

***Usooli Ijtihad* and Shi'i Revival in Modern Iran**

*Thesis submitted to the Jawaharlal Nehru University
for the award of the Degree of*

DOCTOR OF PHILOSOPHY

By

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DECLARATION

I declare that the thesis entitled “*Usooli Ijtihad and Shi’i Revival in Modern Iran*”, submitted by me for the award of the degree of **Doctor of Philosophy** of Jawaharlal Nehru University is my own work. The thesis has not been submitted for any other degree of this University or any other university.

Khairunnisa Aga

CERTIFICATE

We recommend that this thesis be placed before the examiners for evaluation.

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لا جبرَ ولا تفويضَ ولكنْ أمرٌ بينَ أمرينِ

*I dedicate this work to the marginals of
the world*

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CONTENTS

Chapter I: INTRODUCTION	1-26
Chapter II: MODERNITY AND MULTIPLE MODERNITIES	27-51
Chapter III: CONCEPT OF <i>IJTIHAD</i> IN <i>USOOLI-SHI'I</i> PARADIGM	52-96
Chapter IV: NEO-<i>USOOLISM</i> IN IRAN: IMPACT ON THE SOCIO-POLITICAL LANDSCAPE	97-132
Chapter V: TRANSNATIONALISM OF NEO-<i>USOOLISM</i>	133-175
Chapter VI: CONCLUSION	176-181
REFERENCES	182-200

LIST OF TABLES

Table 1. Shi'is and Muatazilites Differences	69
Table 2. List of the Books of Twelver Shi'ism	72
Table 3. Usooli and Akhbari Differences	94-95

LIST OF FIGURES

Figure 1. Safavid Iran in the Seventeenth Century	99
Figure 2. Qomi on the authority of the Ruler	104
Figure 3. Naraqi's words of praise for Sultan Fathe Ali Shah	110
Figure 4. Abbasid Caliphate between the Eighth and Thirteenth centuries	125
Figure 5. Buyid Dynasty in the Tenth Century	136
Figure 6. Mongol Empire in the Thirteenth Century	137
Figure 7. Model Depicting Usooli Transnational Activism	138
Figure 8. Iran under Early Qajars in the Nineteenth Century	146
Figure 9. Shia - Sunni Population	148
Figure 10. Al-Ayan Social Care Foundation, Iraq	152

Chapter I

INTRODUCTION

Background

The Shi'i revival in Modern Iran revolves around *ijtihad* besides the presence of many other intellectual tendencies and activism. The Iranian nation-state was conceived during the Safavid era even though the Safavids originated from the Ardabili-Turkish Sufi order that was a quietist and contemplative spiritual movement. However, the dynasty adopted messianic and militant religion-political style, seized control of Iran and declared Shi'ism as official religion. The Safavid period is regarded as one of renaissance and many intellectual movements flourished during this period that included Sufism, *Akhbari* scripturism, Illuminist philosophy and *usooli* rationalism. The *usooli* rationalism imbued and refined itself during this period only to emerge as a dominant force in eighteenth century. *Usoolism* after being eclipsed by the scripturism for a while, was revived by Wahid Bihbihani in Karbala. The revival coincided with the rise of the Qajar power in Iran and the Qajars too aligned with the *usoolis* to manufacture legitimacy for their rule over the Shi'i empire. The authority in Shi'ism is through inter-dependent external Imam and internal Imam, i.e., Imam and reason. The application of reason in inferring the laws or *istenbat* through the process of *ijtihad* is called the *usooli* Shi'ism. *Usooli* rationalism means performing *ijtihad* by employing rationality in deducing laws from the sources. In Shi'ism, *ijtihad* was practically retained to deal with the stagnation brought about by the major occultation in the tenth century in the backdrop of the absence of the Imam and the necessity to perform duties of imamate in the religion.

The Shia-Sunni schism from Shi'is perspective is primarily not the book or the doctrines but specifically on the difference on the authenticity of the traditions. The tradition among Sunnis is considered to have started to have compiled almost one century after the demise of the Prophet of Islam. While the Shi'is consider that the traditions transmitted and narrated by *ahlbyt* and the infallibles are the only authentic traditions and rest are vulnerable to fabrication.

The occultation of the Twelfth Imam resulted in a crisis of jurisprudence and that resulted into the commencement of two remedial trends to run parallelly. The one was based in Qom-Ray and is considered to have started slightly before the beginning of the occultation. This trend is regarded as *Nassgira/Muhadith* or traditionist school, as they collected Imamic traditions and compiled without

changing anything in the form of books. The authors of the first two books of *kutub al-arba*, *al-Kafi* and *al-Faqi*, Shaykh Kulyni and Shaykh Saduq, are regarded as to have belonged to this school. The scripturists, who are *akhbaris* of Astarabadi's movement, claim that the two authors restrained from using human rationality but *usoolis* argue that it is only because they were compiling the traditions and hence are *Muhadith* traditionist not *akhbari* of Astarabadi's sense. The second trend took shape in Baghdad that opted for rationality and came to be known as *Aqlgira*. The trend developed the science of interpretation, *Usul al-Fiqh*, and it recognised four sources of jurisprudence that are the Quran, traditions, reason and consensus. *Usoolism* was later developed by prominent *usooli* scholars including Shaykh Tusi, the writer of the last two books of *kutub al-Arba* and they established its centre as Hawza Ilmiya of Najaf in eleventh century. Yet, *usoolism* was eclipsed by *akhbarism* from during the later days of Safavid period and the Afghan rule of Iran. It was revived by Wahid Bihbihani as what is called as neo-*usoolism* in eighteenth century Karbala. The Neo-*usooli* movement triumphed in *Atabat* (Najaf, Karbala and Samara) and after refinement of its ideas became a powerful movement in Shi'ism. The *usooli*-Qajar alliance added rigour to the spread of the movement.

The movement was not top-to-bottom phenomena but has developed on the margins of the Islamic world under the Sunni domination. Therefore, the movement was grounded in the margins of the Muslims and its people-centric character made it powerful in the Shi'i dominated Iran. This is the reason that the fatwas like the fatwa of jihad against Russia and the Tobacco fatwa were so effective that even the rulers succumb to the power of ulema. The influence of neo-*usoolism* on the socio-political landscape of modern Iran encouraged the movement to further refine its ideas and become people-centric under the Shi'i rule. Consequently, neo-*usoolism* presented reformative Shi'ism or Modern Shi'ism and revolutionary Shi'ism to the world. Though *usoolism* is inherently transnational in nature, with neo-*usoolism*'s reconceptualization of *ijtihad* to tackle the problems of common believers made it highly transnational from Nineteenth to Twenty-first centuries and this for first time provided religious identity to the Shi'is at a transnational level. Since it has tremendously changed and informed the world-vision and activism of a fairly large segment of the population of the world, neo-*usoolism* becomes an important international actor.

The Islamic Revolution of 1979 flooded the world with the images of turbaned men and women under chador, and the Iranian streets depicted an upheaval, where a glamorous and mighty monarchy was making way for the turbaned Islamists to rule the country. It was new to the world as the western dominated media visualised Islamists as Sunni Islamists or orthodox Wahhabis and Mujahedeen of Afghanistan and West Asia was seen through the eyes of authoritarian Sunni elites in Riyadh, Cairo, Amman or Islamabad. The regions problems, ambitions and identity revolved around the ideas like Arab nationalism. However, after Islamic Revolution and the establishment of the Islamic Republic, the instances like Shi'i unrest, fatwas of Ayatollah Khomeini, the emergence of Hizbollah, Shi'i Islamic activism in countries like Iraq, Bahrain, Pakistan and Kuwait, for the first time raised questions of Shi'is and their politics and society as far as journalists and academicians are concerned. A large number of studies were dedicated to the understanding of the Shi'i resurgence after the Revolution and later in the context of US invasion of Iraq in 2003. The invasion was followed by de-Bathification and Shi'i upsurge in Iraq particularly in the Shrines of Najaf and Karbala. The people were seen holding their faith and their identity high for all to see. The media was interpreting this moment as the Shi'i awakening and the Islamic Republic of Iran was considered to be the beneficiary of the Iraq's Shi'i resurfacing and terms like the emergence of the 'Shia Crescent' gained currency.

Though the neo-*usoolism* had already side-lined quietism in the Shi'i world, the world got to see it now in its full force. The twenty-first century evidently ended the Shi'i quietism that was seen as a tool of the Sunni elites to visualise marginal Shia under their dominance. However, the Shi'i awakening and activism was not necessarily an outcome of the Islamic Revolution alone but of centuries of intellectual exercise of *usooli* movement with its socio-political and intellectual outcomes. *Usoolism* is transnational in both its forms: classical and new. That is substantiated by the flow of ideas and material and by its nature that it almost cannot be contained by the borders of nation-state. The global presence of *usooli* movement makes it a global phenomenon and an important international actor.

Though the knowledge building in the discipline of International Relations is dominated by theories and methods that often neglect voices and experiences outside the West. In the recent times, a substantial work has also been done that advocates

paying attention to the genealogy of international systems, the diversity of regionalism and regional worlds, and the integration of area studies with IR to provide people-centric approaches to the discipline. It also affirms the agential role of non-western ideas and actors in the building of the modern world order. Therefore, it is crucial to employ Multiple Modernities paradigm and have specific investigation of how non-western worlds have woven the fabric of the modern world. It is essential to dislodge traditional theories of modernization over their arguments that modernity is a single, homogenize and measure of progress kind of story line of the contemporary world through the Western yardstick. In this direction, the contributions of several civilizations have been studied in multiple Modernities paradigm and scholars have illuminated the contribution made by Indian, Chinese and Islamic civilizations and many other specific civilizations. Looking at IR through the prism of European modernity resulted in religion being ignored as a superficial or medieval force. Although the events like the Islamic Revolution of Iran, followed by the more significant social and political activism of the Shias across the board and role of the Islamic Republic and *usooli* clergy in it, made it evident that religion can also be an important variable in determining the worldview. The *usooli* movement is not only a movement to rationalize the interpretative scholarship of Islamic law, but it also established as a strong political force in modern Iran, Iraq, Lebanon, Pakistan and Bahrain and huge transnational networks of the philanthropic and other organizations emerged and grew. The global presence of the movement makes it an important global player.

Shi'i Islam remained progressive because of the flexibility in interpretation of the Quran and traditions. This flexibility is achieved primarily through the concepts of Imamate and Ijtihad. *Ijtihad* played a pivotal role in achieving that flexibility in Islamic Jurisprudence for quite a long time. The triumph of the modern nation-state system has developed diverse laws and norms to address problems of the world in which we live. However, the place of Islamic jurisprudence has not faded, and many Muslim countries adopted Islamic law of the Book and traditions. Although, the dilemma begins when rational interpretation is absent and regressive jurisprudence is forced from top to bottom in the name of Islam. *Usooli* Shi'ism has, on the other hand, produced a rich flexible jurisprudence that is not only the source of the Iranian Constitution of 1905-06 but also of the Constitution of the Islamic Republic.

Furthermore, beyond the confinements of the nation-state, *Usoolism* has also proved to be the jurisprudence of transnational importance. In its transnational role, the Shi'is in different nation-states practice and govern themselves by the Islamic jurisprudence through *taqleed*.

However, the institutionalization of *usoolism* into the nation-state also determines its glass ceiling and hence has an impact on minorities and women in the Islamic Republic. The dynamism of *usooli* rationalism is not fully confined by borders and the *usooli* clergy have been able to produce a full-fledged Islamic practice that is institutionalized in the form of constitutions and political systems. Thus *usooli* rationalism in a way becomes a global Shi'i ideology of the modern times. Though studies on the various Islamic revival movements have been done to locate the multiplicity of modernities, a specific research is required to be conducted to understand the significance of *usooli* rationalism in modern Iran in order to contextualise the working of modernity in a non-Western context.

The idea of 'modernity' commenced with the rediscovery of the Ancient Greek heritage during the European renaissance, expanded throughout the period of enlightenment, and was ultimately at its acme during the period of the French and American Revolutions. Historians of the European modernity regarded the end of the Dark Ages to be synonymous to the origin of the Italian Renaissance, coupled with the rebirth of the spirit of enquiry and creativity. This period further revived the sixteenth century concept of a nation-state, which intended to be secular and sovereign in nature, and marked the rise of the west as a dominant force in the world. However, the most important characteristic of modernity was attributed to the increasing authority of reason, and the diminishing control of superstitions and religions. The European modernity, therefore, replaced authority of the church with that of State, which resulted in the dominance of governmental institutions. The power of the nation-state and its functions grew rapidly and with it, the rise of individualism and capitalism. Furthermore, the scientific temperament of modernity gave mileage to the scientific discoveries in the West and inevitably, the region became the first to experience modern industrialisation.

The modern world, thus, emerged from the genius of the European culture. However, this assumption has ever since, neglected the contribution of the non-western world, and confirmed the belief that those who resisted the European

cultural genius faced stagnation. This wide gap between the West and the East presumably allowed the West to dominate the rest of the world and put the non-western nations at the periphery of modernity. Hence, monumental achievements in science and technology in the Muslim world during the pre-modern period was also largely seen with minimal importance, even when they acted as the building blocks of the European modernity. Applying this Eurocentric logic to the West Asian region, modernity came with the Napoleonic conquest of Egypt, but this logic overshadows the internal forces of revivalism that were already working before the western domination. After the collapse of the Islamic Gunpowder Empires (the Ottoman, Safavid and Mughal Empires), the Muslim world experienced a paradigm shift with the emergence of new social, religious, economic and political trends. The result of this shift was the birth of multiple modernities in the shape of indigenous revival and reformation movements and initiated the story of progress, which included movements like *Usooli* Shi'ism, Wahhabi Sunnism and Neo-Sufism.

Thus, disproving the stagnation thesis of the Eurocentric framework, such movements were already established and in operation before the European penetration and they eventually played a significant role in influencing the responses to western forms of modernity during the 19th and the 20th centuries. These movements also remained to be influential in defying the imposed political designs by the outside forces in the post-colonial West Asian landscape. Yet, no matter how prominent these movements were, their 'geographic locations' kept them away from being 'modern', according to the mainstream Eurocentric discourses.

The *usooli* movement of Twelver Shi'ism has been the most dominant and influential movement in Shi'ism in general, and in Iran in particular. The movement dominated Shi'ism during the critical historical modern movement of the late eighteenth century and changed Shi'ism both horizontally as well as vertically. The movement has, till date, been shaping the worldview of the Shias globally. The term '*Usoolism*' came from the Arabic word '*usool*' which is the plural of the root word '*asl*' that means 'fundamental' or 'core'. *Usoolism* represents the rationalist segment of the Twelver Shi'i thought that accepts the use of reason in the form of *ijtihad* as a method of deriving knowledge and authority, and thus is often referred to be as the rationalist school.

Iran under the Safavid dynasty accelerated a renaissance in Shi'i learning that resulted in *usooli* rationalism during the period of the Qajars, further enhancing the Shi'i revivalism in the form of rationalist movement of the *usoolis* in the seventeenth century. However, this tendency was short-lived as decentralization along with other socio-political and economic factors led to the collapse of the Safavid Empire. The year 1722 marked the beginning of the disintegration, when the Safavid Empire crumpled after nearly a century of tribal warfare, leading to the consolidation of power at the hands of the Qajars. The eventual disintegration of the Qajar dynasty in 1925 paved the way for the emergence of the Pahalvi Iran.

Shi'a Islam was the official religion of the Safavid Empire, but the diverse interpretations which existed in the form of various trends in Shi'ism like *Akhbari* (scripturists/traditionists), *Usooli* (rationalists), *Sufi* (mystics) and *Ishraqi* (illuminationists) and etc., limited the scope and role of rationalist clerics in the political domain.

The *usooli* rationalists believed that a pious and high-levelled scholar of Islam could use his reason to deduct laws from the Quran and the hadith. This epistemology is linked with the theory of *ijtihad*. *Ijtihad* refers to the efforts exerted by an individual scholar for a clear and unambiguous ruling from the sources of Islamic law which are the Quran and Hadith. Since such legal sources require extensive interpretation which necessitate expert interpreters and these interpreters or *mujtahids* to perform tasks that the rest of the society do not wish to perform, or cannot perform due to lack of skills.

Wahid Bihbihani was a *usooli* rationalist cleric, who consolidated the neo-*Usoolism* or 'the movement of reason' against *akhbarism*. *Akhbarism* is the segment of the Twelver Shi'ism that assumes *ijtihad* to be a Sunni phenomenon, hence prohibits emulation of anyone other than infallibles. The term '*akhbari*' is derived from the Arabic word *khabara*, which means "news or report," hence *akhbaris* are known as traditionist or scripturists. The *usooli-akhbari* debate took place in the city of Karbala and finally the *usooli* rationalists won the debate. Henceforth, the *usooli* movement was successful in dismissing Akbari influence first from the shrine city, followed by the expulsion of it from the mainstream Twelver Shi'a discourse.

The rapprochement between the state and *usooli* hierocracy started properly after the death of Bihbihani during Qajar rule, when his son was officially called to the Qajar capital and the *usoolis* were assisted in the persecution of non-*usoolis* by declaring Sufis, Akhbaris, Wahhabis, Shaykis, Babis and Baha'is as heretics. Furthermore, the *usoolis* claimed to be vicegerents of the twelve imams and many of them collaborated with the Qajars in the establishment of the new state. The Qajar ruler also proclaimed that he considered his kingship to be exercised on the behalf of *mujtahids* of the age. The power of the *usooli* clergy was seen when they resisted the tobacco concessional deal between the Qajars and Britain and issued *fatwas* against it. The unhappiness of the *usooli* clergy with the Qajar rule clubbed with mass agitation, resulted in the demand for a constitutional monarchy in Iran, albeit, the demand for a constitution that was not necessarily in accordance with the European parameters. In short, the clergy designed the dominant narrative in Shi'ism throughout the nineteenth and twentieth centuries. They remained semi-independent of state control, particularly in Iran till the Islamic revolution.

Therefore, the *usooli* school postulate that the non-*mujtahids* worldwide are required to follow a *mujtahid* that equips the clergy with legalistic approach and thus brings tremendous religious, social, economic and political authorities to the *usooli* clerics. The *mujtahids* ran charitable organizations, hospitals and specially the seminaries or *howzah* to train *mujtahids* for future, particularly in the shrine cities of Najaf, Karbala, Qom and Mashhad. The presence of *howza* and *mujtahids* brings forth the relevance of the city as the centre of Shi'a Islam globally. According to the hierarchy of *usooli* clergy, once a *mujtahid* acquires enough knowledge, he is known as *marja*, and the *marja* is supposed to guide the community officially by writing a *risala*. *Risala* is a collection of juridical edicts in a book form, divided into several chapters outlining the principles used to derive specific rulings. However, the theological fundamentals of religion or *usool e deen* are refrained from being touched, but reason is applied in the light of the fundamentals to extract rules for the theological branches or *furu e deen* in such interpretations. *Risala* is universally applicable to the Shia male and female *muqalids* (the ones who follows a *mujtahid*), though there is one chapter that specifically deals with problems of the females. Additionally, a *mujtahid* has power to address issues of men and women in the

forms of a *fatwa*. Thus, it can be assumed that *ijtihad* has a role in bringing the gender discourse into the Shi'a Islamic debate.

The concept of 'guardianship of jurist' (*Wilayat e faqih*) is the concept derived from the *usooli* belief that *usooli* cleric should rule on behalf of the twelve imams. Yet, the decentralized nature of the movement gives the space and freedom to a *mujtahid* to criticize and disagree with other *mujtahids*, and also provides freedom to the followers to choose their own *mujtahid*. The concept institutionalised *usooli ijtihad* and materialized its own constitution, judicial system and even a unique model of government. However, the ecclesiastical learning produced most of the works involved in the *usooli* revival and secular discourse was out of such a debate. The sources of the renaissance in Shi'i learning during the Safavid period was confined to the Twelver Shi'i understanding of the Quran and hadith and that meant elimination of various other narratives. Therefore, like many other modernities, the Shi'i modernity in Iran was also encountered with the question of exclusion. Nevertheless, the revival of *Usoolism* was in the first place a movement that cut across the territorial borders; it originated in the Ottoman city of Karbala and with the extra-territorial networking between the *usooli* clergy of south Iraq and Iran, it took the shape of a transnational ideology after it extended into Lebanon, Bahrain, India and other parts of the Islamic world.

The European modernity is a homogenate project that underestimates voices of the non-West and unifies the progress story of the contemporary world through the Eurocentric worldview. Hence multiple modernities became the alternative paradigm to understand the non-Western contribution to the evolution of the contemporary world. The Islamic revival and reformation movements of 17th and 18th centuries should be perceived as the outcome of the social and political realities of those times. Therefore, the manner in which *usooli* rationalists employed *ijtihad* to revive and reform the society makes it an example of a constituent part of multiple modernities.

The theory of multiple modernities is of recent origin. Though not fully developed as a homogenous paradigm, it places an emphasis on diversity of the narrative of progress. It accommodates plurality of the discourse, understands different voices and prevents binaries on the basis of progress. The term multiple modernities was coined by Shmuel Eisenstadt in the late 1990s. The advocates or

theorists of multiple modernities begin from the point of rejecting traditional theories of modernization which perceive modernity as a single, unifying and homogenizing process and the measures of Western framework as the yardstick by which progress is to be assessed. The paradigm accentuates autonomy and agency as well as revolutionary potential and reflexivity to the non-Western narrative in the progress storyline. It holds that rational mastery is central to modernity, but that different societies can interpret it in radically different ways.

Review of Literature

The available literature on the present topic can be broadly divided into four categories, namely i) Modernity and Multiple Modernities, ii) *Ijtihad* and Shi'i Modernity, iii) *Usooli* Rationalism in Iran and iv) *Usooli* Movement and Global Shi'ism.

Modernity and Multiple Modernities

The modernity movement emancipated people from superstitions and caused the triumph of reason. Rich merchants replaced the feudal aristocracy. The emancipation from the church and clergy led to the growth of individualism (Russell 1996). As Gianni Vattimo puts it, modernity is that era in which being modern became a value and the era brought into focus the value of the new (Vattimo 1988). Although the chief feature of modernity was crystallised in the seventeenth century, it received a more complete expression in the enlightenment thinkers of the eighteenth century. Modernity, therefore, is often regarded as being identical to enlightenment, through which the program of disenchantment of the world, dissolution of myths and the substitution of knowledge for fancy was implemented (Horkheimer and Adorno 1973). Enlightenment developed a program that was a combination of secularism, humanity, cosmopolitanism, and above all, freedom in its many forms i.e., freedom of speech, freedom of trade, freedom to realize one's talents, freedom of aesthetic responses and the like (Gay 1967).

Thinkers like Diderot, Montesquieu and Voltaire celebrated the shift from the traditional worldview and social order to modern era. They did so through their enthusiasm for reason, empiricism, science, universalism, toleration, freedom, uniformity of human nature and secularism (Hamilton 1992). Habermas (1981) also believed that the core to the theory of modernity is reason and rationality, which

promises freedom and happiness. The modern era, therefore, shaped both individual and collective life, through appropriation of science and technology, and it has been used to control the nature of external reality, as well as the order of society (Tourain 1995). The thread of rationality is discernible in different aspects of the modern society's constructions on the foundation of the European modernity with its special characteristics. These characteristics were initially focused on attempting the formation of a rational culture, an efficient economy, the civil society and nation states, where these tendencies of rational expression could become fully articulate, and which would also create a social and political order based on freedom (Eisenstadt 1987).

The above-cited thinkers defined modernity according to the European hegemony and exceptionalism, disregarding geography, and assuming that Europe is homogenous. Therefore, it undermined the dark side of the modern European history, including colonialism. John M. Hobson argues that it seems entirely natural or self-evident to conflate the progressive story of the world history with the rise and triumph of the West. However, this Eurocentric view is false for various reasons. For example, the East and West have been fundamentally and consistently interlinked ever since 500 B.C, or the Greek civilization was in fact significantly derived from ancient Egypt (Hobson 2004). Zakery M. Heern writes that progress is often in the eyes of the beholder and as modern world systems developed, progress for one social group spelled regression for another. Therefore, 'modern' does not refer to something positive, good or progressive as it did for many enlightenment thinkers (Heern 2014). Arjun Appadurai argues that many ideas associated with enlightenment are western. Therefore, modernity is not universal, but only "a recipe for how modernization would universally yield rationality, punctuality, democracy, the free market, and a higher gross national product" (Appadurai 1996).

Samir Amin argues in his work *Eurocentrism* that modernity arose in Europe, beginning with the renaissance, as a break from the traditional culture and that modernity is human beings making their own history as opposed to god (Amin 1989). However, Edward Said's *Orientalism*, the most powerful elucidation of Europe's sense of cultural identity, was constructed in the process of colonisation and getting rich overseas (Said 1979). Timothy Mitchell endorses that Eurocentrism embedded in modernity pushed the non-western to the margins. It differentiates

between the west and the non-west and so, becoming modern means rejection of tradition and adoption of western ideas, institutions, culture, language and so on (Mitchell 2000). Marshal Hodgson has propagated the ‘tunnel history’ approach, suggesting that every important thing that ever happened to humanity happened in ‘greater Europe’ that has come to dominate modernity (Hodgson 1993). Therefore, the contributions made by the people in the non-west or Asian societies are generally ridiculed by denying a place in mainstream knowledge building.

Multiple modernities go against the idea of modern Eurocentric theorists and call the western modernity, as a hegemonic homogenising project. The idea of multiple modernities presume that the best way to understand contemporary world and to explain modernity is to see it as a story of continuous constitution and reconstruction of various cultural programs. Specific social actors and social movements holding different views on what could make societies modern, carry the reconstruction of multiple institutions and ideologies forward. The engagement of social actors in the broader sector is the unique expression of their modernity. Multiple modernities is understood as it developed in different nation-states, within different ethnic and cultural groupings, each hovering differently from each other, but in some cases becoming international. One main point that multiple modernities make is that modernity and westernization are two different things (Eisenstadt 2000).

***Ijtihad* and Shi’i Modernity**

The sixteenth century was the century of the Ottomans, Safavids and Mughals who dominated most parts of the Eastern Europe, West and South Asia, and North West Africa. The Muslim Empires reached the heights of glory in the seventeenth century and these Gunpowder Empires began to decentralise their power, which paved the way to their decline. Yet many historians have challenged this decline theory, and the reason for the decline is assumed to be internal stagnation (Hitti 1970). Many scholars of the West Asian studies and Islam have rejected the decline theory on the basis of reformation and revivalism. It is also argued that the Muslims experienced their own enlightenment in this period (Sajdi 2007). However, some scholars felt that both the arguments were interconnected. It means that political decentralisation opened up the before the reformation and revivalism of these Islamic movements. It is no coincidence that new or semi-independent Islamic

movements emerged as the early modern Empires decentralised and collapsed. Neo-*Usooli* movement, Wahhabi movement and Neo-Sufism were direct responses of the reformers, who attempted to bring new life into their societies and to the changing socio-political conditions of the Muslim world (Heern 2015). Ira M. Lapidus writes that the Islamic movements were both a response to the condition of modernity that is to centralize state power, developing capitalist economies as well as a cultural expression of modernity. The emphasis upon Islamic values is not intended as a return to the past era but to represent an effort to cope with contemporary problems through renewed commitment to basic principles (Lapidus 1997).

Modernity commenced with the revival of rationality in Shi'i thought as *ijtihad*. On explaining the concept of *ijtihad*, Mutahhari gives an account on what *ijtihad* is not, which is that the *mujtahid* cannot pass a judgment that is not in accordance with the Quran and Sunnah. This clearly differentiates the Shi'a *ijtihad* from the Sunni *ijtihad*. Mutahhari also says that Sunnism permits personal opinion (*al-ray*) and considers it as the third source of their rule after the Quran and Sunnah although some Sunni scholars have considered *qiyas* (analogy) as the legitimate source of *ijtihad*. Mutahhari refers to the book *Al-Kafi* where it is written that there is nothing that is not in the Quran and the Sunnah and therefore, the Imams of Shi'ism forbade *qiyas* and *ray*. He gives his own understanding of this rejection, which he thinks, prevents *ijtihad*, so that it is at par with the Quran and the Sunnah. However, Mutahhari has no problem in using *ijtihad* as a methodological principle and it is this aspect that is recognised by the scholars of the usool. He argues that *ijtihad* had to vanish from the Sunni thought because it opened *Fiqh* to interpretation for everyone.

Furthermore, Mutahhari gives an account of the kind of *ijtihad* that is allowed in Shi'ism. Though many Sunni scholars did not consider connecting *ijtihad* with personal and legal opinion, *ijtihad* was defined as the maximum deployment of efforts in deducing the rules of *shari'a* from valid sources. This definition is accepted in the Shi'a thought as well. Mutahhari also refers to Allama al-Hilli, who used the term *ijtihad* for the first time in the Shi'a discourse and defined it as competence and expert technical knowledge, wherein; the *mujtahid* must have enough knowledge to exercise competence, authority and technical expertise. Mutahhari also throws light on the *akhbarism* or traditionists or scripturists or

textualists within Shi'ism, who believe that the understanding of the Quran is exclusively with the Prophet of Islam and his household or *Ahlbyait* and *ijtihad* of any kind is an assertion of the Sunnis. According to them, emulation of anyone other than the infallibles or *masoomen* is not legal in the Shi'a thought (Mutahari 2014).

