, when, after the bombing of the *Imam al-Askari Shrine* in the Sunni dominated city of Samarra, a civil war among Sunnis and Shi'as erupted.²³⁴ This sectarian war drove the already war torn country further into crisis displacing

²³³ Mā warada fī Khutba l-Juma'a li-Mumathil al-Marja'iyah al-Dīniyyah al-'Uliyyā fī Karbalā' al-Maqdusa al-Shaykh 'Abd al-Mahdi al-Karbalā'ī fī (14/Shā'abān/ 1435 h) al-Muwāfiq (13/6/2014m) [What be mentioned in the Friday sermon from the representative of the high religious marja'iyah in holy Karbala Shaykh Abd al-Mahdi al-Karbalā'i from (Shaaban 14th, 1435) equal to (June 13th, 2014)]. <https://www.sistani.org/arabic/archive/24918/>. (accessed August 23rd, 2019).

²³⁴ Worth, Robert. "Blast Destroys Shrine in Iraq, Setting Off Sectarian Fury". *The New York Times*. February 22nd, 2006. <https://www.nytimes.com/2006/02/22/international/middleeast/blast-destroys-shrine-in-iraq-setting-off-sectarian.html>. (accessed August 26th, 2019).

wide portions of population out of mixed Sunni-Shi'a neighbourhoods.²³⁵ These memories, thus, made *Ali al-Sistani* clearly stating that to fight is not just one confession or party's duty but a duty for every Iraqi. These reminiscences in mind, he also called the people not to lose hope in their country, but begged them to endure the danger those intruders posed to them and, therefore, appealed to their readiness to sacrifice themselves for the sake of preserving the unity of their country, its dignity and the defence of the holy sites. This call to defend the holy places, thus, is one of the major reasons for issuing this *fatwa* as the destruction would pose the ultimate danger for Shi' Islam because the shrines of *Ali* and *Husayn* are the holiest places for Shi'ite Muslims beside Saudi Arabia's Mecca and Medina. Therefore, this *fatwa* calling Iraqis to arms depicts the *hawza ilmiyya*'s ultima ratio as *jihad* would also cost lives of Muslims, but the danger for the institutions of faith justifies this move. Although, it was written that the *fatwa* would not be a call for *jihad*, *Ali al-Sistani* issued another call specifying the rules for fighters engaging in the struggle against the zealots. *Al-Sistani* in these rules for fighters in the war against the Islamic State clearly refers back to the Alids' struggle against the oppressive caliphs of the Umayyad dynasty, when writing of the rules imam *Ali* had laid down for the fight against non-Muslims.²³⁶ These rules were issued reacting to the alleged war crimes the Popular Mobilisation Units are said to have committed. Since the majority of Iraqis follow *al-Sistani* as source of emulation, they have to obey these rules out of religious obligation otherwise they would disregard God incurring on them inexcusable sins.²³⁷ This call to arms and ruling of behaviour during this phase of *jihad*, thus, not only boosted the population's moral but also bestowed unthought legitimacy on the fighters' quest.

3.3. The Armed Forces' Failure

This legitimacy drawn from the *marja'iyya*'s call to recapture and drive out the Islamic State of Iraq was further boosted by the militias' success in fighting the Islamic State after the latter's capture of the metropolis Mosul. This success of the *Hashd Sha'bi* to effectively fight the terrorists increased their reputation among the population, which, although, advised from *al-Sistani* to join the Iraqi Armed Forces, volunteered mostly in the Popular Mobilisation Units. That the population predominantly joined the *Hashd Sha'bi* resulted from its mistrust for the Armed Forces, which's collapse turned out to be a self-fulfilling prophecy in the eyes of Iraqis.

²³⁵ Cave, Damian. "Sectarian Violence Forces Iraqis to Flee". *The New York Times*. July 20th, 2006. <https://www.nytimes.com/2006/07/20/world/middleeast/20cnd-iraq.html?searchResultPosition=4>. (accessed August 26th, 2019).

²³⁶ H.E. al-Sistani, Ali. *Advice and Guidance to the Fighters on the battlefields*. <https://www.sistani.org/english/archive/25036/>. (accessed August 26th, 2019).

²³⁷ Lambton, Ann. *A Nineteenth Century View of Jihād*. p. 189.

This mistrust for the Armed Forces among ordinary Iraqis is rooted in the institution's decades long Sunni dominance. The creation of the Armed Forces of Iraq is inseparably linked with the founding of the Iraqi state. Although, the country's Shi'a majority, the ruling elite around the Hashemite royal family trusted the former Sunni officers, which had defected from the Ottoman army before the British occupation of Iraq, more than their sparsely Shi'a counterparts. This preference of Sunnis over Shi'as was another driving factor of the 1921 uprisings against British as the Shi'a population had been excluded from state formation and the consequential distribution of power, which, thus, was bundled in the hands of the Sunni at the expense of the Shi'a and the Kurds.²³⁸ This Sunni dominance of the Armed Forces continued from the republican period of *Abd al-Karim al-Qassim* until the Ba'athist era. The rise of *Saddam Husayn* and his Ba'ath party, thus, became the period of cruel oppression since the dictator after his accession to power imposed heavy restrictions on the Shi'a. These restrictions included the expulsion of Iraqi and Iranian religious students after the demonstrations in the 1970s especially after the Islamic Revolution in Iran. This was followed by the cracking down of the Shi'ite opposition and in particular the Islamic *Da'wa Party* culminating in the execution of *Baqir al-Sadr*. After the Shi'a uprising after the Second Gulf War *Saddam's* cruelty against the population of the country he ruled, did not stop him crushing the revolt in Karbala just by letting the Republican Guard march up in white chemical warfare protective gear.²³⁹ This oppression the army committed on the orders of *Saddam Husayn* has left a lasting impression in the Shi'a community battering the armed forces reputation.

These crimes the army committed against the Shi'a population of Iraq did not prevent the ultimate loss of trust in this institution, when ambassador Paul Bremer II ordered the security forces' dissolution following the ousting of *Saddam*. Although, the armed forces' battered reputation in the population its dissolution was regarded a grave mistake as the army was the only functioning state institution in Iraq.

After the takeover of power by the Ba'athist regime in the early 1960s, the security apparatus was inflated by creating overlapping services as the ruling elite mistrusted the officer corps and, thus, created security forces and agencies controlled by the Ba'ath party to control not only the population but also the state security forces.²⁴⁰ Though, this overlapping dualism of party

²³⁸ al-Marashi, Ibrahim. 2009. "Iraq's Gulf Policy and Regime Security from the Monarchy to the post-Ba'athist Era". *British Journal of Middle Eastern Studies*. Vol. 36. No. 3. pp. 449-461. pp- 450-451., al-Marashi, Ibrahim. 2008. *Iraq's Armed Forces: An Analytical History*. Oxford: Oxford University Press. pp. 36-38, 182-185.

²³⁹ Baram, Amatzia. 2010. "Sadr the Father, Sadr the Son, the "Revolution in Shi'ism," and the Struggle for Power in the *Hawzah* of Najaf". In Amatzia Baram/ Achim Rohde/ Ronen Zeidel. *Iraq Between Revolutions: Perspectives from 1920 to the Present*. London: Palgrave Macmillan. p. 147.

²⁴⁰ Makiya, Kanan. 1998. *Republic of Fear: Berkeley: Los Angeles University Press*. pp. 3-46.

institutions and security agencies of the armed forces is a characteristic for an autocratic and despotic also the Iraqi army was built up after the rise *Saddam Husayn*. This expansion of the army was possible due to the material support from the West and the funds and loans granted by Arab powers during the Iran-Iraq war. This massive built up of the armed forces, thus, made them not only a feared institution within Iraq but also in the region, where Iraq's neighbours regarded Iraq's military capacity as a threat for their regimes.²⁴¹ This threat posed by the Iraqi Armed Forces, hence, was reduced after the international coalition's expulsion from Iraqi occupied Kuwait, which crushed the army's moral. The defeat's following uprising of the Shi'a and Kurds showed the army's crushed moral when soldiers deserted, and *Saddam* only was able to regain control after letting his private well-indoctrinated Republican Guard crush the revolt.²⁴²

The army's failure, thus, fuelled *Saddam*'s mistrust who then built up the Republican Guard as his protection forces and started also to distrust his groomed circle of family members and tribal kinsmen. Although, the armed forces had experienced a severe defeat, these institutions remained better functioning in the regime's administration than their civilian counterparts, which had been undermined by corruption. After the American disposal of *Saddam Husayn*, the armed forces and security agencies in numbers were by far the largest state institution and though, the army was disarmed it remained intact as a state institution. This was about to change when the American diplomat, ambassador Paul Bremer, was named chief administrator of occupied Iraq. Unlike his predecessor he was far more conservative and, thus, as one of his first acts ordered the dissolution of the Iraqi Armed Forces.²⁴³ This order, hence, disbanded the only functioning state institution and made some 400 000 persons jobless. This decision to disband the Iraqi army drew criticism even from US officials as it was feared that it would take years to rebuild a new army. The creation of a new army was not the only fear, but retrospectively this decision was regarded a mistake not only in the US administration but also in the academic and policy advising worlds as the higher members of the army and Ba'ath party joined the Sunni insurgents fighting the US forces in Iraq.²⁴⁴ The Islamists coming to Iraq from Syria with their

²⁴¹ Moussalli, Ahmad. 2000. "The Geopolitics of Syrian-Iraqi Relations". *Middle East Policy*. Vol. 7. No. 4. pp. 100-109. pp. 102-103.

²⁴² Baram, Amatzia. 2001. "The Iraqi armed forces and security apparatus". *Conflict, Security & Development*. Vol. 1. No. 2. pp. 113-123. pp. 118-119.

²⁴³ Coalition Provisional Authority Order Number 2.

<https://nsarchive2.gwu.edu/NSAEBB/NSAEBB418/docs/9b%20-%20Coalition%20Provisional%20Authority%20Order%20No%20%20-%20208-23-03.pdf>. (accessed August 28th, 2019).

²⁴⁴ FOR COMMENTS- Iraq- The Armed Forces of the Post-Ba'athist Republic. February 21st, 2013.

https://wikileaks.org/gifiles/docs/18/1817269_for-comments-iraq-the-armed-forces-of-the-post-baathist.html.

Iraqi brothers, thus, had huge sources of information to use against the occupiers. The dissolution, further, provided confessional militias with a role in the post-2003's struggle for security.

The deterioration of the post-*Saddam* security situation in Iraq and the rising of militias along ethnicities and confessions undermined the international community's attempt to build up a new Iraqi army. This newly created army similar to the state administration of Iraq reflected the religious and ethnical composition of the country. This mirroring, thus, is said to be the root for the new army's weakness as it reflects the ethno-religious quota system Iraq has adopted.

The newly found Iraqi army from its beginning onwards has been confronted with the real security system which had developed after the *Saddam*'s deposition. This system is shaped by a threefold division giving the three groups its own security institution. The Kurds trying to become an independent state or at least safeguarding secure their autonomy have relied on their *Peshmerga* comprising of the old party militias of the dominant Barzani Kurdish Democratic Party and Talabani Patriotic Union of Kurdistan. The Sunnis feeling marginalised in the new Iraqi state had supported partly the insurgents of al-Qaeda in Iraq before having cheered the radical Islamic State. The Shi'a, on the other hand, has since the fall of *Saddam* relied on their factions militias, which will be dealt later.²⁴⁵ Additionally, to these groups the Americans took the role of Iraq's policeman dealing with the swelling sectarian conflict. In this setting the newly created army has been training with the help of international powers but dominantly by American military advisors.²⁴⁶ Although, billions of money and material have been invested in Iraq's military, the army's capacity remained poor as the first battles against the Islamic State in 2014 showed. When the United States withdrew its forces from Iraq in 2011, the Iraqi security forces have been the first full in charge with the country's security. Following the US withdrawal new insurgencies broke out in the Sunni dominated governorates. Although, the security forces tried to manage the crises the newly transformed Islamic State was able to seize the majority of al-Anbar's territory with taking the city of Falluja in the beginning of 2014 from the government's forces.²⁴⁷ The security forces' failure to defend discredited them in the eyes

(accessed August 28th, 2019)., Khatib, Line. 2018. "The Pre-2011 Roots of Syria's Islamist Militants". *The Middle East Journal*. Vol. 72. No. 2. pp. 209-228. pp. 223-224.

²⁴⁵ Mansour, Renad/ Jabar, Faleh. 2017. "The Popular Mobilization Forces and Iraq's Future". *Carnegie Middle East Center*. p. 5.

²⁴⁶ Gordon, Michael. "Army Expands Training for Advisers Who Will Try to Improve Iraq's Security Forces". *The New York Times*. November 25th, 2006. <https://www.nytimes.com/2006/11/25/world/middleeast/army-expands-training-for-advisers-who-will-try-to-improve.html?searchResultPosition=5>. (accessed August 28th, 2019).

²⁴⁷ Ghazi, Yasir/ Arango, Tim. "Iraqi fighters, Qaeda Allies, Claim Falluja as New State". *The New York Times*. January 3rd, 2014. <https://www.nytimes.com/2014/01/04/world/middleeast/fighting-in-falluja-and-ramadi.html?searchResultPosition=18>. (accessed August 28th, 2019).

of the population, but the forces' reputation was crushed finally, when the Islamic State was able to seize Nineveh's capital Mosul. The capture of Mosul by the Islamic State brought down the population's trust in the state's security forces finally as soldiers did not fight even down but laid down weapons and fled the city.²⁴⁸ The fall of Mosul to the radical Islamists scared the population that much that when *marja' Ali al-Sistani* called for defensive *jiḥād* against the Islamic State, the population throw its loyalty and hope behind the *Hashd Sha'bi* as they turned out to be effective against the Islamists.

3.4. Old New Paramilitaries

Those two factors, the religious legitimacy bestowed on the *Hashd Sha'bi* and the predicted failure of Iraq's armed forces, boosted the reputation of the militias united under the banner of the *Hashd Sha'bi*, thus, making them a dominant factor in post-Islamic State politics. Although, the *fatwa* was issued only in June 2014, many of those groups date back to the American occupation or even to times of the Iran-Iraq War. Therefore, before analysing the founding histories of these groups, the question rises *how do the religious dynasties affect the factionalisation of the Popular Mobilisation Units?*

As the security situation in Iraq deteriorated with the withdrawal of American troops in 2011, a new wave of violence flooded the country as a consequence of prime minister *Nouri al-Maliki*'s sectarian policies. Maliki who came to power following the elections in 2006 like long-term despot *Saddam Husayn* tried to bundle all executive power in his hands. Therefore, he bypassed the regular structures of the state, when creating a new chain of command not replying to the ministry of defence but only to his office as supreme commander of the armed forces.²⁴⁹ *Al-Maliki*, thus, stuffed military institutions with his loyalists to suppress nay objection to his government and, further, removed the checks and balances of the Iraqi constitution in the civil administration.²⁵⁰ When the Islamic State then seized more than a third of Iraq's soil, *Nouri al-Maliki*'s authoritarian system proofed ineffective as the country's security forces fled the outnumbered Islamic State fighters. At this moment *al-Maliki* who in his first term as prime minister had fought militias began to change his mind and, thus, two days before *al-Sistani*'s

²⁴⁸ al-Salhy, Suadad/ Arango, Tim. "Sunni Islamists Drive Iraqi Army Out of Mosul". *The New York Times*. June 10th, 2014. <https://www.nytimes.com/2014/06/11/world/middleeast/militants-in-mosul.html?searchResultPosition=22>. (accessed August 28th, 2019).

²⁴⁹ Sullivan, Marisa. 2013. "Maliki's Authoritarian Regime". *Institute for the Study of War Middle East Security Report No. 10*. pp. 11-12.

²⁵⁰ Ibid. pp. 19-21.

fatwa issued cabinet order in June 2014 creating a commission to fight against terroristic operations in Iraq.²⁵¹

Although, *Nouri al-Maliki* had won the national elections, these policies distanced himself from the official *Da'wa* party's position to oppose the allowance to create paramilitary units. This change of mind alienated, hence, the other senior leader of the *Da'wa* party, of which *Nouri al-Maliki* has been general secretary, and made them send a petition to *marja' Ali al-Sistani* asking them for his instructions. *Al-Sistani's* answer became the end for *al-Maliki's* quest for a third term as prime minister as the *mujtahid* answered that Iraq needed a new leader.²⁵² As a consequence even *al-Maliki's* backers in Iran withdraw their support for him, thus, passing the way for *Hayder al-Abadi*. The accession of *al-Abadi* soured relations with his predecessor as *al-Abadi* posed to be more critical to Iran and, thus, to the Iran loyal militias. *Al-Maliki*, consequently, unhappy with his deposition tried to delegitimise *al-Abadi* as a weak prime minister.²⁵³ This move against his successor has only been possible because *al-Maliki* portrayed him as the godfather of the *Hashd Sha'bi*. During his second term as prime minister he, thus, supported those militias, which were to fall under the Popular Mobilisation Units umbrella, with funds and material.²⁵⁴

That *al-Maliki* was able to support the militias to this extent was a consequence of his close relation with the Iranian state. He, when the membership in the *Da'wa* party became punishable by death, fled for Syria. There he worked as a political officer of his party and issued the party's newspaper. With the factionalising of his party in a more Iran orientated branch and an anti-Iranian branch, he chose to stay in the middle as a mediator, though, becoming closer to Iran in his exile.²⁵⁵ He participated in several Iraqi opposition conferences in Beirut, thus, becoming the head of the Iraqi opposition movement there.²⁵⁶ In this time he allegedly cooperated with Hezbollah to carry out attacks against *Da'wa* opponents before returning to Iraq following *Saddam's* ousting. The contacts made during his exile benefited him as he had a well-established network in the Middle East, which he was able to rely on during his prime

²⁵¹ Ministerial Cabinet of Iraq. Order No. 301.