Therefore, in Shi'ism, the concept of *ijtihad* is relatively different and it is the only high ranking *mujtahid* who have the right to interpret. Mohammad Taqi Amini defines *ijtihad* as an extreme intellectual effort employed by expert interpreters to have a correct and definite perception of the original basic maxims of Islamic law with a view to derive operative orders, to provide the necessary legal solution of the problems and issues faced by an Islamic society at any stage of its development. The whole purpose of interpretive efforts is to provide the quality and quantity of legal rules which a society needs, to meet an unending stream of new controversies, conflicts and disputes arising out of the eternal problem of conflicting interests, human and material (Amini 1986). According to Bakir al-Sadr, when a jurist wants to derive a law of the *sharia'h* and he does not find any text referring to it in the Quran and Sunnah, he should have recourse in *ijtihad* in lieu of such a text. Therefore, al-Sadr refers to *ijtihad* to be 'individual thinking'. Al-Sadr further says that *ijtihad* is the expression of one of the proofs used by a jurist and one of his sources of law. So, just as the jurist relies on the Quran and the Sunnah, and uses them as evidences, similarly, he relies on his own *ijtihad* and uses it as proof in case (Sadr 2015).

Hamid Mavani writes that the Imams encouraged and commanded their companions, primarily for pragmatic reasoning to engage with the independent reflections based on fundamental sources, to derive rulings on positive law and subsequently, to make deductions based upon the universal principles laid out by them. The sixth imam, Jafar al-Sadiq and the eighth imam, Ali al-Riza are reported to have said that it is for us to set out fundamental rules and principles (*usool*) and it is for you (the learned) to derive specific legal rulings for the cases that have contradictions. Therefore, after the twelfth imam's occultation, the Shi'a jurists had to find a way to guide the laity on day-to-day issues by involving *ijtihad* (Mavani 2015).

Akhbari (or communicators of tradition, *akhbar* being the shi'ia term for the traditions) was a religious movement by Arab Shiite Muslims in 17th century Iraq

that was opposed to the *Usoolism*. *Akhbari* Shi'ism did not promote political control, and held that clerics should advise political leaders, but not govern themselves. The shrine cities of Ottoman Iraq like Najaf and Karbala were the centres of *akhbari* scholars. Restricted to the Qur'an and oral reports from the Prophet and the Imams, they held that during the occultation or *ghaiba* of the Twelfth Imam, religious scholars were not permitted to use *ijtihad* to apply law to a specific situation. They also insisted that laymen could emulate the twelve Imams, that is, *akhbaris* supported the ability of all believers to interpret the Traditions of the Imams (Tabatabai 1984). The *Akhbari* School crystallised into a separate movement following the writings of Mulla Muhammad Amin Astaraabadi (1033/1623). Shaykh Yusuf al-Bahrani rejected the legitimacy of the holy war or *jihad* during the occultation of the Imam. The school achieved its greatest influence during the late and post-Safavid periods, but was crushed by the *usoolis* at the end of the Qajar era (Heern 2015).

Usoolism is the rationalist movement in Shi'a Islam that was initiated to fill the vacuum of authority after the occultation of the twelfth imam. It originated as a reformation movement in the shrine city of Karbala and within a short period of time, it dominated the mainstream discourse of Shi'ism. In the late tenth and early eleventh centuries, the *Usooli* scholars challenged the traditionists with reasonable arguments and brought rationalism to the fore. This band of scholars wanted to incorporate *ijtihad* as a basis of interpretation for the sources of Islamic laws. However, Allama ibn Mutahhar al-Hilli established its epistemology and legitimacy in his works in *Usul al-Fiqh* while insisting on the need for *mujtahids*. Mavani has called the period between 11th and 16th centuries as revision/critique or appraisal period, during which scholars focused on providing a rational basis to the Islamic discipline and a greater impetus to rely on *ijtihad* doing with the assertion of the authority of the Ulema. The Safavids proclaimed Shi'ism to be their state religion in 1501, contributing heavily in this direction. A number of works written in this period dealt with holding the Friday congregational prayer and initiating *ijtihad* (Mavani 2013).

Shi'a biographical dictionaries unanimously described Wahid Bihbihani as the person who liberated Shi'ism from stifling a/traditionalism. Indeed, he is regarded to have played a central role in deciding the outcome of the *usooli-akhbari* debate,

which had been in the making for a few hundreds of years. Prior to Bihbihani, the *usooli-akhbari* dispute had not resulted in violence and was primarily an intellectual debate. However, Bihbihani revived the practice of declaring infidelity or *takfir* on non-*usoolis*. It then became the tool in the hands of the *Usoolis* to enforce orthodoxy and cast out those who challenged their authority (Heern 2015). The *Usoolis* put forward that individual *mujtahids* were the supreme source of living knowledge and authority for all members of the Shi'a community. This sentiment evolved and found expression in the formation of the title *marja al-taqled* or source of emulation by mid-nineteenth century. A *marja al-taqled* is revered and recognised as the deputy of the hidden imam, chief legal expert and supreme exemplar for the Shi'a world (Keddie 1981).

After the death of Bihbihani, the *usooli* movement was confined to the individual *mujtahid*, who had come together around the common ideology of *usool*. The arrangement of the *usoolis* was based on those who could perform *ijtihad* and those who could not. Yet the method of selecting a single *mujtahid* never developed and the movement remained in a decentralised format.

The *usooli* scholars got prominence with the rise of the Qajar dynasty in the eighteenth-century Iran. The Qajar King invited *usoolis* to collaborate with him in establishing his kingdom, and this marked the beginning of the harmonious relationship between the Qajars and the hierarchy of the Shi'a clergy (Arjomand 1988). Fateh Shah supported the *usooli* movement and assisted *usoolis* in persecution of non-*usoolis* and in this process, the Sufi dervishes were banished from the Qajar capital. Therefore, many *usooli* scholars moved to Iran and meanwhile, the Shah invited them to be the collaborators in the establishment of the Qajar state, and proclaimed that he considered his kingship to be exercised on behalf of the *mujtahids* of the age (Heern 2016).

Usooli Rationalism in Iran

The conjugal relationship between the Qajar rulers and *usooli* scholars was not long lasting, and the conflict between the state and the clergy surfaced on account of the westernisation policies of the Qajars. By this time, the Qajar ruler was also very unpopular among the masses, amidst allegations of being an unjust ruler. This made the clergy to demand the establishment of a chamber of representatives (Hairi 1977).

Syed Muhammad Tabatabai was determined enough to persuade this demand for the establishment of a house of justice, and an assembly to serve the people's needs. In perusing this case, he emphasized on a reason that would allow the clergy to critique and question the policies of the rulers. Tabatabai hardly spoke about constitutionalism in the European fashion. He intended to move towards a parliament or *majlis* and house of justice or *adalatkaneh*, tailored for the Iranian requirements.

Tabatabai also advocated for the idea of modern education. He also changed the perspective of the traditional concept of kingship, which gave sanction to the king's claim to be *God's Shadow on Earth*. Instead, he stated that the people should choose a person as a king who could protect their rights and defend their interests. Hence the king, conceived by Tabatabai, was representative of the people. Yet, he cannot be claimed to be a secularist as he fought for Islamic law, simultaneously with the demand for justice and national assembly. Ayatollah Khurassani and Mazandarani also called the demand for constitution as holy as it was to save religion and eradicate oppression of populace under the command of a hidden Imam (Hairi 1977). The *usooli* rationalists in Iraq went on to shake hands with the Ottoman Empire on the pan-Islamic appeal, and wanted to dethrone the Persian king and his Russian alliance with the help of the Ottomans. The *usooli* movement was instrumental in state building in early Qajar rule, but contrary to the expectations of the clergy, the rise of Pahlavi dynasty marginalized the role of clergy in the affairs of the new kingdom. This led to political protests in 1927 and 1935. However, the Second World War and the subsequent occupation of Iran by the Allies brought an end to the rule of Reza Shah overnight. In this way, during the period of 1940-1959, a state-clergy alignment was formed. Prominent members of ulema like Ayatollah Sayyid Mohammad Behbihani, Sheikh Bahauddin Nuri, Sheikh Mohammad Ali Lavsani and others supported the new Shah (Hairi 1988).

A significant amount of support that the new Shah enjoyed was in the form of support from *Marja*, Ayatollah Burujardi. Ayatollah Kashani and Ayatollah Mohammad Taqhi Musavi were rather left oriented Ayatollahs, who supported Musadegh's nationalisation of the Anglo-Iranian Oil Company (AIOC). Yet, there was no huge opposition to the regime. It was after the land reform bill of 1959 that the clergy unanimously turned against the state. Two politically important factions

could then be identified, out of which the first wing comprised of the followers of Burujardi who influenced the grand Ayatollahs, particularly in the Qom establishment, and had close ties with the trading bazars and the feudatory. Ayatollah Shariat Madari belonged to this wing, while on the other side, the radical faction was led by Ayatollah Khomeini, Ayatollah Shirazi and Ayatollah Taleghani (Moaddel 1993).

***Usooli* Movement and Global Shi'ism**

Shi'a Islam remained quiet throughout most part of the Islamic history. In the absence of the Imam, the Shi'a followers quietly awaited the coming of the kingdom of God upon earth. Later, Shi'a experts like Najm al-Din Ja'far Yahya and Hassan al-Hilli, who lived under the Mongols, promoted works of earlier writers in the field of political theory. Even when Twelver Shi'ism became the official religion of the Safavid state, the Shi'a clergy did not materially modify the Shi'a theory of the state (Lambton 1965).

However, the *usooli* movement filled this gap by reviving *ijtihad* into the Islamic jurisprudence. The efforts of the *usooli* clergy of Najaf from the second half of the nineteenth century, was to establish their religious authority throughout the entire Shi'a world. In order to cut across the local boundaries, Hassan Najafi introduced a new form of interpersonal relations that provided a model on which subsequent transnational networks could be built. He sent his disciples, to different parts of Iraq, Iran and India, with a mandate to judge as well as to collect religious alms on the former's behalf. Therefore, he built a whole network of representatives or *wakil* that acted as his delegates in the main centres of religious learning. This pattern enabled the religious authority to be everywhere, all at once (Listvek 1998).

Elisheva Machlis investigates into the intellectual and social challenges that the Shi'i scholars engaged through *Ijtihad* after the revival of *Usoolism* in eighteenth century onwards. The Mujtahids, through *Ijtihad* were able to promote a wide-ranging and progressive approach to religion and religious community. The emphasis of the *usoolis* was towards true monotheism within a rational and standardised vision of Islam and all-inclusive judicial system. Consequently, the involvement in the political sphere with a conciliatory approach towards historical animosities, commenced the basis for a cross sectarian Muslim polity. It also helped

the Arab Shias to end seclusion or concealing their faith in the Sunni majority countries (Machlis 2014).

Murtadha Ansari systematised the ideas found in many treaties by *mujtahids* for several decades and found that previously, the seminary or *hawza* was headed by a senior scholar, who was the most learned of the *mujtahids*. He also formulated the doctrine known as *marja'iyah al-taqlid* that is highest-ranking authorities, which execute *shariah* or Islamic law. The term is usually applied to high-ranking jurists or *ayatollahs* locally or nationally; on the world scale, it is applied to only one or two jurists. The position is informally acquired and depends on patterns of loyalty and allegiance and the perceived conduct of the jurist. The doctrine was seen as the source of emulation by stipulating that during the period of occultation, ordinary believers as well as clerics, who have not reached the level of *ijtihad*, must follow the opinion of a senior living *mujtahid*. This covered a wide range of issues falling within the realm of religious law, going from purely ritualistic issues to men and women, psychology to political matters.

The *mujtahids* recognised the supreme leader as the only one entitled to collect religious taxes and spend them for the maintenance of the *hawza*, spreading of Islam and assistance to needy. Ansari set out the basis of a hierarchy of the scholars or the ulema, as attested by the progressive introduction of honorific titles joined to clerical names in theory, according to their degree of religious knowledge. The titles include grand *Ayatollah* (sign of god) for the most learned *Ayatollah*, *Hujjat al-Islam* (proof of Islam), *Sheikh* for a lower rank scholar (Moussavi 1994).

However, the advent of the Islamic Republic of Iran in 1979 changed the centre of the *ijtihad* within the Shi'a world. The city of Qom became the geographical centre and the city also gained prominence as it continued to host the most important *marjas* and students from all over the world to learn theological theories in Shi'a Islam at the seminaries in the city. The city provided a secure environment as well as adequate infrastructure. Leading *mujtahids* also established their premises in Qom. The doctrine of *Wilayat-e Faqih* of *Ayatollah Khomeini* extended the area of traditional norm of religious authority to include the government of the state (Arjomand 1988). The revolutionary understanding of the religious authority had implications far beyond the borders of Iran.

While recognising the legal validity of Iranian nation-state, the 1979 constitution stipulated that Khomeini was not the supreme guide of the Iranians, but also of all Muslims. He repeatedly denied that the revolution in Iran was an Iranian revolution and called it an Islamic revolution. This vision underlined the policy of the export of the revolution that characterised the foreign policy of Iran after 1979 (Louer 2008). After the Islamic revolution, the Islamic Republic formed a Praetorian Guard to protect the Islamic revolution from the inside. The role was formalised in 1981 with the creation of the office of the liberation movements. The task of the office was to coordinate and handle the armed operation of liberation movements against the oppressive rulers of neighbouring countries (Marschall 2003).

However, multiple modernities debate has not been covered by the existing literature and *usooli ijtiḥad* had not been studied as a variable in its development. Hence a more focused study on the implications of *usooli ijtiḥad* on Iran's modern development needs to be undertaken.

Definition, Scope and Rationale

The knowledge building in the discipline of International Relations is dominated with theories and methods that often neglect voices and experiences outside the West. In the recent time, a substantial work has also been done that advocates for paying attention to the genealogy of international systems, the diversity of regionalism and regional worlds, and the integration of area studies with IR to provide people-centric approaches to the discipline. It also affirms the agential role of non-western ideas and actors in the building of the modern world order. Therefore, it is crucial to employ multiple modernities paradigm and to have microscopic investigation of how non-western worlds woven through the fabric of the modern world. It is essential to dislodge traditional theories of modernization over their arguments that modernity is a single, homogenise and unilineal progress story of the contemporary world through the Western yardstick.

In this direction, the contribution of several civilizations in multiple modernities paradigm has been studied, and scholars have illuminated the contribution made by the Indian, Chinese or Islamic civilizations and so on. Purely looking at IR through the prism of European modernity, religion is to be avoided as a superficial or medieval force. The events like the Islamic Revolution of Iran,

followed by the more significant social and political activism of the Shi'as across the board and the role of the Islamic Republic and *usooli* clergy in it, make it evident that religion can also be an important variable in determining the worldview.

The *usooli* movement is not only a movement to rationalize the interpretative scholarship of Islamic law, but it also established a strong political opposition in modern Iran, till the *usooli* clergy acquired power after the Islamic revolution. The exclusiveness of the *usooli ijtiḥad* also defines its glass ceiling and hence has an impact on the minorities and women in the modern Iran. The dynamism of *usooli* rationalism is not confined to Iran, but it has commenced activism across the Shi'i world that include Shias in the countries like Lebanon, Kuwait, Bahrain, Saudi Arabia, and India and Pakistan. The *usooli* clergy has been able to produce a full-fledged Islam and institutionalise it in the form of the Islamic Republic. Thus, they substantiated *usooli* rationalism to be a global Shi'i ideology of the modern times. This study is an attempt to place Iranian *usooli* thought as an important element of multiple modernities due to its profuse usage of rationality in the form of *itihad*.

Research Questions and Hypotheses

The main research questions framed in the study are the following. First, how can *usooli* movement be located in the multiple modernities paradigms? Second, what is *usooli* *ijtiḥad* and how does it induce rationalism in the Shi'i discourse in modern Iran? Third, what is the role of *usoolism* in shaping the socio-political landscape of modern Iran? And finally, what is the relationship between neo-*usoolism* and transnational Shi'i networks?

The following are the hypotheses formulated for this study. Firstly, the revival and employment of *usooli* rationalism has contributed to emergence of multiple modernities discourse in modern Iran. Secondly, the consolidation of rationalist *usooli* movement transformed the clergy to a dominant leadership position in Iranian society and politics. And thirdly, the right to interpret religious edicts through the process of *ijtiḥad* made the *usooli* clergy a pivot in greater social and political activism in Twelver Shi'ism.

Scheme of Chapters

This study consists of six chapters. The first chapter provides the theoretical and conceptual background of the topic and sets the backdrop of the study. It also gives an outline of the issues under question, purpose, rationale, research questions, hypotheses and research methods employed for the study. The second chapter studies modernity and its various critics and sums-up it as a rational expression by creating political and social order based on freedom and efficient economy. It emphasises on the secular nation-state, humanism, human agency and autonomy. However, different critics of modernity have revealed that the dominant understanding of modernity is Eurocentric in the sense that it denies meaning to everything that originates outside of its premise. The overemphasis on reason too was questioned by the post-modernist theorists and its undermining of religion too was proved to be a delusion. Therefore, Eurocentric modernity is considered by the critics as narrow-minded and that which disregards other geographies. Its ‘convergence thesis’ has evidently resulted into despotism and perpetration. Furthermore, the chapter understands modernity through classic modernity theory, neo-modernity theory and multiple modernity theory. However, the study develops on the multiple modernity theory as it equips a scholar to visualise modernity as a story of continual constituting and re-constituting of the multiplicity of the modern world. Therefore, it speaks of modernity as a ‘Rubik Cube’ that represents heterogeneity in the story of progress. The theory challenges the ‘mono-civilization syndrome’ and contemplates to re-introduce various pluralistic features of modernity that were marginalised because of their location of birth and growth. The chapter presents various cases to substantiate that a range of revival and reformative indigenous movements contributed to the human progress and modernity.

Ijtihad in usooli-Shia paradigm has a unique intellectual and historical trajectory and that gives it a unique meaning too. To understand the uniqueness of the concept, the third chapter, “Concept of *Usooli Ijtihad* in *Usooli-Shi’i* Paradigm”, looks into the ‘narrative of marginality’ that has constructed the outer body of the religion. The chapter also attempts to approach the inner self of the religion by dealing with the concept of authority in the shape of Imamate and occultation that gives rise to the External Imam and Internal Imam in the direction of rationality and *ijtihad*. The chapter interprets meaning of *ijtihad* in the Twelver Shi’i paradigm. It

further seeks to explore its development as a rationalist *usooli* movement in Shi'ism, by taking into account its role in Shi'i revival by corresponding it with contemporary issues. The Shi'i marginality in Islamic history is till today continuously constructing and remoulding Shi'i identity; therefore, it makes it important to look into this aspect. The chapter also deals with the rationalization of Shi'ism and the multi-layered meanings of *ijtihad*. The political trajectory, need, scope and challenges of *usooli ijtihad* are also studied in this part of the chapter.

The fourth chapter focuses on the emergence of rationalist *usooli* movement and its evolution from a power-collaborator in Qajar era to political opposition in the Paharvi period. The first part of the chapter deals with the reciprocity of the revival and alliance and its impact on socio-political landscape of modern Iran. The second part observes the rise in the power of *usooli* ulema with the decline of the Qajars and the creation of the space for the *usoolis* to bring their ideas to the light of the day in the form of constitution movement and political opposition. The chapter also studies the resurgence of *usoolism* as the revolutionary force and notes the power of political fatwas of *usooli* clergy. The main argument of this chapter is that the penetration of *usoolism* in its new form structured the society as well as politics of modern Iran. The *usooli*-Qajar alliance filled the vacuum that was left by the Safavids. The *usooli* monopoly in Qajar Iran can be comprehended in the Qajar policies towards the Sufi Dervishes, Babis and soon. The Qajars facilitated building and establishing of madrasas and erected huge endowments that were handed over to the *usooli* clergy. The rulers also exempted the city of Qom from taxation and made it liveable and lucrative for the ulema. Consequently, many Iraq-based ulema migrated to Iran and the number of *usooli* clerics and ulema rose in Iran substantially. However, the alliance between the Qajars and *usooli* ulema ended with the Westernisation policy of the former. The taking over of the Hawza Ilmiya Qom by the *usoolis* is also an important development that shaped the country that later on gave rise to the revolutionary ideas of *usoolism*.

The fifth chapter attempts to understand the advancements of the *usooli* movement as a global Shi'i ideology, and ways in which it proliferated through various transnational movements and networks and tied with the worldwide Shi'as as one community. The main argument of the chapter is that not only neo-*usoolism* but the classic *usoolism* also was a transnational in its character. However, neo-

usoolism unlike classic *usoolism* developed in a more conducive environment that is on the periphery of the Ottoman Empire but in proximity with the Qajar Iran. The chapter in initial part apprehends the establishment of *usoolism* under compelling Sunni rule to the solicitous Shi'i rule. The expulsion from Baghdad made the *usoolis* to consolidate in Najaf by establishing its first Hawza Ilmiya in the shrine city. The consolidation made the city cosmopolitan by attracting students from far and wide in the Shi'i world. The *usooli* ideas travelled to the other lands through these students and the ulema stationed in Najaf formed as an elitist class of the movement. The chapter also explains the role of ideas in establishing it as a transnational entity; that is, the attempt of the *usooli* ulema to un-complicate the jurisprudence by providing simple laws and rules for the conduct of the daily life of the believers. The chapter discovers the diversity of *usoolism* in the shape of different *maraji* taking *usoolism* as different projects to the people. The political and philanthropic roles taken up by the ulema made the religion accessible for the common believers. The middle part of the chapter brings out the confrontation of neo-*usoolism* with the nation-state and secular nationalism. *Usoolism* in its new ways was immensely concerned about westernisation and secularism. The confrontation commenced the internal reformation that starts in Iraq and then acquires revolutionary shape in Iran and expanded into the larger Shi'i world. The concern is of utmost importance for the *usooli* movement to initiate political activism as well as the political thought that resulted in the development of various political organisations, constitutions and concepts of Islamic state and Islamic Republic. The final chapter provides a summary of the findings of the study.

Methodology

The study draws the understanding of *Ijtihad* from the classic period of *usoolism* to the contemporary times. It takes into consideration that how the concept of Imamology and Occultation opened door for *Ijtihad* in the Twelver Shi'ism. The study also looks into the construction of marginal narrative of the Shias in the history of Islam. Thus, various texts of classic *usooli* scholars are analysed in order to understand the nuances of the *usooli* movement. The responses were sought to the questions like what is *usooli ijtihad*? How did it evolve to form a jurisprudence that is independent of Sunni Islam? Furthermore, how neo-*usoolism* contributed to the

Shi'i revival in modern Iran? And how does the structure of *usoolism* became a movement of transnational networks?

Therefore, the study undertakes an analytical exposition of the influence of religion in modern Iran, based on both primary and secondary sources. The primary sources of information include religious texts, the 1905 Constitution of Iran, the constitution of Islamic Republic of Iran, authentic work of Islamic Jurists of *usooli* school (*Maraji*) that include *Risala amliya*, and the websites run by the offices of *Maraji*. The secondary sources include books, journal articles, dissertations, research papers in the field, newspaper reports and other relevant internet sources. A field visit to Qom in Iran and Hyderabad, Lucknow and Kashmir and London was also undertaken, wherein personal interviews of *Mujtahids*, *Mujtahida*, *Muqalids* and *Vakils* were conducted. Field visits of places of importance for the subject were undertaken and, in the process, interactive sessions with a few *Mujtahids* and *Mujtahida* and observation from such interactions also added substantive value to the research.

Despite of the availability of the sources on the subject, the study found numerous gaps that were to be filled by interviews and discussions. The study seeks to re-read rationalist approach of *usooli* intellectualism, wherein understanding of *Risala amliya* is crucial. How the Shi'i narrative is constructed at the margins of the Islamic history is also vital to understand any journey towards the constitution of Shi'i jurisprudence that is at the heart of independence from the Sunni dominant narrative and also determines the social, political and intellectual activisms of the Shias.

The Study uses Shi'ism, Shia, Shi'i, Twelver Shi'ism, Imami Shi'ism as synonymous. The word traditionism is used to refer to the tendencies towards Hadith/traditions, whereas the word scripturism is used for the traditionists who themselves were not *muhadith* or compiler of the traditions. As the title suggests, "*Usooli Ijtihad* and Shi'i Revival in Modern Iran", the study confines itself to the understanding and development of *Ijtihad* in the *usooli* paradigm.

Chapter II

MODERNITY AND MULTIPLE MODERNITIES

Introduction

The concept of multiple modernities visualises the modern world as a Rubik's cube of different modernities that have different trajectories, origins and characteristics. Therefore, the multiple modernities paradigm speaks of the world and its progress story in heterogeneity. The multilateral thesis of the multiple modernities questions the Eurocentric meaning of modernity and states that it is very narrow-minded and regardless of geographies. It also argues that the monochromatism of European modernity makes it to depend on the convergence thesis that evidently had resulted into despotism and perpetration. It denies the agency and autonomy to everything that is not its sibling and hence is disloyal towards the fundamental ideas of modernity. Though, many theorists have attempted to rectify this and explain modernity in positive light, but they failed. Therefore, the Eurocentric approach to modernity has been unsuccessful to understand the importance of indigeneity and the manner in which the people outside Europe have progressed before coming into contact with it. Furthermore, the values and ideas that such progress stories created became powerful fodder of the resistance to colonialism and imperialism in such societies.

Modernity

Modernity is an outlook that differs from the medieval period in various ways. The principal characteristic of modernity is the diminishing authority of church and the increasing authority of science. It is associated with reconstruction of political, social and economic structures implanted by neoteric ideas of deconstructing the tradition that is considered biased and flawed structures of the past. The Macmillan English Dictionary defines 'modern' as "relating to or belonging to the present time, using the most recent methods, ideas, designs or equipment." Although, the differentiation between the Christian era and Roman Pagan was also expressed as the word *modernus* in Latin, that is also the source word of modern (Habermas 1981). Therefore, as commonly perceived, modernity has not necessarily originated in the Renaissance, but was used vaguely at different points of time. The Renaissance movement at one level was not a popular movement for modernity, but a movement of a small group of scholars and artists, encouraged by the humanist popes, liberal patrons and the Medici. It was not a period of great achievements but

can be termed as springboard of the later movements and reformations. The Renaissance led a resistance to feudalism in twelfth and thirteenth centuries Europe; Milan was introduced to the republican form of government and Florence got, not a very stable, but a democratic rule in fourteenth and fifteenth centuries. The period also robbed the spiritual authority of the papacy. Nicholas V (1447-55) propagated humanism and humanist policy instead of the piety and orthodoxy and it continued till 1527. The revival of Plato's studies in this period also demanded independent reasoning and thought process (Russell 1996).

However, the crystallisation of the characteristic features of modernity accomplished in the seventeenth century was expressed in the ideas of the eighteenth century Enlightenment thinkers. According to Immanuel Kant, the Age of Enlightenment was man's emergence from his self-imposed 'nonage'. The motto of the movement was *sapere aude* or 'dare to know yourself'. The advocates of the movement considered that it was laziness and cowardice that caused mankind to live as "minors" throughout their lives. Various dogmas and formulas acted as the fetters of such a never ending nonage. Kant (1784) asserted that once men break these chains of nonage and understand the significance of the value of being rational and autonomous, they would certainly achieve freedom. The thinkers of the Enlightenment commenced a programme of secularism, humanity, cosmopolitisation and freedoms of varied forms (Gay 1967). Therefore, the move from the traditional world to the modern world was through the expression of reason, empiricism, universalism, toleration, freedom, uniformity of human nature and coinage of secularism, is termed as Enlightenment (Hamilton 1992). The emphasis of the Enlightenment is on human agency in regard to its interaction with political, social and economic structures, and appropriation of rationalism at individual and collective level. Shmuel N. Eisenstadt is of the opinion that tendencies of rational expression could fully be articulated by creating a political and social order based on freedom and formation of a rational culture, an efficient economy, the civil society and a nation-state (Eisenstadt 2010).

The Enlightenment introduced the age of reason in parts of Europe and challenged the magical elements of religion. People were learning about new inventions and discoveries brought about by the scientific revolution and were fascinated with the universe of material wherein religious authority and

metaphysical explanation had not much place. According to Richard Gray, the acceptance and practice of the enlightened ideas was a growing tendency in the colonies. This was because of its emphasis on reason and common-sense and imperative of self-help, personal and social progress (Gray 2004). In the age of profound scientific resources and possibilities, the idea of self-help became a value to grow and progress.

In the age of profound scientific resources and possibilities, the idea of self-help became a value to grow and progress. Giddens calls modernity as a term given to industrial civilisation and associates it with:

- a. A set of attitudes that are governed by human intervention.
- b. The economic institutions that are governed by industrial production and market driven economy.
- c. The supremacy of the political institutions like nation-state and democracy (Giddens 1998).

Thus, the important features of the modernity are identified with the development of institutions of liberal democracy, rise of capitalism and extensive use of technologies. Consequently, the modernity led to the emergence of certain distinctive social characteristics that gradually weakened the traditional social order and hierarchies. It also changed overlapping allegiances and paved the way for arrival of modern secularism. The new ‘modern societies’ came to be known as ‘imagined communities’ on the basis of secular nationalism. The secular national identity of the imagined communities emerged as a result of spread of vernacular languages through print capitalism (Anderson 2006).

Furthermore, the age of reason commenced a self-evident philosophy and absolutism as a fundamental for new knowledge and stability. The acute cynicism of Michel de Montaigne and Rene Descartes in investigating into the nature of knowledge, gave epistemological basis for modernity. Baruch Spinoza’s *Ethics* elevated evident truisms that explained a pantheistic vision of the world, wherein God and nature were single. Consequently, a political theory of Spinoza or Thomas Hobbes emerged that projects state of nature and social contract theories were conceived (Russell 1996). The idea took centre-stage in Enlightenment from Newton

to Jefferson, Leibniz, Galileo, Pascal and other philosophers further contributed to the notion and greatly influenced Enlightenment.