<http://iraqlid.hjc.iq:8080/LoadLawBook.aspx?page=1&SC=&BookID=37675>. (accessed August 29th, 2019)., Mansour, Renad/ Jabar, Faleh. *The Popular Mobilization Forces and Iraq's Future*. pp. 6-7.

²⁵² al-Qarawee, Hartih Hassan. 2019. "The 'formal' Marja': Shi'i clerical authority and the state in post-2003 Iraq". *British Journal of Middle Eastern Studies*. Vol. 46. No. 3. pp. 481-497. p. 489.

²⁵³ Mansour, Renad/ Jabar, Faleh. *The Popular Mobilization Forces and Iraq's Future*. p. 10.

²⁵⁴ Ibid. p. 9.

²⁵⁵ al-Mālīkī... sīra dhātīyya [al-Maliki... Curriculum Vitae]. May 2nd, 2006. <http://www.swissinfo.ch/ara/---المالكي/5158130/سيرةذاتية>. (accessed August 29th, 2019).

²⁵⁶ Sīra dhātīyya li-l-sayyid al-ra'īs al-wuzarā' wa sādā 'a'ḏā' ḥukūmatihi [Curriculae vitae of the Prime Minister and the members of his government]. *Burath News*. May 21st, 2006. <http://burathanews.com/arabic/news/1969>. (accessed August 29th, 2019).

ministership.²⁵⁷ With his closeness to Iran he began to rely on militias to fight the Sunni insurgents after the US withdrawal in 2011.

These groups fighting the Islamic State since its arrival in Iraq are not a new institution, since many of these militias date back to the days after the American invasion or even earlier. As many of these groups are a reaction to the Sunni Islamists and Ba'athist shaped militias, their fighters are predominantly of Shi'ite creed. These militias like ordinary believers should opt for a *marja'* as religious leader to draw legitimacy from him and to mobilise his followers to join them. The *fatwa* grand *ayatollah Ali al-Sistani* had issued had this desirable effect as thousands volunteered to join the militias in their fight against Sunni zealots.²⁵⁸ Although, the *ayatollah* called to join the existing armed forces, the core group of the *Hashd Sha'bi* hijacked the *fatwa* for their advantage as they took over army recruiting centres to handle the masses of volunteers who preferred to join the Shi'ite militias over the regular army.²⁵⁹

As the institutional rise of the *Hashd Sha'bi* has been described above, it is now to analyse the founding stories of the dominant militias organised under the umbrella of the Popular Mobilisation Units. Since most groups are been traced back to *Muqtada al-Sadr's Jaysh al-Mahdi*, these groups will be dealt first before describing their ideological kinsmen of the *al-Hakims Munazzamat al-Badr*. The last groups analysed will be those loyal to the *hawza* of Najaf.

3.4.1. *Jaysh al-Mahdi* and its Splinters

Having disappeared after the assassination of his father and brothers in 1999, *Muqtada al-Sadr* is said to be having hidden on *al-Salam* cemetery in Karbala until the doom of *Saddam's* regime in 2003. This hiding on the cemetery of Karbala affected *Muqtada's* psychological health as this is said to be the reason of his obsession with occulted imam *Mahdi*.²⁶⁰ When the United States' army, thus, took the southern Iraqi provinces and the capital Baghdad, he also came out of his hiding declaring the formation of an armed force serving the occulted imam in a Friday sermon in Kufa's main mosque in June 2003.²⁶¹ In this Friday sermon he preached that this

²⁵⁷ Mansour, Renad/ Jabar, Faleh. *The Popular Mobilization Forces and Iraq's Future*. p. 8.

²⁵⁸ Chivers, C. J. "Answering a Cleric's Call, Iraqi Shiites Take Up Arms". *The New York Times*. June 21st, 2014. <https://www.nytimes.com/2014/06/22/world/middleeast/iraq-militia.html>. (accessed August 29th, 2019).

²⁵⁹ Mansour, Renad/ Jabar, Faleh. *The Popular Mobilization Forces and Iraq's Future*. pp. 10-11.

²⁶⁰ Posch, Walter. 2017. *Schiitische Milizen im Irak und in Syrien: Volksmobilisierungseinheiten und andere*. https://www.academia.edu/34182023/Schiitische_Milizen_im_Irak_und_in_Syrien. (accessed August 30th, 2019).

²⁶¹ al-Şadr Maslaḥan... min Jaysh al-Mahdī 'iā Sarāyā al-Salām [al-Sadr arms... from Mahdi army to Peace Brigades]. March 14th, 2018. <https://www.irfaasawtak.com/a/muqtada-iraq/424970.html>. (accessed August 30th, 2019).

army, the *Jaysh al-Mahdi*, will fight to defend *Muqtada al-Sadr*'s Islamic shadow government, which he by that time had set up Islamic courts enforcing a strict interpretation of *shari'a* law in the southern cities and *al-Sadr*'s bastion in Sadr City.

In addition to this enforcing of strict Islamic law, his shadow government distributed social services in the shantytowns of these cities and neighbourhoods for the poor Shi'a, which consequently increased young *Muqtada*'s reputation as defender of the poor.²⁶² These distributions of social services and guarantying of security built mainly on traditions his father had lain, when he pushed forward his *marja'iyya* in the 1990s. *Muqtada al-Sadr* not only revived his father's social network but also like him strongly emphasized Iraqi nationalism out of which he developed a *Khomeinist* inspired rejection of the intervention of Western troops especially American. In the Friday sermon, thus, he declared that *Jaysh al-Mahdi* not only would safeguard the poor Shi'a but also will engage American troops in battle.²⁶³ Amir Taha has argued that the mere continuation of his father's network is not a sufficient proof of origins of the *Jaysh al-Mahdi*. He, thus, proposed that ambassador Bremer's decision to disband the Iraqi army had a lasting influence on the formation of the Mahdi Army when the newly jobless joined the militias as a result of the disbanding.²⁶⁴ This argumentation would explain why *Jaysh al-Mahdi* was able to confront the United States' forces after the occupation without any specific training before, if one follows Taha's explanation that a big portion of *JAM* consisted out of ex-combatants of the dissolved Iraqi security forces, which had gathered combat experience during the last decade of dictatorial Iraq.²⁶⁵ The other segment *Jaysh al-Mahdi* included were ordinary criminals who supplied the movement with funds from their illegal activities including the profitable smuggling in the Iraqi-Iran border area close to Iraqi metropolis Basra.²⁶⁶

Though, these influences made *Jaysh al-Mahdi* a serious threat to the US occupation forces and the Iraqi Provisional Authority, the Sadrist movement including the Mahdi Army began to splinter as dissent between *Muqtada al-Sadr* and his father's *wukala'* and students arose. In 1999 *Sadiq al-Sadr* had been assassinated at the top of his career as he proofed to be a serious threat to the Iraqi regime when he publicly spoke about against it. His assassination, hence, left

²⁶² Godwin, Matthew. 2012. "Political inclusion in unstable contexts: Muqtada al-Sadr and Iraq's Sadrist Movement". *Contemporary Arab Affairs*. Vol. 5. No. 3. pp. 448-456. p. 449.

²⁶³ Cockburn, Patrick. 2008. *Muqtada: Muqtada al-Sadr, the Shia Revival and the Struggle for Iraq*. New York: Scribner. pp. 133-135.

²⁶⁴ Taha, Amir. 2019. "Turning ex-combatants into Sadris: explaining the emergence of the Mahdi Army". *Middle Eastern Studies*. Vol. 55. No. 3. pp. 357-373. pp. 361-362.

²⁶⁵ Ibid. p. 363.

²⁶⁶ Cochrane, Marisa. 2009. "The Fragmentation of the Sadrist Movement". *Institute for the Study of War Iraq Report No. 12*. p. 32.

a power vacuum in his movement, which had been filled by his students and *wukala'* as *Muqtada* by this time was far too young to lead the movement.²⁶⁷ As the movement now lacked a spiritual leader the majority of his *wukala'* turned to Qom based Iraqi born *ayatollah Kazem al-Haeri* as new source of emulation for the movement. Following the American intervention in Iraq 2003 *Muqtada al-Sadr* assumed the movement's leadership as he was made *ayatollah al-Haeri's wakil* in Iraq allowing him to collect *khums* on his behalf. This position as *wakil* bestowed religious legitimacy on his leadership, though, he mere became *primus inter pares* with his late father's students, but was granted pre-eminence as *al-Haeri's* representative in *fatwa* matters.²⁶⁸ Although, this attempt to legitimise *Muqtada's* leadership, his father's student *Muhammad al-Yacoubi* did not recognise the former's leadership splitting from the movement to form the *al-Fadhila Party*.²⁶⁹ Though, this first rift within *Jaysh al-Mahdi Muqtada al-Sadr* was able to hold together the army servicing the occulted Imam.

Due to his rejection of what his father already called the quiet *hawza* meaning the traditional apolitical *marja' iyya*, he tried to seize Najaf's shrine in compensation for *al-Haeri's* withdrawn financial support, thus, alienating his late father's *wukala'* and students. *Al-Haeri's* relation with young *Muqtada* deteriorated due to the latter's ignorance to inform his *mujtahid* about the operations *Jaysh al-Mahdi* conducted against the holy shrine cities. *Ayatollah al-Haeri* who had granted *Muqtada* the right to collect *khums* on his behalf to fund the Sadrist movement, thus, issued a *fatwa* renouncing this right.²⁷⁰ This revocation deprived the Sadrist movement of its main source of income and constituted a major factor for the future splintering of *Jaysh al-Mahdi* as the students of his father regarded this a major mistake.

When *Muqtada* took the leadership of the Sadrist movement he lacked the religious credentials to be its *marja'* and, hence, run short on money. In order to solve his financial shortcomings and in retaliation for the *hawza's* silence after the assassination of his father, *Muqtada* sought to take the Iraqi shrine cities, which's control would serve his financial interests as those cities are the major centres for pilgrimage for pious Shi'ites.²⁷¹ After taking Karbala in October 2003, he twice sought to take the more important shrine city of Najaf and failed in his first attempt when he got driven off by *Badr* forces which were in clear support for *al-Sistani*. In August

²⁶⁷ Cochrane, Marisa. *The Fragmentation of the Sadrist Movement*. p. 11.

²⁶⁸ Smith, Craig. "Aftereffects: Iran's Influence; Cleric in Iran Says Shiites Must Act". *The New York Times*. April 26th, 2003. <https://www.nytimes.com/2003/04/26/world/aftereffects-iran-s-influence-cleric-in-iran-says-shiites-must-act.html?searchResultPosition=1>. (accessed September 2nd, 2019).

²⁶⁹ Iraq 201: Shi'a Political Landscape Colored By Internal Rivalry. (09BAGHDAD731_a). Baghdad. March 18th, 2009. https://wikileaks.org/plusd/cables/09BAGHDAD731_a.html. (accessed September 2nd, 2019).

²⁷⁰ Fathi, Nazila. "Ex-Mentor of Rebel Iraqi Cleric Breaks From His Protégé". *The New York Times*. September 5th, 2004. <https://www.nytimes.com/2004/09/05/world/middleeast/exmentor-of-rebel-iraqi-cleric-breaks-from-his-protége.html>. (accessed September 2nd, 2019).

²⁷¹ Raphaeli, Nimrod. "Understanding Muqtada al-Sadr". *Middle East Quarterly*. Vol. 11. No. 4. pp. 33-42. p. 39.

2004 he managed to seize Najaf forcing back *grand ayatollah Ali al-Sistani* who by this time was undergoing medical treatment in London. After *al-Sistani*'s return the Sadrist are said to be getting a fifty percent share of the shrine's revenue.²⁷² Although, this arrangement a cleric close to *Muqtada* admitted in September 2004 that the movement was suffering from a massive hardship.²⁷³ This economic hardship as well as the alienation of the *hawza ilmiyya* contributed to *Muqtada*'s loss of grip over *Jaysh al-Mahdi*.

The Mahdi Army, though being nominally under *Muqtada al-Sadr*'s command, never has been that unified as the aftermath of the Najaf uprisings have shown, since first formations within the *Jaysh al-Mahdi* began to act independently. These aforementioned factors contributed to the disintegration of the Mahdi Army into a *Muqtada* loyal force and some groups which the Americans referred as the special groups. These groups have been led predominately by *Sadiq al-Sadr*'s *wukala'* and students as they did regard *Muqtada* not only to young in age but also to inferior in education in comparison to themselves as had *Muhammad al-Yaqoubi*.²⁷⁴ These special groups have another common feature as they do recognise *ayatollah Ali Khomeini* as their source of emulation in addition to the traditional Sadrist leaders *Baqir al-Sadr* and *Sadiq al-Sadr*.

One of the first groups to splinter from *Jaysh al-Mahdi* has been *Asa'ib Ahl al-Haqq* (AAH), the League of the Family of the Righteous. The group is said to be founded in August 2004 following the second battle of Najaf as the group's leader *Qais al-Khazali* had fallen out with *Muqtada* over operational tactics.²⁷⁵ After the fall out with *al-Sadr al-Khazali* issued orders himself despite *Jaysh al-Mahdi*'s ceasefire fighting the American occupation. Although, the two leaders reached an agreement in 2005 when *Muqtada* named *al-Khazali* head of the offices of the Martyred Imam, the alliance between finally broke in 2006.²⁷⁶ During this short time *al-Khazali* exerted a high degree of influence over *Muqtada* as the former was in control of the supplies and weapons the Iranian allegedly provided.²⁷⁷ This Iranian link, thus, is a feature of the special groups that the traditional Sadrists traditionally reject, which consequently ended a

²⁷² Baram, Amatzia. 2010. "Sadr the Father, Sadr the Son, the "Revolution in Shi'ism," and the Struggle for Power in the *Hawzah* of Najaf". In Amatzia Baram/ Achim Rohde/ Ronen Zeidel. *Iraq Between Revolutions: Perspectives from 1920 to the Present*. London: Palgrave Macmillan. pp. 153-154.

²⁷³ Cochrane, Marisa. *The Fragmentation of the Sadrist Movement*. p. 15.

²⁷⁴ Ibid. p. 12.

²⁷⁵ Ibid. p. 15., 'Aṣā'ib Ahl al-Haqq tu'asisa Ḥizban Siyyāsiyyan [Asa'ib Ahl al-Haqq founded a political party]. *Al-Alam*. May 24th, 2017. <https://www.alalamtv.net/news/1973227/عصائب-أهل-الحق-تؤسس-حزباً-سياسياً>. (accessed September 6th, 2019).

²⁷⁶ Cochrane, Marisa. 2008. "Asaib Ahl al-Haqq and the Khazali Special Groups Network". *Institute for the Study of War Background* No. 38. p. 2.

²⁷⁷ A Struggle For The Mind Of Muqtada al-Sadr. (05BAGHDAD2430_a). Baghdad. June 8th, 2005. https://wikileaks.org/plusd/cables/05BAGHDAD2430_a.html. (accessed September 6th, 2019).

possible Iranian support for *Jaysh al-Mahi*. *Qais al-Khazali* despite the ceasefire threatened American troops in Iraq, thus, becoming a priority target for the United States, which managed to detain him in 2007.²⁷⁸ During the time of *al-Khazali*'s detention *Akram al-Ka'bi*, another student of *Muqtada*'s father ran *Asa'ib Ahl al-Haqq*, who had been commander in chief of *Muqtada*'s *Jaysh al-Mahdi* until the detention of *al-Khazali*.²⁷⁹ Following the detention of AAH leader *al-Khazali al-Ka'bi* is said to have taken the interim leadership of the special groups. During *al-Ka'bi*'s leadership the government of *Nuri al-Maliki* started the operation "Charge of Knights" to bring the city of Basra as well as key infrastructure position under its control. This operation intended to reduce the Shi'ite militias influence in the region, but mainly to deprive them of their economic assets as Basra is Iraq's main harbour to ship crude. As the Iraqi Armed Forces outnumbered *Jaysh al-Mahdi* and the *Badr Brigades*, *Muqtada* had to broker a ceasefire in order to save the remnants of his Mahdi Army. This ceasefire, though just affecting an alleged Iraqi problem, was brokered in the Iranian shrine city of Qom in the presence of the Revolutionary Guard's Quds Brigade commander *Qasem Soleimani* according to US media.²⁸⁰ Although American sources tend to overstate the Iranian control of the *Jaysh al-Mahdi*, the Iranian influence in the special groups seems to be undeniable.²⁸¹ This friction in the lines of the *Jaysh al-Mahdi* and the Iranian influence over the special groups has also been confirmed by then Vice President of Iraq *Adel Abd al-Mahdi*. The meeting held with the American ambassador a month after the Basra ceasefire, he, thus, confirmed that *Muqtada* only formal controls his Mahdi Army and that due to this weakness other groups under the umbrella of *Jaysh al-Mahdi* can operate as they wish to do.²⁸² *Abd al-Mahdi* in this meeting also makes a remark on the tribal loyalties, which he warns could be exploited for political reasons. This hint can only be understood as a clear reference to *al-Khazali*'s and *al-Ka'bi*'s tribal lineage as both descend from tribes, which live not only in southern Iraq but also in Iran's Arab dominated Khuzestan province.²⁸³ This tribal origins had been exploited in the cross border smuggling of

²⁷⁸ Upcoming Transfer of AAH Leader Qays al-Khazali to GOI Custody. (09BAGHDAD3365_a). Baghdad. December 30th, 2009. https://wikileaks.org/plusd/cables/09BAGHDAD3365_a.html. (accessed September 6th, 2019).

²⁷⁹ Cochrane, Marisa. *The Fragmentation of the Sadrist Movement*. p. 19.

²⁸⁰ Fadel, Leila. "Iranian general played key role in Iraq cease-fire". *McClatchy*. March 30, 2008. <https://www.mcclatchydc.com/news/nation-world/world/article24479815.html>. (accessed September 9th, 2019).

²⁸¹ Iran commandeers Basrah JAM. (07BASRAH55_a). Basra. June 24th, 2007. https://wikileaks.org/plusd/cables/07BASRAH55_a.html. (accessed September 9th, 2019).

²⁸² VP Adel: JAM and Sadrist Down but Not Out, Iran Reassessing Iraq Policy. (08BAGHDAD1207_a). Baghdad. April 17th, 2008. https://wikileaks.org/plusd/cables/08BAGHDAD1207_a.html. (accessed September 9th, 2019).

²⁸³ Nakash, Yitzhak. 2003. *The Shi'is of Iraq*. Princeton: Princeton University Press. p. 27., Izzawi, nn.

the Arab tribes and helped the militias to build up their criminal economic empire.²⁸⁴ Thus, the final division of the *Jaysh al-Mahdi* and the *Asa'ib Ahl al-Haq* can be said to date back to 2008, when *al-Sadr* opted for the demobilisation of his *Jaysh al-Mahdi* and the transformation into a mere political organisation. Although, *Muqtada* announced this transformation in Kufa like the foundation of *Jaysh al-Mahdi* he kept himself an elite force, which has been named the special companies.²⁸⁵ These special companies kept low profile until the rise of the Islamic State, when *Muqtada al-Sadr* announced that they will join the fight against the Sunni zealots after *al-Sistani* called for defending the nation. Therefore, he merged the *Liwa' Yawm al-Maw'ud* with new recruits into *Saraya al-Salam*, the Peace Brigades as the successor of JAM.²⁸⁶

Asa'ib Ahl al-Haq is, therefore, the first Sadrist splinter, which is more Iran orientated than the traditional Sadrist militias. The group's website in addition to the martyred *al-Sadrs* displays *ayatollah Ali Khamene'i* as the group's spiritual leader as their allegiance with the Iranian regime.²⁸⁷ *Asa'ib Ahl al-Haq* has not been the only splinter of the Sadrist movement, which broke with their mother organisation.

During the detention of *al-Khazali Akram al-Ka'bi* took the leadership of AAH, thus retiring from the general command of *Jaysh al-Mahdi*. *Al-Ka'bi* like *al-Khazali* had been a student of late *Sadiq al-Sadr* and helped to keep his teachers movement alive after *Sadiq al-Sadr's* assassination. That *Akram al-Ka'bi* outranked *Muqtada* in terms of religious prestige has been visible when Iran based *ayatollah Makarem-Shirazi* announced that *al-Ka'bi* would serve as his *wakil* in Iraq.²⁸⁸ Before he had already been made representative of several other *ayatollahs* including *Muqtada's* former *marja' Kazem al-Haeri*. Following media reports *Akram al-Ka'bi* found the group *Harakat Hizb Allah al-Nujaba'*, when the *al-Khazali* splintered from the Sadrist movement in 2004.²⁸⁹ The movement is said to have acted within *Asa'ib* before *al-*

²⁸⁴ Williams, Phil. 2009. *Criminals, Militias and Insurgents: Organized Crime in Iraq*.

<https://ssi.armywarcollege.edu/pdf/files/PUB930.pdf>. (accessed September 9th, 2019). pp. 63-105.

²⁸⁵ Cordesman, Anthony/ Ramos, Jose. 2008. "Sadr and the Mahdi Army: Evolution, Capabilities and a New Direction". *Center For Strategic & International Studies*. pp. 23-24.

²⁸⁶ Loveday, Morris/ Salim, Mustafa. "Iraqi Shiite cleric recalls militiamen from fight against Islamic State". *The Washington Post*. February 17th, 2015. https://www.washingtonpost.com/world/middle-east/iraqi-shiite-cleric-recalls-militiamen-from-fight-against-islamic-state/2015/02/17/9e85321a-b6bb-11e4-bc30-a4e75503948a_story.html. (accessed September 9th, 2019).

²⁸⁷ For example: <http://ahlulhaq.com/index.php/permalink/5540.html>. (accessed September 9th, 2019).

²⁸⁸ Shaykh Akram al-Ka'bi nemāyande-ye Āyatollah-e Makārem Shirāzī dar 'Erāq shod [Shaykh Akram al-Ka'bi became representative of Ayatollah Makarem Shirazi]. *Farvadin* 22nd, 1395.

<https://www.isna.ir/news/95012208207/شیخ-اکرم-الکعبی-نماینده-آیت-الله-مکارم-شیرازی-در-عراق-شد>. (accessed September 9th, 2019).

²⁸⁹ Al-Kūnghris yuṣānnifu "al-Nujabā'" Irhābiyyatan... wa al-Ḥaraka taraddu "Sharaf lanā" [The Congress classifies "al-Nujaba'" Terrorists... the Movement repiles "Honour for us"]. *Al-Arabiya*. November 16th, 2017. <https://www.alarabiya.net/ar/arab-and-world/iraq/2017/11/16/الكونغرس-يصنف-النجباء-إرهابية-والحركة-تتردشرف-لنا>. (accessed September 9th, 2019).

Khazali decided to separate from *Asa'ib* in 2013 to join the Syrian regime in its fighting against the Islamic state in strategic important areas of south Damascus and Aleppo, before coming back to Iraq after the seizure of Mosul by the Islamic State.²⁹⁰ *Akram al-Ka'bi's* position as *wakil* for several Iranian *mujtahids* as well as the group displaying *Ali Khameini* on certain occasions, thus, is a clear indication for the group's loyalty towards Iran.

The last group to splinter from the Sadrist movement is *Shaykh Adnan al-Shahmani's Harakat Tayyar al-Risali*. *Al-Shahmani* who had been *Muqtada's* spokesman in the aftermath of the American occupation of Iraq. *Abd al-Mahdi* in his meeting with the American ambassador revealed that the former students and associates of *Sadiq al-Sadr* have taken the lead of *Jaysh al-Mahdi* after *Muqtada's* decision of disbanding the militia. One of those senior leaders, *Abd al-Mahdi* named, has been *al-Shahmani*, who founded contrary to *al-Ka'bi* and *al-Khazali* not a militia but a political party first.²⁹¹ He, thus, joined *Nouri al-Maliki's State of Law* coalition and was elected into parliament, where he served as head of the influential defence council.²⁹² He following the *fatwa* of *al-Sistani* formed a militia additionally to his party, fighting the Islamic State in Iraq only.²⁹³

The assassination of *Sadiq al-Sadr* proved not only to be the Sadrists' first collapse but also the beginning of the disintegration of the movement. The main reasons, therefore, have been *Muqtada al-Sadr's* inferior religious learning due to his young age and the outranking influence of his father's students. These circumstances lead to the movement's disintegration when *ayatollah al-Haeri* broke with the Sadrists following the attack on the *hawza ilmiyya* in Najaf 2004. The conditions for the group's *Jaysh al-Mahdi* deteriorated when *Muqtada* had to make concessions to occupational forces, which he had sworn to fight, thus, the special groups under

²⁹⁰ «Ḥarakat al-Nujabā' al-'Irāqīyya»... Tanzīm ghāmiḍ fī Saḥat al-'Irḥāb [«Iraqi Movement of the Nobles»... a Hidden Organisation in the Place of Terrorism]. *Sharq al-Awsat*. <https://aawsat.com/home/article/1102306/حركة-النجباء-العراقية-تنظيم-غامض-في-ساحة-الارهاب>. (accessed September 9th, 2019).

²⁹¹ VP Adel: JAM and Sadrist Down but Not Out, Iran Reassessing Iraq Policy. (08BAGHDAD1207_a). Baghdad. April 17th, 2008. https://wikileaks.org/plusd/cables/08BAGHDAD1207_a.html. (accessed September 9th, 2019)., JAM Freeze Enters "Phase of Doctrinal and Psychological Development" Until August 16". (08BAGHDAD666_a). Baghdad. March 6th, 2008. https://wikileaks.org/plusd/cables/08BAGHDAD666_a.html. (accessed September 9th, 2019).

²⁹² Heras, Nicholas. 2016. "A Look At Iraq's Battlefield Parliamentarians: The Hashd Shaabi Commanders Leading The Fight Against Mosul". *The Jamestown Foundation Militant Leadership Monitor*. Vol. 7. No. 10. <https://jamestown.org/brief/look-iraqs-battlefield-parliamentarians-hashd-shaabi-commanders-leading-fight-mosul/>. (accessed September 9th, 2019).

²⁹³ Posch, Walter. *Schitische Milizen in Irak und Syrien: Volksmobilisierungseinheiten und andere*. p. 21., "Principal Shiite militias in Iraq". *al-Monitor*. https://www.al-monitor.com/pulse/files/live/sites/almonitor/files/documents/2016/iraq_pmu_shiite_militias.pdf. (accessed September 9th, 2019).

the leadership of *Qays al-Khazali* and *Akram al-Ka'bi* broke with *Muqtada* as they received funds and support from the Islamic Republic, with which they, thus, entered a close allegiance.

3.4.2. The *Hizbollah* Complex

Another circle of groups being active since the American disposal of *Saddam Husayn* are the *Hizbollah* cells. These cells, though bearing the name of the famous Lebanese Hezbollah, are far more complex in their emergence than any other militias, since this complexity is a result of sharing the characteristic name of *Hizb Allah*, which translated means party of god. This circumstance of sharing the name has made it harder to differentiate if all these cells belong to a single *Hizbollah* or are groups independent from each other. Whereas the Americans try to link all these groups through close relations to the Lebanese Hezbollah, Walter Posch has argued that it is impossible to follow the theory of a single *Hizbollah* since there are no evidences that these groups have a consistent link to each other. He only was able to proof that the majority of those *Hizbollah* cells were founded in the Iraqi Marshes from the *Ma'dan*, *Ma'rada* and *Bahadili* tribes, which all opposed the regime of *Saddam* and the following American occupation.²⁹⁴ Walter Posch's analyses in comparison to older literature of the Shi'ite movements is the most accurate as it takes into account secret documents published on Wikileaks, which have not been available before. Therefore, the section will only deal with the complex history of the *Hizbollah* movements focusing on the Iran dominated *Kata'ib Hizbollah*.

Kata'ib Hizbollah rose to prominence following the American occupation of Iraq, when the group attacked US forces and institutions throughout the country. The group is said to be led by *Abu Mahdi al-Muhandis*, a senior *mujahid* of the Iraqi Shi'a.²⁹⁵ *Abu Mahdi al-Muhandis* whose real name is *Jamal Ja'far Muhammad Ali Al Ibrahim* was born in the southern Iraqi city of Basra in 1954.²⁹⁶ In 1973 he pursued education at the engineering faculty of the university for technology in Baghdad, where he obtained a degree in 1978. Later on, he also obtained a degree in political science and completed the *muqadama* level at the *Muhsin al-Hakim* founded

²⁹⁴ Posch, Walter. *Schiitische Milizen in Irak und Syrien: Volksmobilisierungseinheiten und andere*. pp. 21-23.

²⁹⁵ Dehghanpisheh, Babak. "Special Report: The fighters of Iraq who answer to Iran". *Reuters*. November 12th, 2014. <https://www.reuters.com/article/us-mideast-crisis-militias-specialreport/special-report-the-fighters-of-iraq-who-answer-to-iran-idUSKCN0IW0ZA20141112>. (accessed September 12th, 2019).

²⁹⁶ Al-Mukhtar, Othman. "Fugitive from international justice now militia leader in Iraq". *al-Araby*. January 4th, 2015. <https://www.alaraby.co.uk/english/politics/2015/1/4/fugitive-from-international-justice-now-militia-leader-in-iraq>. (accessed September 12th, 2019).

hawza in Basra.²⁹⁷ Following the first executions of students he joined *Da'wa* party, which made him wanted by the revolutionary tribunal in 1979. He, thus, after the execution of *Muhammad Baqir al-Sadr* left Iraq for Kuwait, where he joined the Kuwaiti University.²⁹⁸ At the same time *Hassan Radi Kadhim al-Sari*, the founder of the Iraqi Hizbollah studied chemistry at the university of Basra, who according to then US ambassador to Iraq Khalilzad had been highly political active.²⁹⁹ Due to the lack of Shi'a Islamist organisations, *al-Sari* can only have joined *al-Da'wa*, where he met *al-Muhandis* and other influential *Da'wa* activists. As the regime's crackdown deteriorated the political situation in Iraq, many Islamists left Iraq for ever Iran or Kuwait. Faleh Jabar has argued that the group of *Da'wa* members from the south due to internal political differences opted to leave the *Da'wa* party to participate in the foundation of the *Supreme Council for the Islamic Revolution in Iraq*.³⁰⁰ This *Da'wa* splinter of Basra, therefore, is likely to be *al-Sari's* *Hizbollah* as *al-Sari* has also been born into the southern city of Amarah. Although, *al-Sari* stayed in Iraq following the Iranian revolution, the more radicalised members like most Islamists left Iraq for the Iranian safe haven. Since SCIRI was founded as an umbrella for Iraqi Shi'ite opposition groups, *al-Muhandis* joined the *al-Hakim* led SCIRI in Tehran as he was wanted in Kuwait for his alleged participation in the bombings of the American and French embassies in Kuwait.³⁰¹ Hanna Batatu, thus, writes about the *Da'wa's* involvement of the party's members in the attacks on the two western embassies as a differentiation between the Shi'ite opposition movements and their respective members had not been possible.³⁰² Due to his Basran origin it only seems logical that he was a member of this *Da'wa* splinter from Basra, which joined the SCIRI when the *Da'wa* mother party was at odds with the Iranian dominated SCIRI.³⁰³ *Al-Muhandis* in an interview with the Iranian student journalism club confirmed his vita and mentioned that although joining the SCIRI he maintained good relations with *al-Da'wa*.³⁰⁴ *Al-Muhandis*, hence, became commander of the

²⁹⁷ Abū Mahdī al-Muhandis... Maṭlūb wa Maḥkūm wa "Irhābī" [Abu Mahdi al-Muhandis... Wanted, Tried and "Terrorist"] *Kurdistan* 24. October 27th, 2017. <https://www.kurdistan24.net/ar/news/59479aac-679f-4d3f-9708-1d9e992adf27>. (accessed September 12th, 2019).

²⁹⁸ Abū Mehdi al-Mohandes kīst? [Who is Abu Mahdi al-Muhandis?]. *Raja News*. March 15th, 2015. <http://www.rajanews.com/news/205949>. (accessed September 12th, 2019).

²⁹⁹ Re-Elected Shia Islamist Parliamentarian Resentful about USG Sunni Outreach Efforts. (06BAGHDAD480_a). Baghdad. February 16th, 2006. https://wikileaks.org/plusd/cables/06BAGHDAD480_a.html. (accessed September 12th, 2019).

³⁰⁰ Jabar, Faleh. *The Shi'ite Movement in Iraq*. pp. 257-258.

³⁰¹ Abū Mehdi al-Mohandes kīst? [Who is Abu Mahdi al-Muhandis?]. *Raja News*. March 15th, 2015. <http://www.rajanews.com/news/205949>. (accessed September 12th, 2019).

³⁰² Batatu, Hanna. 1983. "Shi'i Organizations in Iraq: Al-Da'wa and al-Mujahidin". In Juan Cole/ Nikki Keddie. *Shi'ism and Social Protest*. New Haven: Yale University Press. pp. 197-198.

³⁰³ Walbridge, Linda. *The Threat of Mu'awiya*. p. 66.

³⁰⁴ Abū Mehdi al-Mohandes kīst? [Who is Abu Mahdi al-Muhandis?]. *Raja News*. March 15th, 2015. <http://www.rajanews.com/news/205949>. (accessed September 12th, 2019).