The fundamental concept of Enlightenment and its theoretical moorings is considered to have been identified in Leibniz's treatise *On Wisdom*. The synchronisation of mathematics with axiomatic verification with mechanics of physical reflection, represented in Newton's natural philosophy indicated a change in the European thought. Hence Enlightenment was vital in rationalisation that developed into modernity. The Enlightenment philosophies invalidated well-known traditions and gave birth to the thoughts like neo-classicism or twentieth century movements like Liberalism. Moves such as defying emotionalism of Nineteenth century geometric arrangement, rigidity and reductionism became distinguished features of the thinkers like Montesquieu, Voltaire, Hume, Locke, Kant, Condorcet and Diderot, who progressively constructed freedom, reason, progress, humanism as the central ideas of the Western Modernity. Subsequently, it conceded for rights, market system and capitalism, the scientific advance, religious tolerance, and the autonomous republics as the order of political system through the agency of democracy. Over stress on specialisation, marginality of traditional wisdom, romanticisation of figures of Enlightenment was re-examined and regarded as burden in post-World-wars era (Basu 2006).

The modernity project was to bridge the gap between supernatural and material worlds through human agency and autonomy. In this way the project reconstructed political and social structures by deconstruction of the traditionally accepted concepts. Modernity is also understood through 'progressive modernity matrix' and 'conservative modernity matrix'. Though, both are placed on the original foundation of strong human intervention and reconstruction of the structures, the former gives more stress on reason and rationality and commences the social structure that are independent of religious legitimacy, whereas, the conservative matrix of modernity relates to cultural specificity principle and construct social and political structures within a specific traditional environment (Shils 1957). Therefore, modernity brought an end to the Dark ages of Europe by reconstructing knowledge and interpreting it through mathematical physics. Consequently, the project progressed through ideas like humanism, reformation, America and French revolutions for democracy, equality and fraternity extending to

the World Wars. However, the spread of modernity was not synchronic, but different parts of the West experienced it in different phases.

Critics of Modernity

The aspiration of the modern world was to resolve the differences of opinion through reason and establishment of a just human society. However, this was not achieved; instead the world turned more hostile to environment, and inclined towards alienation, dehumanising, ethical degradation, dejection and disenchantment. Therefore, divergent efforts were made to analyse and evaluate the modernity project and the sensibilities attached to it. The dropping church attendance and the growing influence of the concept of secularism contributed to the widening cleavage between the laity and the Church. The enlightened people were happy and hopeful and constantly forgetting 'God'. Hence, the people of Church initially examined their comparability with modernity and also introspected for the internal reformation.

Jonathan Edwards (1703-1758) is considered to be the major architect of the Great Awakening. Edwards believed that science was not incompatible with Christian theology and attacked 'secular reason' in his sermons. He insisted that human rationality was imperfect due to lack of morality among people and thus need eternal damnation (Heimert 1988). The relationship between preacher and congregation as a result of the Great Awakening is termed as 'popularising' and 'democratising' the religion and is semi scholastic tradition of puritanism. Van der Woude (2009) sees it as infusion of political opinion into religion. This was reflected in attempts at educating for Christianising the slaves, as the missionaries in India were seen as proponents of racial equality and also itinerant preachers who sermoned inclusive gatherings. Therefore, Modernity was challenged by the religious forces and at the same time religionised or Christianised by the Great Awakening to some extent.

A major critique of modernity emanated from Postmodernism. Postmodernism combats modernity for its hegemonic application of reason and rationality. It considers modernity to be oppressive and responsible for the crisis in the contemporary world. Therefore, the grand-narrative that encompasses philosophies and theories of enlightenment, understands human progress from the

modern point of view and legitimises some sciences and politics over the other. The exclusionary reason plays a dominant role in defining social domain and shaping its dominant ideas. The bodies of knowledge under the influence of modern reason are not autonomous but governed by the systems of social context. Furthermore, the reason is constructed by extending unreason or madness that is opposite to the reason of modernity (Foucault 1999).

Zygmunt Bauman also labels the contemporary society as consumer society. Bauman is of the opinion that traditional society was more coherent and inclusive. The traditional life was predictable and certitude, while as, disorder is inherent in modernity for being only a process and not a definite state. The intention of modernity to achieve universal fixed perfection in the future makes it ambivalence of solid modernity. Bauman gives the idea of liquid modernity that means absence of an ultimate perfect model of society. The life in liquid modernity reflects experience of being in a deregulated and flexible world, wherein the society constituted of uncoordinated and often contradictory voices and there are no explicit standards of superiority (Bauman 1991).

Furthermore, Ashish Nandy's evaluation of the modernity also underlines the nuances of the project that go beyond the appearance of modernity. Nandy (1983) understands modernity as a project of establishing secular hierarchies that are incompatible with the traditional societies. The colonialism with other forms of oppression has also structured gendered hierarchies and patriarchal structures in the countries like India (Nandy 1994). Modernity is not only a progress project or rational engagement, but as colonialism and 'civilising mission', it is a project of aggression and demeaning. The language of rationality gives legitimacy to nation-state, state-formation and nation building associated with it, which is inherently a violent way of homogenising. Nandy (2002) sees many crises in postcolonial societies as manifestation of inherent violence of the modern nation-state.

It is argued that the process of modernisation inevitably led to a decline in social significance of religion in the public spheres. The reason behind this marginalisation of religion in social order is associated with the replacement of social functions like poor relief or education by the secular, specialised institutions. The common narrative maintains that the peace treaty of Westphalia ended the

religious wars erupted over doctrinal differences between protestants, Catholics and Calvinists in the wake of reformation, in Europe. The treaty of Westphalia acknowledged the imperative to separate the powers of the state from the duty to uphold any particular faith (Skinner 1978).

However, the ideological and philosophical promulgation of the thesis of secularization was at the core of modernity, which can be traced back to the work of nineteenth and twentieth centuries thinkers like Max Weber and Emile Durkheim. According to Weber, the rationalization and triumph of science are increasingly making religious beliefs and behaviour more untenable. Weber (2004) insisted that modernity will increase 'disenchantment'. Durkheim (1984) also maintained that the direction of progress of history is such that religious institutions will be pushed towards the margins of social order and replaced by specialised institutions and professionals of modern day. However, the marginalisation of religion by the secularization thesis of modernity is empirically as well as philosophically challenged in the contemporary world. The religious resurgence indicates that modernity has failed to take account the politics of culture.

Therefore, meaningful questions then arise. Does the modernity that advanced in the Europe define progress of the entire world or not? If modernity is to be narrowed down to reason and agency, in that case, is it necessary that the concepts like human reason and agency can only be defined under European parameters? Is it the European modernity, which is the only indicator of human progress? Rather, such a query leads to the logical conclusion that the pervasive assumption of modernity is a colonial construct and it is myopic in perspective, limited in understanding, hegemonic in nature and disregardful of the geographical realities. Therefore, the constructed narration of modernity is a design to neglect and erase the dark sides of European history like colonialism. In this connection, John Hobson argues that such understanding of modernity visualizes the triumph of the West in conflation with or its replication as the progressive story of the world history (Hobson 2004). Heern (2015) also understands the progress embedded in the Western modernity as partisan or one sided and argues that the progress of one group cannot represent progress of all, as the progress of one group can turn out to be regression for the others in the course of its development. Therefore, modernity cannot have a universal applicability in a similar expression. Arjun Appadurai urges

that the Western modernity reinforces the sense of single 'modern moment' and this distorts the meaning of change and spirit of 'pastness'. However, the modernity that is experienced at large is not indicative of the break from all sorts of pasts, hence should be regarded as uneven (Appadurai 1996).

Theories of Modernity

Modernity is a vogue term used to ensemble socio-cultural norms, attitudes and practices that arose in the wake of the Age of Reason of the seventeenth and eighteenth centuries' European Enlightenment. However, it denotes change and progress expressed in certain variables. There are many paradigms through which different thinkers test their hypotheses and variables of modernity. It can be broadly categorised as follows: a) classic modernity theory, b) neo-modernity theory and c) multiple-modernities paradigm.

The classic modernity theory (CMT) dominated the discourse from 1950s until 1970s and laid an emphasis on the binary of traditional and modern. The theory assumed that all traditional features of a society would gradually be replaced by the modern ones (So 1990). According to this theoretical framework, traditional and modern processes cannot co-exist, once the modernist process is competed in a society. Walt Whitman Rostow has offered a definition of the binary approach of the CMT by designing a model which presents the transition from traditional to modernity through several phases which commences at traditional stage and reaches its final stage at being a mass consumption society (Rostow 1960). The most comprehensive definition of modernity in the CMT is comprised of three inter-related processes of transformation indicated in economic, social and political developments. First, the economic development is reflected through the material changes triggered by industrialisation and mechanisation. Second, the traditional and religious belief systems are replaced by rationalism and positivism through the ideas of secularism. Third, the formation of centralised state structure with popular participation and political representation of the citizens through democratic process, replacing authoritarianism, which is termed as political development (Apter 1965). Therefore, according to the CMT, modernity is indicated as mutually reinforcing ideas of industrialisation, urbanisation, liberal democratisation and secularisation. In

conceptualizing modernity, the CMT emphasises on the historical transformation experience of the European and North American societies as its point of departure.

The intellectual hegemony of the CMT was scrutinised by a new framework called the neo-modernity theory (NMT) in the late 1960s. Though, the two theoretical frameworks are based on two distinct group of assumptions, both the approaches measure modernity in terms of the degree of resemblance to the western societies. Hence, according to Göksel (2016), the CMT and NMT adhere to the ‘convergence thesis’. The convergence thesis implies that secularisation of the non-western societies and industrialisation process would ultimately conform to the values of the western modernity, such as liberal democracy.

The NMT framework dominated the discourse in recent times and it assumed that reformist interpretation of Islam can be modernised in predominantly Muslim societies by synchronising Islamic ethics with capitalism and liberal democracy. Thus, the hypothesis for the theorists of NMT resulted into the emergence of the Islamic Calvinism as a new idea of modernity (Nasr 2009). Even though, the NMT being critical to CMT, the former too appears to be inclined to Eurocentrism by espousing to the idea of global convergence towards the western values.

The Eurocentric convergence thesis of the CMT and NMT was challenged in 1990s by a new framework of the multiple modernities paradigm (MMP) (Wagner 2012). Therefore, the paradigm strongly pronounced that modernities are multiple and only westernisation cannot be regarded as the sole form of modernity. The advocates of the MMP emphasised that constitution of modernities are so varied, multiple and determined by particular cultural and historical trajectories and thus the term itself should be plural (Fourie 2012). Similarly, Kaya (2004) argues for modernity to be re-conceptualized beyond merely being westernisation and an exclusivist process. The contention is that the framework of western modernity reduces the process to the position of one model, while there are multiple ways that give rise to multiple stories of progress.

The basic premise of NMP is that the development levels in economy or complexity of the structures in economy can have similar features in modern societies. Nevertheless, such societies do not necessarily need to have uniform cultural world view or governance type. In this way, the neo-modernity paradigm

visualises a hybrid model of modernities that acknowledges heterogeneity of uneven development, rather than overwhelmingly adhering to tradition-modern dichotomy (Eisenstadt 2000).

Ambivalence of the Western Modernity

The diversity of the western modernity is acknowledged by several scholars. The modernisation theory is fundamentally based on the idea of human progress. It is the economic growth which emanated from the commercial revolution in the Western Europe that gave rise to the philosophies of humanism and enlightenment (Hall 1989). The triumph of science made humans the masters of their natural environment and access to empirical knowledge put an end to monopoly of the church. The rapid economic growth and technological control of the present were seen as having the potential of degrading morality and hence road to the social decay. The gave way to the emergence of social philosophies also. The moral theories based on the assumptions of Adam Smith (1723-1790) put forth the belief that capitalism and open market are capable to solve the problems (Inglehart and Welzel 2005). However, Karl Marx became more influential in the nineteenth century. He highlighted the exploitation of industrial society, proposed a utopian solution that might end the exploitation and propagated communism (Marx 1973).

Two competing versions of modernity became prominent after the Second World War – Western Capitalism and Soviet Socialism. The competition was evident in the ideological rivalry of the two Super Powers. They pressurised the decolonised nations to join their blocs and to adopt their modernity model for progress and development. As the alignment system was not very beneficial for many newly independent nations, so many of them choose to remain non-aligned.

In this modernity paradigm, the so called Third World countries remained mostly poor because of their westernised and corrupt ruling elite and the pumping in of Western assistance. The ruthless modernising process damaged the native institutions and excessive imitation made the native people more vulnerable and dependent. A new theory of modernisation emerged in the Post War United States that viewed underdevelopment as a result of a nation's internal characteristics, specifically that of its traditional economic system, psychological and cultural traits and other traditional institutions. Therefore, it was postulated that the replacement of

such structures with the 'modern' values was of utmost importance and a precondition for modernisation.

However, this argument was denounced by the Neo-Marxists and World-Systems theorists and they contended that rich countries are remaining to be rich through the systematic exploitation by means of the integration of the poor countries into the International/World System. The exploitation is structured through denying power and means to the 'periphery' of underdeveloped nations and increasing their dependence on the 'core' of developed nations. They also claimed that internal traits have nothing to contribute in the underdevelopment of countries, but the Global Capitalism is responsible for the poverty. For a while, the dependency theory became fashionable and popular and permeated social enquiries (O'Donnell 1973). However, it lost its charm when the western capitalist version of modernity regained prospect. The democratisation attempts and the rapid economic growth in countries like Taiwan and South Korea conformed the arrival of the heyday of the capitalist liberal democracy (Inglehart and Welzel 2005).

Western and the Rest

The emergence of the greater awakening in the west was expanded to the rest of the world in the shape of 'civilising mission' that in a way legitimised colonial-imperialist expansion and structured violence over alien lands and people. Though, in its Eurocentric meaning, modernity is equated with human agency autonomous of divine intervention, the way it was imposed on the rest of the world had irreversibly permanent devastating and regressive ramifications.

The rationalism of the enlightenment guided the secularised concept of humanity and replaced traditional authority with the natural, and created new forms of ideas and culture. The natural determinism resulted in its institutionalisation on the basis of biological classifications and hence pseudo-scientific racial hierarchy was introduced. The pyramid of scientific racism ranked the White Europeans on its top and those of darker skin and having potential of becoming civilised at the lower level, whereas the groups outside of the myopic visualisation were to be eliminated (Hanke 1959).

The unholy configuration perpetuated mass violence with an intention to destroy groups of specific ethnicities and hence introduced the notion of genocide. The excessive decimation of the natives of the South America through forced labour in the mines, is an instance of annihilating consequences of the *conquista* in the region (Melber 2017). As far as the South Asian region is concerned, the principal roots of the conflicts in the region are the legacy of the Western colonialism. The colonial policy of 'divide and rule' resulted in the partition of Bengal on the communal lines in 1905. The separate electorate for the Muslims in the Minto-Morley reform of 1909 also sowed the seed of communal tension in the Sub-continent (Qalbi and Abid 2008). The creation of unnatural and absurd state-systems, unresolved boundaries and undefined status of its ethnic diversity and religious minorities and social groups, are at the heart of the most of the conflicts (Muni 2013). The same is the case with the West Asian region too, where colonialism instigated many conflicts. The British introduced the idea of creating a colonial settler state in Palestine, in the middle of the nineteenth century, in order to safeguard its trade routes to the East, especially to India. The decaying feudal order in Europe brought an end to the Jewish economic monopoly and the Jewish question arose. Furthermore, the anti-Semitism hastened the articulation of Zionist ideology that called for a homogenous (religious) Zionist state for the Jews, consequently culminating into the dispossession of the Palestinian natives and their longstanding subjugation (Hilal 1976). The repercussion of colonialism in Africa are diverse and indicate a classic case of suppression and marginalisation. As Frantz Fanon rightly points out in his influential work, *The Wretched of the Earth*, that the European humanism or Enlightened values are nothing but paradox. The European modern ideals are restricted to the White European Men. Fanon also argues that colonial powers, in reality, deprived the colonised of sense of self and reduced them to animal-like existence (Fanon 2001). Or, Edward Said for that matter too analysed the hypocritical standards of orientalism that is inaccurate cultural representation of Arab-Islamic people and their culture. The orientalist of the Europe visualise the orient as primitive, irrational, violent, and fanatic and thus in need of to make way for the progressive ideas of the West (Said 2001).

Before the European Domination

The Western monopoly and absence of the voices and experiences outside the West has given rise to theories and models that are exclusively Western. These theories and models attempt in analysing the reality only by employing one-sided lenses. Look at the contemporary world order; obviously it is predominantly Westphalian. Such a system is overwhelmingly influenced by the values which were nurtured and developed in the West, completely ignoring the experiences of the world outside. On the broader side, for instance, in the case of International Relations, the major concepts are brought not just from Westphalia but also from the classical Mediterranean that leaves us with the tools that are Greek or Roman; but the Phoenicians, Egyptians or Persian experiences have either been neglected or ignored.

This sort of a denial is closely associated with the question of agency of the non-western societies. The concept of *Mare Liberum (The Free Sea)* of Grotius is considered to be influenced and informed by the exceptional maritime freedom offered by the rulers in the Indian Ocean that was in contrast to the European maritime practice of *Mare Clausam (The Closed Sea)* (Acharya 2010). This is further substantiated by the neglect of the intellectual contribution of non-westerners like the Arabs towards the European Renaissance. The European Dark Ages was coincided with the flourishing era in the East from India to Spain. Those days, the Muslims were celebrating plural cultures; involving and engaging in sciences, knowledge, literature, art and crafts. During this era, the original scientific knowledge and texts of ancient Greeks were being studied and developed. Al-Farabi and Ibn Sina were working on concepts like logic and expanding it to Arabic language, Islamic religion and philosophical trends (Black 1993). The concepts like *ijtihad* were emphasising on individual human judgement and rationality (Hobson 2004). The West Asian region that is presented as regressive before the advent of Europeans, housed resources in a rational form and Islam united the fragmented Arabs and gave them the Sharia that was to prevent the abuse of power and also set out clear provisions for cases like contracts and laws (Hobson 2004).

It can be seen that when the composition and organisation of the modern world is studied, the mainstream scholars hardly pay attention to the role and

contributions of the T'ang China (618-907), the Islamic Empires (661-1258), the Fatimids (909-117) in the emergence of global trading network. The same is the case of globalisation which is perceived to have emerged after the sixteenth century with the advent of so called European age. However, Hobson (2004) maintains that the Persians, Arabs, Africans, Javanese, Jews, Indian and Chinese created and maintained the global economy from sixth century till eighteenth century. The time period constituted inter linkages and flow between the empires. The inter linkages are also substantiated by Janet Abu-Lughod by revealing three principal trade routes that linked the world between eleventh and sixteenth centuries. Firstly, the northern route and the Mongol Empire that interconnected the East and West into a continuous trading space. Secondly, the middle route that continued across Persia to Transoxiana and then towards south-eastward to northern India, eastward to Samarkand and then across the deserts to China. Thirdly, the southern route that connected Alexandria, Cairo and the Red Sea with the Arabian Sea and then to Indian Ocean and beyond, making Egypt the pivotal centre of global trade (Abu-Lughod 1989).

In recent history, as Muhammad Ayoob notes, these countries called as the 'third world' played a pivotal role in the international system by forming the nonaligned movement during the cold war period (Ayoob 1989). And as Acharya (2010) points out these countries underline their local beliefs and practices and export them to the wider regional and global levels and shape the present world order. Therefore, the diversity of the modernity narrative is to be accommodated to understand the nuances of the modern world and that can be done by recognising and accepting multiple modernities, rather than following a single stereotype modernity discourse.

Multiple Modernities

The multiple modernities paradigm equips the scholars and policy makers to visualise modernity as a story of continual constitution and reconstitution of a multiplicity of cultural trajectory of the modernity. One of the basic assumptions is very clear that there is a prominent distinction between modernisation and westernisation projects. As Eisenstadt (2002) points out western modernity is only a model and a reference point, and hitherto modernities have grown in each other's

mutual influence. Bruce Mazlish also substantiates that multiple modernities paradigm denotes that varied societies may adhere to their own pathway to modernity and they retain their own cultures in the place even when intimidating the west and its modernity (Mazlish 2002). Therefore, the ideologies, movements and cultures of modernity represent a kaleidoscope of diverse positions including religious, secular, rational, textual, social and individual prescriptions for life in the modern world. It is the proliferation of such movements that has prevented the establishment of a universal/ global (hegemonic, homogenous and singular) ideology or paradigm to emerge.

The unhingement from the Eurocentrism makes these diverse powerful expressions of modernity evident. These modernities are similar to the enlightenment, great awakening, communism, capitalism and other ideological and reformation movements that articulated modern ideas, reformed the traditional and constituted the progression of the history of the world. However, the reformation movements of modern world developed simultaneously somewhere in seventeenth to eighteenth century onwards and the protagonists were responding to their social, political and economic changes and trajectory. Overwhelmingly, modernity is understood as structural differentiation manifested as growing urbanisation, commodification of economy, sophisticated means of communication and education system. The institutional formation such as modern state, new markets, particularly capitalist, and modern national collectives has also taken shape. Yet, the understanding of modernity in this way is westernisation. However, the developments in the contemporary world do not substantiate this convergence thesis and hence proves that the reality is radically different. Instead, these developments indicate that the diverse autonomous modern institutions related to that of economy, polity, education or family are elucidated and have operated in different phases of their development. The diversity of modern societies is evident even in the societies that are similar to the European industrialist capitalist societies, the United States of America and Japan, in their economic development (Sambart 1976).

The proposition of multiple modernities paradigm commends a challenge to what Nilofür Göle calls 'mono-civilisational' narrative of the western modernity. It contemplates to reintroduce various pluralistic features of modernity that were marginalised on the intellectual trajectory of the history or modernity. The paradigm

also attempts to bring light edification of the modernisation of other civilisations and cultures. The decentralisation of modernity discourse reflects upon modernity from the edges or from non-Western perspective. The multiple modernities paradigm emphasis on the inclusionary dynamics of modernity. In the words of Nilufer Göle, “it is to barrow, blend and cross-fertilisation instead of the logic of exclusionary divergence, binary or the clash of civilisations” (Göle 2000). This has also enabled the scholars of the Area Studies or Social Sciences to deal with the growing interconnectedness in multilateral ways. The International Studies has also evolved beyond the politics of ‘self-interest’ and one can also observe similar endeavour being made to go beyond the Eurocentric models in the study of trans-cultural exchanges, contacts and linkages. Same is the case with the scholars of Psychology, wherein the discipline is being emancipated from the Euro-American dominance.

The field of economics is also rearranging its classic universal models of the Western experience. The Japanese social and economic features are being largely adopted by the West. Studies have concluded that IBM employs varied working strategies in catering to the regional markets (Eisenstadt et al. 2002). These studies have estimated that approximately, 14.9 million Americans and half a million British have incorporated such practice into their lives and mushrooming of Yoga centres at public places is increasingly making it part of the popular culture (Ivtazan and Jegatheeswaran 2015).

The following are some cases that can be understood as instances of Multiple Modernities: Neo-Confucianism, Sufi and Bhakti Movements, Wahhabi Movement, Idrisi Movement.

Neo-Confucianism

Confucianism is a humanistic and rationalist philosophy and a way of life. The model was developed from the teachings of the Chinese philosopher, Confucius (551-479 BCE), who attempted to open up a new horizon in a dark age about 2,500 years ago. However, the Confucian revival took place in the days of Yi Hwang (1501-1070) and Yi I (1536-1584) and Neo-Confucianism was established as the mainstream intellectual discourse during the seventeenth century. The religious aspects of life were loomed largely by the Confucian ethics in the societies of China, Singapore-Malaysia, Hong Kong, North and South Korea, Japan and also Taiwan.

The Neo-Confucianism emerged as a response to Buddhism and Taoism and reformulated, what is known as authoritarian or traditional Confucianism, into a reasonable humane moral philosophy (Yao 2000). Fundamentally, the Confucianism believes in: a) Familyism: family has a greater place in a general society. b) Ancestorism: the worship of ancestors is important for morality and c) Political Ancestorism: worshipping ancestors bring balance in political power and responsibility.

The meta premises of the philosophy is explained by Max Weber's thesis of 'protestant ethic', according to which the 'this-worldly' asceticism' of religious ideals aid the people to survive and master in their material environment (Levy 1992). Neo-Confucianism emerged as a result of its perception of reality that is heterogeneous. It attempted to ignore superstitions of Buddhism and Taoism and created secular form of Confucianism based on this-worldliness. The philosophy laid emphasis on human rationality in embracing new ideas and on the fact that the world could be understood through human reason. Humanity is considered pivotal in creating harmony between heterogeneous elements and an individual of the universe. Diametrically opposed to the mystical means of Buddhism, Neo-Confucianism stresses on the reality, the greater and ultimate, realised gradually following the human reason in the place of mysticism (Sang-Woo 2008). Therefore, the ultimate achievement of a human reason is the achievement of morality. It is argued that Neo-Confucianist secularism is not similar to the western atheism but it is constituted of morality and deism. The Confucianist philosophers of Qing dynasty were ignorant of the Europeans and yet, they criticised the traditional authoritarian paradigm of Confucianism (Rogacz 2018). The revival abolished the practice of cults and it transformed traditional academies into modern learning institutions of practical learning and also the temples of culture were refashioned as the destinations of tourists. The philosophy revolves around the present than the past (Billoud and Thraval 2008).

Sufi and Bhakti Movements

The tenth century Sufi and Bhakti Movements left an impact on every aspect of life in the Subcontinent. The experiences reflected in the poetic elaboration produced resources for modernity in the region. The close analysis of the anti-

colonial sloganeering also finds its umbilical to the movements. The movements emerged as a reaction to the institutionalised versions of Islam and Hinduism and not something rejecting the original position of Islam (Aqil 2009). Bhakti Movement was dominantly an opposition to the Brahmanical hierarchy and therefore challenged the domination of the traditional. Though the Bhakti Movement emerged from South India as an opposition to the royal patronage to certain religious practices and it spread and became prominent in the North also. It was opposed to formalism and Brahman elitism and thus its domicile was the lower castes and was more spiritual and rejected polytheism. The poetry, music and dance of the saints was a revival of folk practices and thus popular support was also generated. God was presented as a lover-hero to a devotee and the shift of patronage from Kings and chieftains to temples was also seen.

On the other hand, the Sufi movement of India in the same time was equally a reformation force in the region. Sufism reached India with its contact with Mansur al-Hallaj in tenth century and Lahore became the first centre of Persian Sufi Culture in the initial years of eleventh century. Sufism soon spread towards Delhi, Kashmir, Bengal, Deccan and so on. Like the Bhakti, Sufi movement too marked popularity of customs and belief systems. The vocabulary that the Sufis used usually came from Persian and it indicates the underlining of the concept of just and unjust.

The Bhakti and Sufi Movements introduced emancipation by stressing on the celebration of joy and liberation. Thus these movements became threat to hierarchical norms, repressive regimes and violent politics of the established forces, be it state or the religions (Aqil 2009). The two movements established a syncretic social order that was based on the existence of one god. The Sikh Movement was subsequent and one of the most powerful movements after the Sufi and Bhakti Movements. The origin of Sikhism is considered to be the synchronisation of Sufi and Bhakti ideas or Sufi-Bhakti milieu of late fifteenth century. The followers of Sikhism believe that the founder of the religion, Guru Nanak was illuminated (Aqil 2009).

Wahhabi Movement

There are many instances of the reformation movements in West Asia that were not inspired by the European modernity but still contributed to the progress

story and formed response to the European colonialism and imperialism. The Wahhabi Movement developed in eighteenth century Arabian Peninsula and produced a single and nearly a homogeneous body of ideas that identified as fundamentalist Islam. The Movement started with the thought process of Muhammad Ibn Abd al-Wahab and aimed at reviving Islam by its purification from certain practices that al-Wahab considered innovation in the religion. The Wahhabi Theo-jurisprudence is based on the teachings of Ibn Timiya and on the legal school of Ahmad ibn Hanbal.

Wahhabism rejects employment of rationality and purely rely on the holy book (Khan 2013). The main aim of the Wahhabi Movement is to return back to the seventh century mode of Islamic *umma* that is to be achieved by the eradication of impurities and evil practices replaced with the norms of true Islam. Therefore, the movement expounded homogenising tendencies of excommunication (*takfir*) of nearly all non-Wahhabi tendencies and radical change of universe through invasions (*jihād*) aiming at the revival of the pure Islamic *umma* (Ibrahim 2006).

Al-Wahab developed his argument around the concept of *tawhid* and had almost no interest in intellectual accommodation or reconciliation. The political social agendas of Wahhabi Movement were marginalised apart from aligning with the al-Saud family. On the issue of *ijtihad*, Al-Wahab is reported to have denied himself to be a *mujtahid*. Instead he insisted to go back directly to the traditions of the first generation Muslims (*salaf*). He was of the opinion that unambiguous verses of the Book are direct and need no interpretation of a jurist or *mujtahid*. Al-Wahab defines the concept of *tawhid* in two forms. Firstly, *tawhid rububi*, this is the belief held by everyone and even people of the period of *jahiliya* also possessed this kind of belief in God. Secondly, as *tawhid uluhi*, this not only entails bearing witness for the existence of God and His messenger, but also abandoning of *shirik* in any form or manifestation (Dallal 1993).