Badr Brigades, the armed wing of *SCIRI*, which he remained until the fall of *Saddam Husayn* in 2003. As the *Badr Brigades* incorporated all armed Shi'ite opposition groups, his decision to leave *Badr* in 2002 to found his own group³⁰⁵ coincided with the first mentioning of *Kata'ib Hizbollah*. This precursor of *Kata'ib Hizbollah* has been named as *Kata'ib Abu Fadhl al-Abbas*, which began to fight the Americans as early as 2003.³⁰⁶ According to the media, this first brigade, *Kata'ib Abu Fadhl al-Abbas*, is a splinter from the *Badr Brigades*, which indicates the this group's desire for autonomy from this temporary umbrella organisation, which it had joined in the early 1980s with *al-Muhandis* as one of its alleged members.³⁰⁷ This first brigade of the new independent old *Hizbollah*, of which *al-Muhandis* must have become leader during his command of the *Badr Brigades* until 2002, was joined by several other independent brigades out of which in 2007 *Kata'ib Hizbollah* was formed.³⁰⁸ The new formed *Kata'ib Hizbollah* then became famous for the cruelty against the US forces in Iraq, which Walter Posch has argued that this cruelty is a result of *al-Muhandis* disappointment of the US's position concerning the Shi'ite uprising following the Second Gulf War.³⁰⁹ This rise of the militia made the Americans think that it must be a splinter from *Sadr*ist *Jaysh al-Mahdi*, which a leading figure from the *al-Sadr* movement denied strongly.³¹⁰ In the same cable an Iraqi security expert mentions that the *Hizbollah* brigades would date back to the Iran-Iraq war, which following the above mentioned founding history would be right, but he mistook this *Hizbollah* with that of *Abd al-Karim al-Muhammadawi* aka *Abu Hatem*.³¹¹ Although, *al-Muhammadawi* also was born in the province Maysan, his *Hizbollah* remained local supporting the tribes of the south and after the ousting

³⁰⁵ Posch, Walter. *Schiitische Milizen in Irak und Syrien*. p. 23.

³⁰⁶ "Katā'ib Ḥizb Allāh" al-'Irāq... al-Dhirā' al-'Īrānī al-'Aqwā [Kata'ib Hizbollah of Iraq... The Strongest Iranian Arm]. *Rawabet Center for Research and Strategic Studies*. June 17th, 2015. <http://rawabetcenter.com/archives/8406>. (accessed September 12th, 2019)., Man Hiya «Katā'ib Ḥizb Allāh» fī-l-'Irāq? [Who are Kata'ib Hizbollah in Iraq?]. *Orient News*. May 15th, 2015. https://www.orient-news.net/ar/news_show/87520/0/في-العراق-كتائب-حزب-الله-من-هي. (accessed September 12th, 2019).

³⁰⁷ Man Hiya «Katā'ib Ḥizb Allāh» fī-l-'Irāq? [Who are Kata'ib Hizbollah in Iraq?]. *Orient News*. May 15th, 2015. https://www.orient-news.net/ar/news_show/87520/0/في-العراق-كتائب-حزب-الله-من-هي. (accessed September 12th, 2019)., Steinberg, Guido. 2016. „Die »Volksmobilisierung« im Irak: Das schiitische Milizenbündnis al-Hashd ash-Sha'bi beschleunigt den Zerfall des Staates“. *SWP Aktuell* 52. https://www.swp-berlin.org/fileadmin/contents/products/aktuell/2016A52_sbg.pdf. (accessed September 12th, 2019). p. 5.

³⁰⁸ Man Hiya «Katā'ib Ḥizb Allāh» fī-l-'Irāq? [Who are Kata'ib Hizbollah in Iraq?]. *Orient News*. May 15th, 2019. https://www.orient-news.net/ar/news_show/87520/0/في-العراق-كتائب-حزب-الله-من-هي. (accessed September 12th, 2019)., Tasmīyya Katā'ib Ḥizb Allāh [Naming Kata'ib Hizb Allah]. <https://www.kataibhezbollah.com/statment/1170>. (accessed September 12th, 2019).

³⁰⁹ Posch, Walter. *Schiitische Milizen in Irak und Syrien*. p. 23.

³¹⁰ IRAQ/KUWAIT/CT/GV- 8/11- "Iraqi Hezbollah: Mysterious ties" Kuwait port threats". August 15th, 2011. https://wikileaks.org/gifiles/docs/11/114518_mesa-windows-1252-q-fwd-3a_5bos-5d_iraq-kuwait-ct-gv_-8.html. (accessed September 12th, 2019).

³¹¹ Ibid.

of *Saddam* served the American authorities.³¹² Beside that *Asa'ib Ahl al-Haq* *Kata'ib Hizbollah* became the dominant Iranian backed force in the Popular Mobilisation Units as these two groups are said to be funded by Iran and trained by the Iranian elite *Quds Force*, which enabled them to take more technical operations.³¹³ This group, thus, is considered to be the PMF's elite force, which allows it to act more freely than the others and makes it far more hard to control by the state due to *al-Muhandis* close Iran contacts.

3.4.3. The Badr Brigades

As the Iraqi Shi'ite opposition dates back to the late 1950s the arming of this opposition took place following the Islamic Revolution, when the Iraqi regime cracked down the opposition. This crackdown led to the massive emigration of Shi'ite Islamists into Iran. There, the various groups were unified under one banner namely that of the *al-Hakim* led *Supreme Council for Islamic Revolution in Iraq* as written above. Although, first this organisation was a mere umbrella for those various groups it developed into a more unified central organised group, in which the Iraqi clerical dynasty of the *al-Hakim* assumed leadership.³¹⁴ Due to the outbreak of the Iran-Iraq war the group founded *Faylaq-e Badr*, an armed wing to fight *Saddam Husayn's* regime in Iraq among the lines of the Iranian army and the Revolutionary Guard.³¹⁵ Since the fled Islamists numbered not so much, the *Badr Brigades* had to search for volunteers to fight against the Iraqi security forces. This task was managed with the help of the Iranian authorities, which allowed *Badr* to recruit among the Iraqi prisoners of war held at camps by the Iranian security forces.³¹⁶ The fact that the Iranian dominated SCIRI and its militia fought among the enemy lines against the also Shi'ite Iraqi army resulted in the group's negative reputation as a mere Iranian proxy instead as Iraqi opposition group. Elvire Corboz in her analyses of the *al-Hakim* family has shown that *Muhammad Baqir al-Hakim* full adhered to Iranian instructions when he first praised the regime for not retaliating for Iraq's bombardment of Iranian cities. When the Iranian regime changed these tactics and attacked the centres of Iraqi cities, *Baqir al-Hakim*

³¹² Posch, Walter. *Schiitische Milizen in Irak und Syrien*. pp. 22-23., Rudolf, Inna. "From Battlefield to Balletbox: Contextualising the Rise of Iraq's Popular Mobilisation Units". *Institute for the Study of Radicalisation*. <https://icsr.info/wp-content/uploads/2018/05/ICSR-Report-From-Battlefield-to-Ballet-Box-Contextualising-the-Rise-and-Evolution-of-Iraq's-Popular-Mobilisation-Units-1.pdf>. (accessed September 12th, 2019). p. 19.

³¹³ Mansour, Renad/ Jabar, Faleh. *The Popular Mobilization Forces and Iraq's Future*. p. 13.

³¹⁴ Corboz, Elvire. 2016. *Guardians of Shi'ism: Sacred Authority and Transnational Family Networks*. Edinburgh: Edinburgh University Press. pp. 135-136.

³¹⁵ Steinberg, Guido. 2017. „Die Badr-Organisation: Irans wichtigstes politisch-militärisches Instrument im Irak“. *SWP Aktuell* 27. https://www.swp-berlin.org/fileadmin/contents/products/aktuell/2017A27_sbg.pdf. (accessed September 14th, 2019).

³¹⁶ "Shiite Politics in Iraq: The Role of the Supreme Council". November 15th, 2007. *Crisis Group Middle East Report*. No. 70. <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/iraq/shiite-politics-iraq-role-supreme-council>. (accessed September 14th, 2019). p. 4.

praised the military's measures to liberate Iraqis from the yoke from the Sunni dominated regime.³¹⁷ Although, the *Badr Brigades* were formed as a guerrilla military force it never outgrew the ranks of an Iranian auxiliary, but due to the intense recruiting among PWOs enabled *Badr* to provide intelligence for the Iranians, whom never were aware of Iraqi affairs.³¹⁸

When Iran accepted the conditions for peace, the SCIRI felt betrayed as their primary goal to establish an Islamic republic in the Iranian form remained unrealised. Therefore, *Saddam's* rushed occupation of Kuwait provided SCIRI another opportunity. Following the Iraqi occupation's removal revolts broke out among the Shi'ites in the South and a Kurdish in the North, which was independent from the former. This Shi'a rebellion provided an opportunity for all the Shi'ite opposition groups in and outside of Iraq and, thus, the *Badr Brigades* were dispatched into southern Iraq to support the revolt. Although, the rebellion was crushed by *Saddam's* elite Republican Guard SCIRI's reputation crumbled further as the Iraqis perceived the *Badr's* hijacking of the revolt as the main reason for this rebellion's failure. The dispatched *Badr* troops to politicise the revolt carried images of *Ali Khamene'i* as leader of the revolution and of late *marja' Muhsin al-Hakim*.³¹⁹ This political hijacking coincided with *Muhammad Baqir al-Hakim's* failed attempt to mobilise the masses in Baghdad to rise against the regime as *Baqir al-Hakim* had no wide following due to his closeness to the Iranians. This failure to mobilise the masses and the hijacking and transforming of an army led revolt into an Iran sponsored revolution, which, thus, made the regime to retaliate against this foreign interference by crushing this revolution cruelly.³²⁰

When the Americans ousted Iraq's long-term dictator in 2003, the SCIRI including its *Badr Brigades* returned to Iraq packed with a historic burden namely its proximity to Iran. On the other hand, the SCIRI leadership tried to distance itself from the Iranian regime, thus, the *Supreme Council for Islamic Revolution in Iraq* joined the American sponsored Iraqi oppositional National Congress, hence relaxing its anti-American stance and establishing international links to not only western governments but also to Arab countries.³²¹

During this time in exile not only *Abu Mahdi al-Muhandis* had risen to prominence but also another prominent *mujahid*, who had become commander of the *Badr Brigades*, *Hadi Farhan al-Ameri*. *Al-Ameri* like most of the leading Shi'ite Islamists had been born into the southern

³¹⁷ Corboz, Elvire. *Guardians of Shi'ism*. pp. 136-137.

³¹⁸ Shiite Politics in Iraq: The Role of the Supreme Council. p.5, Hiltermann, Joost. 2007. *Poisonous Affair: America, Iraq, and the Gassing of Halabja*. Cambridge: Cambridge University Press. pp. 24-25.

³¹⁹ Shiite Politics in Iraq: The Role of the Supreme Council. p. 6.

³²⁰ Ibid.

³²¹ Visser, Reidar. 2008. "Taming the Hegemonic Power: SCIRI and the Evolution of US Policy in Iraq". *International Journal of Contemporary Iraqi Studies*. Vol. 2. No. 1. pp. 31-51., Corboz, Elvire. . *Guardians of Shi'ism*. pp. 139-148.

Iraqi city of Amara in 1954.³²² *Al-Ameri* after graduating from secondary school joined the university in Baghdad, where he obtained a degree in accounting in 1976. Due to his emulation of *Baqir al-Sadr* he became politicised, thus, joining the *Da'wa* party as a student.³²³ Following *Saddam's* oppositional crackdown *Hadi al-Ameri* left Iraq first for Syria later for Iran, where he joined the newly formed *Supreme Council for Islamic Revolution in Iraq*.³²⁴ Walter Posch has clearly shown that the *Badr Brigades* were commanded by Iranians during the Iran-Iraq war and only after this war the leadership was opened for Iraqis.³²⁵ *Hadi al-Ameri* became responsible for the intelligence gathering during the war and in 1997 became chief of staff of the *Badr Brigades* before in 2002 he followed *al-Muhandis* as commander of the *Badr Brigades*.³²⁶

Following the US occupation, the Americans demanded the disarmament of the *Badr Brigades* as they accused the brigades to be an Iranian proxy. As SCIRI sought to be included in the new Iraqi government complied the US demand and disarmed *Faylaq Badr* reorganising it as *Munazzamat Badr* as organisation for development and reconstruction.³²⁷ This reorganised *Badr Organisation* participated in the parliamentary elections, thus, getting their candidate nominated for the position of the minister of interior. *Badr* used its institutional influence in the ministry of interior to lastingly strengthen the organisations position in the Iraqi political landscape. As *Badr's* candidate *Baqir Jabr al-Zubaydi* became minister of interior he dully integrated *Badr* forces into the federal and national police of Iraq.³²⁸ Although, the *Badr* cadres were integrated into the police forces, *al-Zubaydi* had to resign due the police sectarian violence. Despite these accusations the *Badr Organisation* was able to consolidate its influence in the new political landscape in Iraq and even more increase its autonomy from the *al-Hakim* led SCIRI.

³²² Hādī al-'Amirī... Qā'id 'Irāqī Am Jinrāl 'Tānī [Hadi al-Ameri... Iraqi Leader or Iranian General]. *Al-Arabiya*. June 10th, 2016. <https://www.alarabiya.net/ar/iran/2016/06/10/؟هادي-العامي-قائد-عراقي-أم-جنرال-إيراني>. (accessed September 14th, 2019).

³²³ Hādī al-'Amirī... Murshih "Hashd Sha'bi" al-'Irānī li-Ri'āsat al-Hukūmat al-'Irāqī [Hadi al-Ameri... Iranian Leader of the Hashd Sha'bi for the Iraqi Presidency of the Government]. *Al-Araby*. April 13th, 2018. <https://www.alaraby.co.uk/politics/2018/4/13/هادي-العامي-مرشح-الحشد-الإيراني-لرئاسة-الحكومة-العراقية>. (accessed September 14th, 2019).

³²⁴ Ibid., Hādī al-'Amirī... Qā'id 'Irāqī Am Jinrāl 'Tānī [Hadi al-Ameri... Iraqi Leader or Iranian General]. *Al-Arabiya*. June 10th, 2016. <https://www.alarabiya.net/ar/iran/2016/06/10/؟هادي-العامي-قائد-عراقي-أم-جنرال-إيراني>. (accessed September 14th, 2019).

³²⁵ Posch, Walter. *Schiitische Milizen in Irak und Syrien*. p. 13.

³²⁶ Hādī al-'Amirī... Qā'id 'Irāqī Am Jinrāl 'Tānī [Hadi al-Ameri... Iraqi Leader or Iranian General]. *Al-Arabiya*. June 10th, 2016. <https://www.alarabiya.net/ar/iran/2016/06/10/؟هادي-العامي-قائد-عراقي-أم-جنرال-إيراني>. (accessed September 14th, 2019).

³²⁷ "Shiite Politics in Iraq: The Role of the Supreme Council". p. 10.

³²⁸ "December 22 Meeting With Iraqi Interior Minister" (05BAGHDAD5160_a). Baghdad. December 30th, 2005. https://wikileaks.org/plusd/cables/05BAGHDAD5160_a.html. (accessed September 14th, 2019)., Shiite Politics in Iraq: The Role of the Supreme Council. pp. 13-14.

This autonomy reached by the *Badr Organisation* following *al-Zubaydi's* interior ministership led towards a full separation between the *Supreme Council for Islamic Revolution in Iraq* and the *Badr Organisation* when the former opted for a more Iran distanced policy. Following the ousting of *Saddam* in 2003 the ISCI leadership not to aggravate its unstable relations with the occupational power, thus, began to refer to *ayatollah Ali al-Sistani* in some political matters like his intention to push the Americans for popular sovereignty than their preferred plan.³²⁹ These first reference of *al-Sistani* in the early time after the overthrow of the dictatorship transformed from a mere reference to a total change in leadership, in which *Baqir al-Hakim* announced the emulation of *Ali al-Sistani* as source of emulation.³³⁰ This pragmatism the *al-Hakims* had always adhered to alienated the more Iran inclined cadres of SCIRI, but when in 2007 the *Supreme Council for Islamic Revolution in Iraq* dropped the phrase of revolution and renamed itself as the *Islamic Supreme Council in Iraq* (ISCI), these cadres have been estranged the outmost whereas the *Abd al-Aziz al-Hakim* explained this change of agenda as a necessity due to the fact the hatred despot had been replaced.³³¹ These changes in the organisation's agenda coincided with *Baqir al-Hakim's* assassination in 2003, which not only deprived the group of its decades long leader but also its crucial link to ISCI's history to Iran.³³² Therefore, his brother *Abd al-Aziz al-Hakim* succeeded him to keep the organisation in *al-Hakim* hands, but due to *Abd al-Aziz's* lack of religious credentials never was able to convince the leadership of ISCI's of his leadership credentials. Worse, also *Abd al-Aziz* died in 2009 from cancer leaving the leadership to his nephew *Ammar al-Hakim*, who had been courted by his father following the groups return into Iraq. As *Ammar al-Hakim* in comparison to his uncle and his late father was considered to be too young and unexperienced to lead such a prestigious party and due to differences resulting from ISCI's pragmatism, the more Iran related *Badr Organisation* in 2012 split from the ISCI.³³³ Following the schism of the *Badr Organisation* *Hadi al-Ameri* has risen to the position as secretary general, an office the *al-Hakim* family held prior, thus, allying with the *Nouri al-Maliki* led *State of Law* coalition as *al-Ameri* became minister of transportation following the election in 2009.³³⁴ This political alliance, hence, reflects the *Badr Organisation's* relation to Iran, which has contributed to its prestige until the

³²⁹ Cole, Juan. 2006. *The Ayatollahs and Democracy in Iraq*. Amsterdam: Amsterdam University Press. pp. 20-22.

³³⁰ Shiite Politics in Iraq: The Role of the Supreme Council. pp. 15-16.

³³¹ Ibid. p. 15.,

³³² Corboz, Elvire. *Guardians of Shi'ism*. p. 43.

³³³ 'Inshiqāq fī Munazzamat «Badr» al-'Irāqiyya [Schism in the Iraqi «Badr» Organisation]. *Sharq al-Awsat*. March 2nd, 2019. <https://aawsat.com/home/article/1614441/العراقية-«بدر»-منظمة-في-انشقاق>. (accessed September 16th, 2019).

³³⁴ Arosoaie, Aida. 2015. "Hadi al-Amiri's Grip on Power in Iraq". *Counter Terrorist Trends and Analyses*. Vol. 7. No. 10. pp. 19-24. p. 20.

rise of the Islamic State, where the organisation was the first to fight Sunni insurgents under the banner of the Popular Mobilisation Units.

3.4.4. The *Atabat* Units

Whereas the other clerical dynasties have long tradition in being related with a political party or tradition, which to enforce their party's interest by employing a party militia, the traditional quietist *ulama* has avoided being associated with partisan politics. This has changed when the Islamic State stood before the shrine cities' doors, thus, forcing *ayatollah Ali al-Sistani* to call for a defensive *jihad* against the Sunni zealots. Following this call to defend the nation against the Islamic State, the shrines of Najaf and Karbala established militias adhering to *al-Sistani* to defend the cities against the insurgents.³³⁵ These groups are generally referred as *Saraya al-Atabat*, but consist out of several independent groups.

According to Walter Posch the most influential and powerful in terms of armament group is the *Firqat al-Abbas al-Qitaliyya* as this group is funded by the *Imam Husayn* shrine in Karbala.³³⁶ The militia, thus, was founded following *al-Sistani*'s call to defend the nation in Karbala by *Mithum al-Yazdi*, who is the *commander* of this group.³³⁷ The effective link of the group to the *marja'iyya* has been shown by regular visits of *Ahmad al-Safi*, the represent of *ayatollah Ali al-Sistani*.³³⁸ Another of these *Marja'iyya* related groups is the *Liwa' Ali al-Akbar*, which like *Firqat al-Abbas al-Qitaliyya* was founded immediately after the *fatwa* of *al-Sistani*.³³⁹ Due to the *marja'iyya* link these groups have been discriminated in difference to the other traditions and their militias as those groups oppose the principle of *velayat-e faqih*, which the *Hashd*

³³⁵ Mansour, Renad/ Jabar, Faleh. *The Popular Mobilization Forces and Iraq's Future*. p. 14. Malik, Hamdi. "Iraq, Iran struggle for the control over Popular Mobilization Units". *Al-Monitor*. August 4th, 2017. <https://www.al-monitor.com/pulse/originals/2017/08/iraq-iran-popular-mobilization-units.html>. (accessed September 16th, 2019).

³³⁶ Posch, Walter. *Schiitische Milizen in Irak und Syrien*. p. 53.

³³⁷ *Firqat al-'Abbās al-Qitālīyya tamathala al-'Atāba al-Hussayniyya bi-l-Difā'an al-'Irāq* [Combat Group al-Abbas represents the Imam Husayn in Defending of Iraq]. *al-Alam*. August 24th, 2016. <https://www.alalamtv.net/news/1853873/فرقة-العباس-القتالية-تمثل-العتبة-العباسية-بالدفاع-عن-العراق>. (accessed September 16th, 2019)., *Firqat al-'Abbās ta'alana Taklīfha bi-Ḥimāyyat Ṭarīqī al-Nukhayb wa 'Ar'ar* [The Combat Group al-Abbas announces its Assignment of the Way of al-Nukhayb and 'Ar'Ar]. *Al-Sumaria News*. August 11th, 2018. <https://www.alsumaria.tv/news/314806/فرقة-العباس-تعلم-تكاليفها-بحماية-طريقي-النخب-وعرعر>. (accessed September 16th, 2019).

³³⁸ Muhammad al-Juburi. Mumathil al-Marja'iyya al-dīniyya al-'ulīyyā Samaḥatu al-Sayyid Aḥmad al-Ṣāfi yazūr al-Qaṭa'āt al-Ḥashd al-Sha'bī al-Mutaqaddima fi Till 'Afar [Representative of Highest Religious Marja'iyya Excellency Sayyid Ahmad al-Safi visits Platoons of the advancing Hashd Sha'bi in Tell Afar]. *Wr-News*. August 24th, 2019. <http://wr-news.net/arabic/local/5288>. (accessed September 16th, 2019).

³³⁹ Tashkīl Liwā' 'Alī al-'Akbār wa al-Buṭūlāt alātī saṭṭarha ḍidd Kiyyān "Dā'ish" al-Takfīrī [The Formation of the Ali al-Akbar Brigade and Heroism, which draws a line against the infidel Creation "Islamic State"]. *Burath*. January 4th, 2015. <http://burathanews.com/arabic/reports/256357>. (accessed September 16th, 2019).

Shabi leadership adheres to.³⁴⁰ Despite these differences the *Atabat Units* have participated in the defence and, thus, have fallen under the umbrella of the *Hashd Sha'bi*.

3.5. Conclusion

The rise of the *Hashd Sha'bi* as a state institution, though dating back only into 2016 when the Iraqi parliament passed the *Hashd Sha'bi Law* to legitimise the militia umbrella, is undividable interrelated with the *marja' iyya's* political role.³⁴¹ This role in politics, although differing in the dynasties' different ideologies, has been influenced during *Saddam's* regime as the Shi'a of Iraq had been oppressed massively. During this time the first oppositional movements developed in exile, which had been radicalised due to their expulsion and the assassination and execution of the leading members' relatives. As most of these groups organised into a party with a party militia, the *Hashd Sha'bi* are a young institution in which old paramilitary forces have merged in. Therefore, the Popular Mobilisation Units inherited the single groups' reputation as these forces were associated with well-established personalities and parties. The defensive *jihad Ali al-Sistani* called for, thus, only boosted the umbrella's reputation as the Popular Mobilisation Units posed the only effective force to fight the Islamic State. This effectiveness and the resulting rising reputation are a consequence of the weakness of the Iraqi armed forces, which collapsed when the Sunni insurgents managed to capture a third of Iraqi soil including the metropolis Mosul. The other reason for the rise of the *Hashd Sha'bi* is the confessional politics the governments pursued from 2003 onwards. During *Nouri al-Maliki's* prime ministership these confessional politics allowing the existing militias to act quite without restrictions in the country as he sought to unify executive powers in his hands. These two formed mere preliminaries, which only laid the basis, but the so-called *fatwa grand ayatollah Ali al-Sistani* issued boosted the legitimacy of the militia umbrella as thousands of volunteers opted to join the militias instead of the regular armed forces. Since the militias were able to push back the Sunni zealots from Iraqi territory the Popular Mobilisation Forces, their political reputation increased as the groups pursued an effective election campaign, which contributed to the *Hashd Sha'bi's* ability to transform their prestige into political power.

³⁴⁰ Mansour, Renad/ Jabar, Faleh. *The Popular Mobilization Forces and Iraq's Future*. pp. 19-20.

³⁴¹ Qānūn Hī'at al-Ḥashd al-Sha'bī [Law of the Popular Mobilisation Forces Committee]. Law No. 40 of 2016. <http://iraqlid.hjc.iq:8080/LoadLawBook.aspx?page=1&SC=&BookID=35508>. (accessed September 17th, 2019).

4. Getting Political- The *Hashd Sha'bi* in the Iraqi Elections of 2018

In mid-December then Prime Minister *Hayder al-Abadi* officially declared victory over the Sunni insurgent group known as the Islamic State. Although, remnants of this terroristic organisation continued to carry out suicide bombings throughout the country, this declaration of victory marked the unofficial begin of the election campaigning. In this election campaign the Popular Mobilisation Forces as representatives of the Shi'ite clergy participated beside the established parties and electoral alliances, thus, this section intends to ask *how the Shi'ite ulama' represented by the Hashd Sha'bi gained political influence in these last parliamentary elections?* Having outlined the military rise of the *Hashd Sha'bi* this chapter will deal with the Popular Mobilisation Forces participation in the parliamentary elections of 2018 starting with an analysis of the political landscape and the general political situation before polling day before analysing the Popular Mobilisation Units' strategies to transform their military reputation into political influence.

4.1. The Battle for Influence in Iraq's Political Landscape

The political landscape of Iraq has changed entirely with the American ousting of long-term dictator *Saddam Husayn* replacing an authoritarian dictatorship with a federal democracy. This turning point allowed the Iraqi population the first time since the abolition of the monarchy to elect its government free and fair.³⁴² These elections after several decades of Sunni dominated dictatorship, thus, brought a completely new stratum of the population to power namely the Shi'a. This Shi'ite majority governments, hence, have been ruling the country since those fifteen years, but the initial euphoria for federal democracy flattened leading to the fragmentation of the single Shi'ite *United Iraqi Alliance* (UAI) led by *Ibrahim Ja'fari*. The fragmentation of this single Shi'ite electoral alliance, hence, allowed the different clerical dynasties and their affiliated to exploit this weakness in order to maximise their own influence. The disintegration of this single Shi'ite alliance has been caused by *grand ayatollah Ali al-Sistani's fatwa*, which stated it is the people's choice whether to vote or not. This *fatwa al-Sistani* released not only let it open for Iraqis to vote or not but also recommended no to vote for candidate who allegedly were accused of corruption and fraud.³⁴³ The decision to make it the population's decision, if they voted or not, has been seen as a sign of dissatisfaction with

³⁴² Kapiszewski, Andrzej. 2005. "The Iraqi elections and their consequences. Power-sharing , a key to the country's political future". In Walter Posch. "Looking into Iraq". *Chaillot Paper*. No. 79. p. 13.

³⁴³ "Grand Ayatollah Sistani warns against voting for corrupt legislators". *Ahl ul-Bayt News*. May 5th, 2018. https://en.abna24.com/news/middle-east/grand-ayatollah-sistani-warns-against-voting-for-corrupt-legislators_892102.html. (accessed September 20th, 2019).

the leadership of the Shi'ite electoral alliance. The *marja'iyya*'s loss of confidence in the established leadership resulted in the further fragmentation of the united Shi'ite alliance.

When the dictatorial regime collapsed following the US intervention, which sought to bring democracy and freedom to the people of Iraq, the *marja'iyya* backed the Shi'ite parties as they constituted the demographic majority. Although, the quietist *ulama*' under the leadership of *Ayatollah Ali al-Sistani* generally refrained from politics during *Saddam*'s reign as written above, the clergy used its position to counter ambassador *Bremer*'s plan to impose a constitution without the approval of the Iraqi people.³⁴⁴ *Bremer* had been instructed to hand over sovereignty back to Iraqis as soon as possible and, thus, introduced a new plan, in which an US appointed interim government would draft a constitution, which would be ratified than. This strategy was seen from the *ulama*'s perspective as unjust and contradicting their opinion on popular sovereignty. *Al-Sistani*, thus, issued a *fatwa* stating that the occupational force would have no mandate to impose a non-accepted constitution from an appointed body.³⁴⁵ This legal ruling forced ambassador *Bremer* to accept at least some demands *Sistani* made and an election to vote for a first parliament was held. This election has been argued to be the begin of the ethno-sectarian power-sharing system Iraq has relied on since.³⁴⁶ The *hawza ilmiyya* of Najaf in these elections, thus, throw its support behind the *Ja'fari* led *United Iraqi Alliance* as single list representing the Shi'a of Iraq. *Al-Sistani* helped in the creation of this list as he offered the needed mediation the *Da'wa* needed as it had fallen apart during its exile in the Teheran based faction and the London based group.³⁴⁷ After the creation of this electoral alliance, in which all clerical dynasties and their parties participated, *al-Sistani* issued another *fatwa* urging the Shi'ite population to vote for this single Shi'ite list, which precipitated in the election results as the Shi'ite alliance won some sixty nine percent.³⁴⁸

Though, this success *Ja'fari* failed to keep the *ulama*'s confidence, which resulted in a loss of Iraq's parliamentary elections in December 2005. This loss of confidence allowed other personalities to rise within the single Shi'ite list. Following that the *United Iraqi Alliance* fell

³⁴⁴ Cole, Juan. 2011. "Shi'ite Parties and the Democratic Process in Iraq". In Mary Ann Tétreault/ Gwenn Okruhlik/ Andrzej Kapiszewski. *Political Change in the Arab Gulf States: Stuck in Transition*. London: Lynne Rienner Publishers. p. 58.

³⁴⁵ Cole, Juan. 2006. *The Ayatollahs and Democracy in Iraq*. Amsterdam: Amsterdam University Press. pp. 10-11., Visser, Reidar. "Sistani, the United States and Politics in Iraq: From Quietism to Machiavellianism". *Norwegian Institute of International Affairs Paper*. No. 700. p. 11.

³⁴⁶ Jabar, Faleh. A. 2018. "The Iraqi Protest Movement: From Identity Politics to Issue Politics". *LSE Middle East Centre Paper Series*. No. 25. p. 15.

³⁴⁷ Cole, Juan. *Shi'ite Parties and the Democratic Process in Iraq*. pp. 57-59.

³⁴⁸ Rubin, Alissa. "Iraqi Cleric takes Center Stage". *Los Angeles Times*. February 6th, 2005. <https://www.latimes.com/archives/la-xpm-2005-feb-06-fg-sistani6-story.html>. (accessed September 20th, 2019).

apart giving the space to the *Da'wa* party's leader *Nuri al-Maliki*. *Al-Maliki* created the *State of Law* (SoL) alliance, which included several entities of the UIA. This first division in the Shi'ite alliance had no great influence as the two lists managed to secure some fifty percent in the 2010 elections, but marked the begin of the unbridgeable conflict among the Shi'ite parties and clerical dynasties.³⁴⁹ Although, *al-Maliki* convinced first when he cracked down the Shi'ite militias in Basra and Baghdad, he began to apply a more centralised way of governing defying the constitutional federalist system. This accumulation of power in his hands not only contradicted the constitution but also alienated a great number of *Da'wa* leaders. When he, thus, began to rely on sectarian policies as written above, *al-Maliki* lost confidence not only of his *Da'wa* party but also from the more influential *hawza ilmiyya* as *grand marja' al-Sistani* openly called for a new leaders in Iraqi politics, thus, hindering *al-Maliki's* third term as prime minister.³⁵⁰ *Al-Sistani's* decision to oppose *al-Maliki*, hence, fostered the disintegration of the *United Iraqi Alliance* of *Ibrahim Ja'fari*, which already in 2010 had split into *al-Maliki's State of Law* and *Ja'fari's National Iraqi Alliance*. The fragmentation of the single Shi'ite front in politics continued also during the 2014 elections, when each of the clerical dynasties founded its own political block. *Al-Maliki* though having lost confidence of *ayatollah al-Sistani* managed to maintain his numbers of lawmakers, whereas *Ibrahim Ja'fari* only secured four seats in parliament. The Sadrist movement despite being part of the *State of Law* coalition began to act more independent and lost quite on the contrary to *Ammar al-Hakim* and ISCI, which left the SoL to run as an independent list.³⁵¹ Though, this fourfold split of the single Shi'ite electoral alliance the Shi'ite parties managed to maintain their share of influence.

4.2. The Results of Failed Governance

The election of 2014 should be the last one that Shi'ite parties managed to secure this degree of influence as their reputation for running began to fall apart. This very first reason is dealt above as no party managed to secure *al-Sistani's* support, but the parliamentary elections of 2018 saw another factor the parties were not able to deal with. This new effect they were unable to handle was the protest movement, which originated in the southern metropolis of Basra and spread through the cities of the south and centre. This protest movement, thus, changed the dynamics

³⁴⁹ Mansour, Renad. 2018. "Iraq Votes 2018: Election Mobilization Strategies". *AUIS Institute of Regional and International Studies*. http://auis.edu.krd/iris/sites/default/files/IraqVotes2018_MobilizationStrategies1.pdf. (accessed September 20th, 2019). p. 8.

³⁵⁰ Mamouri, Ali. "Sistani signals opposition to renewing Maliki's term". *Al-Monitor*. July 18th, 2004. <https://www.al-monitor.com/pulse/originals/2014/07/sistani-candidates-premiership-opposition.html>. (accessed September 20th, 2019).

³⁵¹ Jabar, Faleh. A. *The Iraqi Protest Movement: From Identity Politics to Issue Politics*. p. 12., Mansour, Renad. *Iraq Votes 2018: Election Mobilization Strategies*. p. 8.

of the parliamentary elections entirely as the established parties lost due to their mismanagement in governing the country.