Idrisi Movement

The other indigenous movement that emerged in West Asia and North African region in the eighteenth century was the Idrisi Movement. The movement was commenced under the teachings of Syed Ahmed ibn Idris, who was born in the city of Faz in Morocco (1759-1835) and his centre of teaching was in Mecca. The three

disciples of Ibn Idris established major brotherhoods of Sanusiya, Khatmiya and Rashdiya. The movement in the name of Idrisia was established later in Egypt and parts of Sudan (Voll 1973). The movement was not an organised Sufi *tariqa* or order, but was a spiritual method and training for the individual Muslims. The doctrinal position taken was of *Fiqh* and *ijma* that referred to rejection of *taqlid* and return to *Sunnah* and emphasis was on the Prophet Muhammad as the way to God. The intention was to achieve emancipation and intellectual integrity through *ijtihad* (O'Fahey and Karrar 1987).

The teaching of Ibn Idris was specifically a response to the challenges emanating from the Wahhabi Movement in Najd that was to save *batin* the inner richness of Islam. Ibn Idris was also the scholar who visualised Islam in the Pan-Islamist capacity and intended to bind the believers together through faithfulness to the law and devotional love for the Prophet (Trimingham 1971). The Idrisi movement was further developed into several other localised sub-movements and Sufi traditions that include Barelvi movement of Ahmed Shahid Barelvi in the Indian sub-continent. Such movements and were instrumental in anti-colonial and anti-imperialist movements from Africa to India (Lawrence 2010). Therefore, Sufism that involved activism and sense of renewal and reformation was termed by Fazlur Rahman as Neo-Sufism.

Islamic Modernism

The Muslim Empires or the Islamic Gunpowder Empires that include the Safavids, Mughals and Ottomans, started to decline between the eighteenth and twentieth centuries. The causes of the decline were internal as well as external and the commencement of the imperial-colonial expansionism of the European powers. Therefore, the response of reformers was specific to the socio-political and economic anxieties of the Muslims. The Islamic resurgence is considered to be the modernity of Islamic thinkers as it was a direct response to the marginalities of the community. The revivalism was broadly based on the concepts of *nahda* (renaissance), *thawrah* (revolution) *awdah* (return), *tajdid* (revival) governed by *hakimiya* (absolute sovereignty).

Jamal ud Din Afghani (Asadabadi) (1837-1897) was an Iranian reformer and Islamic revivalist and is the founder of and has shaped the Islamic modernity like no

other. Afghani was a firm believer of the superiority of scientific knowledge and the Muslim unionism. He insisted on Pan-Islamism and introduced Islamic universalism. He attempted to bridge the centuries old parochial sectarian cleavages among the Muslims through his thought. Afghani was of the opinion that the Muslims cannot get rid of bogus modernity of the Europeans unless they unite. Therefore, the ideas like *ukhuwwa* (brotherhood) and *millah* (nation) were predominant in his thought. Afghani also believed that the Muslim nation should be governed by a single caliphate and kingship was not compatible with the Muslims (Esposito 1998).

Muhammad Abdu (1849-1905) of Egypt laid emphasis on the canons of rationality and replacing recitational Quranic education with penetrative and interpretative one. Abdu's famous work, *Tawhid*, argues that the human nature is imbedded with rationality. The God has created rationality at par with revelations, therefore pursuit of scientific knowledge is virtue that makes a man compatible to live in his natural environment. Abdu also initiated a movement in Egypt to modernise the Muslim institutions, yet he preferred to keep religion and politics apart and bring Islam to its pristine form. The main contribution of Abdu is his insistence on the reformation of *sharia* through *ijtihad* (Rafiabadi 2007).

Rashid Reda (1865-1935) underlined the importance of the revival of caliphate and establishment of Islamic state. Reda emphasised the significance of *ahl-al-hall wa al-aqd*, the consultative group of prominent persons who represent the community, empowered to elect or dispose a caliph. He also highlighted concepts like *sharia*, *shura*, *ijma*, and *ijtihad* for legislation of laws for Islamic state. In this way, he advocated that glory of Islam would return and the rule of god was possible to be established in the world (Enayat 2005). Hassan al-Banna (1906-1949) was the founder and ideologue of *Ikhwan al-Muslimeen* (Muslim Brotherhood), established in 1928. Al-Banna was capable of organising the masses, mobilising and directing them and he is regarded as the pioneer of organised politics in the Muslim world. He also called for the restoration of Islamic order and replacement of all religious institutions with the brotherhood in Egypt (Zaki 1999).

The general understanding of Sunni Islamic modernism is through the ideas of *tajdid* and *ijtihad* and unlike Shi'ism the ideas are disassociated with *taqlid*. The

Muslim protagonists of modernity are against the belief that the 'gate of *ijtihad*' are closed. Sir Syed Ahmed Khan (1817-1898) understood *ijtihad* as a right of all informed and devoted believers and this right makes the interpretation of the book flexible and compatible with the given environment (Dar 1957). Allama Iqbal on the other hand in his philosophical magnum opus, *The Reconstruction of Religious Thought in Islam*, describes Islam as a dynamic religion and claims that the dynamism makes the religion a powerful force. However, the dynamism was eroded by the ulema by placing it in the state of freezing inside the walls of madrasa. He often underlined the importance of the revival of *ijtihad* to revise the Islamic Sharia and make it compatible to the contemporary societies (Mas'ud 1995).

Syed Abdul A'la Maududi (1903-1979) is the name synonymous with the Islamic revivalism and reformation in South Asia. Maududi asserted that Muslim modernism can revive the past glory of the Muslims. Therefore, Maududi developed his theory of modernism on the ideas of *tajdid* and *ijtihad* that should start from the individual level to encompass the entire society. The process involved the departure from the traditional world view to the modern that is constituted with reason (Maududi 2009). Maududi laid a greater emphasis on reason and stated that value free and reasonable achievements of the West should be surveyed and analysed to be assimilated into the Islamic life. However, Maududi considered human autonomy from the divine intervention as a corrupt idea emerging from the West and he also considered it to be the cause of the moral decay of the Western societies (Ahmad and Ansari 1980). Maududi engaged with achievement of knowledge as a sensual experience and identified three sources of *ilm* in the Quran: a) Hearing (*sama*), b) Observation (*basar*) and c) Inductive (*fawad*).

On the issue of *ijtihad*, Maududi understood the concept as a tool to develop modern discourse in Islam. Therefore, he desired to reject many of the existing body of texts on Islam as irrelevant for the contemporary world and its new problems (Maududi 1991). Maududi's modernism was driven by the divine authority and he rejected separation of religion (*din*) from state (*dawla*), therefore he envisioned the ideal Islamic State based on Theo-democracy (Rozeenal 2004).

Neo-*Usooli* Movement

The Neo-*Usooli* Movement is the most powerful movement in the countries with Twelver Shi'i population. The movement emerged alongside of the modern changes and like many other Islamist Modern Movement was not reaction to the Western Modernity. The movements were more or less a response to the social, economic, religious and political trends emerging from the debris of the Gun-powder Empires; the Ottoman, Mughal and Safavid. Though the Safavid era was a renaissance period in Shi'i learning and included advancement in *Akhbari* Scripturism, Sufism, Illuminationist philosophy and *Usooli* Rationalism (Heern 2015). However, the collapse of Safavids brought a decline to Shi'i learning and under the Afghan rule and subsequent civil wars, the *usooli* scholars left Iran and the learning centres also faced termination and *usooli* rationalism also received a setback (Maddahi 2016). However, *usoolism* was revived in Karbala, the southern shrine city of Iraq, by Wahid Bihbihani by defeating the prominent *akhbari* scripturist, Yousef Bahraini. The main focus of the movement was employment of rationality and acknowledgement of reason and consensus as third and fourth sources of the jurisprudence after the Book and Traditions (Heern 2015). The neo-*usoolism* got established in *Atabat*; which is Najaf, Karbala and Samera together as referred to in Hawza circles. The *usooli* ulema expanded scope of *usoolism* and developed the concepts like *Marji'at*. The movement evidently ended quietism of Shi'is in the fatwas that were on the issues of politics, social issues, economic interaction and so on. The political and social activism of *usoolis* was seen in the fatwas like the Tobacco Fatwa that banned tobacco cultivation and affected colonial interests of the Britain in Iran. Similarly, the constitution movement of 1905 was tremendously influenced by the *usoolis* of Najaf and this was also the era that surfaced many political theories of the *usoolis*. The opposition to the Pahlavi rule, the oil nationalisation crisis and *usooli* political opposition to the revolutionary *usoolism* are the instances of the *usooli* modernism. Furthermore, the transnationalism and widely reaching philanthropic and ideological ideas of *usoolism* also indicate that it is a relevant and powerful movement of the contemporary times (Louër 2011).

Conclusion

Modernity can be defined as reconstruction of ideas that are biased and flawed structures of the past; so it indicates revival and reformation. Eurocentric notion of modernity sees the progress from a very narrow point of view and results in domination and denial of agency to the non-western worlds. However, Multiple Modernities Paradigm brings an inclusiveness to the discourse of modernism and acknowledges the progress stories of the others, hence prevents *otherisation* of the Non-West and prevents homogeneity of world view. The cases presented substantiates instances of multiplicity of modernisms and also equip one to understand different perspectives that are not necessarily germinated from the similar origin, that is European modernity, but the story of the progress with regard to societies and communities belonging to different landscapes and value systems and under varying historical contexts.

Chapter III

CONCEPT OF *IJTIHAD* IN *USOOLI-SHI'I* PARADIGM

Introduction

Islam for its believers is an encompassing system and a code of conduct for human life given by the divine. Therefore, it is the duty of every Muslim to obtain *hukum* (pl. *ahkam*) to live life under the religious law and order of Islam. The *usooli* paradigm is the tendency in the Twelver Shi'ism that obtain religious laws from the four sources: a) the Book b) traditions c) reason and d) consensus through the process of *ijtihad* in *usul al-fiqh*. The science of *usul al-fiqh* is argued to have evolved during different periods of the history of Shi'ism; but in its contemporary form, it is believed to have developed after the beginning of the major occultation period. The concept of *ijtihad* is closely associated with the idea of imamate and this characteristic also differentiated the *usooli ijtihad* from that of the *ijtihad* in Sunni schools. The *ijtihad* in *usoolism* has also faced intellectual challenges posed by the followers of the *akhbari* school who believe that *usoolism* for its stress on *ijtihad* is sunnization of Shi'ism and has no Imamic legitimacy or historic evidence of its practice among the proto-Shi'is.

The Islamic Revolution of Iran brought to the light the authority of the clergy and its narrative of countering the Eurocentric modernism. The different provisions of the Constitution of Islamic Republic also presented the Shi'i Islamic jurisprudence to the world. The transnational appeal of the Mujtahids and their fatwas and their impact over the socio-political worldview of Shi'is around the globe engrossed many academicians of Political Islam, International Studies and other interdisciplinary disciplines to comprehend the umbilical cord of the discourse. The concept of *ijtihad* in *usooli-Shi'i* paradigm has a particular trajectory that constitutes the narrative and involves the evolution of the Shi'i Islam from its proto-times, that encompasses the period of the infallible Imams, to the period of the occultation that brought about the stagnation in the *nass* and the Shi'i jurisprudence was losing its form. Therefore, absence of the *zahir* Imam was to be replaced with the *batin* Imam that could guide the Shi'i in knowing the God's will through human and fallible rationality.

Marginal Narrative and the Construction of Shi'ism

The marginality of Shi'i narrative has played a vital role in determining outer and inner body of Shi'ism. The major Shi'i-Sunni binary is a result of their

respective relation with privileged power centres. The position of Shi'is has remained at the margins of Islamic history and fundamentally coloured with the marginal construction of Ali and Fatima after the demise of the Prophet of Islam that still continues. However, it is this narrative of marginality that has ceased the evaporation of the Shi'i identity, has aided a different interpretation of Islam and led to the emergence of distinct Islamic system of Shi'i Islam. Although the doctrine of the divine unity defines the monotheism in Islam and the doctrine is also fundamental to every school or sect in the religion, so is the belief in the last divine message and the prophethood of Muhammad. The prophet is unanimously considered to be the cult Islamic figure for having received the revelation in the shape of the Quran. Shi'ism too is the offshoot of the same paradigm, but the difference is in its construction during its proto days. The existence of the Shi'is during the life of the Prophet is debatable, but the Shi'i scholars have argued that they existed as close associates of Ali, the son-in-law and cousin of the prophet.

The formalistic emergence of Shia Islam is unanimously considered to be on the death of the Prophet in 632 A.D., when the question of the succession surfaced. The question resulted into major split in the Muslim community. Hamid Dabashi explains this split, wherein he says that the major group followed the active routinization of the prophet's charismatic authority into the institution of the caliphate. While as the other group perpetuated that charisma first in the figure of Ali and after him into other eleven Imams of the institution of the Imamate (Dabashi 2011). The Arabic word Shi'i (pl. *shiyi* or *ashya*) and other derivative forms from the root word *sh-y* has appeared in the Quran and hadith literature with various meanings. According to Hamid Mavani (2013) the word acquired a technical meaning, that is, of those who supported Ali and also believed that Ali was explicitly designated by the Prophet as the successor. Therefore, Said Arjomand has also agreed that the origin of Shi'ism lies in the nucleus of partisans of Ali or *Shi'at* Ali (Arjomand 1984). Therefore, Shi'ism is the branch of Islam that exclusively believes that authority belongs to Ali and his progeny. However, Heinz Halm writes that Shi'i tradition organized an unbroken community gathering around the decedents of al-Hussain from the time of the catastrophe of Karbala (Halm 2004). Yet, as a school of Islam, it emerged in the time of Al-Ja'far and he is held to be the

founder of Shi'ism. No wonder, even today Shi'ism is occasionally described as Jafri School (*al-Madhab al-Jafari*) (Halm 1991).

The question of authority after the death of the Prophet brought about the concept of Imamate in Shi'ism. The Shi'i scholars of Islamic history claim that the prophet announced it, after performing the last *Hajj* ritual at the point of *Gadeer* between Mecca and Medina, that Ali was his successor. Therefore, it became a turning point in the Shi'i history when Ali was not chosen as the caliph of the Muslims on the demise of the Prophet. According to Peshwaie (2016), Ali restrained from opening the opposition to the caliphate as his supporters were very less and Peshwaie quotes Ali's sermon namely *shekshekey*, wherein Ali is reported to have said that he chose composure in the matter of caliphate and restrained himself from using force in the interest of Islam. Mutahari (2012), in his commentary on *Nahjul Balagah*, also elaborates that Ali ibn Abi Talib's bold personality was contrary to opt for silence in the matter of caliphate but it is also evident that Ali was apprehensive about the possible discord among the Muslims and distortion of the newly revealed message of Islam.

However, Ali became the fourth caliph of the Muslims between 656 and 661, but was confronted with several oppositions. Firstly, during the reign of Uthman, all major governorships were given to the members of the Umayyad clan and the clan's governor of Syria, Mu'awiya, refused to accept Ali as the caliph on the account that Ali was not able to take revenge of the murder of Uthman. Secondly, Talha and Zubair along with the widow of the Prophet, A'isha, raised a rebellion, and again, in the name of vengeance for Uthman's murder. Consequently, Ali fought the Battle of Camel and due to Ali's forthright nature, he was making powerful and influential enemies among many who had been benefitted under the previous caliphates. Ali moved his headquarter from Medina to Kufa in Iraq in 656 and since then the place remained the centre for Shi'ism in Islamic history. Furthermore, Mu'awiya marched towards Kufa and the two armies confronted in the Battle of Siffin, which ended with arbitration. A group in Ali's army was not happy with the arbitration with Mu'awiya, so they separated themselves from the army and came to be known as *Khawarijites* or the seceders. Consequently, Ali, before he was murdered in 661, fought the Battle of Nihrawan with Khawarijites and hence neither could annex Syria nor could control Egypt (Momen 1985).

The other important element of the construction of Shi'i marginality is the seizure of Fadak that was a piece of land gotten by the Prophet as a bounty from the Jews of outer Medina for violating treaty with the Muslims. The seizure of land is considered by the Shi'is to have been initiated by the Muslim government under the authority of the first two caliphs after the demise of the Prophet (Rizvi 1989). Furthermore, it is believed that Fatima defended her right over Fadak and delivered a speech in the presence of the Caliph and companions of the Prophet at Masjid Nabawi, wherein Fatima propagated for the Caliphate of Ali and termed it as a legitimate claim (Tabarsi 2017).

The Shi'is gathered around the eldest son of Ali, Al-Hassan after the murder of Ali. Al-Hassan signed the peace treaty with the governor of Syria, Mu'awiya, and the latter became the caliph of the Muslims. It is argued in the Shi'i history that the treaty was to save the Shi'is, who were in minority and could have been ruthlessly slaughtered by the Syrians. The other point that all the Shi'i historians have agreed upon is that this phase of Shi'ism was instrumental in illuminating the difference between the temporal ruler and the Imam. Al-Hassan is quoted to have said that the caliph is he who practices the Quran and the traditions of the Prophet. The one who practices injustice cannot be caliph, but he is a king who controls his kingdom. Hence, Imam was not necessarily to govern but to restore justice (Muharrami 2003). The silent feature of this period was that, though small in number, the Shi'as were united under the charismatic personalities of Al-Hassan and Al-Hussain (Momen 1985).

Subsequently, Al-Hussain became the third Imam of the Shi'is in line and also head of the Alid branch of Hashemite clan. This period is marked by many Shi'i revolts as a result of the institutionalization of cursing Ali from the pulpits and secondly, in the violation of the peace treaty. Yazid succeeded Mu'awiya as the second caliph of the Umayyad clan in 680. Yazid pressurized Al-Hussain to give allegiance in the name of the former, to legitimize his rule over the Muslims. However, Al-Hussain on the invitations of Kufans advanced towards Iraq, but on his way at Karbala, he was massacred along with his seventy-two companions and family members. The children and women of Al-Hussain's caravan were taken to Damascus as captives by the Yazid's army (Mufid 2007). The Karbala massacre became a beacon light for the Shi'is to revolt and avenge for Al-Hussain's blood and

this was also a sole motivator of various other uprisings against the Umayyad's in the Islamic history. The initial two uprisings were the *Tawabun* (the penitent ones) and that of Al-Mukhtar in Iraq and later on the Abbasid upsurge (Muharrami 2003).

The Umayyad tyranny was unbearable and the discontent was widespread in the Empire. The role of Imams of merely being spiritual guide was also escalating the distress among the masses. There was a common feeling among the different Hashemite clans of uniting against the atrocities of the Umayyad rule over the centuries. Dwight M. Donaldson writes:

The sanctimonious aloofness of the Imam, Zain al-Abidin, and likewise of the Imam, Muhammad Bakir, was looked upon by other factions of the Hashimids as...evidence of the futility of expecting guidance or help from the division of the family known as the Imamis (Donaldson 1933: 120).

Marwan, the last Umayyad ruler faced huge opposition in Syria and Iraq after he elevated himself to the post of caliph following the death of the sons of the murdered Ibrahim Walid II. One of the staunch opposition to the ruler was emerging from Khorasan. The dominant reason for the Khorasan unrest was the growing distrust of the Umayyad dynasty among the people. Besides, discontented non-Arabs were looking for establishing a new dynasty and the sympathies for the household of the Prophet (*ahl bayt*) made them inclined towards the Hashemite clan. The uprising took the shape of a movement when the warlike tribes of Persia joined Abu Muslim's army to overthrow the Umayyad governor of Marv, the capital of Khorasan, and the union of the Hashemite clan against the Umayyad became popular slogan. In this context, the Shi'is believed that the Alids would get their rightful authority (Donaldson 1933).

However, the Abbasid alignment with the Alids proved to be superficial when the former claimed that the Prophet had transferred the leadership to his brother Al-Abbas and not to Ali, hence it became the point of difference between the two wings of the Hashemite clans. Mas'udi has been quoted to have said that when Ibrahim, the Abbasid leader, was killed by Marwan II, the leader of Abbasid upsurge feared the failure of the movement, so they attempted to induce Al-Ja'far. However, Al-Ja'far refused and inclined to the intellectual resurrection (Donaldson 1933). Thus, the denial, deprivation and confinement of the Prophet's progeny constructed Shi'ism as

a resistance to the dominant narrative. However, the continuation of the charisma into the Ali ibn Abi Talib and his progeny also placed the Shi'is theologically and jurisprudentially detached to the dominant narrative.

Divisions within Shi'ism

The party of Ali got scattered into various sub-sects and the major scattering of Shi'ism appeared from time to time. The annexure of the fertile crescent to the Muslim world after the demise of the Prophet of Islam, the Muslims were confronted with ancient civilization and sophisticated religious systems. The message of Islam propounded by the Prophet Muhammad almost extinguished polytheistic societies of Arabia. The essence of the message was mostly guided by the Quran and elaborated by the traditions of the Prophet. However, till the day of the demise of the Prophet, Muslims were fighting battles and attempting to establish a new order. Muslims by then had become a political power but the Prophet was no more to address the complex questions of the religion. The expansion of Islam resulted in more nations embracing Islam and that gave rise to more discussions. Similarly, Iraq was the seat of intense religious discussion and this kaleidoscopic background of ideas also penetrated into the Muslim society causing divisions, including among the shi'is.

Ghulats: The *Ghulat* required a priest-god figure and characteristics of Ali were suitable for the position, as considered by the group. However, linking the *ghali ghuluww* or *ghulat* with the party of Ali was probably a historic accident. After Karbala massacre, Al-Hussain's name became synonymous with piety and steadfastness, so the group identified with the Prophet's family in this context (Hodgson 1955). This is extremist group got involved in debates around the concepts of:

- a. *Tanasubh*; transmission of souls
- b. *Ghayba*; Occultation
- c. *Raja*; return
- d. *Hulul*; descent of the spirit of God into man
- e. *Imama*; Imamate, divinity and inspired leadership and guidance
- f. *Tafwid*; delegation of God's powers to other than God
- g. *Bada*; alteration of God's will (Momen 1985)

Zaydis: After Al-Hussain was slaughtered in Karbala, his son, As-Sajad was the fourth Imam of the Shi'is. He spent his life in quietism in Medina, nevertheless his son Zaid claimed to the Imamate, starting a doctrine of *Imam al-Mufadil*, according to what, it was possible for a man of lesser excellence to be appointed as Imam in the life time of a man of greater excellence. The followers of Zaid, known as Zaydis, also justified the caliphate of Abu Baker and Umar and considered the latter as not blame-worthy in rejecting Ali. Zaid is reported to have studied under Muatazilite teachers, hence Zaydism has a tendency towards Muatazilite theology. Zaydis are also known to have had rejected quietist policy and participated in many revolts against the Umayyads. The fifth Imam of the Twelvers, Al-Bakar, came to open disagreement over various points with Zayidis. Zaydis too rejected all designations that the Twelver Shi'is associate with the Imamate and unlike the Twelver Shi'ism, Zaydis believe that no Imam is infallible. Zaydis evoked many rebellions against different caliphs and in 864, they founded Zaydi state in Tabristan in northern Iran, and in 913 Zaydi Imam reached Daylum and Gilan and converted people to Zaydi Shi'ism and ruled over them until 1032. Another Zaydi state was established in 901 in Yemen that survived until a revolution in 1962 (Momen 1985).

Ismailism: One of the most important fragmentation of Shi'ism occurred after the death of the sixth Imam, Al-Ja'far in 765. The Ismailis appeared as the followers of the son of Al-Ja'far, Ismail. The Ismailis claimed that Ismail never died but was concealed by his father and will return as Mehdi. They also believed that after Al-Hassan and Al-Hussain, the Imamate cannot be passed between the brothers but is transferred from father to son. Some Ismailis claimed that Muhammad ibn Ismail to be their Imam and came to be known as *Mubarakiyya* after the name of Ismail's servant (Momen 1985). After sharing history with the Twelver Shi'ism to Al-Ja'far, Ismailis rejected the Imamate of the seventh Imam, Al-Qadim and hence the schism appeared (Hollister 1988). Ismailism reached its zenith, when the Ismaili Imam enjoyed both spiritual and temporal power after the establishment of the Fatimid caliphate between 909-1172. The caliphate was established in present day Morocco, the Northern region of Africa, Egypt, Syria and Yemen and also expanded to Hijaz and parts of the Mediterranean. The main objective of the Fatimid dynasty was to promote Ismailism, so great centres of learning like Al-Azhar were established. The

rise of the Fatimids and decades old Ismaili missionary activities presented a huge challenge to the Sunni hegemony represented by the Abbasids (Andoni 2016).

Twelver Shi'ism: The Twelver Shi'ism or *shia isna ashry* is a major sub-branch of Shi'ism and also known as Imami Shi'ism. The Twelver's believe in the line of twelve infallible Imams from Ali to Al-Mehdi and the infallibility of the Prophet and his daughter marking the fourteen infallibles. Momen writes that there are three facets in the religious expression of the Twelver Shi'ism and those are:

- a) It is the popular religion of the masses
- b) It is the mystical religion of the Sufis, and
- c) It is scholarly legalistic religion of clerical class (the *ulema*)

However, regarding the influence and recognition, the third facet dominated the Twelver throughout its history. The Twelver Shi'ism surfaced as a distinguished entity during the eighth and ninth centuries and it was fundamentally the role of Shi'i scholars (*ulema*) who defined the doctrines and also evolved its polemics. Contrary to the Sunnis who symbolized caliph as head of the community, the Shi'is inclined to look to the most learned of their scholars for guiding the community (Momen 1985). It is said that during the physical presence of the twelve infallible Imams, due to the threat to their lives and often having had been under detention or confinements, the canonical books of the tradition were written towards the end of tenth and eleventh centuries by the *ulema* like al-Kulayni, Shaykh Saduq also known as Ibn Babuya and Shaykh Tusi also known as Tai'fa and it was until Allama al-Hilli who systematized the methods for organizing and evaluating the literature on the traditions in fourteenth century (Momen 1985).

Imamology and the Doctrine of Occultation

The unique concept of Imamate and doctrine of occultation demarcate Shi'ism from Sunnism doctrinally, and the occultation of the twelfth Imam contributed to the construction of a different experience of religious worldview. Imamology is the term evolved to study the concept of Imamate in Shi'ism. The concept institutionalises Shi'ism into an independent all-encompassing theological and jurisprudential religion. The word Imam means the person who leads the congregational prayer or an eminent scholar. However, in Shi'ism, the word Imam acquires technicality and

complexity in definition, wherein it is defined as the one who is bestowed with the divine decree. According to Murtaza Mutahari, Imam means leader and the word exists in all the schools of Islam in one or the other form. However, the term acquires a distinct meaning in Shi'ism as the imamate is the component of the fundamental principles (*usul e din*). Mutahari furthermore apprehended the concept in the light of the Quran and wherein he quoted Verse No 55 from the *surah maidah*: “verily, your protector is Allah, his Messenger, and the believers, those who perform the prayers, and give *zakat* (obligatory alms or Islamic tax), and they bow down.” Shaykh Tusi is also stated to have maintained in his book *Tajreed al-Aiteqad* that Imamate is *riyasa amah*, that means authority over popular sovereignty. Mutahari furthermore explains Imamate as the performance of similar duties as the Prophet of Islam performed for the Muslims during his life (Mutahari 2014). Syed Akhtar Rizvi elaborates Imamate by defining it in the context of *ismah*, that means purity. In this context, imam is the person who is pure in the sense that he is free from evil. Rizvi associates the characteristic of *ismah* with the second part of Verse No. 33 of the *surah ahzab*: “and say that the prophet and members of his household were divinely purified” (Rizvi 1989). According to Allama Hilli, Imamate is a universal authority (*riyasa*) and Shams al-Din Isfhani is of the opinion that Imamate means the deputy of the Prophet and implementer of the Islamic legal rulings, so the entire community must follow him.

Hamid Mavani summarizes the doctrine of Imamate in Shi'ism as:

- a) The appointment of Imam is like that of the Prophet and rests with the God.
- b) Like Prophethood, Imamate is one of the fundamentals of the religion (*usul e din*)
- c) Imam is infallible as was the Prophet.
- d) Ali was designated by the God as the first Imam of the chain of twelve Imams and so were his successors (Mavani 2015).

Therefore, the institution of imamate includes both intellectual authority and political leadership. The Shi'i scholars consider that after the death of the prophet, it has to be the Imam, who is entrusted with the guardianship of the accomplishments and continuation of the Prophet's leadership. The purpose of the Imam is to teach

people the holy Book, religion and ordinances concerning the society. In this way, the objectives of Islam will be realized and implementation of its precepts established (Lari 2010). According to Muhammad A. Amir-Moezzi (1994), Imamate is the pivot around which all other fundamentals of the Shi'i doctrinal issues revolve. Mavani (2013) also writes that Shi'i scholars divide the principles of religion (*usul al-din*) into five tenants and place the imamate at the centre, while as the others are divine unity (*tawheed*), divine justice (*adl*), prophethood (*naboowah*) and the day of resurrection (*qiyamah*). The belief that cumulative and inherited knowledge as well as the role as infallible, makes the Imam an inherent guide, leader and ultimate authority in the sense that he is the living embodiment of the Quran, its interpreter and executor.