This Iraqi protest movement, which gained momentum 2015 in Basra, untypically has not been a movement run by the disadvantaged ethnics and confessions, but depicts a clear intra-Shi'ite opposition movement as Faleh Abd Jabar has argued.³⁵² Although, the Shi'a dominated governments have relied on the characteristic that it is now the time of the Shi'a to run the country, this emphasizing of their oppression has been overused and no real governance was granted. Due to the governments' inability to run a country the infrastructural services like health care, schooling and housing have been deteriorating continuously from 2005 onwards leading to a kind of collapse when the radical militants of the Islamic State took over the country.³⁵³

This inability to provide effective governance or at least governance at all resulted from the mistrust of each major ethno-religious group in the country. This mutual mistrust altered when the regime of *Saddam Husayn* collapsed as during his reign the dictator relied on a narrow circle of relatives and members of his tribe to run the country totally alienating Kurds and the Iraqi Shi'a. *Saddam* only trusted Sunni Arabs since he saw in the Shi'ite stratum of Iraq's population the fifth column of Iranian foreign policy, which the young Islamic Republic sought to mobilise first to depose the old regime and then installing an Islamic Republic on the Iranian model.³⁵⁴ *Saddam's* position towards the Kurds differed not from that of the Shi'a as the Kurds from the beginning of the Iraqi state onwards sought to unite their territories divided between Iraq, Iran, Turkey and Syria to unite them and to become an independent state.³⁵⁵ This bid for independence or at least autonomy severed the relations between the central governments and the Kurdish leading to armed conflicts in those countries. This oppression of minorities, thus, was exploited by the neighbouring countries to weaken the hostile regimes as Syria and Iran supported Iraqi Kurds just to weaken the dangerous regime of *Saddam Husayn*.³⁵⁶

These Sunni dominance over the other two major parts of the population changed when the United States ousted *Saddam* in 2003 and allowed the latter to rise to political power turning the situation as the Sunnis due to demography became the minority. Therefore, the Sunnis in

³⁵² Jabar, Faleh. A. *The Iraqi Protest Movement: From Identity Politics to Issue Politics*. pp. 11-12.

³⁵³ Ibid. p. 17.

³⁵⁴ Halliday, Fred. 1986. "Iranian Foreign Policy since 1979: Internationalism and Nationalism in the Islamic Revolution". In Juan Cole/ Nikki Keddie. *Shi'ism and Social Protest*. New Haven: Yale University Press. pp. 95-96., Posch, Walter. 2013. "The Third World, Global Islam and Pragmatism: The Making of Iranian Foreign Policy". *SWP Research Paper*. No. 3. p. 15.

³⁵⁵ McDowall, David. 2004. *A Modern History of the Kurds*. London: I. B. Tauris. pp. 132-137.

³⁵⁶ Natali, Denise. 2017. "Syria's Spillover on Iraq: State Resilience". *Middle East Policy*. Vol. 24. No. 1. pp. 48-61. p. 49.

the upcoming elections threatened to boycott the elections and the referendum for the constitution as they feared to get dominated by a political alliance of Kurds and Shi'ites retaliating for the last seventy years.³⁵⁷ This mutual mistrust, thus, crippled state institutions as it marked the begin of the quota system, which similar to Lebanon's unwritten law distributed the leading positions in the state. Therefore, since the elections of 2005 a Shi'ite is to become prime minister and his two vices are Kurdish and Sunni, a Kurd will serve as president of Iraq with his two vices of the other two ethno-religious parts of the population and the speaker of parliament has to be a Sunni. This quota system has paralysing the state from 2005 onwards as every position in the administration is stuffed like the highest positions in the state.³⁵⁸

The other crippling factor for the rise of the protest movement in Basra has been the massive corruption within the state as each of the ethno-religious parts of the populations tries to support its kinship from state funds. As Iraq is one of the main oil exporting countries in the world and due to the lack of diversification of its economy oil exports are the country's main sources of income. This money, thus, account for some ninety percent of the state's yearly budget. Although, many of the oil exporting countries are such rentier states, Iraq is unique as it has to distribute this oil generated income threefold. This threefold division diminishes the amount of money available for every group, which consequently makes each of these groups more ready to exploit the state finances.³⁵⁹

These two factors mainly contributed to the fragmentation of the state as an American cable analyses the situation even before the rise of the Islamic State.³⁶⁰ This fragmentation in governing the country resulted not only in the rise of the Islamic State as mentioned above but also constitutes the main reasons for the eruption of the protest movement in Basra. This protests movement from 2015 onwards although the lack of security has continued to protest in the major cities in the south and centre of Iraq forcing the government to try to address some points of their demand. The protests in Basra and Baghdad affected the elections as the movement throw its support behind newcomers in politics and chastised the ruling elite for not being able to meet and implement the protesters' demands.³⁶¹ This inability not being able to implement solutions for the problems are said to be the reason for then-prime minister *Hayder*

³⁵⁷ Istrabadi, Feisal Amin. 2009. "A Constitution Without Constitutionalism: Reflections on Iraq's Failed Constitutional Process". *Texas Law Review*. No. 87. 1627-1656. p. 1637.

³⁵⁸ Jabar, Faleh. A. *The Iraqi Protest Movement: From Identity Politics to Issue Politics*. p. 15.

³⁵⁹ Santora, Marc. "Pervasive Corruption Rattles Iraq's Fragile State". *The New York Times*. October 28th, 2009. <https://www.nytimes.com/2009/10/29/world/middleeast/29corrupt.html?searchResultPosition=11>. (accessed September 23rd, 2019).

³⁶⁰ U.S. Policy on Political Engagement in Iraq. (09STATE34650_a). Washington. April 8th, 2009. https://wikileaks.org/plusd/cables/09STATE34650_a.html. (accessed September 23rd, 2019).

³⁶¹ Jabar, Faleh. A. *The Iraqi Protest Movement: From Identity Politics to Issue Politics*. p. 21.

al-Abadi as he as prime minister failed to address these problems and alienated the *marja'iyya*, which sided the protesters and called the voters not vote for politicians allegedly involved in corruption.³⁶² This backing *grand marja' Ali a-Sistani* provided the protest movement in Basra, the voters showed their trust in voting for newcomers in the political landscape of Iraq and non-established parties.

4.3. Assessing the Dynasties' Political Power

Among these non-establishment forces were the *Hashd Sha'bi*, which as a state institution have been dealt as the most reliable following the rise of the Islamic State. The effectiveness the Popular Mobilisation Units proved in the fighting against the Islamic State have made them a political alternative to established political parties and electoral alliances.

The rise of the *Hashd Sha'bi* as political constituency is influenced by several factors already dealt in this paper. The legitimacy the Popular Mobilisation Forces draw on derive from their links to the Iraqi and Iranian *marja'iyya*, which bestowed full legitimacy upon them when quietist *grand ayatollah Ali al-Sistani* called every Muslim regardless of confession and ethnicity to defend the country against the Sunni insurgent group of the Islamic State. Although, Western scholars and media have interpreted this as a *fatwa*, *al-Sistani* fell back on the very ultima ratio of Shi'ite *fiqh* by calling for a defensive *jihad*.³⁶³ This call for *jihad*, thus, has been hijacked by the former special groups not only to gain manpower but also to obtain religious legitimacy from the local Iraqi *marja'iyya* although they adhere to *rahbar-e enqelab Ali Khamene'i* in religious matters.³⁶⁴ *Al-Sistani* and his *wukala'* throughout Iraq, though, released an interpretation for this first call, but they were unable to deprive the special groups' legitimacy, which they have been drawing from the *grand marja'*s first call to arms.

The militias in order to multiply their potential in the upcoming elections issued a statement that they would form an electoral list under the name of *al-Mujahidin*. This *al-Mujahidin alliance*, thus included the major Iran linked groups like *Asa'ib Ahl al-Haq*, *Harakat Hizbollah*

³⁶² "Iraq's top Shia authority warns against voting for corrupt officials". *Middle East Eye*. May 8th, 2018. <https://www.middleeasteye.net/news/iraqs-top-shia-authority-warns-against-voting-corrupt-officials>. (accessed September 23rd, 2019).

³⁶³ Rudolf, Inna. "From Battlefield to Ballot Box: Contextualising the Rise and Evolution of Iraq's Popular Mobilisation Units". *International Centre for the Study of Radicalisation*, Steinberg, Guido. 2016. "Die Volksmobilisierung im Irak: Das schiitische Milizenbündnis al-Hashd ash-Sha'bi beschleunigt den Zerfall des Staates". *SWP Aktuell*. No. 52. https://www.swp-berlin.org/fileadmin/contents/products/aktuell/2016A52_sbg.pdf. (accessed September 23rd, 2019).

³⁶⁴ Mamouri, Ali. "Iraq's top Shiite cleric denounces militias' electoral list". *Al-Monitor*. May 7th, 2018. <https://www.al-monitor.com/pulse/originals/2018/05/iraq-election-sistani-isis.html>. (accessed September 23rd, 2019).

al-Nujaba’, *Kata’ib Hizbollah* and *Munazzamat Badr*.³⁶⁵ Although, the single militias were able to join a single electoral alliance the question who would lead the alliance in the elections lead to the nearly dissolution of the alliance.³⁶⁶ Despite this differences *Hadi al-Ameri* was able to prevail against the other leaders in the electoral alliance and, thus, lead the list in the elections. Another party, which joined the renamed *Fatah Alliance* or *Conquest Alliance* was the traditional *al-Hakim* lead *Islamic Supreme Council*. Although, *Ammar al-Hakim*’s ISCI engaged in the fight against the Islamic State, the *al-Hakim* family left the ISCI to find a new group called the *Hikma* movement taking over some twenty members of parliament from the *Islamic Supreme Council*’s lawmakers.³⁶⁷ With the split within the ISCI and the following withdrawal from *Ammar al-Hakim*, the *ayatollah Khamene’i* adhering groups have been able to unite in the *Fatah Alliance*. As the *Hashd Sha’bi* gained much reputation as an effective force against the Islamic State, they in the form of the *Fatah Alliance* were able to transform this reputation into political power when they became second in the parliamentary election winning forty-seven seats.³⁶⁸

Ammar al-Hakim following his withdrawal from his family’s party choose to found the *Hikma* movement, which ran alone in the elections addressing mainly the young Islamic intelligence as Renad Mansour has argued.³⁶⁹ The *al-Hakim* though having established a new political current got associated with the old political elite, thus, lost in the Iraqi elections securing only nineteen seats in parliament.³⁷⁰

The Sadrist movement capitalised on the protest movement as the majority of the protesters are inhabitants of the shantytowns of the cities and metropolises in the country’s south centre. Therefore, *Muqtada al-Sadr* condemned the inability of *Hayder al-Abadi*’s government and the government’s failure to meet the demands of the demonstrators, thus, throwing his support

³⁶⁵ Malik, Hamdi. “Pro-Iran PMU factions prepare for electoral battle in Iraq”. *al-Monitor*. January 2nd, 2018. <https://www.al-monitor.com/pulse/originals/2017/12/pmu-shiite-militia-iraq-election-sistani-abadi.html>. (accessed September 23rd, 2019).

³⁶⁶ Al-Širā’ ‘alā al-Raḡm (1) yahadaddu bi-Tafkīk al-Taḥālīf al-Intikhābi li-l-Milīshiyāt al-‘Irāqiyya [Fight over Number (1) Threatens to Dissolve the Electoral Alliance of the Iraqi Militias]. *Al-Araby*. December 18th, 2017. <https://www.alaraby.co.uk/politics/2017/12/18/الصراع-على-الرقم-1-يهدد-بتفكيك-تحالف-المليشيات-العراقية>. (accessed September 23rd, 2019).

³⁶⁷ “Iraq: Major Party Leader Splits off to Form New Group”. *Stratfor*. July 24th, 2017. <https://worldview.stratfor.com/article/iraq-major-party-leader-splits-form-new-group>. (accessed September 23rd, 2019)., Mansour, Renad. *Iraq Votes 2018: Election Mobilization Strategies*. p. 10.

³⁶⁸ Harris, Bryant. “Congress targets election winners in Iraq”. *al-Monitor*. May 30th, 2018. <https://www.al-monitor.com/pulse/originals/2018/05/congress-target-winners-iraq-election.html>. (accessed September 24th, 2019).

³⁶⁹ Mansour, Renad. *Iraq Votes 2018: Election Mobilization Strategies*. p. 10.

³⁷⁰ Al-Khafaji, Isam. “Iraq 2018 Elections: Between Sectarianism and the Nation”. *Arab Reform Initiative*. July 12th, 2018. <https://archives.arab-reform.net/en/node/1328>. (accessed September 24th, 2019).

behind the protesters.³⁷¹ This strategy to support the protest movement brought *al-Sadr* and the *Iraqi Communist Party* closer as both of them called for needed reforms, thus, leading to an alliance for the elections, which was a quite historic alliance as secular and Islamic parties have not had formed alliance following the overthrow of *Saddam*.³⁷² This uncommon alliance differed also from the well-established parties as the communists and *al-Sadr* refrained from nominating known politicians to run for their alliance following *grand ayatollah Ali al-Sistani*'s advice to vote for new leaders.³⁷³ This populist strategy lead to the alliance's victory as *Muqtada al-Sadr*'s party and the communists were able to become first in the elections winning fifty four seats in parliament.³⁷⁴

As the pro-*al-Sistani* factions did not participate in the elections as the *hawza ilmiyya* emphasized its neutrality in political matters, the groups were not able to transform their reputation into political powers due to *grand ayatollah al-Sistani*'s call to disarm and refrain to exploit their reputation in the population to gain political influence.³⁷⁵ Though, the Shi'ite *ulama*' pretends to be apolitical, the clergy has interfered into politics when it has seen Islam in danger. In the 2018 parliamentary election like in the preceding, the *hawza ilmiyya*'s highest representative has given two advice for the electing population. First, *grand ayatollah al-Sistani* has called not to vote for politicians allegedly involved into corruption and second, he made it the population's decision whether they vote or not as written above. These advices, thus, affected the election inasmuch as the no party or alliance was able to secure his support to gain votes due to his backing.

The *hawza ilmiyya*'s silence and inaction further supported the aggravation of the traditional Shi'ite leadership as the *Da'wa* party announced not to run for the elections as the party's central committee was unable to conciliate between *Nouri al-Maliki* and *Hayder al-Abadi*. This conflict traces back to *al-Sistani*'s decision to prevent *al-Maliki*'s third term as prime minister in 2014, which fomented the conflict between the two party leaders. Following *al-Abadi*'s inauguration as *al-Maliki* sought to portray *al-Abadi* as a weak personality to bring his cabinet

³⁷¹ Mansour, Renad. *Iraq Votes 2018: Election Mobilization Strategies*. pp. 9-10., "Seven killed as Baghdad reform protests turns violent". *Al-Monitor*. February 11th, 2018. <https://www.al-monitor.com/pulse/afp/2017/02/iraq-politics.html>. (accessed September 24th, 2019).

³⁷² Kittelson, Shelly. "Sadr's alliance wins spurs hope among Baghdad poor". *Al-Monitor*. May 20th, 2018. <https://www.al-monitor.com/pulse/originals/2018/05/iraq-baghdad-sadr-city-sairoon-communist.html>. (accessed September 24th, 2019).

³⁷³ Mamouri, Ali. "Religious disputes escalate over upcoming Iraqi elections". *Al-Monitor*. April 22nd, 2018. <https://www.al-monitor.com/pulse/originals/2018/04/ira.html>. (accessed September 24th, 2019).

³⁷⁴ "Shia cleric Moqtada al-Sadr's bloc wins Iraqi elections". *BBC*. May 19th, 2018. <https://www.bbc.com/news/world-middle-east-44178771>. (accessed September 24th, 2019).

³⁷⁵ "Top Shi'ite cleric says paramilitaries should be part of state security bodies". *Reuters*. December 15th, 2017. <https://www.reuters.com/article/us-mideast-crisis-iraq-politics/top-iraqi-shiite-cleric-says-paramilitaries-should-be-part-of-state-security-bodies-idUSKBN1E90Z0>. (accessed September 24th, 2019).

down. Although, *al-Abadi* was able to regain control over his war-torn country and portrayed him as saviour of Iraq when he announced the victory over the Islamic State, *al-Maliki* developed close relations to *Hashd Sha'bi*.³⁷⁶ *Al-Abadi*, thus, tried to present himself as the candidate for Iraq regardless of confession and ethnicity.³⁷⁷ The *Da'wa* party following *Nouri al-Maliki*'s announcement to run for elections declared that the party itself would not compete in the elections, thus, allowing party members to support either *al-Abadi* or *al-Maliki*.³⁷⁸ Though, *al-Maliki* has been having close contacts to the Popular Mobilisation Forces, *al-Abadi* entered an alliance with them, which lasted not long. *Al-Abadi* formed his own list including Sunni and Shi'ite parties alike to fulfil his picture of cross-ethno-religious candidate calling it *Nasr*, Victory. As the protests throughout Iraq gained momentum before the elections *al-Abadi* tried to meet the protesters demands failing over the implementation of these reforms. He due to this failure and the lacking support of the *ulama'* only managed to become third in the elections gaining forty-two seats in parliament as he mismanaged the crisis in the country's south.³⁷⁹ *Al-Maliki* on the other hand had lost the support of the *ulama'* as in 2014 and, thus, won only some twenty five seats.³⁸⁰

The parliamentary elections not only depicted the total fragmentation of the Shi'a in Iraq but also has shown the country's desire for reforms, which influenced the elections inasmuch as the governing political elite was not able to provide these, thus, lost in seats in parliament whereas newcomers and non-establishment electoral alliances among them the *Hashd Sha'bi* managed to gain influence in Iraq's political landscape.

³⁷⁶ Coker, Margaret/ Falih, Hassan. "Iraq Prime Minister Declares Victory Over ISIS". *The New York Times*. December 9th, 2017. <https://www.nytimes.com/2017/12/09/world/middleeast/iraq-isis-haider-al-abadi.html>. (accessed September 24th, 2019).