The Shi'i scholars also argue that Imam Jaffar Al-Sadiq, the doctrinal father and sixth Imam of Shi'ism, emphasized that the Imamate is a prerogative bestowed by the God upon chosen person from the family of the Prophet, who before his death and under divine guidance transferred the Imamate to another by a designation, which is called *nass*. The *nass* is thus initiated by the Prophet and came down from Ali to Hassan and from Hassan to Hussain and then retained strictly in the line of Hussain's progeny until through successive *nass* it reached to the twelfth Imam, Al-Mehdi. The second fundamental principle embodied in the doctrine of Imamate, according to Al-Ja'far, is knowledge (*ilm*). The Imam is the possessor of all the knowledge of the world and beyond, he knows that is apparent (*zahir*) and that is esoteric (*batin*). The Imam passes this knowledge to the following Imam before his death (Jafari 1976). Alamma Majlisi says that the Imam is sinless and infallible (*isma*), since the God has called the people to follow the Imam and the God cannot command mankind to follow the pathway of errors, as it would be opposite to the God's justice (Momen 1985).

The lineage of the infallible Imams in the Twelver Shi'ism commenced with Ali ibn Abi Talib until the occultation of Muhammad ibn Hassan, Al-Mehdi. The belief in the doctrine of Imamate is manifested in the submission of the Shi'is to the decree of the occultation and the expectation of the return twelfth Imam. The word *Mehdi* means the one who is guided. However, Ash-Shirazi argues that *Mehdi* is not anyone who guides, but the Prophet of Islam has specified it to his daughter Fatima, that Mehdi is from the latter's sons. Ash-Shirazi also states that in the Quran, the

word has appeared for those who were divinely guided and such person exemplifies that guidance in terms of his character, behaviour, word and direction to others (Ash-Shirazi 1996). Therefore, *Al-Mehdi* is a title reserved for a messianic re-establisher of the faith in general Islamic tradition.

The belief of the return of Al-Mehdi is the silent feature of Shi'ism that structures its worldview. The mission of Al-Mehdi is considered to fill the earth with equity and justice and replace oppression and tyranny. This mission is evident in the traditions authentic to the both the Sunnis and Shi'is. It can be said that Al-Mehdi's role is to restore the virtue of perfection in the human society by establishing justice and tranquillity with the divine help.

The messianic mission of Al-Mehdi projects him as the saviour of the humanity. Different scholars like Al-Kulayni and Al-Saduq have viewed the following verse of *surah al-Mulk* as a metaphor for the occultation of the Imam. The Imam is being equated with the water in the verse: "say, have you thought if water were to disappear into the earth, who then could bring you gashing water" (Tabatabai, et al. 1989). The *usooli* jurists have also agreed to the occultation (*ghaybah*) and return (*zahur/ qiyam/kharuj*) of Al-Mehdi. Shaykh al-Mufid has written *al-fasul al-asharah fi-al ghaybah* on the topic and Al-Tusi also holds Al-Kulayni's view that Al-Mehdi will establish the state of justice. Al-Sharif al-Murtada or Alamal Huda has also defended the doctrine of occultation on two grounds, which are:

- a) Reason requires that there should be a leader at all times, and
- b) The leader should be infallible and immune against evil (Sachedina 2008).

The Twelver Shi's consider, the promised Mehdi, to be the son of the eleventh Imam, Hassan al-Askari. He was born in 868 and lived in Samara until the demise of his father in 872 and went into the occultation (*ghaybah*). The occultation period is divided into two parts; the minor occultation (*ghaybah sugra*) from 872 to 939 for 69 years and major occultation (*ghaybah kubra*) from 939 and still continues (Peshwaie 2016). During the minor occultation, the Imam was represented by the four agents/deputies. The first deputy of Al-Mehdi was Abu Umar Uthman bin Syed Umri, who had served as the deputy and confidante of tenth and eleventh Imams as

well. Abu Jafar Muhammad bin Uthman bin Syed Umri was the second deputy designated by a written will of his father and the first deputy to succeed the latter as the representative of the Imam. After serving the Imam for about fifty years, Abu Jafar died in 917. Abu Jafar designated his assistant, Abol Qasim Hussain bin Ruh Nubakhti, to be the next representative. Abol Hassan Ali bin Muhammad Samri succeeded Nubakhti and died in 941, he was the last representative of the Imam, who himself took the agency at the time of strife in the Muslim world and hence did not entitle any one to succeed him (Donaldson 1933).

Though the appointment of deputies by the Imams was not a new phenomenon, the tenth and eleventh Imams have reportedly appointed attorney or *vukla* to communicate with their followers under the threatening regime of the Abbasids. The minor occultation was immediately followed by the major occultation after the death of the fourth deputy, Abol Hassan Ali bin Muhammad Samri in 941 (Peshwaei 2016). Therefore, the interruption of *nass* was only when the Twelfth Imam, Al-Mehdi, went on to hide from the outward appearance (*gaibah*). Yet with the physical appearance of the deputies, the Imam communicated and there was no disruption in stating the Islamic law.

Shi'i Rationality and Foundation of *Usoolism*

The Shi'is believe that there are two proofs (*hujjah*) of existence or authority of the God that are manifested as internal and external elements. The two proofs are represented by the prophets and imams as external element and *al-aql* or human reason as the internal one (Shomali 2010). The term *aql* is derived from the verb *aqla yakulu*, meaning reason, rationality intellect or intelligence and its antonym is *ahmaku* meaning stupidity or foolishness. Mutahari defines rationality as proof of the God, which is governed by certain rules and any opinion does not encamp to be rational. He further explains it in the light of the first part of the Verse No 36 of *surah al-asra* of the Quran: "And do not pursue that of which you have no knowledge indeed, the hearing, the sight and the heart about all these will be questioned." Mutahari has further referred to Descartes, who has laid certain fundamental rules of rationality. And those rules, according to Mutahari, are also given in the Quran. Mutahari explains the rules propounded by Descartes as firstly, that rationality cannot be employed if there is not enough knowledge and secondly,

it has to be aided with evidence. Frances Beacon on the other hand says that if deduction/conclusion is not verifiable, it is not based on rationality. Therefore, Mutahari says that *aitedal* is the degree of rationality that is prescribed by the infallibles for the Shi'is (Mutahari 2002).

According to the Shi'i scholars, the rationality is a unique trait of humans, though, it did not acquire a specific meaning in Islam as something like *salat*. Yet, many Shi'i scholars have explained it as a hierarchy in the faculty as mentioned in the Quran:

- 1) Aql: In the meaning of Aql, for example Quran states reason in surah Yusuf: 2 as Indeed, we have sent it down as an Arabic Qur'an that you might understand.
- 2) Dark: Surah An'am:113 is the example of this level of reason which states: and [it is] so the hearts of those who disbelieve in the Hereafter will incline toward it and that they will be satisfied with it and that they will commit that which they are committing.
- 3) Fiqr: in surah An'am:6 Have they not seen how many generations We destroyed before them which We had established upon the earth as We have not established you? And We sent [rain from] the sky upon them in showers and made rivers flow beneath them; then We destroyed them for their sins and brought forth after them a generation of others.
- 4) Tadabur: in surah Muhammad:24 Then do they not reflect upon the Qur'an, or are there locks upon [their] hearts?
- 5) Tafakur: in surah Tawba:122 and 81 (Such believers are) the repentant, the worshippers, the praisers (of god), the travelers (for His cause), those who bow and prostrate (in prayer), those who enjoin what is right and forbid what is wrong, and those who observe the limits (set by) Allah and give good tidings to the believers. And in surah Tawba: 8: Those who remained behind rejoiced in their staying (at home) after (the departure of) the Messenger of Allah and disliked to strive with their wealth and their lives in the cause of

Allah and said, 'Do not go forth in the heat.' Say, "The fire of Hell is more intensive in heat" - if they would but understand.

Al-Kafi, is one of the four fundamental books of tradition of the Shi's, which was compiled by Shaykh Kulayni in 941, during the period of the minor occultation and is divided into three parts:

- 1) *Usul* (Fundamental Principles)
- 2) *Furu* (Secondary Issues)
- 3) *Rozay* (Ethics)

Usul is again sub-divided into seven parts:

- 1) *Kitab al-Aql* (Book of Rationality)
- 2) *Kital al-Ilm* (Book of Knowledge)
- 3) *Kitab al-Tuheed* (Book of Monotheism)
- 4) *Kitab al-Hujjah* (Book of Proof)
- 5) *Kitab al-Iman wal Kufr* (Book of Belief and Disbelief)
- 6) *Kital al-Dua* (Book of Prayer)
- 7) *Kitab al-Fazlul Quran* (Book of Quran)

The chapter *Furu* is deals with jurisprudence (*fiqh*) and is the longest chapter of *al-Kafi*. The chapter *Ruzay* throws light on tradition of *Hadith*, ethics and also has biographical accounts of the infallibles. *Kitab al-Aql* deals with the question of reason and it is evident that Kulayni has established hierarchy of the rationalism and put the infallibles on the top of the pyramid for having widespread knowledge that they received from Prophet Muhamad. Mullah Sadra in his commentary on *Al-Kafi* understands Kulayni's reasons as:

- 1) *Ishtaraq e lafzi*: a word that has several meanings, for example the Persian word, *sheer*, is used for milk, lion and tap etc.
- 2) *Tashqeeq*: that is skepticism or a word that designates something but is unable to state its degree.

He further hierarchizes the *ishtaraq e lafzi* rationality into following segments:

1. The rationality that differentiates human being from an animal
2. Decisive rationality

3. Subjective rationality
4. Belief system
5. Common wisdom

Four other categories of rationality in Kitab al-Nafs are:

- 1) *Aql bil Quwah*
- 2) *Aql bil Malika*
- 3) *Aql bil Fail*
- 4) *Aql bil Mustidfil* (Dakake 2010)

Allama Majlisi in his commentary on Al-Kafi states similar classification of rationality, however to him only the hierarchy differs. Shaykh al-Saduq was another prominent traditionist who wrote the book *Al-Man la Yahduruh al-Faqih*. It is also a compilation of the traditions about lawful and unlawful and is considered to be one of the most reliable books of the traditions in the Shi'ism (Saduk 1996).

Imamology is the fundamental element in the entire doctrinal structure of Shi'ism. Many scholars of Shi'i Islam claim that Imamism is a rational theology and the argument is substantiated by the saying of Imams that *aql* or rationality is the organ through which their doctrine is understood. Moezzi defines rationality as:

- a. Hiero-intelligence
- b. Un-acquirable faculty
- c. Spiritual Faculty
- d. Emancipation

Hiero-intelligence defines rationality in etymological sense of the word *aql* in pre-Islamic period, that is, 'something that is tied on an animal's feet to restrain it'. Therefore, the rationality in this sense acts as restrain on humans from foolishness. Additionally, in this context rationality is used opposite to *jahl* that means ignorance. Un-acquirable faculty means that rationality cannot be acquired but is a divine gift and is understood as innate capacity of transcendent knowledge that only develops depending on the individual. Spiritual faculty, according to this rationality, is an ability that apprehends the divine and one recognizes as the sign of God. In this context, rationality is interior proof (*hujjah batina*) or internal Imam. The absence of reason is the case of alienation of human, as in such situation the humans are unable

to establish relationship with the divine and is left cut off. Emancipation is that sort of rationality which liberates a human being from false religiousness, hypocrisy and facade of piety (Moezzi 1994).

Rationalisation of Shi'ism

The inevitability of the reason was primarily because of the inaccessibility of the Imam in the occultation. The eleven Imams died and the Shi'is believe that the twelfth Imam is in a state of occultation. The various fragmentations and sub-fragmentations along with the suppression by the regimes, outnumbered the Shi'is, hence the community shrank to smaller numbers. However, the Imams left the legacy of the traditions constituted of the words (*al-qoul*), actions (*al-feil*) and tacit approvals (*al-taqrir*) of the fourteen infallibles (Shomali 2006). However, the Shi'i scholars were confronted with the availability and authenticity of the traditions after the stagnation of the *nass*. Therefore, a wave of collecting and recording of the traditions started. The rationalist Shi'is claim that the engagement with collecting and recording of the tradition itself was employment of reason. Therefore, the compilers of the first two books of the four books of the tradition *Kutub al-Arba*, are not considered scripturists or *akhbaris* in the strict sense, but are referred to be textualists or *nasgira* by the *usoolis*. However, the *Akhbaris* consider them to be prominent *Akhbaris* as they remained confined to the scriptures of the traditions. The jurisprudence during this period was *Fiqh Raviyeh* and *Ravi* was in the place of *Faqih* (Maddahi 2016).

The rationalization trend in Islam unambiguously started with the Mutazilite engagement with theology through dialectical methodology, under the influence of Aristotelian texts that were translated to Arabic (Moezzi 1994). Muatazilites were a group of intellectuals who believed in understanding the Quran in the light of rationality and denied anything that was beyond the reach of rational comprehension. The Shi'i and Muatazilite speculation theology proceeded from the Ali ibn Abi Talib's perception on *Tawhid* (monotheism) and many of the prominent and founding members of this tendency have been reported to have studied under Al-Ja'far like Abul-Hassan ibn A'yan, known as Zurara (Momen 1985) and Wasil ibn Ata (Peshwaie 2016). However, the fundamental principles of the two are different as given below:

Table 1. Shi'is – Muatazilites Differences

No	Shi'ism	Muatazilite
1	Oneness of God	Oneness of God
2	Justice	Divine Justice
3	Prophethood	Promise and threat
4	Imamate	Position between the two stations
5	Day of judgement	Enjoying good and forbidding evil

(Muhajirani 2008)

The Nubakhti family has played a crucial role in institutionalization of rationality in the Twelver Shi'ism. The family has its origin in Iran but migrated to Abbasid Baghdad and ascended to high power positions in the caliphate. The family was well known in Iraq and Iran for its intellectual activities and its connection with the second deputy of the Al-Mehdi. Abu Sehal Ismail Nubakhti and Hassan bin Mosa Nubakhti are considered to be responsible for inducing Greek Sciences or *Hikmat e Unani* and Rationalism of Mutazilite or *Aql e Mutazilli* into Shi'i intellectual circles. The two Nubakhtis regarded rationality (*aql*) and autonomy (*ikhhtiyar*) essential in theology and this associated them with the Muatazilite force that was flourishing in Abbasid Baghdad and Basra. The book *al-Yakut* was written in the Nubakhti family that dealt with the bridging of Mutazilism and Shi'ism through the link of rationality. A commentary was later on written by Alamma Hilli on the book of Nubakhts (Iqbal 1966).

Furthermore, the late eighth and early ninth centuries marked a plethora of different Shi'i scholars who felt the need to project Shi'ism in a very comprehensive manner. The main two study groups centred around the Qum circle and the Baghdad circle that laid imperative framework for the future Shi'i intellectual discourse.

The Qom School

The Qom school is considered to be scripturist and engaged to compile the traditions of Imams for recurrence and guidance. The Asha'ra family, who were being prosecuted for their Shi'ite faith, migrated to Qom in Iran from Medina. The migration established a direct linkage between Qom and Medina and the members of the family narrated the traditions that they had received directly from the Imams in Medina (Khezri 2009). The city became a centre of collecting the authentic traditions, especially for restraining the *ghulat* tendency to take over Shi'ism or in response to Ismailism and Sunnism. The first of these was Ahmad b. Muhammad Barqi's *Al-Mahasin*, and the book is regarded reliable by both Shi'is and Sunnis. The book is encyclopaedic and is source for other books like *Al-Kafi* and *Bihar al-Anwar* as well. Yet, from the original text only one-sixth or seventh is remained. The Qom school believed that legal ruling was to be based on knowledge (*ilm*) and they quoted Al-Baqir, Al-Ja'far and Al-Qadim to have condemned tools like innovation (*bida*), analogy (*qiyas*) and personal opinion (*al-Ray*). Subsequently, a generation later Muhammad b. al-Hassan, al-Safar al-Qommi compiled *Basair al Darajat*, that was a collection of over 1,881 traditions dealing with the theology of Twelver Shi'ism. Newman (2013) also argues that *al-Kafi* by Kulayni was a response to the pre-eminence of the rationalization discourse. The book had a dual purpose, one was the collection of the traditions and the other was to make case against rationality in the matters of religion.

The Baghdad School

Nevertheless, the other pocket of the Twelver Shi'ism was in the Abbasid capital, Baghdad. The Shi'is of Baghdad engaged with non-textual methods of discourse. The non-textual tool was accustomed in Baghdad with the influence of the Mutazilite position during the Abbasid period. Andrew J. Newman writes:

The Nawbakhti, and their likeminded co-religionists aimed to integrate key aspects of Mutazili doctrine on the attributes and justice of Allah, as well as man's free will, into a doctrinal statement. Such discourse also argued for the doctrine of the Imamate in the absence of the Imam, and laid the groundwork for the assumption of authority over community doctrine and practice by scholars who adhered to and were versed in such rationalist theology (Newman 2013: 43).

The early rationalists, including Abu Abdullah Muhammad ibn Muhammad ibn an-Numan, popularly known as al-Shaykh al-Mufid, revived Islamic Sciences by using rational approach in the tenth century and hence played a vital role in the consolidation of the Shi'i jurisprudence in the post-occultation period. According to Ayatollah Ali Khamenei, Al-Mufid has to his credit:

- a. establishment of the independent identity of the Shi'i jurisprudence.
- b. creation of an outline and paradigm for the development of Shi'i *fiqh*,
- c. developing a method in *fiqh* and as well as in *kalam* based on logical compatibility between reason and revelation (Khamenei 1993).

Al-Mufid rejected pure scripturist argument that theology should be based on traditions only and maintained that reason and revelation jointly should be the basis for doctrine. The tendency in al-Mufid's works is that he argued with rationality and then evidenced it with the Quran and traditions. He wrote *Tabish al-i tiqad* and some other books to counter Shaykh Saduk of the Qum school and the above work is considered to be his best-known doctrinaire work.

The Baghdad school laid the foundation of the rational framework of jurisprudence and thus the school came to be known as *usoolism*. Al-Mufid's rationalism was advanced by Abu'l Qasim Ali ibn al-Husayn al-Musawi, popularly known as Ash-Sharif al Murtada or Alam Al-Huda (Momen 1985). Al-Huda challenged the traditionists by stating that *khobar al-vahid* was not *hujjah* or proof, and bulk of the traditions in Al-Kafi and Al-Faqih were based on *khobar al-vahid*. However, he dealt with this problem by examining such traditions in the light of the Quran, *mitawatir* traditions, reason and consensus of the scholars. This methodology is known as *Ijtihad* and therefore it can be discerned that the foundation of *Ijtihad* was laid in the Baghdad school. The first book of Al-Huda was purely on *fiqh* and emphasised on the employment of role of reason (Gorgy 2001).

The second pioneering figure of the proponents of rationality in the religion was Shaykh al-Taifah Abu Ja'far al-Tusi (995-1067). Al-Tusi and his contemporary Al-Huda are often compared with Imam al-Shafaie, who constructed a legal theory and brought order and system in the field of jurisprudence. Al-Tusi's *Uddat al-usul* and Allamal Huda's *al-Dhari'ah ila Usul al-Shari'ah* are the fundamental works that laid out the foundation of the rational jurisprudence in the Twelver Shi'ism (Adamas 1971). Al-Tusi's contribution to the rationalisation of Shi'ism is huge by addressing many problems, developing methodologies and bringing equilibrium

between tradition and reason, resulting in the birth of many scientific branches of Islamic studies under him. He wrote the famous books, *Al-Istibsar* and *Al-Tahzib* which constitute the last two books of *Kutub al-Arbah*. He also wrote *al-Khilaf* that is a comparative study of all the *fiqh*. He also developed methodologies for accepting or rejecting those traditions that were absent in the case of Al-Kulayni and Al-Saduq.

However, after a period of 150 years of stagnation after the death of Al-Tusi, the school of Hilla further sophisticated the usage of reason in Shi'ism. While using Al-Tusi's methodology, the scholars of Hilla criticised him and revived Al-Huda's reasoning by accepting the latter's stand on *khobar al-vahid*. This period was fertile for difference of opinions among the scholars. The hypothesisation in the *fiqh*, leading to opening new ways of more study of the sources under the light of reason, was introduced. The topics that were not directly addressed in the traditions were dealt with reason and thus *Ijtihad* became widely established (Maddahi 2016).

Table 2. List of the Books of Twelver Shi'ism

Name of Books	The Author	Era
<i>al-Mahasin</i>	Ahmad b. Muhammad al-Barqi	8 th century
<i>al-Kafi</i>	Muhammad b. Ya'qub al-Kulayni	9 th century
<i>Man la yahduruh al-faqih</i>	al-Shaykh al-Saduq	9 th century
<i>Tahdhib al-ahkam</i>	al-Shaykh al-Tusi	10 th century
<i>Al-Istibsar</i>	al-Shaykh al-Tusi	10 th century
<i>al-Wafi</i>	al-Fayd al-Kashani	16 th century
<i>Wasa'il al-shi'a</i>	al-Shaykh al-Hurr al-'Amili	16 th century
<i>Bihar al-anwar</i>	al-'Allama al-Majlisi	16 th century
<i>Mustadrak al-wasa'il</i>	Mirza Husayn Nuri	19 th century
<i>Safinat al-bihar</i>	Shaykh 'Abbas Qummi	19 th century
<i>Mustadrak safinat al-bihar</i>	Shaykh 'Ali Namazi	19 th century
<i>Jami' ahadith al-Shi'a</i>	Ayatollah Burujirdi	19 th century
<i>Mizan al-hikma</i>	Muhammad Muhammadi Reyshahri	20 th century
<i>al-Hayat</i>	Muhammad Rida Hakimi	20 th century

Culmination of the Science of Usul al-Fiqh

The time of physical presence of Imams was a period of *nass* and there was no *Fiqh* and people sought guidance and clarifications directly from Imams and there were no *Faqih* but *Ravat/Muhadith*, who transmitted what Imams said. Therefore, the jurisprudence after the occultation period was in the shape of *Fiqh e Rivaye* and can be identified with Al-Kulyni and Al-Saduq. However, Shaykh Tusi started jurisprudence in the shape of *Fiqh al-Muqalidah* and this lasted almost for one and a half centuries. The *Fiqh al-Muqalidah* was followed by *asre rakud*, which represented a stagnant period of *akhbarism*, and the chain of the latter was broken by the school of Hilla which visualises the recommencement of the Fiqh.

The rationalisation of the Shi'i Fiqh culminated into the development of *Usul al-Fiqh* as the Islamic science in which the ways of deduction of juristic precepts are discussed. The science is however developed by the Shi'i scholars in two recent centuries into an intellectual, logical system of thought and a comprehensive branch of knowledge that functions as logic of the jurisprudence and also deals with hermeneutical problems. The necessity of knowing the *Fiqh* in an attempt to know *Sharia* is that it explains the text and gains authority as it gains internal consistency and agrees with theological ideas. The subject of fixed methods that are employed to deduct precepts (*ahkam*) of the Islamic law with evidence, is called as *Usul al-Fiqh*. The following are the four sources:

- 1) the book of Quran
- 2) the traditions or *Sunnah*
- 3) Consensus or *Ijma*
- 4) Reason or *Aql* (Al-Hayderi 2009)

Parviz Mottahedeh writes that the history of Islamic jurisprudence originated in the life of the Prophet, when, the Prophet was asked questions and sometimes he explained the answers or gave general principles of interpretation as suggested by various traditions (As-Sadr 2013). The Twelver Shi'ism is often called as Jaffarism, therefore it is also evident that Al-Ja'far, the sixth Imam has contributed immensely in laying the foundation of the Shi'i jurisprudence. Mehdi Peshwaie argues that Al-Ja'far (704-765) was not only the founder of Shi'ism but the first intellectual resurrection in Islamic history is associated with the Imam. Peshwaie cites Shams

din Muhammad, who wrote about Abu Hanifa saying that the latter has not seen anyone more knowledgeable than Al-Jaffar. Shaykh Mufid is also reported to have said that the sciences that originated from Al-Jaffar spread all over the world. Peshwaie says that Al-Ja'far had the opportunity that none of his predecessors had, because the time of Al-Ja'far was also characterized with the decline of the Umayyad rule, who were known to have been brutal towards the family of the Prophet, and the Abbasid were uprising against the Umayyads for taking revenge of the Karbala Massacre.

However, Ja'far declined to join any political opposition, so he manifested his opposition by resurrecting the intellectual movement. Besides, the wide spread of Islam had brought the Persians, Turks, Egyptians and Mesopotamians into the circles of Islam and these people also brought intellectual, cultural and historic legacy to the Islamic world that widened the intellectual approach. The interaction with the neighbouring Christians and Jews opened the ways of dialogue, giving rise to the resurrection of intellectual practice. This period is also known for the difference of opinion among the Muslims as well and that too opened the doors of debate. With this intellectual wave, the Islamic principles that underline the importance of seeking knowledge compelled the Muslims to enter into the intellectual activities. Therefore, the time was perfect for Al-Ja'far to engage with the intellectualism in a structured manner which prompted him to establish a university. It is said that four thousand students attended Al-Ja'far's lecture and the school was not confined to the theological subjects only, but included philosophy, jurisprudence and the sciences like medicine, mathematics, physics, chemistry, astrology and so on. The students of Al-Ja'far were not only the Shi'is but included people from different places. The prominent students were Abu-Hanifa, Malik bin Anas, Wasil bin Atta, Hashim bin Haqm, Jabir bin Hayan etc., (Peshwaie 2016). However, Allama Faqih al-Syed Ali Naqi al-Hyderi has stated that *usul al-fiqh* developed in the second Islamic century as there is no mention of such topic in any works before Hisham bin Hakm's work of 179 Hijri (Al-Hyderi 2009).

There are many classifications for the period of development of the Shi'i Jurisprudence. However, it is divided broadly into two periods, ancient period (*mutaqaddimun*) that includes the period of the Prophet, Imams, their

contemporaries and the modern period (*muta akhkirun*) that includes the Shi'i scholars of 874 AD onwards. Tabatabai writes that that Shykh Tusi considered himself and his predecessors as ancient, so the scholars, who were his successors, can be considered as modern. However, some other scholars have stated that the scholars of the *Usul al Fiqh*, who lived before al-Muhaqqiq or al-Allama are the ancients and the ones after al-Allama are modern (Tabatabai 1984). Therefore, it is clear that the foundation of the *Usul al Fiqh* was laid in the ancient period by the Prophet of Islam, followed by the infallible Imams and their contemporaries/students and it was developed by the scholars of later age. Until the later part of the tenth century, the following trends emerged in the *Usul al Fiqh*. The school continued to follow the conservative tendency and devoted itself to the collection, recording and preservation of the traditions of the infallibles. The school was not very sympathetic to rationality in religious matters and was known as scripturist school and consisted of two groups. The one accepted traditions that were thoroughly examined and related to reliable transmitters. The group also organized those principles of *usul al fiqh* that were in accordance with the traditions of the infallibles. The other group of the traditionists completely ignored the principles of *usul al fiqh* and the rules by which a tradition could be analysed. Al-Kulayni and Al-Saduq are claimed by the traditionists to have belonged to this group.

The scripturist school was one of the prevailing tendencies of the Shi'i scholarly community and gradually became the dominant tendency. The school suppressed the rational inclination. The school of Qom was also dominated by the traditionists and objected to the engagement with rationality in Shi'ism. The majority of the Shi'i jurists were strictly the followers of this trend till tenth century. However, the trend of continuation of the practice of the rational reasoning from the times of the Imams emerged among Shi'i scholars with the emergence of the two figures:

- a. Abul Muhammad Hassan bin Ali bin Abi Aqil al-Uman al Hadhdha in the last of first half of the tenth century. He authored *al-Mutamassik bi-habl al-Rasul*.
- b. Abu Ali Muhammad al-Junyd in the middle of the tenth century and he wrote *Tahdhib al Shia li-Ahkam al Shari and Al-Ammadi fi fiqh al-Muhammadi*.

However, in the later period of the twelfth century, after being criticized by Al-Mufid and his students, Ibn Junyd's methodology received a degree of reverence from Ibn Idris. The thirteenth century onwards the rational analysis penetrated more deeply into Shi'ism. Al-Allama also regarded Ibn Junyd as an outstanding jurist and al-Shahid al-Awal, al-Fadal, al-Miqdad and Ibn Fahd also paid attention to Ibn Junyd's works and methodology. Therefore, *Usoolism* became an essential framework of principles based on the derivation of jurisprudence from the four sources that is, the Book, the traditions, consensus and reason (Tabatabai 1984). The emulation (*taqlid*) of the most knowledgeable (*a'lam*), who is the exemplar or source of emulation is *marja al-taqleed* for the Shi'i community. The *Marja* is the representative of the general deputyship of the Imam and enjoys the dual role of chief legal expert and spiritual model for all Shi'a (Walbridge 2001).

Usooli Ijtihad: Meaning and Definition

Ijtihad in *usoolim* is a process of deducting rulings of Islamic law by employing four sources in *Usul al-Fiqh*. The lexical meaning of *ijtihad* is expending one's utmost effort to carry out some task. According to Baqir As-Sadr, the word has just been used in legal spheres to express one of the principles that various schools of the Sunni Islam have also used. According to this concept, a jurist derives ruling on the subject that he/she does not find in the main sources; that is, the book and the tradition (As-Sadr 2013). Therefore, here *Ijtihad* is personal thinking of the jurist over the subject. Some other scholars have understood *Ijtihad* as an effort to construct Islamic legal systems and institutions in Muslim societies. The etymology of the word, *Ijtihad*, refers to the derivation of the word from the Arabic root word, *juhd*, which means to strive or making of effort. *Ijtihad* includes possession of the required knowledge and competence in order to derive rules of law through reasoning from the original sources. Also, *Ijtihad* has not to be used to modify or undermine the original sources and can be employed only when the Quran and traditions seem to be non-decisive on a particular issue (Khan and Ramadan 2011). Abdol al-Rahim Mawgehi writes that the literal meaning of *Ijtihad* is to search/struggle and making of efforts till one's energy is not exhausted, and in this process the person faces sufferings and hardships.