³⁷⁷ Mansour, Renad/ van den Toorn, Christine. 2018. "The Iraqi Federal Elections: A Population in Transition?". *LSE Middle East Centre Report*. http://eprints.lse.ac.uk/89698/7/MEC_Iraqi-elections_Report_2018.pdf. (accessed September 24th, 2019). p. 13.

³⁷⁸ Rasheed, Ahmed. "Iraqi PM Abadi seeks re-election, in alliance with Iran-backed group". *Reuters*. January 14th, 2018. <https://www.reuters.com/article/us-mideast-crisis-iraq-vote/iraqi-pm-abadi-to-seek-re-election-in-alliance-with-iran-backed-group-idUSKBN1F3039>. (accessed September 24th, 2019).

³⁷⁹ Sangar, Ali. "Abadi's coalition claims deal to form new Iraqi government". *Kurdistan24*. August 11th, 2018. <https://www.kurdistan24.net/en/news/5c4aefac-8be3-496f-9f94-efc0800054dd>. (accessed September 24th, 2019).

³⁸⁰ Mamouri, Ali. "Iraqi election results leave Iran scrambling to preserve influence". *Al-Monitor*. May 17th, 2018. <https://www.al-monitor.com/pulse/originals/2018/05/iraq-election-abadi-maliki-sadr-iran.html>. (accessed September 24th, 2019).

4.4. Squaring the Circle

Though, the formation of an electoral list among the groups acting within the frame of the *Hashd Sha'bi* commission, several legal obstacles remained as the constitution is forbidding the participation of the armed forces in the political arena. In spite of these circumstances the militias managed to bypass these objections, thus, enabling them to participate in the Iraqi elections.

The Iraqi security forces have been rebuilt in a narrow frame in order to prevent the young democracy's weakness to return an authoritarian regime *Saddam* had created. Therefore, the constitution and the legal system restricted the Armed Forces' competences prohibiting the creation of armed constituencies out outside the legal framework. The *Hashd Sha'bi*, thus, have been founded outside the legal framework obviously contradicting the constitution .

As the ousting of *Saddam Husayn* posed a turning point within Iraq's history the state institutions had to be rebuilt up from its foundations on as the nation security institutions are a major cornerstone within a state's administration since they provide security, which allows the country to prosper as a recent study by Iraqi researchers Husayn Aslan and Ahmad Kaytan has shown.³⁸¹ Though, the Armed Forces' prestige has suffered by the dissolution ordered by ambassador *Paul Bremer II*, the Armed Forces have been rebuilt since 2003 on. The constitution, which was enacted in 2005, thus, reads for the Armed Forces in article 9, subsection 1. the following:

- A. *The Iraqi armed forces and security will be composed of the components of the Iraqi people with due consideration given to their balance and representation without discrimination and exclusion. They shall be subject to the control of civilian authority, shall defend Iraq, shall not be used as an instrument to oppress the Iraqi people, shall not interfere in the political affairs and shall not have a role in the transfer of authority.*
- B. *The formation of military militias outside the framework of the armed forces is prohibited.*
- C. *The Iraqi armed forces and their personnel, including military personnel working in the Ministry of Defence or any subordinate departments or organisations, may not stand for political office, campaign for candidates, or participate in any other activities prohibited by Ministry of Defence regulations. This prohibition includes personnel mentioned above in their individual or professional capacity, but shall not infringe upon these personnel to cast their vote in the elections.*³⁸²

³⁸¹ Aslan, Husayn/ Ahmad Kaytan. "Militär- und Sicherheitseinrichtungen im Irak nach 2003". Translated by Simon Schwenoha. *Schriftenreihe der Landesverteidigungsakademie*. (forthcoming).

³⁸² Article 9. Subsection 1. Dastūr Jumhūriyyat al-'Irāq [Constitution of the Republic of Iraq]. (in the current version). <http://ar.parliament.iq/الدستور-العراقي/>. (accessed September 24th, 2019).

These sections of the constitution clearly indicate the prohibition to form party militias as the Ba'ath party has relied on its militia to oppress the Iraqi population. Therefore, the legalisation of the Popular Mobilisation Forces then-Prime Minister *Nouri al-Maliki* enforced when he issued the first decree to legitimate clearly contradicts article nine of the current Iraqi constitution.³⁸³ Prime Minister *al-Maliki* first sought to legitimise the foundation of the Popular Mobilisation Units as a mere necessity as one third of Iraq by then was occupied by the Islamic State.³⁸⁴ As the decree issued by *al-Maliki* allowed the *Hashd Sha'bi* to act autonomous since they were bound directly to the prime minister's office. With the change of administration following the 2014 elections, the new government of *Hayder al-Abadi* sought to finalise the legal uncertainty the Popular Mobilisation Forces depicted when the Iraqi parliament enacted the *Hashd Sha'bi Commission Law*.³⁸⁵ The law, thus, incorporates the *Hashd Sha'bi* within the Iraqi Armed Forces ex facto post to the *al-Maliki*'s decree of June 2014.³⁸⁶ Although, the law takes a retroactive effect to June 2014, which would not contradict the Iraqi constitution as stated in article 19 number 11, the hierarchy of the law circumvents the constitution as the constitution in legal hierarchy overrides the a simple enacted law, which the *Hashd Sha'bi Commission Law* depicts.³⁸⁷ This contradiction of the constitution could have been avoided, if the Iraqi parliament would have enacted this law as change of the constitution, but due to the Sunni opposition to the Shi'ite dominated *Hashd Sha'bi* this law was only legislated as a simple law with the simple quorum.³⁸⁸ Although, the legal future has not been solved until yet, the *al-Abadi* government tried to legitimise its decision by declaring that the *Hashd Sha'bi*'s voluntary sacrifice of the forces and their capability of defending would be credible reasons to enact such law.³⁸⁹

The *Hashd Sha'bi* as institution, thus, remained in the legal off, but despite this the groups sought to participate in the elections. As the constitution and the *Hashd Sha'bi Commission Law* further emphasize the prohibition for personnel to run for a political office, the Popular

³⁸³ Mansour, Renad/ Jabar, Faleh. 2017. "The Popular Mobilization Units and Iraq's Future". *Carnegie Middle East Centre*. https://carnegieendowment.org/files/CMEC_63_Mansour_PMF_Final_Web.pdf. (accessed September 24th, 2019). p. 6.

³⁸⁴ Ibid.

³⁸⁵ Qānūn Hī'at al-Hashd al-Sha'bī [Law of the *Hashd Sha'bi* Commission]. Law No. 40 of 2016. Law Gazette. No. 4429. p. 3. <http://iraqlid.hjc.iq:8080/LoadLawBook.aspx?page=1&SC=&BookID=35508>. (accessed September 24th, 2019).

³⁸⁶ Article 3. *Hashd Sha'bi Commission Law*.

³⁸⁷ Article 19. Number 11. Constitution of the Republic of Iraq.

³⁸⁸ "The dangers of legitimizing the 'Al-Hashd Al-Shaabi'". *Orient News*. November 28th, 2016. https://www.orient-news.net/en/news_show/127796/0/The-dangers-of-legitimizing-'Al-Hashd-Al-Shaabi. (accessed September 24th, 2019).

³⁸⁹ Reasons. *Hashd Sha'bi Commission Law*.

Mobilisation Units adopted a model inspired by the Lebanese Hezbollah to bypass these provisions.

The *Hashd Sha'bi* have been founded as an auxiliary paramilitary force, which already maintained political relations as *Nouri al-Maliki* put it.³⁹⁰ Although, the legality of the Popular Mobilisation Units remained unclear or at least was ignored, another problematic rose as the constitution in article 9, subsection, point C clearly states that the military personnel is not allowed to run for political offices, thus, separating powers between civilian and military authorities to avoid the taking over of the military Iraq has faced during the republican and Ba'athist periods. This separation of power further has been reiterated in the *Hashd Sha'bi Commission Law*, but do the popularity of this institution the *al-Abadi* government remained unable to enforce this strict division as the government has been reliant on these paramilitary forces the *Hashd Sha'bi* constitute.³⁹¹ Walter Posch in his study of the Shi'ite Militias in Iraq and Syria additionally has argued that even the international community was aware of the *Hashd Sha'bi*'s intention to participate in politics and did not voice criticism against this desire.³⁹²

With the war against the Islamic State over *Hayder al-Abadi* called for the disarmament of the *Hashd Sha'bi* reiterating the call of *grand ayatollah Ali al-Sistani* to refrain from political activities. As the pressure of the international community grew on the Popular Mobilisation forces since scholars replicating the official US position accused the Popular Mobilisation Forces to be mere Iranian proxies.³⁹³ Therefore, these paramilitary forces had to react, thus, announcing to withdraw from leading positions within the militias to get enough distance to seem as credible politicians. This decision to formally leave their militias though maintaining institutional ties between them and their militias has been influenced by the name sharing Lebanese party, which adopted the same model.

The Lebanese Hizbollah became a prominent institution within the Lebanese state. The organisation's roots date back to the Lebanese civil war in which is rather a confessional war than a simple civil war. During this war the Lebanese Shi'a united in *Harakat Amal*, which was

³⁹⁰ Mansour, Renad/ Jabar, Faleh. *The Popular Mobilization Units and Iraq's Future*. p. 13.

³⁹¹ "Iraq's Paramilitary Groups: The Challenge of Rebuilding a Functioning State". *Crisis Group Middle East Report*. No. 188. <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/iraq/188-iraqs-paramilitary-groups-challenge-rebuilding-functioning-state>. (accessed September 25th, 2019). p. 7.

³⁹² Posch, Walter. *Schiitische Milizen in Irak und Syrien*. pp. 59-60.

³⁹³ For example. Pregent, Michael. 2018. "Countering Iranian Proxies in Iraq". *U.S. House of Representatives Committee on Foreign Affairs*. <https://s3.amazonaws.com/media.hudson.org/files/publications/PregentTestimonySept26.pdf>. (accessed September 25th, 2019)., Alaaldin, Ranj. 2017. "Containing Shiite Militias: The Battle for Stability in Iraq". *Brookings Policy Briefing*. https://www.brookings.edu/wp-content/uploads/2017/12/12_17_shiite_militias_in_iraq.pdf. (accessed September 25th, 2019).

founded by *Musa al-Sadr* as Movement of the Deprived.³⁹⁴ *Musa al-Sadr* was the cousin of *Muhammad Baqir al-Sadr*, who like his cousin attended the seminaries of Najaf where he studied under *Muhsin al-Hakim*. He after obtaining a certificate of *ijtihad* moved to Lebanon, where he claimed to have family origins as his teacher's *wakil*.³⁹⁵ Though, *Muhsin al-Hakim* kept distance to political movements, his *wakil al-Sadr* in 1974 launched a mass movement, which sought to combat social grievances of the Lebanese Shi'a.³⁹⁶ This movement took up arms and, thus, formed a party militia with the name of *Afwaj al-Muqawama al-Lubnaniyya*, the Lebanese Resistance Detachments, as the civil war broke out.³⁹⁷ This movement began to disintegrate when *Musa al-Sadr* disappeared during a trip to *Gaddafi's* Libya, thus, giving space to more radicalised personalities within the rows of *Amal*, which, hence, formed the core of the Lebanese Hizbollah.³⁹⁸ This core group of Hizbollah accused the *Amal* leadership to collaborate with its archenemy Israel, which brought it closer to the young Islamic Republic of Iran, which reversed the Shah's Israel policy by supporting the Palestinians. This intra-Shi'ite split also enabled to export the revolution to Shi'ite minority bringing Iran into close proximity to Israeli borders.³⁹⁹

This Iranian supported foundation of Hizbollah not only represents Iran's successful attempt to export the Islamic Revolution but also lay the basic foundations for similar groups as the Lebanese Hizbollah set up a model dividing the political party from its militia which traditionally acts as *muqawama*, which only is a cover for its real nature as a party militia. These two components, the political party and the militia, are hold together by shared leader, who can be a cleric acting as *wakil* of the *rahbar-e inqilab*.⁴⁰⁰ The Lebanese Hizbollah outgrew its reputation as mere Iranian proxy as its leader *Muhammad Husayn Fadlallah* though being a cleric was able to establish his *marja'iyya*, thus, becoming a *primus inter pares* with *Ali Khomeini*.⁴⁰¹ This model came to prominence as Iran tried to create this kind of proxies

³⁹⁴ Cobban, Helena. 1986. "The Growth of Shi'i Power in Lebanon and Its Implications for the Future". In Juan Cole/ Nikki Keddie. *Shi'ism and Social Protest*. New Haven: Yale University Press. pp. 143-144.

³⁹⁵ Norton, Augustus Richard. 1986. "Shi'ism and Social Protest in Lebanon". In Juan Cole/ Nikki Keddie. *Shi'ism and Social Protest*. New Haven: Yale University Press. pp. 161-162., Aziz, Talib. 2001. "Fadlallah and the Remaking of Marja'iya". In Linda Walbridge. *The Most Learned of the Shi'a: The Institution of Marja' Taqlid*. Oxford: Oxford University Press. pp. 206-207.

³⁹⁶ Norton, Augustus Richard. *Shi'ism and Social Protest in Lebanon*. pp. 166-167.

³⁹⁷ Salibi, Kamal. 1976. *Crossroads to Civil War: Lebanon 1958-1976*. Delmar: Caravan Books. p. 119.

³⁹⁸ Norton, Augustus Richard. *Shi'ism and Social Protest in Lebanon*. pp. 171-172.

³⁹⁹ Halliday, Fred. *Iranian Foreign Policy*. pp. 103-104.

⁴⁰⁰ Feltman, Jeffrey. 2019. "Revolutionary Iran's most successful export". *Brookings*. <https://www.brookings.edu/opinions/hezbollah-revolutionary-irans-most-successful-export/>. (accessed September 26th, 2019).

⁴⁰¹ Walbridge, Linda. 2014. *The Thread of Mu'awiya: The Making of a Marja' Taqlid*. Bloomington: The Ramsay Press. pp. 86-88.

throughout the Arab world, of which Bahrain's and Saudi Arabia's Hizbollah became the most prominent attempts.⁴⁰²

This model, thus, became the only option for the *Hashd Sha'bi* as it allowed their leaders to retain their militia and participate in the parliamentary elections of Iraq. One of the oldest Iraqi organisations being organised in this scheme is the *Supreme Council for the Islamic Revolution in Iraq*, which was founded in Iranian exile in the 1980s. This organisation retained a party militia with the Iran dominated *faylaq-e Badr* as its military arm. The same applies for the Sadrist trend, which after losing the battle of Basra, announced to reorganise in a political party with an elite armed force and welfare organisation.⁴⁰³ Following the call to disarm several of the younger militias like *Asa'ib Ahl al-Haq* and *Harakat Hizbollah al-Nujaba'* opted to reorganised following this Hizbollah model. The former of this both already in 2014 founded a political party to participate in the elections winning only one, but due to the mentioned circumstances managed to win some fifteen seats in parliament.⁴⁰⁴

This Hizbollahisation of the *Hashd Sha'bi* has led to the result of scholars to equate the Popular Mobilisation Units with the Iranian Revolutionary Guard as indicated above.⁴⁰⁵ Walter Posch in his analysis has correctly shown that this a mere inaccurate comparison as the Iranian Revolutionary Guards following the ousting of the Shah had to decide either join the guards restraining from interfering into political affairs or become a political party demobilising its party militia.⁴⁰⁶ The more crucial difference is the religious setting since the Revolutionary Guard not only adheres to *ayatollah Khamene'i* as *rahbar-e enqelab* but also as a *marja'-e taqlid*. The *Hashd Sha'bi* on the other hand differ inasmuch as the religious leadership is fragmented allowing every clerical dynasty to become the *marja'* of this institution. Therefore, the theological setting of Iraq differentiates totally from that of Iran although some leaders of Popular Mobilisation Groups adhere to *ayatollah Khamene'i* as their *marja'*, not as Iraqi politician. Though, there are similarities between these two institutions, the differences between them predominate.

⁴⁰² Goldberg, Jacob. 1986. "The Shi'i Minority in Saudi Arabia". In Juan Cole/ Nikki Keddie. *Shi'ism and Social Protest*. New Haven: Yale University Press., Matthiesen, Toby. 2010. "Hizbullah al-Hijaz: A History of Saudi Arabia's Most Radical Opposition Group". *The Middle East Journal*. Vol. 64. No. 2. pp. 179-197.

⁴⁰³ Cordesman, Anthony/ Ramos, Jose. 2008. "Sadr and the Mahdi Army: Evolution, Capabilities and a New Direction". *Center For Strategic & International Studies*. pp. 23-24.

⁴⁰⁴ Wong, Eduard/ Schmitt, Eric. "U.S. Pressures Iraq Over Embrace of Militias Linked to Iran". *The New York Times*. March 19th, 2019. <https://www.nytimes.com/2019/03/19/world/middleeast/iraq-us-tensions-iran.html>. (accessed September 26th, 2019).

⁴⁰⁵ Smyth, Philip. 2018. "Iranian Militias in Iraq's Parliament: Political Outcomes and U.S. Response". *The Washington Institute for Middle East Policy*. <https://www.washingtoninstitute.org/policy-analysis/view/iranian-militias-in-iraqs-parliament-political-outcomes-and-u.s.-response>. (accessed September 26th, 2019).

⁴⁰⁶ Posch, Walter. *Schiitische Milizen in Irak und Syrien*. p. 60.

4.5. Conclusion

The Iraqi parliamentary elections of 2018 turned out to be an immense surprise as they were the first elections held after the demise of the Islamic State, which made them an assessment for the state's capability to deal with revolting population. In addition to this Sunni revolt if the Islamic State can represent the majority of Sunnis the intra-Shi'ite protest movement hit Iraq in state of weakness. This second unrelated revolt against the state is an intra-confessional conflict, which leant against the Shi'ite dominated governments' inability to provide at least infrastructural basics like healthcare, housing or the provision of power and clean water. Although, the government in help of these militias related to the different clerical traditions managed to bring down the Islamist monster, it failed to meet the protesters' demands.

These two factors, the failed solutions for implementing the protesters' demands and the government's liability on the militias, affected the election results inasmuch as the voters penalised the established political parties by voting for new faces and newly set-up movements. Among these new movements have been the *Hashd Sha'bi* and their respective clerical dynasties, which gained high esteem among the population and, thus, were able to transform their reputation into political power.

Although, the Popular Mobilisation Forces' reputation among the Iraqi people, they had to react on the international pressure they faced. This pressure and the accusation of being mere Iranian proxies made at least some of them opt for a more nationalistic trend whereas others remained their pan-Islamism, but all of them had to accomplish the task divide between political and armed power. Therefore, all of those groups intending to participate in the Iraqi elections reorganised themselves along the Lebanese Hizbollah model separating the armed movement from the political party though keeping institutional ties through their clerical traditions, which is the crucial difference to the Iranian Revolutionary Guards of which they were accused to replicate.

Concluding it can be said that the majority of clerical trends like the Sadrists, Khomeinists were able to multiply their political influence as they were associated to be newcomers whereas other like the *Hakimiyya* lost as the *al-Hakim* family got equated with the political elite. *Ali al-Sistani* though differing in his participation also managed to reach his goals bringing forth a new political generation, which vowed to better rule the country.

5. Conclusion

As the elections turned out to be an immense surprise for established parties and politicians, which lost influences in the political battleground, and the newcomers and new faces, which were able to multiple their share of power, the Shi'ite *ulama*'s political influence grew or at least remained the same. This influence the clergy has on political affairs has been the central question of this thesis, which sought to analyse how the clerical dynasties have gained political influence in the Iraqi parliamentary elections of 2018 through the *Hashd Sha'bi*'s participation. Due to the complexity of this question the first thing examined is the concept of *marja' iyya* before it continued analysing the *ulama*'s relation with political movements and their military arms finishing with the *Hashd Sha'bi*'s participation in the last elections.

The concept of *marja' iyya* as religious leadership has been crucial in establishing a clerical dynasty. This concept of religious leadership is characterised by distinctive liquidity, which allowed it to react to changes in its social environment. This liquidity is a result of the concept's age, which only dates back to midst-nineteenth century when *Muhammad Hassan Najafi* assumed the title of *marja' al-taqlid*. The *marja' iyya* as concept of religious leadership and its hierocracy, thus, is a reaction to the *ulama*'s new position with in the post-Qajarite society as it underwent a transformation from mere state officials to independent theologians as Bert Fragner has put it.⁴⁰⁷ The rise of the concept of *marja' iyya* marked the enforcement of the *Usuli* school of thought, which provided the *ulama*' the needed tools to create an economic basis. This economic independence of the clergy allowed it to engage politically as he began to act as counterweight to the crowned heads of states. This period of political activity was a result of the single leadership within the *ulama*' as only one could rise to the position of *marja' al-taqlid*. As this single leadership in the Shi'ite clergy collapsed with the demise of *Muhsin al-Hakim* the phase of plurality has begun. This period of plurality, thus, allowed several families to become the religious elite establishing clerical trends, which mainly differ in their engagement in politics. This families and their theological trend though being interrelated maintain a liquid net of alliances, which they use to enforce their political goals. In order to reach these goals, the families' *marja' iyyat* are able to rely on a set of representatives dispersed throughout the world making this concept a transnational one as well as on groups adhering to them as religious and sometimes even as political leaders.

⁴⁰⁷ Fragner, Bert. 1983. "Vom Staatstheologen zum Theologenstaat: Religiöse Führung und historischer Wandel in Persien". *Wiener Zeitschrift für die Kunde des Morgenlandes*. Vol. 75. pp. 73-98.

5.1. Ayatollah Ali al-Sistani's quietist politics

Ayatollah Ali al-Sistani is the foremost learned *mujtahid* in the Shi'ite world and due to his seniority one of the most referred if not the most referred in the world. He continues the line of quietist *maraji'* which has passed on him from his teacher *ayatollah al-Khu'i* who during *Saddam's* regime has been accused of being the most apolitical cleric. Although, *al-Sistani* represents the apolitical quietist trend, he has interfered into politics on special occasions as had his predecessors did. He, thus, might be called to be a quiet cleric, but he has been able to bring down ambassador *Paul Bremer II's* plan for Iraq to implement a constitution drafted by a non-elected body, which has been appointed by an occupying power, just by calling publicly for popular elections. Though, the United States tried to ignore him, they had to change their mind adopting the cleric's plan for Iraq instead of their own.

With the rise of the Islamic State and the group's seizure of the metropolis Mosul, *ayatollah Ali al-Sistani* saw himself forced to act as he saw Islam in danger. He, thus, called out to believers to wage *defensive jihad*, which is the ultima ratio within Shi'ite *fiqh*. Due to his popularity and seniority among the *ulama'* thousands volunteered to defend their nation of radical Sunni extremists seeking to establish an Islamic caliphate in which every would get killed if disobeys their interpretation of Islam. Although, this noble intention was hijacked by political opponents to gain political influence and even he tried to correct his message, the *Hashd Sha'bi* have drawn their legitimacy from this call.

With the Islamic State in Iraq defeated he called out to these groups to disarm and not use their reputation gained in the battle to transform it into political influence. Despite these calls, the more radical groups within the Popular Mobilisation Units managed to multiple their influence, but due to his seniority he anyway managed to influence the voters not to elect candidates accused of corruption and fraud, which precipitated in the results as meant parties and politicians lost seats in parliament. His political weight came into full effect when he hindered *Hadi al-Ameri* and *Nouri al-Maliki* to become prime minister as he threw his support behind *Adel Abd al-Mahdi* not by clearly saying so but by warning not to trap in the same trap as Iraq did before.⁴⁰⁸

Ayatollah Ali al-Sistani, thus, although being leader of the quietist *hawza ilmiyya* is able to influence political decisions concerning him and the *ulama'* without campaigning, but with making a simple statement.

⁴⁰⁸ Abdo, Geneive. "Iraq's Top Cleric Is Becoming Its Political Saviour" *Bloomberg*. October 22nd, 2018. <https://www.bloomberg.com/opinion/articles/2018-10-22/iraq-s-top-ayatollah-is-becoming-its-political-savior>. (accessed September 26th, 2019).

5.2. *Khomeinist Attempts to Take over Iraq*

Since *ayatollah Khomeini* died in the late 1980s, the *Ali Khamene'i* has assumed power as *rahbar-e enqelab*, though not meeting the needed religious credentials. This lack of religious education has forced the Islamic Republic of Iran to break with *Khomeini's* theology of *velayat-e faqih* as no suitable candidate could have been founded following his death. Therefore, the constitutional provision that the *rahbar-e enqelab* has been dropped, allowing then-president *Khamene'i* to become *Khomeini's* successor.

The theory of the guardianship of the juriconsult, which became basis for the Islamic republic's constitution, is the crucial difference to the *al-Sistani* led quietist trend as the latter's trend negates the *mujtahid's* political power *Khomeini* has argued. Despite this difference *Khamene'i* demands to be the Shi'a *marja'* outside of Iran, though, not even being *primus inter pares* with *al-Sistani*.

As *velayat-e faqih* has influenced Iran's foreign policy inasmuch as the country has been seeking to export the Islamic revolution within the Muslim world, this theology has found believers in Iraq. Since the situation deteriorated for the Shi'a in Iraq after *Saddam's* takeover, Iran created groups adhering to *velayat-e faqih* among the Iraqi exiles. With the dictator's ousting by the great Satan these Iran dominated exile groups returned to Iraq getting involved in the young Iraqi democracy's politics. As the United States, Iran's biggest foe, run the country these groups made first combat experiences when fighting the US forces and even being able to incorporate their forces into the administration, where they have got access to Iraq's security institutions.

With the rise of the Islamic State these groups, which had been trained and armed by Iran, proved to be capable in fighting the Sunni zealots, thus, building up a considerable reputation, which they tried to transform into political influence. Although, the traditional quietist *ulama'* denounced them, they managed to become the second forces of the Iraqi elections, thus, consolidating their power. Although, scholars have argued that the Islamic Republic will take over Iraq, they were outmanoeuvred by *al-Sistani*, which hindered them to access key positions within the Iraqi government, but they were able to win influence within the Iraqi political landscape. Despite this victory they remain under close surveillance of the international community, which has been startled by their success.

The *Khamene'i* adhering forces, thus, have become more influential within Iraq, but they will have to act carefully not to further alienate the international community and especially their Sunni neighbours.

5.3. The Populist *Muqtada al-Sadr* and his Movement of the Disenfranchised

The *Sadriyya* is different to the other before mentioned traditions as the Sadrist tradition is run by the *ulama'* family *al-Sadr*. This family has strong links to key events in the Iraqi history like the revolt against the British in the early twentieth century. Though, they remained important in Baghdad's Kazimayn neighbourhood, another branch of the family has been the founder of the Lebanese *Harakat Amal*, which still is an important force within Lebanese politics.

The Iraqi part of the family rose to prominence with one of quietist *ayatollah al-Khu'i's* students namely *Muhammad Baqir al-Sadr* who like his teacher feared the communist rise among the Shi'ite youth, thus, engaging in the formation of the *Islamic Da'wa Party*. As the quietist *ulama'* was advised to refrain from engaging in partisan politics, *Baqir al-Sadr* was forced to withdraw his support for the *Da'wa* party. With *Muhsin al-Hakim's* death friends of *Baqir al-Sadr* pushed him to put forward his claim to *marja'iyya* which soured the relations with his teacher *al-Khu'i* as he also sought to establish his *marja'iyya*. *Baqir al-Sadr's* attempt to push forward his *marja'iyya* differed from the traditional way as he sought to modernise the concept also by engaging politically, which made him famous, when published his *falsafatuna* and *iqtisaduna*. The execution of *Baqir al-Sadr* not only made the clerics more cautious but also teared up the *al-Sadrs* relations with the other trends and families.

This aggravations in relations, thus, was exploited by *Muhammad Muhammad Sadiq al-Sadr* who accused the quietist *ulama'* of having betrayed his cousin when he was executed. *Sadiq al-Sadr* was able to set up a social movement for the disenfranchised and poor in the shantytowns of Baghdad and Basra lying the basis for his son *Muqtada al-Sadr*. Although, he first was supported by the regime, he later was executed by *Saddam's Mukhabarat* as he publicly accused the regime of oppressing the Shia' in Iraq.

Having suffered the same fate as his cousin, the young *Muqtada* became leader of the *Sadriyya* although not even having reached the level of *ijtihad*. His youth and his distinct obsession of the occulted *Mahdi* contributed to the diverging of his father's movement. When the United States deposed *Saddam* in 2005, he was able to continue his father's movement with the difference that he founded an armed force, the *Mahdi army*, which engaged the Americans as well as Sunnis.

Although, the *Sadriyya* has been represented in parliament from 2005 onwards, the parliamentary elections of 2018 made *Muqtada al-Sadr's* movement the most powerful due to his ability to mobilise his followers as well as the movement's reputation it had gained in the battle against the Islamic State.

5.4. The declining *al-Hakim* dynasty

The *al-Hakim* family like the *al-Sadrs* was able to establish their family within Iraq although they lived quite a time in exile. The family's reputation dates back to their patron's rise as last *marja' al-taqlid* in the Shi'ite world. *Muhsin al-Hakim* has been the absolute model like *mujtahid* who not only combined religious scholarship and the needed piety but also the political charisma a leader needs to have. His demise, thus, not only marked a turning point in the *ulama'* but also in the family's history as his sons though becoming clerics more engaged in politics than in religious scholarship.

The Iranian revolution for the *al-Hakims* marked a new phase of life as they had to leave Iraq for political reasons, hence, participating in the foundation of the Iraqi opposition groups' umbrella, namely the *Supreme Council of the Islamic Revolution in Iraq* in Iran. As the *Muhammad Baqir al-Hakim* managed to become the group's leader, the *al-Hakim* family became more pragmatic in terms of political theology since as Iranian sponsored group they had to pledge adherence to *velayat-e faqih*.

Though the ISCI remained a mere exile group, the *al-Hakims'* under *Baqir al-Hakim* tried to internationalise their contacts, thus, joining the London based Iraqi oppositional group establishing contacts with Western and Arab governments. Following the ousting of *Saddam*, the *Supreme Council* led by the *al-Hakims* returned to Iraq where they found themselves strangers in their country. Therefore, their pragmatism became visible another time as they dropped their adherence to *ayatollah Khamene'i* in religious matters for *Ali al-Sistani* who then became their source of emulation.

Although, they remained their Iranian links the assassination of *Baqir al-Hakim* led to a crisis among the then-*Islamic Supreme Council of Iraq's* leadership as the group has been renamed, resulting in the split of the *Badr Organisation*, which the more liberal way alienated and, thus, grew closer to Iran.

Although, the ISCI managed to engage in the fight against the Islamic State, the withdrawal of *Ammar al-Hakim* affected their election results as *Ammar al-Hakim* founded a new group trying to attract the young educated elite, which had totally been ignored by the other parties. That *al-Hakim* took with him the majority of the ISCI's deputies did not make a difference as he lost in the elections representing the only clerical dynasty which lost in the last elections.

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7. Abstract

The *Hashd Sha'bi* have become an international known Iraqi institution, which is being accused of being a mere Iranian proxy. Though, they first were seen as capable fighters against the Islamic State in Iraq and Levant, they are now seen as a threat towards Iraqi sovereignty. Although, the *Hashd Sha'bi* are an umbrella organisation for the various Shi'ite paramilitary forces in post-Saddam Iraq, they are displayed as coherent single institution.

The Popular Mobilisation Forces as the *Hashd Sha'bi* are known, thus, consist out of various individual militias, which are related to the Shi'ite clergy in Iraq and Iran. This relationship between them and the clerical dynasties and different political theologies will be the core subject to this work starting with the rise of these dynasties and trends and the following engagement in politics in post-2003 Iraq asking how the clergy through these groups has been able to gain influence in Iraqi politics.

Therefore, the thesis will deal with the *Hashd Sha'bi*'s rise due to their capability to fight the Islamic State Iraq's armed forces had failed to and their legitimacy drawn from the religious sanction they derived from *grand ayatollah Ali al-Sistani's fatwa*. Although, these two factors affected the singles clerical dynasties' popularity in the elections, the movements' history and their embedding in society has been their main assets, which not every clerical dynasty managed to do. Therefore, the Iraqi parliamentary election results proved to be an immense surprise as they changed the political landscape unexpectedly.

8. Zusammenfassung

Die *Hashd Sha'bi* sind eine international bekannte irakische Institution geworden, der vorgeworfen wird ein rein iransicher Stellvertreter zu sein. Obwohl sie zuerst als fähige Kämpfer gegen den Islamischen Staat im Irak und der Levante angesehen wurden, werden sie jetzt als eine Bedrohung für die irakische Souveränität betrachtet. Wenngleich die *Hashd Sha'bi* auch eine Auffangsorganisation für die verschiedenen schiitischen paramilitärischen Gruppen sind, so werden sie doch als einheitliche Institution dargestellt.

Die Volksmobilisierungseinheiten wie die *Hashd Sha'bi* auf Deutsch bekannt sind bestehen aus verschiedenen individuellen Milizen, die mit dem schiitischen Klerus im Irak und Iran verbunden sind. Das Herzstück der Arbeit wird die Untersuchung dieser Beziehung zwischen ihnen und den Klerikerdynastien und deren politische Theologie sein, wobei zuerst der Aufstieg dieser Dynastien untersucht werden wird und anschließend auf deren politisches Engagement im Irak nach 2003 mit der Frage, wie der Klerus durch diese Gruppen Einfluss in der irakischen Politik gewinnen konnte, eingegangen wird.

Aus diesem Grund wird die Arbeit sich dem Aufstieg der *Hashd Sha'bi* beschäftigen, der durch ihre Fähigkeit effektiv gegen den Islamischen Staat vorzugehen beeinflusst wurde als auch durch Legitimität, die sie aus dem von *Großayatollah Ali al-Sistani* erlassenen *Fatwa* ableiten. Trotz dieser zwei Faktoren, die für die Popularität der einzelnen Klerikerdynastien prägend waren, war die Verankerung ihrer sozialen Organisationen in die Gesellschaft ihr größter Vorteil, obwohl nicht jede Dynastie in der Lage war ihre Organisation zu mobilisieren. Dahingehend stellten sich die irakischen Parlamentswahlen als eine große Überraschung heraus, weil das Ergebnis die politische Landschaft nachhaltig veränderte.