However, *ijtihad* is the term used in Islamic jurisprudence as search and struggle to produce religious law (Mawgehi 1996). The source of this search or practice is primarily the Quran and traditions for the *Usooli* rationalists as well. S.H. Al-Mosavi explains *Ijtihad* as a process of discovering and inferring the Islamic laws and precepts from the original sources; that is, the Quran and traditions. Al-Mosavi compares the practitioner of *ijtihad* that is *Mujtahid* to any other specialist and expert of any other science or humanities, who discovers laws in his discipline and also teaches others their usage and application (Musawi 1991). Therefore, *Usooli Ijtihad* is application of scientific methods on the sources for discovering the Islamic laws. Ayatollah Murtaza Mutahari is the prominent *usooli* rationalist scholar who has extensively worked on the subject of *ijtihad* and to him, it is to expertise in Islamic law. Furthermore, to illustrate *usooli ijtihad* and separate it from the *ijtihad* in Sunni tradition, Mutahari categorizes *Ijtihad* in to two categories; that is, rightful *Ijtihad* and non-rightful *Ijtihad*. According to this taxonomy, the non-rightful *ijtihad* is law-making on the issues that are absent in the Quran and the traditions, merely with application of one's own reason. This kind of *ijtihad* is legitimate in the Sunni tradition and is known as *Ijtihad al-Ray*. It is because with this process *al-Ray* becomes at par with the Quran and traditions as a parallel source of Islamic law. This kind of *ijtihad* is hence prohibited in *Usooli Shi'ism* (Mutahari 2002). Mutahari further explains the prohibition of *Ijtihad al-Ray* on the argumentative premises that it is employed to prove the Quran and tradition are static, so one more source of Islamic law is required.

Since *ijtihad* among Muslims was used in the sense of *al-Ray* for a larger part of its earlier history and that is the reason for the *usooli* rationalist scholars to have showed reservations in practicing *ijtihad*. However, over the years, the term evolved and broke away with the confines of *ijtihad al-Ray*. Many Sunni scholars too used *Ijtihad* beyond its meaning as *al-Ray* and the *usoolian* scholars also started engaging with the concept and acknowledged the existence of the four sources of the law. In *Majmooae Asar*, Mutahari is reported to have acknowledged Allama Iqbal's definition of *ijtihad*, wherein the latter calls *ijtihad* as fuel of the religion. The other definition that Mutahari has cited in the same work is the definition of Ibn Sina, who has written in his book *Al-Shafa*, that Islam is a religion that cannot be modified according to the context, hence the problems that a layman faces have to be resolved

by an expert of Islamic science with the fixations of the religion and this process is *ijtihad* (Mutahari 2002).

Therefore, Mutahari agrees with both the thinkers over the need of *Ijtihad*, in order to activate the responsive nature of the Islamic law and its dynamism, even if it is fixed. In *Usooli* rationalism, the process also requires finest training in certain subjects that include Arabic language, logic, *tafseerul* Quran, tradition, *Rijal Hadith*, *Ilm Usool* and the person who engages with the process is known as Mujtahid (Mutahari 2002). According to Ibrahim Jannati, the definition of *Ijtihad* rests upon the definition of *Fiqh* and vice versa. Jannati quotes al-Muhaqiq al-Qummi, according to whom the *Faqih* (Jurist) is a scholar who knows the divine law (*ahkam*) by means of reliable (*mutabar*) proofs (*adillah*) and sources (*manabi*). This ability does not materialize without the practice of *Ijtihad* and without it no *Faqih* can exist and vice versa. However, Jannati later clarified that in this definition the word *Faqih* should be understood as *Mujtahid* to avoid the misunderstanding of the concept (Jannati 2012).

According to Ayatollah Khomeini, *ijtihad* is a scientific endeavour and inquiry to pass religious decrees. The process of *Ijtihad* enables the jurists to derive primary and secondary precepts; and, real and apparent decrees. The Ayatollah further adds that the *Fuqha* practised *ijtihad*, after acquiring the obligatory preparedness, during the times of the infallibles by referring to the Quran and traditions. Ayatollah Khomeini also emphasis on the inclusion of the time and space in the practice of *ijtihad*:

Time and space are two decisive factors in *Ijtihad*. One of the very important matters in the tumultuous world today is the role of time and space in *Ijtihad* and in the types of decision-making (Hijazi 1995: 48).

Therefore, Khomeini stressed on the fact that a *Mujtahid* should be alive and personally present in society as an active observer to infer the appropriate precepts and also the *mujtahid* with the mastery in the religious sciences should have thorough understanding of his environment and the global conditions. According to Khomeini, the practice of *ijtihad* that fails to determine the interests of the society, where the *Mujtahid* lacks sound insight and power to make decisions in the social and political fields and also is unable to establish his rule is an insufficient *ijtihad* (Khomeini 1984).

Usooli Ijtihad: Scope and Requirement

The two main sources of Islamic law, the Quran and traditions, are immutable so no civilization, culture, legislation, era, law and human need can modify them. However, Islamic jurisprudence that interprets the sources and establishes the law is flexible, portable and responsive to the change and requirement. The widespread of Islam after the death of the Prophet of Islam brought about diversity to Muslim society and its problems too became diverse. The *nass* got interrupted at the time of death of the Prophet for the Sunnis and hence the need for something that could interpret the religion was felt and that paved the way for *Ijtihad* in the beginning (Mawgehi 1996). Furthermore, with the presence of the twelve infallible Imams after the death of the Prophet, for Shi'i tradition, the divine guidance existed from the period starting from Ali till Al-Mehdi. During the minor occultation, the vacuum left with the disappearance of the Imam was filled by the four deputies of the Imam, who are called as *Nawab e Arabi* or *Nawab e Khas*, meaning the four deputies or the special deputies (Peshwaie 2016).

In the words of Mutahari, Islam was pure at the time of its arrival but with the course of time many things got mixed with its pure message. However, the book, traditions and reason are the instruments that have been filtering impurities from it. Mutahari refers to Al-Hilli's classification of the tradition, in which it is evident that the traditions that reached to the later generations of the Muslims were not entirely authentic. Al-Hilli's classification of the traditions has four categories:

- a) *Akhbar Sahi*: This is that tradition which has been reported by a reliable person who is a follower of Shi'i School.
- b) *Akhbar Mu'araq*: In this category falls the traditions that is reported by a reliable person, but who is not a Shia.
- c) *Akhbar Hassan*: Honest people report these traditions but their source is not reliable or known.
- d) *Akhbar Za'ef*: The group of traditions that is reported by the chain of reporters, wherein one reporter is doubtful.

Mutahari (2002) also gives the reason behind the necessity of *Ijtihad* that reporting of the tradition is not free from the tempering according to the interests of the reporters. In this way, Mutahari also illuminates the importance of reason in the

Shi'i thought. The discontinuity of the authoritative comprehension (*nass*) with the death of the Prophet surfaced the need for *ijtihad* in the Sunni tradition, whereas the Shi'i belief in the continuity of the *nass* in the shape of infallible Imams discouraged the independent endeavours for *ijtihad*. Jannati writes that many Shi'i scholars have argued that the statements (*qawl*), practice (*fi'il*) and approval (*taqrir*) of the infallibles constitute traditions in Shi'i Islam. Therefore, there was no need for *ijtihad* during their lifetime till the twelfth Imam went on for occultation. However, it is also reported that *ijtihad* took place at a micro level during those times also. This argument is substantiated with the evidence that the infallible Imams lived their lives in confinements and their followers too were not allowed to meet them very easily for the threat of the rulers, so *ijtihad* was practiced during those times too (Jannati 2012).

The stagnation caused after the beginning of the major occultation that started after the death of the fourth deputy of the Nawab Arabi, Ali ibn Muhammad al-Samari, and the period continues according to the Shi'i belief. The inactivity only increased with the passage of time with the distance with the *nass* and swelling in the variety of the emergent issues in the modern times (Peshwaie 2016). The period after the Imams was also characterized by the difference of opinion among different scholars. Consequently, many scholars had their own group of followers and they sometimes branded each other as infidels (*kafir*). This period produced many works on these confrontations such as, al-Hakam's treatise in refutation to Mu'min al Taq, Ali Ibrahim's *Risala fi ma na Hisham wa Yunus* and etc. Some traditionalists of Qom too squabbled with such theologians and even fabricated and attributed some traditions to the Imams, condemning the latter (Tabatabai 1984). Therefore, it became important to have a practice that can infer the decrees on the contemporary issues without causing anarchy and that the decree also has a universal acceptance.

Usooli Ijtihad: Genealogy and Evolution

Shi'ism is that branch of Islamic tendency that represents the doctrinal system, which is shaped by a chain of theo-historical analysis. The tradition attributed to the Prophet known as *hadith e thaqalain*, is at the heart of Shi'ism. According to the tradition, the Prophet called the Muslims to follow the Quran and his family after him. Therefore, the Shi'i Islamic jurisprudence originated in the household of the

Prophet and the infallible Imams became authentic instructors of it (Tabatabai 1984). Furthermore, Mewghi writes that except *Saiefah Sajadeh*, no original work of the immediate family and progeny of the Prophet could be saved and such original works include *Saheefie Jamia*, which according to Shi'i jurists was written by the first Imam, Ali and dictated to him by the Prophet. Similarly, the other book, *Mashafe Fatima*, was written by the daughter of the Prophet, Fatima, and has also not been able to reach the scholars (Mewgehi 1997).

Yet, the jurists collected the traditions from different sources and this collection is called *Muhamadoon Salas Muqadam*. This collection is of four books, carries forty thousand traditions and is regarded as fundamental source of the tradition in modern times. The collection is called after the names of the writers and the set include:

- 1) *Al-Kafi* by Muhamad bin Yaqoob Kulaini
- 2) *Man la Yahzarul Fiqh* by Muhammad bin Aki bin Baboyeh Qomi Sheikh Saduq
- 3) *Tahzeeb al Ahkam* and
- 4) *Istenbat* by Muhammad bin al-Hassan Tusi or Sheikh Tusi

The other works include *Bihar al Anwar* by Muhammad Bakir al-Majlisi, *Wafi* by Mulla Muhasin al-fayd al-Kashani, and *Wasail Al Shia* of Shaykh al-Hur Amilli.

The history of *Ijtihad* goes back to the founder of the *Usul al-fiqh*, Imam Jaffar (702-733), who when approached about *ijtihad*, he recommended with intermediary path. In those days Abu Hanifa, the founder of Hanafi sect of the Sunni Islam, followed analogy (*qiyas*) to deduct the laws, while as Malik bin Anas, the founder of Maliki School completely abandoned *Ijtihad*. However, Al-Jafar suggested practicing *Ijtihad* with a degree of restraint over it (Mutahari Asar Majmooa). In the book *Ahkam e Taqlid Wa Ijtihad: According to Imam Khomeinis Juristic Opinion*, Mawgehi (1996) states that the development of the Shi'i jurisprudence can be divided into two periods: *Tashri* Period and *Tafri* Period.

The word *tashri* refers to description, and the period starts with the period of Prophethood of the Prophet Muhammad and in this period the Quran and traditions

were the main sources. The questions of fundamentals (*usul-e-din*) were addressed with the help of the Quran and problems of the branches (*furu-e-din*) were answered with according to the traditions. However, after the demise of the Prophet, Muslims started discussing and interpreting verdicts of the religion and the Imams argued that the Quran carries solution of every problem and those solutions could be explained by the Imams. This is also the reason that the traditions in Shi'i discourse are composition of the sum of the traditions of the fourteen infallibles.

The word *tafri* means to travel from the peak to the lowest point and this period starts from the time of *suhaba* and still continues. It also constitutes a part of *tashri* period. In this period, the infallible Imams told people to ask for evidence from the Quran, while the latter explained the commandments. Once Imam al-Bakar was asked, to whom should Shi'as refer in case the Imams are not available? And the Imam is reported to have replied that they must approach a particular knowledgeable person. Similarly, during the minor occultation period, the *Nawabeen* were consulted and after the death of the last *nawab* the practice of *Ijtihad* was systematized (Mawgehi 1996).

Liyakat Takim (2015) writes that the Shi'is did not require *ijtihad* during the physical availability of the infallible Imams. Yet, the writer cites a saying of Al-Jafar and Al-Riza wherein, the two Imams are reported to have said, "it is for us to set out the fundament principles (*usul*) and it is for you (the general people) to derive the legal rulings." Therefore, it can be said that the *ijtihad* that Shi'i scholars rejected was *Ijtihad al-Ray*.

During the Minor Occultation (874-940), the jurists mostly engaged with collecting and compiling the traditions. Due to the availability of many textual sources, they were not concerned with rational arguments. The difficulty arrived with the eruption of new issues during the prolonged occultation period. The vacuum created as result of the occultation, was gradually filled by the scholars (*ulema*), who also claimed to be the deputies of the Imam. However, the traditionist school of thought; that is, the traditionist School of Qom that represented those scholars who based their juridical and theological formulations primarily on the Book and traditions from the infallibles rather than rational grounds. This school remained dominant until the tenth century with the assertion that there was no need

to apply reasoning or critical thought in religious discourse during the absence of the infallibles and yet again they substantiated their argument with those traditions of the Imams that the *usooli* jurists claim to specifically for *Ijtihad al-Ray* (Takim 2015).

The argument also made *ijtihad* to acquire negative meaning during that time. In Shi'ism, Aqil al-Hadhadha, popularly known as Ibn Aqil, wrote on different aspects of the process of legal deductions and was the first jurist to use *ijtihad* in ninth century. Abu Ali Muhammad ibn Ahmad al-Katib al-Isafi ibn Junyd (991) was the next jurist who contributed to the establishment of the legal studies on the principles and rules of *Ijtihad* and wrote numerous books on it. However, the importance was denied to both of the jurists as the traditional school dominated the Shi'ism. Although, the Shi'i jurist Shaykh Tusi (1067) wrote a chapter on *Ijtihad* in his famous book, *Uddat al-Usul* and complained that Shi'ism is mocked for not having capacity to deduce new laws and confine itself to the texts and being inadequate to respond to new problems. Therefore, Shaykh Tusi expanded the argument laid by his predecessors, Ibn Aqil and Ibn Junyd. Consequently, al-Tusi's arguments became point of departure in the development of *Ijtihad* in *Usooli-Shi'ism* (Takim 2015).

After al-Tusi, *Ijtihad* again faced stagnation of two centuries and was revitalized by the School of al-Hilla of Ja'far al-Hassan Muhaqqiq al-Hilli (1277). Alama Mutahar Hilli, who was the nephew and pupil of *Muhaqqiq* al-Hilli, collected and rearranged Tusi's works on the basis of subjects. *Muhaqqiq* became the first Shi'i jurist to adopt *Ijtihad* and his nephew, Mutahar al-Hilli, incorporated this rational principle into Shi'i jurisprudence. He also divided the community into *Mujtahid* and his followers *Muqalids* and eventually Alama Hilli's concept of *Ijtihad* was accepted in fourteenth century. After Alama Shams al-Din Muhammad ibn Makki al Amilli, referred as *Shaeed al_awal*, also applied *Ijtihad* based on the *Usooli* principles of *Muhaqqiq* and Alama Hilli (Takim 2015). Subsequently, *ijtihad* became a dominant tool in jurisprudence and its domain also expanded.

The day to day life of every Muslim is governed by certain rules and regulations of the *shariah* and it is considered to be the duty of a Muslim to investigate for such laws to practice his/her religion in accordance with the divine

commandments. The *usooli* rationalists developed three interrelated techniques to investigate the Islamic laws:

- 1) *Ijtihad*
- 2) *Ahteyat*
- 3) *Taqleed*

Ijtihad is to deduct laws from the four sources of *Usul e Fiqh*; that is, the Book, traditions, rationality and consensus. *Ijtihad* is a complex exercise and is possible only after its practitioner has achieved proficiency in the following subjects:

- 1) Arabic literature
- 2) *Mantiq* or logic
- 3) *Usul ul Fiqh*
- 4) *Ilm Rijal*
- 5) *Ilm Hadith* or *Derayeh*
- 6) *Ilm Quran*
- 7) Proficiency in the Arabic language that was in vogue at the time of the revelation of Quran
- 8) Expertise over the research of previous *Mujtahids*
- 9) Expertise over all the Sunni schools/jurisprudences
- 10) Rigorous skill of research developed over a period of time

On the other hand, *ahteyat*, is to pick and choose laws proposed by different *Mujtahids* and usually the practitioner of *ahteyat*, *muhtat* chooses the difficult rule. Finally, *taqlid* is the easiest method of receiving the laws in a legal manual called, *Risalah* (Dawoodi 2009).

The word *taqlid* is emulation and in *Usoolism* is the process, wherein a non-*Mujtahid*, *muqalid* practices the verdicts that are inferred through *ijtihad* by a *Mujtahid*. *Usoolism* considers *Ijtihad* to be such obligatory duty of every Muslim that can be performed on behalf of the community as well. In the similar context, if one is unable to perform *Ijtihad*, he or she has to emulate the *Mujtahid*; that is *taqlid* (Najafi 2010). Mutahari analyses *taqlid* in the light of two meanings, firstly in the Persian word *sarsupardgi*, meaning ‘blind devotion’. Any practice that will take shape of such dedication and the devotee has no right to ask questions are not *taqlid*

in *usoolism*. Secondly, Mutahari explores the meaning of *taqlid* in the tradition of Imam Al-Ja'far, who has said that *taqlid* of a person is lawful who has self-control, does not succumb to the evil and corruption, protect his religion and is obedient to divine precepts. According to Mutahari, all jurists cannot possess these qualities (Mutahari 1996). A person is performing *taqlid*, when he or she practices the religious precepts in accordance with the *fatwas* issued by a scholar of Islamic sciences (Najafi 2003). Taqleed can be defined as seeking the expert opinion on the religious duties/practices and the one who practices the *taqleed* is known as *muqalid* (Dawoodani 2009).

Therefore, the process of *ijtihad* has brought *Mujtahid* to the pivotal position of the *Usooli* Shi'ism. After practicing *ijtihad*, a *Mujtahid* with her/his refined knowledge reaches to the level of the authorship of the legal manual, *Risalah* and this is the level of *Marji'at taqleed*, the source of emulation. Hence, the general deputyship of Imam is *Marja*, who enjoys the dual role of chief legal expert and spiritual model for all *usooli* Shi'is. The primary prerequisite for the selection of *Marja* is superiority in learning (Walbridge 2001). However, the concept of *Marja al-taqleed* was introduced by the great *usooli* rationalist, Shaykh Murtada ibn Muhammad Amin Ansari in the nineteenth century. Ansari is often regarded by the *usooli* rationalists as the 'seal of *mujtahids*' for his contribution to the paradigm (Mottahedeh 1986).

The *usooli* jurist Shaykh al-Murtadha Ansari systematised and formulated the doctrine known as *marja'iyya al-taqlid*; that is, the highest-ranking authorities, which execute *shariah* or Islamic law. The term is usually applied to high-ranking jurists or *ayatollahs* locally or nationally; on the world scale, it is applied to only one or two jurists. The position is informally acquired and depends on patterns of loyalty and allegiance and the perceived conduct of the jurist. The doctrine was seen as the source of emulation by stipulating that during the period of occultation, ordinary believers as well as clerics, who have not reached the level of *ijtihad*, must follow the opinion of a senior living *mujtahid*. This covered a wide range of issues falling within the realm of religious law, going from purely ritualistic issues to men and women psychology to political matters. The *mujtahids* recognised the supreme leader as the only one entitled to collect religious taxes and spend them for the maintenance of the *hawza*, spreading of Islam and assistance to needy. Ansari set out

the basis of a hierarchy of the scholars or the *ulema*, as attested by the progressive introduction of honorific titles joined to clerical names in theory, according to their degree of religious knowledge. The titles include grand *Ayatollah* (sign of god) for the most learned *Ayatollah*, *Hujjat al-Islam* (proof of Islam) and *Sheikh* for a lower rank scholar (Moussavi 1985).

Political Trajectory of *Usooli Ijtihad*

The decline of the Abbasid power enabled the rise of independent dynastic rule in the region. Baghdad was overtaken by the Buyid dynasty between (945-1055). The dynasty is believed to have been Twelver Shi'is from Dylam, an Iranian province. The Buyid contribution to the structures of the shrines of seventh and ninth imams in Kazmayn shows their sympathies with the Twelver Shi'ism. The main attraction for the Buyids in the Twelver Shi'ism was the concept of occultation of the twelfth imam, with which they could rule in the absence of Imam. The Buyids also refrained from terminating the Abbasid caliphate in Baghdad and remained cordial with the Sunni ulema (Momen 1985). However, Donaldson writes that the period gave the greatest freedom to the Shi'is but it also saw the surfacing of the sectarian tension after the public mourning during the first ten days of Muharam and Eid Gadeer celebrations was officially introduced in Baghdad (Donaldson 1933). The Buyids united Iraq and Iran under their rule and the art, literature and architecture also flourished under them (Bausani 1971). The Buyids provided patronage to the Shi'i scholars, but also restrained from persecuting the Sunnis; this also prevented Ismailization or Fatimidization of the Twelver Shi'ism under the overwhelming zeal of spreading the Shi'ism by the Fatimid dynasty (Rizvi 1980). The other Shi'i dynasty that was contemporary of the Buyids and rose to the power was the Hamadanids (944-1003) who captured northern Syria with Aleppo its capital. However, the Hamadanids are believed to be *nusayris*, but they also believed in the line of the twelve Imams. In this way Aleppo also became an important centre of the Twelver Shi'ism (Momen 1985).

Alamal Huda (965-1044), the rationalist jurist of the Twelver Shi'ism or *usooli*, like his teacher Shykh Mufid is considered for having close ties with the Buyid rulers. Al-Huda is also the one who resolved the 'illegitimate rule question' for the *Usooli* rationalists. The Shi'i Islam germinates over the idea of the legitimate

rule of Ali and his successors, however Al-Huda in his treaty on the legality of working for a government, *Mas'ala fil-amal ma'a'l-sultan*, addressed this question to a greater length. Al-Huda argued that it is legitimate to cooperate with an unjust/illegitimate ruler if it is advantageous for the religion (Al-Murtada 1980). Al-Huda occupied the positions of *naqib*, *amir al-hajj* and *Diwan al-mazalim* during the Buyid period. Al-Huda is reported to have requisitioned the caliph of Baghdad to include Shi'ism as a fifth division in the *ijma*, calling them the Ja'afri and ranking them at par with Malki and Hunbali and therefore the Shi'is would be able to abandon dissimulation or *takiya* (Donaldson 1933). However, the Buyid control of Baghdad could not survive the Turkish waves emanating from the Central Asia, who adopted Hanafi Sunnism and attempted to re-establish Sunni Caliphate. The tribe that succeeded the Buyids were the Seljuk Clan, who conquered the Ghazvid and overthrew the Buyid control of Baghdad in 1055. Consequently, the centre of Twelver Shi'ism was forced out of Baghdad and this was the juncture of relocation of the *usooli* rationalists in the city of Najaf (Momen 1985).

After the death of Al-Huda in 1044-45, Muhammad bin al-Hassan al-Tusi, popularly known with the title of Shaykh al-Taifa (the chief of Shi'is) or Shaykh Tusi, was appointed as the head of the Shi'i community in Baghdad. However, the sectarian tension following the Seljuk entry resulted into the gutting down of Al-Tusi's house and various Shi'i libraries. Thousands of texts are said to have been lost and Al-Tusi fled to Najaf (Newman 2013). Al-Tusi was a rationalist and wrote two books out of the four fundamental and the most authentic books on traditions in Shi'ism, apart from writing vastly on wide range of subjects. Al-Tusi established the rationalist/*usooli* school (*hawza*) in Najaf and the *Hawza* still follows the free style teaching-learning process introduced by al-Tusi (Tehrani 2009).

The trio of al-Mufid, al-Murtada and al-Tusi initiated development in defining the Shi'i jurisprudence and they also established theoretical basis for the status and functioning of *fuqaha* or doctors of the Shi'i Islam. Al-Tusi lived into the early Seljuk period and died in Najaf in 1067.

The century after the demise of al-Tusi is regarded as the period of imitation or *taqlid* of al-Tusi. It was a kind of stagnant period in terms of intellectual and religious developments. This period also witnessed the decline of Shi'i influence, the

Buyids were uprooted by the Seljuks, the Hamadanid dynasty in Syria also fell down and the Fatimids of Egypt were losing power too. The Sunni Islam was reviewing and re-establishing its control over the Muslim worlds (Momen 1985). The sectarian inclination of the Seljuks and destruction of Karakh, the Shi'i pocket and *usooli* epicentre in Baghdad, open derogation of Shi'ism from the pulpits in mosques and the damage caused to the shrine of Al-Hussain in Karbala dispersed the *Usooli* rationalist scholars.

Debacle of *Usoolian Ijtihad*

The commencement of the *Ijtihad* in Shi'ism opened a huge scholarship after the inspirational knowledge of the infallible Imams. The *usoolism* was also an attempt to consolidate the Shi'i jurisprudence along the lines of rationality. The Twelver Shi'ism, as in contrast with the Sunni Islam, argued for Imamate, however the major occultation period that started in 941 left the Shi'i with the promise of the return (*raja*) of the Twelfth Imam, Al-Mehdi. Therefore, in the absence of that imam, the community leadership has generally been occupied by the *ulema* or scholars. The scholars have also argued in the post-occultation period to be delegated by the Imam to adopt this role. The Shi'i literature outside of the infallible parameters started to emerge in the post-occultation period and some scholars argued that this knowledge building should be based on the words and deeds of the Imams (sl. *khobar* pl. *akhbar*), while another group supplemented the source with rationality and knowledge building of theological truths through reasoned speculation. Shaykh Saduq (991) is considered to be associated with the former and Shaykh Mufid (1022) is considered to be associated with the latter (Gleave 2007). The dispute between the two positions polarized mainly on the methodology of interpretation of Shi'ism. The first confined the interpretation purely to the Book and traditions and came to be known as scripturists or Akbaris, whereas the other group emphasised on the rational interpretation of the two sources and consensus of the jurists (Cole 2002).

After the demise of the Prophet of Islam, the two main tendencies emerged in *Ilm Kalam* or theological discipline. The one tendency is known as *Asharism* and the other as *Mutaradism*, the two employed rationalism (*qiyas*) and scripturism represented by the school of Iraq (Hanafi'ism) and school of Medina (Hunbali'ism),

respectively. Astarabadi spent some time in Medina and seems to have taken strict scripturism from there. The strict *hadithi* tendency of Asatarabadi made him to reject the classification of the Traditions. He argued that the *Kutub al-Arbah* are authentic without any doubt as written by the authors and also he considered that *Al-Kafi* was presented to the Twelfth Imam and he certified it to be enough for the Shi'is. According to him, the traditions are of two kinds, *Sahi* and *zaef* and the mechanism to test them is the Book and traditions. He also argued that the Book is beyond human comprehension, therefore *Ijtihad* is not possible. The restriction and limitation of human reason was substantiated by stories of the prophets when they were unable to understand some phenomena (Maddahi 2016).

The resistance to the evolution of rationalization of the Islamic law is very patchy and there is very little evidence of a well-defined opposition the prominent *usooli* jurists till sixteenth century. Allama al-Hilli's theoretical framework of *usoolism*, that is, epistemological dichotomy between certainty (*ilm*) and opinion (*zann*) was endorsed by his successors uninterruptedly for a period of one century after the Allama's death. Though the *akhbari* opposition to *usoolism* traces its origin back to the Buyid period, its influence was not felt on a huge scale until it re-emerged in the seventeenth century.

Most of the historians of the Shi'i Islam have agreed that *akhbarism* as a movement started with the works of Muhammad Amin al-Astarabadi and it became dominant orientation of Shi'i thought in eighteenth century. Astarabadi studied, wrote and taught in Medina and Mecca in the Arabian Peninsula after having studied for some time in the shrine cities of southern Iraq and in Iran (Gleave 2007). Asatarabadi's work *al-Fawaid al-Madaniyya* is compiled in criticism of *usooli Ijtihad*. Though dedicating twelve chapters to confronting the Sunnis, *usoolis*, theologians and philosophers, Astarabadi aimed to legitimise hermeneutic method of *akhbarism* towards the conclusion of the work (Astarabadi 1424). Therefore, Astarabadi tried to establish that the recorded tradition was authentic and hence enables the Muslims to have a valid framework for legal action. Astarabadi's main objection of *usoolism* Ijtihad was that for *usooli Mujtahid*, the knowledge of the sources (*al-ilm, al-yaqin, al-qat*) is infrequently available and therefore the law has to be deducted from the traditions which are not always authentic. Therefore, the *usooli* jurists employ fallible interpretative mechanism to understand the sources.

Consequently, it gives rise to inevitable uncertainty and makes the *sharia* open to doubt (Gleave 2007). Heern also writes that Astarabadi presented *Akhbari* ideology in his work, *al-fawa'id al-Madaniyya*. In this work, Astarabadi had argued that the twelve Imams were the first to advocate for *akhbari* doctrine. He stated that *ijtihad* is a Sunni methodology and argued that the collection of the traditions of the infallible Imams provide complete and infallible guidance to the Muslims and thus there was no need for the employment of the fallible rationality in the religious issues (Heern 2010).

Second Traditionist Wave in Safavid Era

The Safavid era is regarded as the Renaissance in Shi'i learning and every tendency of Shi'ism is noticed to have flourished in this period. The migration of *usooli* ulema to Safavid Iran germinated the *usooli* tradition in the country. However, the close analysis of the literature produced in this period suggest that the trend that accelerated the most was the traditionist trend and not that of *ijtihad*.

The period after Shaykh Tusi was a golden period for *usooli* rationalism and after Najaf, Hawza of Hilla elevated the trend and produced substantial works on *Ijtihad* and rationalism. This period also suggests stagnation in the production of the works in traditions after the *kutub al-arba*. Therefore, in the period under Safavids in Iran, a second traditionist wave is perceived to have appeared in Isfahan. Isfahan school emerged as an important centre of Shi'i learning in Seventeenth century. Consequently, the school aimed to reveal the secrets behind the traditions of the infallible Imams and the source available was the *utub al-arba*. Therefore, the scholars started writing treatise on the four books and also new works on traditions were produced. The era echoed the *akhbari* tendency and noticeably many prominent scholars of Isfahan School like Al-Fayd al-Kashani and Qazi Said Qomi defended the *akhbari* thought against the *usooli* thought. The forced expulsion of Mulla Sadra for his belief in pantheistic doctrine of existence, from Isfahan to a small village near Qom, also substantiates that the space for rationality was shrunk in this period (Takim n.d.).

The books that were written on the traditions became abundantly influential as a fresh contribution to the study of tradition in Shi'i learning. Shaykh Hura al-Amili (1624-1693) wrote *Wasail al-Shia*, the collection of 36,00 traditions and it deals

with practical laws, obligation and rituals. The book records the chains of transmissions of traditions and classifies the traditions to specific categories. The author also breaks down thematically. The scheme that al-Amili follows is from authentic traditions to weak traditions and he follows the system of footnoting and references to *ilm rijal*.

The other traditionist of the Safavid era and the most powerful scholar of his times, who rose to the level of Shykh al-Islam under Sultan Hussain Safavi, was Allama Bakir Majlisi (1628-1699). He wrote widely in Persian and Arabic and became a significant contributor in the Tradition studies in Shi'i learning. He wrote the famous *Bihar al-anwar al-jami at li-durar akhbar al-A'immat al-athar* (Seas of Lights: The Collection of Pearls of the Reports of the Pure Imams). It is the most comprehensive book of tradition in Shi'i learning and is chapterised into twenty long traditions into smaller parts to assign them -five topics and presently is in 110 volumes. The objective of the work is stated by Majlisi in the same work that says knowledge can only be achieved through revelation and traditions of infallibles. The book covers common topics, including debate on wisdom and ignorance and theological topics like *tawhid*, *adl* and history of the prophets. The later chapters deal with the life of fourteen infallibles. Allama Majlisi is considered to be closer to the *Akhbarism* but his usage of reason and philosophical terminology suggests his inclination towards rationality (Majlisi nd). Allama Majlisi is also known for his criticism of Sufism. He considered that the habits and manners of the Sufis are against the teachings of the Imams and claimed that *zikr* circles neglect religious rulings, though he praised some Sufis like Safi al-Din Ardabili and called them Imami Sufis (Momen 1985). *Al-Wafi* is the also written in the similar fashion by Al-Fayd al-Kashani (1598-1681). The book is simpler in its segments and is unique for critiquing the style of *kutb al-arba*. It has an introduction and fourteen chapters and an ending and the number of traditions is around fifty thousand (Kashani nd).

Shaykh Yusuf Bahrani (1695-1771) was another key figure of the *Akhbari* tradition and he shifted his position from being strict *Akhbari* to the neo-*Akhbarism* that was closer to the *Usoolism* in the intellectual position, though he continued to oppose *Usoolis* on their position on legal reasoning, syllogism and legitimacy of the holy war during the occultation period. The other major figure of *Akhbarism* was Aqa Muhammad Baqir, who under Nadir Shah's invasion got settled down in

Bihbihan, on the border of the Iranian province of Khuzistan and Fars and found the religious institutions monopolized by the *Akhbaris* of Bahrain (Cole 2002).

Contemporary Akhbarism

The word *akhbar* is plural of the Arabic word *khbar*, meaning news. Thus *Akhbari* refers to the group that follows news. However, in the theological studies *akhbar* is used as synonymous to *Ahadith* or traditions and therefore, *Akhbarism* is traditionism. The Urdu dictionary defines *Akhbari* as the group that rejects *Ijtihad*. Moojan Momen writes that Akbari school or *Akhbarism* represents a fraction of thought of the Twelver Shi'ism that rejects rationalist principles of *Ijtihad*. Though, the faction has always been there, it emerged as a forceful trend in the Seventeenth century with the writings of Mulla Muhammad Astarabadi. The School achieved its greatest influence during the Safavid era but was crushed by *Usoolism* in Eighteenth century (Momen 1985).

Mualana Waheed Udin Hyder Jaffari, the scholar of *Akhbarism* in Hyderabad, India stated in an interview to this researcher that *Akhbarism* is real Shi'ism for the fact that *Akhbaris* imitate the infallibles unlike *Usoolis* who imitate fallible. Jaffari quoted Sermon 18 of *Nahjulbalaga*, which according to him is ejected by the *Usoolis* from the current publication. According to the sermon, Ali ibn Abi Talib is believed to have said:

When a problem is put before anyone of them, he passes judgement on it from his imagination. When exactly the same problem is placed before another one of them, he passes an opposite verdict. Then these judges go to the chief who had appointed them and he conforms all the verdicts, although their Allah is one (and the same). Their Prophet is one (and the same), their Book (the Quran) is one (and the same).

Is it that Allah ordered them to differ and they obeyed Him? Or He prohibited them from it but they disobeyed Him? Or (is it that) Allah sent an incomplete faith and sought their help to complete it? Or they are his partners in the affairs, so that it is their share of duty to pronounce and he has to agree? Or is it that Allah the Glorified sent a perfect faith but the prophet fell short of

conveying it and handing it over (to the people)? The fact is that Allah the Glorified says:

...we have not neglected anything in the book (Quran, 6:38)

And says that one part of the Quran verifies another part and that there is no divergence in it as He says:

... And if it had been from any other than Allah, they would surely have found in it much discrepancy (Quran, 4:82)

Certainly, the outside of the Quran is wonderful and its inside is deep (in meaning). Its wonders will never disappear, its amazements will never pass away and its intricacies cannot be cleared except through itself.

Jaffari further argued in the light of the sermon that it is the method used by Abu'l-Hasan al-Ash'ari and Abu al-Jubbi, who believed that the jurist is assigned by God to legislate what is not available in the sources. This method gives rise to multiple interpretations and thus ceases a unified and universal law from existence (Jaffari 1976). *Akhbarism* argues that the first Mujtahids of *Usoolism* was Ibn Junaid, who accepted Sunni *Ijtihad* and also is responsible for penetrating it into Shi'ism. Ibn Junaid's methodology was later developed by other rationalist Shi'i like Shaykh Tusi. The *Akhbaris* also argue that Ibn Junaid was contemporary of Shaykh Kulyni and they disagreed to each other. Ibn Junaid was associated with the Buyid rulers and hence used power to spread his methodology. During the same period, *Usoolis* ceased to consult the traditions and employed *zan*, *qiyas* and *Ijtihad*. Furthermore, it is argued that the penetration of *Ijtihad* and *usul al-fiqh* in Shi'ism has purely come from Sunni tradition of Imam Shafi and engagement of reason is equated to Sunni source of *Ray* or personal opinion (Zaidi 2001).

In Shi'ism there is no tradition of imitating any Mujtahid other than the infallible Imams. It is argued that *Ijtihad* is neither part of the *usul-e-din* nor *furu-e-din* and that indicates its illegitimacy. Examining discontinuity in various fatwas with the traditions is another argument that *Akhbaris* make to state de-legitimacy of *Usoolism*. The fatwa of Ayatollah Khamenei to outlaw *zanjir zani* or self-mutilation during the mourning practices, according to the *Akhbarism*, goes against the principle of exemption of *usul-e-din* from imitation, as the affair is connected with

Imamate, and also against the traditions that support the practice (Hussain 1998). Moojan Momen sums the difference between usoolis and akhbaris as follows, on the basis of sources of law, principles of jurisprudence and position of jurist.

Table.3 Usooli - Akhbari differences

A) Sources of Law

	<i>Usoolism</i>	<i>Akhbarism</i>
a.	There are four sources of law, authority and doctrines: Quran, traditions, reason and consensus	There are only two sources: Quran and traditions.
b.	Accept the possibility of interpreting meaning of Quran and traditions through reason.	Accept explicit commentary of the infallibles on Quran.
c.	Consider possibility of unreliability of traditions in the four books of traditions.	Consider the four books reliable.
d.	Accept traditions to be authoritative that are transmitted through reliable Shi'is.	Accept traditions from any sources if the evidence of no fabrication is found.
e.	Categorization of the traditions into <i>sahih</i> , <i>hasan</i> , <i>mutawatir</i> and <i>daif</i> .	Recognise traditions either to be <i>sahi</i> or <i>daif</i> .
f.	The doctrines derived from transmitted <i>naqli</i> sources should not contradict with reason to be established as reliable.	This has precedence.

B) Principles of Jurisprudence

	<i>Usoolism</i>	<i>Akhbarism</i>
a.	<i>Ijtihad</i> is accepted.	<i>Ijtihad</i> is rejected.
b.	Decision on <i>Zan</i> (valid conjecture) can be taken through <i>Ijtihad</i> where <i>ilm</i> Quran and traditions is silent.	Decision can be taken according to <i>ilm</i> or knowledge of Quran and traditions.
c.	Practicing <i>Ijtihad</i> and issuing <i>fatwa</i> is necessary in the occultation period as the decisions taken in the times of infallibles have context and may not be generalised law.	All decisions of infallibles direct or transmitted have universal applicability.
d.	Through the process of <i>Ijtihad</i> , the traditions can be examined and the contradiction settled and unclear traditions can be given cleared.	In this case caution must be exercised.
e.	Freedom on the basis on which text is not available.	Caution to be followed.

C) Position of Jurist

	<i>Usoolism</i>	<i>Akhbarism</i>
a.	Divide community into two groups; <i>Mujtahid</i> and <i>Muqalid</i>	All are <i>Muqalid</i> of the Imam and claiming to be <i>Mujtahid</i> is not permissible.
b.	<i>Mujtahid</i> is highest knowledge to issue <i>Fatwa</i> .	Only Imams have full knowledge of everything.
c.	Imitation or <i>taqlid</i> of dead is forbidden.	Can follow decision of dead jurists.
d.	Obeying a <i>Mujtahid</i> is as important as obeying the Imam.	Rejects this.
e.	<i>Ijtihad</i> will result in heavenly reward.	It is blameworthy.

(Momen 1985).

Conclusion

It is evident that the stagnation induced into the Shi'i Islam as a result of the major occultation was dealt with by retaining the idea of rationality: internal *Huja*, for the interpretation of the decrees and that resulted in the practice of *ijtihad*. The continuous practice of *ijtihad* refines the rulings and also corresponds with the contemporary problems of the Muslims. It built a law-making mechanism according to the sources and hence is an intellectual tradition that is indigenous and the practice has tendency to place highest authority with the clergy. However, the serious threat to the legitimacy of *usoolism* came from the *akhbari* movement and also the zenith of Safavid rule also favoured the *akhbarism* that gave rise to the second wave of traditionalist literature.

Chapter IV

**NEO-USOOLISM IN IRAN:
IMPACT ON THE SOCIO-POLITICAL LANDSCAPE**

Introduction

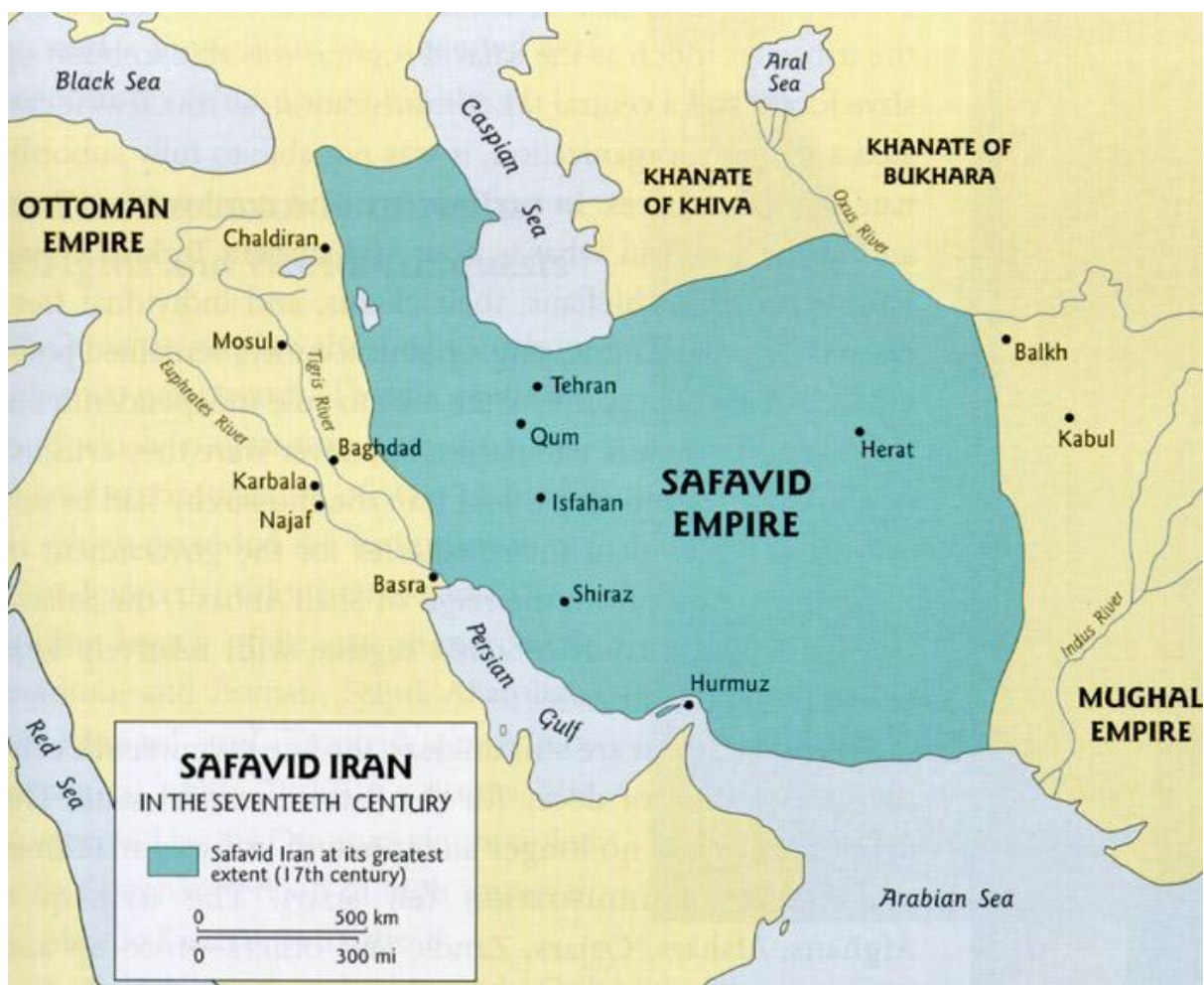
Modern Iran is considered to be synonymous to Twelver Shi'ism. Even though, Shi'ism advanced in Iran as in many traditionist, Sufi or Theo-philosophical tendencies, the revival of Shi'ism in its contemporary form is with the Modern Shi'ism that emerged as a result of neo-Movement of *usoolism* in the shrine cities of Iraq. The ideals of modern Shi'ism shaped by reason in the form of *ijtihad*, consolidated Iran firstly by collaborating with the Qajar rule and later by penetrated into socio-political landscape of Modern Iran by adopting a people centric approach. The second *akhbari* traditionist wave in Isfahan under Safavid rule brought the studies on traditions or hadith to the prominence in the Shi'i learning centres and it eclipsed the rational engagement. This was followed by the Afghan domination and power struggle between different groups in Iran. The political instability and the prominence of traditionist movement brought a drastic decline to the *usooli* rationalist learning as well as the clergy and madrasas alike. However, the rise of the Qajars to the seat of power in Iran coincided with the revival of *usoolism* in the Ottoman Iraqi city of Karbala. The two parties, Qajars and Neo-*usoolis*, were in search for legitimacy and patronage respectively and hence performed this task for each other reciprocally. The Qajar-*Usooli* alliance shaped Shi'ism in modern Iran and the *usooli* institutions like *ijtihad* and *taqlid* enabled the *usoolis* to take neo-*usooli* movement into different layers of the Iranian society. It ensured greater horizontal as well as vertical role for the *usooli* clergy to play in the country. The refined rationalised Shi'i ideas deducted from the sources appealed more to the people and their changing problems. Hence, the public space got dominated by the the clergy and thus they became monopolist player with the public support and religious authority.

Revival of *Usoolism*

Akhbarism is the tendency in Twelver Shi'ism that believes in limitations of human rationality and thus doubts its engagement in religious affair. Scripturism or traditionism has also been used to indicate the *tendency* for their confinement to the Book and traditions. However, *akhbarism* confines deduction of religious laws to the Quran and traditions and rejects reason or consensus. Though, the *usoolis* do not consider Shaykh Kulayni and Shaykh Saduq, the compilers of the two basic books

of tradition among the four books of traditions. The *Usoolis* argue that the compilation of traditions itself is engaging with reason. The *Akhbaris* debate the argument and include the classic compilers of tradition in the *Akhbari* fold. However, *akhbarism* in the sense of scripturism emerged with the works of Muhamad Amin Astarabadi, who wrote against legitimacy of *Ijtihad* and rational proofs in religious matters. Astarabadi was opposed to the institution of *Mujtahid* and questioned his power of issuing *fatwa*. Secondly, the second wave of the tradition studies in Iran and towering personalities like Allama Majlisi and others inclining towards traditionism also made *Ijtihad* sceptical. This was followed by the decline of the Safavids when Shi'i scholars lost patronage and thus the rationalist scholars got scattered in the Ottoman cities of Najaf and Karbala and Isfahan became hostile to them.

Figure 1. The Safavid Iran in Seventeenth Century



Source:
<http://iranpoliticsclub.net/maps/images/153%20Safavid%20Persian%20Empire%2017th%20Century%20Iran%20Map.jpg>

The advent of Safavid rule in the Iranian plateau gave unrestricted freedom to Shi'i scholars. The rationalist ulema also enjoyed freedom in providing elucidation to different juristic questions and the licence to practice *ijtihad* granted to them provoked *akhbari* resentment and reaction. Astarabadi's criticism of *usoolism* also seemed to be vocalization of a general sentiment as there was no immediate outcry against the *akhbari* attack on *Ijtihad* and Mujtahids (Momen 1985). Therefore, the eighteenth century came to be under the domination of *akhbari* school. The decline of *usooli* rationalism was coincided with the fall of the Safavid dynasty and the emergence of the Afghans invaders and later on Nader Shah. During this time, the established central political institutions were destroyed, following the major demographic shifts that took place during the more or less 25 years of Sunni rule (Cole 2002).

The concept of revival or *tajdid* is ecumenical in Islam and the concept is rooted in the prophetic traditions that say that the God sends *Mujadid* (renewer), who renovates religion for the community at the turn of each century. The same tradition states that:

Righteous men (udul) shall bear this religion in every century, who shall cast out from it the interpretation of the false, the corruption of extremists, and the arrogation of ignorant, just as bellows remove the dross from the iron (Heern 2015: 73).

The Shi'i understanding of renewal includes some Imamic traditions too, for instance, the sixth and seventh imams, Imam Al-Sadiq and al-Kadim, are reported to have said that:

The religion will be carried in every century by an upright person through whom the invalid interpretation will be nullified and deviation of extremists and false claims of the ignorant persons (*jahilin*) will be refuted (Heern 2015: 73).

Wahid Bihbihani is regarded as the reviver of Islam according to the *usooli* Shi'ism of eighteenth century. Bihbihani's renewal of *usooli* rationalism as the most important and influential Shi'i school of thought was the result of his intellectual attack on *akhbarism*. Bihbihani regraded *akhbarism* similar to ignorance (*jahliyun*)

and stated that a Shi'i renewer comes in every ten decades during the major occultation period to promote the true religion (Davani 1983). In this way, the renewer or *mujadid* is second to the Imams in *usooli* Shi'ism, and therefore *tajdid* has been used by the scholars to justify reform as legitimate periodic change in Islamic society and the process is often associated with the practice of *Ijtihad* (Landau-Tasseron 1989). Wahid Bihbihani was born in early eighteenth century and received elementary religious education from his father. After the death of his father, Bihbihani moved to southern Iraq and studied rational thought of the *usooli* school. However, later on he abandoned *akhbarism* and dedicated his life in challenging *akhbarism* and spreading *usooli* rationalist teachings (Davani 1983).

Heern writes that Bihbihani's grandson is reported to have said that Bihbihani choose to practice *ijtihad* and that is *usoolism* and dedicated himself in promoting it. He regarded *akhbarism* as a rigid literalism and hence rejected it (Heern 2015). Bihbihani launched neo-*usooli* movement from Bihbihan, though the place was a bastion of *akhbarism*, but Bihbihani attracted many followers and established powerful alliances that strengthened his position as a scholar and eventually became the face of *usooli* movement. He also made matrimonial alliance base for his economic, political and religious networks. The first wife of Bihbihani was the daughter of Sayed Muhammad Tabatabai Burujardi and this alliance connected him with the elite clerical establishment in Iraq. Another marriage was with the daughter of a wealthy merchant, who invited him to live in the wealthier and influential part of Bihbihan (Davani 1983). Bihbihani wrote in favour of *usooli* rationalism and criticized *akhbarism* extensively, the works include: *Risalat usalat al-bara* (Treaties on the Principles of Exemption), *Risalat al-qiyas* (Treaties on Analogy), *Risalat hujjiyyat al ijma* (Treaties on the Probability of Consensus) and *Risalat al-ijtidad wa al-akhbar* (Treatise on Ijtihad and Akhbar) (Heern 2015).

Bihbihani moved to Karbala after consolidating his position in Bihbihan and the shrine city was extremely hostile to *usoolism*. The *usooli* rationalism was considered ritualistically impure and the condition was such that the *usooli* literature was to be touched only after covering one's hand with a piece of cloth to avoid getting in direct touch with impure texts. Moreover, the one who carried *usooli* texts openly would invite violent assault on the streets of Karbala. Therefore, Bihbihani had to face many difficulties in Karbala and hence he started to teach and train his

students of *usooli* rationalism at hidden places. The majority of the disciples of the *usooli* classes of Bihbihani were the former pupils of the prominent *akhbari* protagonists of the city like Yusuf Bahraini (Cole 2002). The funds for the movement were collected through the merchant networks of Bihbihani's in-laws and the fund generation was made against the religious rulings over the commercial disputes. Hence the merchants put charitable contribution in Bihbihani's hands. It is also believed that his relatives in Bengal might also have sourced funds from the Indian notables to the Shrine city. Such funds were employed by Bihbihani to attract more students against offering them stipends. Later on, Bihbihani emerged stronger and openly challenged the monopoly of the *akhbarism* and the city was in intellectual polarization between *Akhbari* scripturism and *Usooli* Rationalism (Cole 2002).

The absence of central authority in southern Iraq and the wrongdoings of the *Akhbaris* paved way for Bihbihani to consolidate his position further. Therefore, he negotiated with *Akhbaris* and entered into extensive debates with Yusuf Bahraini. However, after the death of Bahraini in 1772, Bihbihani led the former's funeral prayer and that indicated the triumph of *usooli* rationalism in the debate and he projected himself as Bahraini's successor in Karbala. Consequently, Bihbihani commenced a widespread acceptance of *usooli* rationalism among the Shi'is. He trained new generation of cleric, who could practice *Ijtihad* and unified the Shi'i community under one ideology. Therefore, the neo-*usoolism* allowed the clergy to carry out the duties that the *akhbaris* considered to be prerogative of the infallible Imams only (Heern 2015).

Foundation of *Usooli* Thought

It is fundamental to Shi'i political thought that the authority and legitimate right to rule only belong to the twelve infallible Imams and the rule by any non-Imam might cause pain and suffering to the people, thus is illegitimate. This is based on the *usul e din*, the basic and fixed doctrinal principles of the Shi'i Islam. However, during the major Occultation, *usoolism* emphasised on the reason through *Ijtihad* that interprets the edicts in the area of *furu e din* and not in *usul e din*. The *furu* are the branches of Islam and subject of *Ijtihad* which include:

- 1) *Salat* (Prayers)
- 2) *Saum* (Fasting)

- 3) *Khums* (Islamic Tax)
- 4) *Zakat* (Alms)
- 5) *Hajj* (Pilgrimage to Mecca)
- 6) *Jihad* (Religious War)
- 7) *Amr bil maroof* (Commanding Good)
- 8) *Nahi anil munkir* (Forbidding Evil)
- 9) *Tawala* (Obeying)
- 10) *Tabara* (Disobeying)

The eighth and ninth branches i.e., *amr bil maroof* and *nahi anil munkar* opened the gate of fallible political thought in Shi'ism. Accordingly, it makes it duty of every believer to strive to establish rightful society and therefore, *ijtihad* plays a greater role in this as well (Vaezi 2004). Usoolism formed an idea of authority that has monopoly over the interpretation of traditions of the infallibles. Therefore, the authority evolved as clergy in the role of consultation, legislation and custodianship and later as rulers. The *usooli* rationalism laid a greater emphasis on the alienation caused by the absence of power among the Shi'i clergy throughout the Muslim history. Though, the Shi'i political thought restricts at the illegitimacy of the rule of *gairemasoom* or the infallibles, throughout the history it is seen that Shi'i could not alienate from the power for long and through *Ijtihad* attempted to manufacture a legitimacy in the physical absence of the Imam. The *usoolis* considered such alienation as the *raison d'etre* for the dissolution and diminishing of the thought of the *Ahlbyt*. It also inflicted the Shi'is to practice *taqiya* and seized their religious freedom for a long period of the Muslim history.

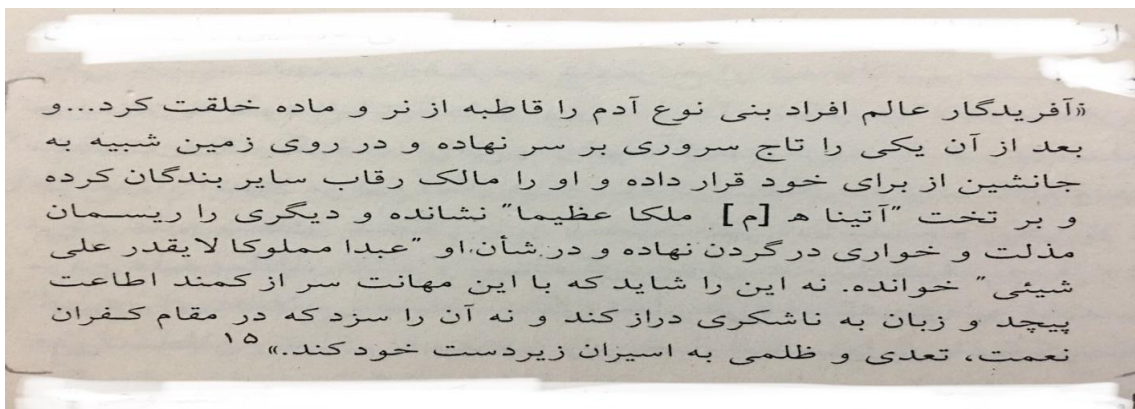
The triumph of *usooli* rationalism resulted in the stratification of the community into *Mujtahid* and *Muqalid*. Simultaneously the positioning into the two classes specified rights and duties of each and it penetrated into both strata and made all the members aware and informed. The division of role also laid strong foundation for the sophistication of the institution of *istinbat* (Ajdani 2017).

The *usooli* institution of *Marja e taqlid* is empowered with certain authority that was earlier associated with the infallible Imams exclusively. This facilitated the expansion of the clerical influence over the populace far and wide. The religious positioning of the *Marja e taqlid* brought numerous affairs under the direct control

of the clergy and this strengthened their position. It helped them to structure their authority along the establishments of Madrasas, Masjids and *Awqaf* and guardianship of the orphans, widows and oppressed. They also received kind and cash in the shape of *Sahm e Imam, Zakat, Fitr, Nazar and Niyaz* and it was streamlined to consolidate the clergy economically and it also helped in the country's economic system (Ajvani 2017). Ajvani also cites a French archaeologist, Jane Dievlafoy and the British historian, John Malcolm, who are reported to have acknowledged in their writings that the clergy in Qajar Iran enjoyed a special relationship with the people.

The Shi'i clergy helped the Safavids and Qajars to establish their authority over Iran. Meanwhile, the political thought of the clergy was also evolving and got divided mainly into two arguments. The first argument stated that Sultan is sent from the God and is obliged to give religious freedom to the clergy and stand against *Kufr*, whereas the second argument assumed that Sultan should be chosen by the clergy only. Mirza Abol Qasim Qomi was a prominent usooli, who said that Sultan is not *Ullul Amr* and believed that associating the idea of *Ullul Amr* establishes a master-slave relationship between the ruler and ruled. According to Qomi, this kind of association places the Sultan as immune to scrutiny and makes his accountability impossible. The ruled are also forced to take Sultan's decisions as divine decree (Qomi 1992).

Figure 2. Qomi on the authority of the Ruler



God created humans from a pair of female and male and then choose one human as his representative who reflects the qualities of the God. The God gave the chosen

human leadership over others and seated him on the throne. While as, the God disempowered the other people so that they can obey the leader... (Ajdani 2017)

The classification of the *usooli* ulema that helps to understand the difference of political opinions of the Neo-*Usoolis* is given by Prof. Ahmad Rahdar as the following:

- a) Philosophical Jurists: Mulla Sadra, Ali Noori in Safavid Period, Aqa Zonouzi, Aqa Qomshah, Mullah Hadi Sabzvari in Qajar Period and Syed Abol Hassan Rafisi in Pahlavi period and Ayatollah Hassanzadeh Amoli in Islamic Republic of Iran.
- b) Mystical Jurists: This tendency started in Qajar period and can include Syed Ali Shustari, Mullah Hussain Quli Hamadani, Syed Ali Qazi, Muhamad Bahari and Ayatollah Behjat in the Islamic Republic.
- c) Pure Jurisprudential Jurists: Wahid Behbihani, Sahib Jawahir, Sheikh Ansari, Mirza Shirazi, Akhond Khorasani

However, Ayatollah Khomeini is considered to have synchronized all the three tendencies into his thought and activism and was not confined to any one trend. The political activism of Pure Jurisprudential Jurists surfaced during the time of Mirza Hassan Shirazi in the shape of issuing fatwas that were political in nature during the Tabaco Movement. The students of Mirza Shirazi were involved in pro-Constitution and anti-Constitution groups during the Constitution Movement in the country. The strategies of the two groups also differed. The pro-constitutionalists were of the opinion that that the Shah could be removed with the help of foreigners and foreign ideas can be used according to indigenous conditions, while the anti-constitutionalists argued that only pure religious ideas should constitute politics and society. Ayatollah Khomeini again cannot be confined to any of these groups but his thoughts evolved by examining both the arguments. Consequently, three major trends regarding political activism evolved in usoolism:

- a. Observatory Role of Jurist: Ayatollah Khomeini represented the trend of observation and it indicates no direct involvement in the affairs of government.

- b. Rule of Jurist: This trend was represented by Ayatollah Khomeini and according to this trend the rule of jurist is mandatory.
- c. System of Deputies of Jurist: This trend functions on the basis of social order and public opinion. It is a kind of rule on the behalf of people or republicanism (Rahdar 2015).

Fall of Safavids and Rise of Qajars

The clerical influence in the Safavid period was highly noticeable and during the reign of Shah Tahmasp, the critical interference of the clergy into the running of the government was especially evident. The clerical domination also distanced the Shah from Qazilbashs and this enabled the Ottomans and Uzbeks to intensify the aggression against the Safavid Empire. The period is also regarded as the gun-powder period and the Safavid army too made use of the weapon but could not defeat its enemies. Though the period of Shah Abbas was known as a glorious period, the Shah was unable to maintain authority over the clergy. Furthermore, it can be argued that during the reign of Shah Abbas, the clerical interest and their excessive influence became most severe. The later Safavids too were subservient to the clerical class, so much so that Shah Sultan Husayn (1694-1722) was thoroughly dominated by the ulema. Allama Majlisi, who was also *Mallabashi* or the highest cleric in the court of the regime, encouraged the Shah to persecute both non-Muslims and the Muslims whom the former considered heretical (Daniel 2001).

The concentration of power and imposition of heavy taxes caused discontent among peasants and feudal landlords. The loosened bonds of loyalty to the central authority paved way to various revolts as well. The emergence of the western colonial actors also caused decline in foreign trade and the trade with the countries on the shores of the Indian Ocean was captured by the Dutch and Indian merchants. The decrease of the traffic along the Asiatic caravan routes after the discovery of the sea routes to India by Vasco de Gama, also damaged the Safavid economy. The persecution of numerous Sunnis, particularly in Caucasus, Kurdistan, Afghanistan and Azerbaijan also earned resentment to the Empire. A large population being the Sunnis in the domain earned hatred for the Shi'i government and made many people to aid the Afghan invaders (Bausani 1971). The Gilzai tribe was an Afghan tribe of Qandahar lead by Mirvaiz, who expelled the Safavid governor after having secured a

fatwa from Mecca and the fatwa authorized a revolt against the Shi'i rule (Daniel 2001).

However, the Afghan domination of Iran was very short lived. In response to the Ottomans and Russian aggression, Tahmasp II designated Nader Shah Afshar as his military commander in 1727. Nader Shah called for an assembly of notables and announced that he wanted to retire to Khorasan and the assembly could elect a new Safavid ruler. Nevertheless, the assembly insisted that Nadir Shah to become the Shah. Nader Shah accepted it on the condition that Shi'ism be abandoned as the state religion and proposed that Shi'ism be considered as the fifth school (Jafri faith) of Islam. The religious policy of Nader Shah hardly served him in military expeditions and also it made the way for his end at the hands of Afshar and Qajar tribal chiefs. Consequently, there was chaos and civil war between the Afshar, Qajar, Afghan chieftains and the Safavids for the power in Iran. Finally, Karim Khan Zand of Afshar tribe was successful in establishing his rule between 1750-79 with Shiraz as his capital.

After the death of the Afshar king, the civil strife resurfaced and Aga Muhammad Khan Qajar took over power and made Tehran his seat of the power (Bausani 1971). The Qajar period coincided with the major developments that laid a greater impact on the socio-political landscape of Iran and that includes:

- a. The great games or British-Russian rivalry
- b. Reformation and modernisation
- c. Revival of *Usoolism*

The imperial expansion brought the Russians into the north-east of Iran and that resulted in confrontation, followed with treatise of Gulistan (1813) and Turkmanchy (1828). However, Iran lost huge territory and suzerainty in the Caucasus. The country faced setback and the rulers decided to introduce modernisation programme. The programme included military reform to combat the threat of Russia. The reformation policy soon exhausted finances of the Qajars and Iran too started to feel the effects of British colonialism in India. The Great Game or the rivalry between Britain and Russia pushed Iran to become a buffer state between the two. The Qajars replaced their expensive and demanding military reform with the gains of the Imperial rivalry (Martin 2007).

The progress of *akhbarism* in Safavid period followed by disintegration of *Usoolism* in Post-Safavid period deprived the *Usooli* Ulema from political influence. However, the revival of *usoolism* by Wahid Bihbihani in Karbala also coincided with the Qajar rise. The two events were mutually beneficial for each other. The intellectual triumph of *usoolism* in Atabat or the Shi'i Shrine cities in South Iraq gave political legitimacy to the Qajar rule and in return the Qajars ensured political influence of the Ulema (Heern 2015).

Usooli-Qajar Alliance

The twenty-five years of non-Shi'i dominance dismantled the Safavid understanding of the legitimacy that they derived from the Shi'i Islam and Nader Shah also revived the tribal principles of it. The vacuum left by the Safavids posed the question of legitimacy and the problem was solved by Karim Khan Zand by maintaining an incarcerated Safavid figure head, Shah Ismail III and referring himself to be the *wakil al-ra'aya* or deputy of the subjects. Aga Muhammad Khan Qajar considered the Safavid legitimacy more suitable for the country and continued adherence to the Twelver Shi'ism established by the Safavids. However, the Qajars were aware that this arrangement would mean the continued Safavid monopoly over the power of Iran (Arjomand 1988). Therefore, the legitimacy to rule constructed by the Safavids was to be re-evaluated and this could have been done through *Ijtihad*. The clergy and madrasas had to face drastic decline during the twenty-five years' rule in post-Safavid period due to the religious policy of Afshars and Zands. However, the clerical establishment was revived by Aga Muhammad Khan Qajar, the *de facto* ruler of most of Iran since 1785 on the occasion when he declared himself the new monarch in 1796 and empathetically adopted Shi'ism as his state religion. Arjomand writes that the new Qajar Shah symbolically wore the same sword that was left in the tomb of the founder of the Twelver Shi'i Iran of the Safavid period, Ismail. Henceforth, the Shi'i religious policy got momentum during the reign of Aga Muhammad Qajar's nephew, Fath Ali Shah in 1797-1834 (Arjomand 1984).

The rise of Qajar dynasty was coincided with the revival of *usoolism*, initiated by Wahid Bihbihani in Karbala. The Shah invited Bihbihani's son, Muhammad Ali Bihbihani, to the Qajar capital and laid the foundation of rapprochement of *usooli-*

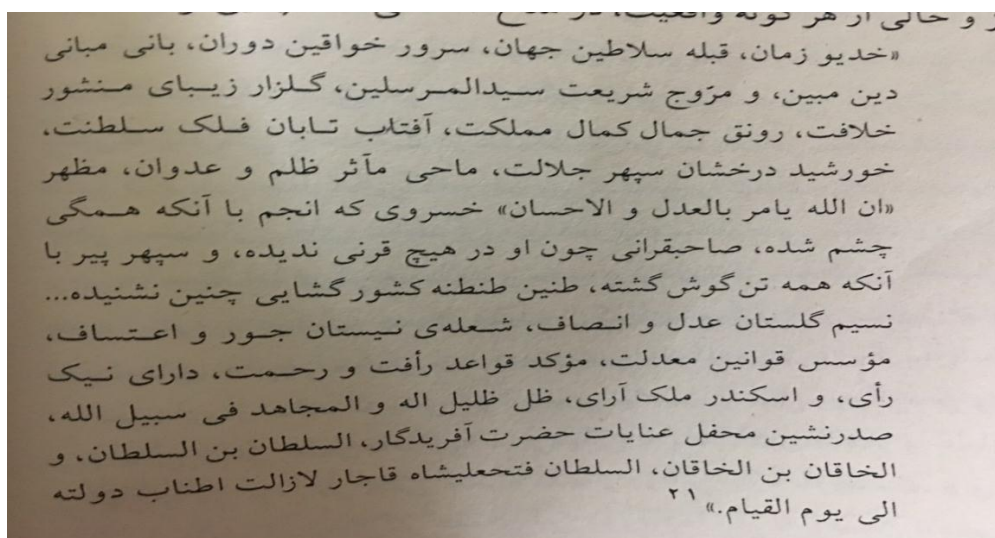
Qajar alliance. Historians compare the Shah with the Safavid Shah, Shah Tahmasp, for their role in shaping the religious policy of their respective dynasties. Bihbihani II is considered to be the key player in shaping Fath Ali Shah's directive of banishing the Sufi Dervishes from his capital. The alliance was formalized by the call made by the Shah to usooli rationalist clergy to become collaborators in establishing the Qajar state and also by the proclamation that the king would exercise his powers on the behalf of the Mujtahids of the age (Heern 2015). Besides, the rapprochement is also evident in the Qajar funding of the repairs of the Shi'i shrines in Iraq and Iran. Likewise, the students of Bihbihani I were also supported financially by the government. Furthermore, the Shi'i seminaries were re-built including the Madrsa Fadiyya of Qom, that played a crucial role in shaping the 1979 Islamic revolution of Iran. Thus, the rise of Qom to the primacy of rationalist intellectual activities in Shi'i Islam is also attributed to the Qajars. The Shah exempted people of the city from taxation and made it liveable and lucrative for the usooli clergy as Najaf and Karbala (Heern 2015).

The interpersonal relations with the individual Mujtahids established by Fath Ali Shah caused numerous Mujtahids to move to the Iranian cities and most of such Mujtahids were trained by Bihbihani I. Therefore, the religious policy of the early Qajars and the revival of *usoolism* together designed the resurgence of shi'i intellectual intensity of the first half of the nineteenth century Iran (Arjomand 1984). In this way, the Shah and Bihbihani I are regarded as the consolidators of the new Shi'i hierocracy in Iran. The successors of both of them continued in the same direction and this shifted the epicentre of religious activities from Arab Iraq to the Iranian city.

The clergy also reciprocated by refining the political thought that provided the early Qajars with legitimacy to rule. The concept of *Zile illahi* or 'Shadow of God' was refined by Qomi, wherein he stated that since God has no form and has no shadow, the Shah has not any right to claim divinity, but divine justice is the shade that protects people from oppression. The *usoolis* also displayed their hesitation in providing unrestrained legitimacy to the Qajars. Jafar Najfi in his *Kashif al-Gita*, in this connection, stated that the kingship was not real kingship but a loan (Kashshi 1969).

The reluctance of the usooli clergy sprouted out of the Shi'i doctrine that all states are illegitimate in the absence of the Imam. The hesitation is also understood in relation to secure power to the clergy. It is evident in the theory of legitimate rule in the absence of the Imam in the form of 'rule of jurist' or *wilayat al faqh*, initially advanced by Mulla Ahmad Naraqi, that this theory also substantiates the usooli belief that Mujtahids are the legitimate deputies of the Imam (Heern 2015). However, Naraqi was of the opinion that obedience to the Sultan of the time is also mandatory for the ruled. According to Naraqi's thought, Sultan is divinely sent over a populace and is answerable to the God and not to the ruled. Syed Jafar Kashfi bases his argument on a hadith which refers to the notion that if the Sultan is kind towards his people then the people are supposed to oblige him; but if the Sultan is a despot then people can react with patience and should not revolt as the Sultan will be questioned by the God (Ajdani 2017). Below is Naraqi's words of praise for Sultan Fathe Ali Shah:

Figure 3. Naraqi's words of praise for Sultan Fathe Ali Shah



The king of the times is the king of all kings, the saviour of the religion, the imposer of the shariat of the Prophet Muhammad, establisher of the religion Islam, best creature of the God, the zenith of the progress of the nation, the shining star of the nation, the sun of the dignity and the crusader against oppression, practitioner of justice and reconciliation, the most shining star that cases to dim the light of other stars, the ruler that is not seen in centuries, the one who has reach to every corner of the world, the fire that burns the oppression, the one who established rule of law, the

one who teaches to reconciliation and brotherhood, the most dignified among the kings and the shadow of God, crusader in the way of God, the gift of God, Fateh Ali Shah is a king son of king and whose rule must last till the dooms day and end of time (Naraqı 1992).

Usooli Ulema and Socio-Political Landscape of Qajar Iran

The *usooli*-Qajar collaboration laid the foundation of the contemporary Iran and the *usooli* rationalist clergy acquired a greater importance in the process. The establishment of the Mujtahids as an important religious institution made the clergy influential in the society as well. The clergy re-established its control over the courts, endowment (*waqf*) and its own organised groups maintained influence over the local population. They also collected religious taxes and funds like *zakat*, *khums*, *nazar*, *niyaz* and were also responsible to state the *hudud*. Consequently, the clergy was economically independent as well as enjoyed extra judicial status. The semi-autonomous administrative and judicial institutions helped the clergy to establish organic but hegemonic relation with the society (Raza 2015).

The *usooli* ulema became most socially relevant in Iranian society in this period and almost ran a state within the state. The number of Mujtahids in Tehran alone swelled to over a dozen in the later part of the nineteenth century, while in the beginning of the same century the number of Mujtahids in entire Iran was only six. The ulema were most literate section of the society, therefore they had monopoly over education and educational activities. Their control on the endowments only added to the influence and power of the ulema. Apart from the monopoly on religious funds, the ulema also earned from their duties in the matters of personal law such as marriage, divorce and inheritance (Martin 2007).

The clergy-masses relation in the case of Iran is most organic and not something imposed from the top-to-bottom as the monarchy was. The availability of the clergy at public places like masjids, bazars, hamams and seminaries made them accessible to the masses. Being at the epicentre of the social life, the clergy was also equipped with the power of socially boycotting those who disobeyed their fatwas. The social boycott included denial of permission to enter masjids or denial of funeral by the clergy.

The *usooli* clergy was also known to have maintained independence from the Sunni Ottomans in Safavid period and also independence from the state in Qajar period. The independent nature added to the credibility of the ulema and they became an immediate and authentic refuge for the common masses. In this way, the clergy emerged as the most accepted and trusted entity in the Iranian society. The role of the clergy in public and private spheres made them to penetrate deep into every layer of the society. The influence was evident in the obedience of accepting *hokum* and fatwas by the masses. The history of political fatwas of the clergy included *fiqhi* fatwas that simply stated legitimate and illegitimate issues, for instance doing something is either legitimate or illegitimate according to the *Ijtihad* of a particular Mujtahid. The *kalami* fatwas comprised of involvement of the names of Imams. These fatwas, for example state aligning with foreign powers would be like fighting with the Imam. The fatwas against the Russians and Tobacco concessions were *kalami* fatwas that ensured their power and impact in society (Rahdar 2015).

The first Russo-Persian war (1810-13) was the occasion when the Qajars had to seek help from the clergy to mobilize people in the support of the government. The clergy gave *fatwa* of *jihad* against the infidels, that were the Russians. The *Risalaye Jihadiyya* was the volume of collected fatwas and treaties of the Mujtahids in favour of the jihad. In fact, the clergy was the authority *de jure* in the country. The most important *Mujtahid* in this process was Jafar Kashif al-Gita, who authorized the Shah to carry out the *jihad* on behalf of the Imam. This was a reflection of the designation of *niyabat amma* or general vice-regency of the Mujtahids. Call for *Jihad* was in the defence of Islam which was primarily the duty of the Imam who now is in occultation, due to which such a responsibility fell upon the Mujtahids by virtue of vice-regency in the period of the Major occultation. It is elaborated by Shaykh Jafar, who believed that it was fact that a *mujtahid* is *naib imam* or deputy of the Imam that empowered him to authorize the Shah to lead the holy war (Arjomand 1984).

The period of Shah Naser al-Din Shah (1848-96) was comparatively a stable period for the Qajars and it witnessed the phenomenon of urbanization. The tribal and nomadic population started to decline but was not fully eliminated. Though, the co-optation policy brought the Zands under fold of Qajars and the attempt to modernize the bureaucracy was also made, the royal treasury was divided into public

and privy purses. This also elevated the state revenue and was at par with the Safavid time. Eventually, the Qajars failed to centralize the administration, though military power of the tribals was broken down and brought under the control of the central authority. The kingdom of Qajars became an extension of the royal household on the broader pattern of patrimonialism, thus nepotism was on the rise. The state spent very little on public works, hospitals and social services (Arjomand 1988).

Usooli-Qajar Conflict

The Qajar rule flaunted two faces, firstly the intimacy towards the *usooli* clergy to obtain legitimacy to rule over the country for the first half of its era in Iran and secondly, the desirability of westernised social and political system in the second half of its rule. After establishing proximity towards the clergy, the Qajars undertook several steps to incline towards western system. Firstly, the reformation of the society and polity was undertaken in the name of westernization. In this context, several student groups were sent to the European cities like London and Paris from 1811 onwards. Shah Naser and his Prime Minister, Amir Kabir initiated the reforms and aimed to strengthen the central government's monopoly. Consequently, many radical changes were introduced in education and law. The religious courts were brought under the control of the government and corrupt judges were punished. A government sponsored military and technical collage was established in Tehran known as, *darul-fanoun* and this was a major step towards the modernization of Iran (Daniel 2001). The commencement of the question of secularism in the country that had no experience of it resulted into the emergence of an intellectual trend that was inspired from the French liberalism and came to be known as *roshanfikran* or reformers. The reformers believed that national culture and political sovereignty could be preserved by adaptation of European technology and forms of polity. The opposition to the clerical monopoly as well as traditional pattern of rule indicated that the group of reformers wanted to convert Iran into a modern secular state (Reza 2015).

The religious status-quo of the Qajar Iran was initially challenged by the ideas of Babiism, which were based on Mirza Ali Muhammad Shirazi's claim to be the *bab* or gateway to the hidden Imam in 1843. The highly esoteric and messianic ideas

of the Babiism were originally derived from Shaykism, that is Shi'ism propagated by Shaykh Ahmad Ashai (1753-1826). According to Ashai, Prophet Muhamahad and the Imams were the sources of true religious knowledge and the knowledge is transmitted through dreams. Assigning more importance to intuition and mystical insight above formal learning, the Babis pronounced more extreme doctrines by employing radical heretical movements for radical changes and reforms (Daniel 2001). The other major development in this period was that of foreign influence and penetration. The British-Russian rivalry entered Iranian soil as their manipulation of the tribals to curtail each other's weight in the region. The Russians manoeuvred the Turkoman in the north-east and the British manipulated the Bakhtiari in the south and these tribals were equipped by the imperialists to such a state that they became more powerful than the central government (Martin 2007).

The conflict between the clergy and Qajar dynasty became apparent in the later part of the nineteenth century. The clergy opposed all initiatives of modernization, particularly the establishment of secular courts, modern schools and new army. The clerical resistance is also associated with the struggle against the economic concessions given to the foreigners and non-Muslims and political cooperation with them. The clergy along with the native merchant community opposed and led a movement against the penetration of the westerners onto Iran. However, the integration of Iranian economy with the world markets flooded the local markets with foreign goods and this had far-reaching consequence for the later Qajar rulers. The new economy resulted into undesirable balance of payments, high inflation and intensified bankruptcy of the traders and merchants and hence caused economic depression in the country. Hence the merchant class became furious and challenged the Qajar rule and demanded protection against the foreign penetration and also imposition of laws to regulate the trade and commerce. The furious merchants received critical support from the clergy. The clerical establishment also had a great challenge from the westernization and modernization as the government's intimacy with the westerners increased. Hence, most of the clerics became staunch opponents of what they called as 'western imperialism' (Milani 1994).

However, the continuous impecuniosity of the treasury compelled the central government to give more and more concessions to the foreigners that included the

Reuter Concession of 1872 and Tobacco Concession of the late nineteenth century. The financial trouble was also linked with the gradual absorption of the Iranian economy with the world economies. The debt that the government borrowed in the late nineteenth and early twentieth centuries was a cause of much concern for the clergy for two reasons i.e.; the foreign origin of the funds and objective of the Shah. This was followed with the rise of a new custom administration run by the Belgians and erosion of the Russian economy in the Russo-Japan war also brought disaster to the county (Martin 2007). Arjomand writes that the theoretical legitimacy of the Qajar rule as the 'shadow of god' failed in the three functions: a) Rule with justice b) Maintaining integral order and c) Defence from external aggression (Arjomand 1988).

The clergy-state tension became apparent on the 'Tobacco concession' in 1891, when the concession was granted by the rulers to the British syndicate and immediately the company started working and there was a huge agitation against it. The Clergy led the protests and the people supported them, the *Marja taqleed*, Mirza Shirazi issued a fatwa that forbade the use of tobacco and the fatwa was religiously followed by the people in the country (Momen 1984). The Shah had to withdraw the concession and the political power of the clergy was also apparent.

The clergy in particular were disturbed for having introduced the secular admiration by the Qajars and their trend towards westernization and beginning of western education system. The lessening of the judicial power of the clerical establishment was considered to be the diminution of the Islam in Iran. The Shah, Muzafar al-Din (1896-1907), received indications of the unhappiness of the clergy from Najaf as well in several telegrams and one telegram clearly demanded the establishment of the chamber of representatives (Hairi 1977). Sayed Muhammad Tabatabai persuaded the demand for the establishment of a House of Justice or *Aadalat Khaneh* and *Anjuman* that would encounter corruption and injustice of the rulers. In such councils and organizations, ordinary people and the Shah would be treated equally (Arjomand 1981).

Constitution Movement

The combination of the clerical opposition, popular discontent, political weakness and economic fragility gave rise to the constitution movement. The

principal aim of the constitutional movement was to restrict the despotic and unrestrained monarchical rule of the Qajars, who failed to justify being the ‘shadow of god’ on the earth due to three main reasons: i) Unjustness, ii) Internal chaos and iii) External interference.

The Mujtahids threw their weight behind the dissenting Iranians for the reason and among them the most prominent were: Mirza Hussayn ibn Khalit Tihrani, Mullah Muhammad Kazim Khurasani or Akhund Khurasani and Mulla Abdu’allah Mazandarani (Momen 1984). However, Syed Muhammad Hossain Tabatabai and Syed Abdollah Bihbihani came to be known as the two Sayeds of the constitution movement. The two Sayeds emerged as the most widely followed clerics, who provided leadership to the movement and mobilized people of different walks of life. Joseph Naus who was a foreigner and a Jew, was appointed as the minister of customs and telegraph and held many powers under Shah Muzaffar din Qajar in 1899. The inclusion of a foreigner and that too a Jew in the state machinery was widely criticized by the clergy in the following month of *Muharam* over the pulpits.

The two Sayeds initially mobilised clergy of Tehran and were joined by the agitated merchants, who were imposed with heavy taxes by Naus. Shah Sultaneh was the second son of the Shah and had made the people subject to cruelty and these people also wrote letters and sent telegraphs to the clergy in Tehran to intervene. The *Roznameh Hablul Matin* that was being published from Calcutta, reported three things: that the merchants of Tehran are levied with heavy taxes, the administration hardly listens to the grievances of people and the appointment of Naus, a Jew was harming the Muslims of Iran (Kasravi 1978).

The second uprising in the constitutional movement was in Kerman as a consequence of Shaykh Fazlollah vending a piece of land to a Belgian company. The land was previously used as a grave yard and *Madrassa* and was a *wqaf* property. The people of Kerman were furious and dismantled the construction works and forced the Shah to revoke the sale of the land. The increased rate of the sugar that had escalated due to the Russia-Japan war in 1904. The sugar crisis triggered tension between the regime and merchants wherein a prominent sugar merchant, Syed Hashim Qandi was physically assaulted and this consolidated demand for *Adalat Khaneh* (Kasravi 1978). The *Adalat Khaneh* is a modern day court of justice,

where disputes are settled and verdicts are pronounced. The Qajar Iran had no proper justice system and judges were also not meritorious. Therefore, the requirement for a proper judicial system was felt and clergy was on the forefront of this demand. The two Sayeds protested along with two thousand people and took *bast* (*bast* was a practice of taking refuge in a religious place to avoid being punished by the dawla or state) in Shah Abdol Azim in Ray, Southern Tehran (Daniel 2012).

On the other hand, there was also a group of *mujtahideen* who opposed the constitutional movement, fearing that it might undermine the *Shariat* (Momen 1984). The anti-constitutional group included Shaykh Muhammad Kazi Yazdi, Haji Mirza Hassan and Shaykh Fadalullah Nuri. They laid the foundation of a vague resentment among the clergy and polarized them into the constitutional and anti-constitutional factions (Raza 2015).

Later on, Haj Aga Nurullah Isfahani joined the constitution movement after his return from Najaf. Isfahani was of the opinion that a constitution can consolidate Iran and prevent imperial and colonial exploitation and penetration in the country. He organized a grand meeting at Chahal Stuoon in the city of Isfahan and established the *Anjuman e Muqadas e Milli e Isfahan* that worked for two years. He stated that the country needed a sound economic system, healthcare for its people, libraries, rigorous military, Madrasas, publication of papers, infra-structure and right to self-determination to the people and that was possible only through the establishment of a constitution. Haj Aga Nurullah Isfahani was a prominent *usooli* constitutionalist. He wrote articles and rigorously mobilized support of many other clerics for the constitutional movement in Iran. The majority of the clerics in its initial stage were reluctant to show support for the constitution for the country. However, Isfahani was successful in convincing them that it was only constitution that could maintain monopoly of Islam in Iran. The constitution movement had full support in Isfahan but organizations like *anjuman e Isfahaniya* in Tehran were against it (Najafi 2012).

The political pressure generated by the opposition led by the two Syeds however, compelled the then ailing Qajar monarch, Shah Muzaffar al-Din, to establish *adalat khaneh*. The royal *farman* issued in August 1906, the Shah declared:

An Assembly of delegates elected by the Princes, the ulema, members of the Qājār family, the nobles and notables, the land-owners, the merchants, and the guilds shall be formed and constituted, through elections by the classes mentioned above in the capital, Tehran; the Assembly shall carry out the requisite deliberations and investigations on all necessary subjects connected with the important affairs of the State and the Empire and the public interests, and shall render the necessary help and assistance to our Cabinet of Ministers in such reforms as are designed to promote the happiness and well-being of Persia, and shall, with complete confidence and security, through the instrumentality of the first Lord of the State, submit their proposals to Us, so that these, having been duly ratified by Us, may be carried into effect (Boozari 2011: 45-46).

However, the new Shah, Muhammad Ali Shah led a military coup against the *Majlis* with the help of the Cossacks and demolished the *Majlis* building. Martial law was imposed and a Russian Colonel Liakhoff was appointed as the military governor of Tehran. The Colonel imposed ban on all newspapers and public meetings including the Muharram processions. The major deputies were arrested and the *Majlis* building was bombed. The prominent *mujtahids* of Tehran, Tabatabai and Behbihani were confined to their homes and thus civil war was triggered.

The constitutional movement faced a setback in 1907 with the ratification of Anglo-Russian convention. The convention zoned Iran into north-zone allocated to Russia, Southwest to Britain and demarcated as ‘neutral zone’. Moreover, the tax reforms intensified the financial burden of the government, the demand for secular reforms by the liberals too was termed to be the denunciation of Islam by the clergy. Consequently, Shaykh Fazlullah Nuri issued fatwa against the liberals for attempting to undermine Islam in the constitution (Abrahamian 2008).

However, the clergy had played a great role in drafting of the 1905 constitution, the majority of them supported the legitimacy to be based upon legal-juristic lines for the monarch-people relations. Therefore, the *marja i taqleed* of Najaf was acknowledged as well and numerous Najaf based *usoolis* issued fatwas declaring the protection of constitution in Iran as a mandatory duty of every individual. It is evident that the clerical approval of the constitution made it

legitimate in the country which was never ruled by a constitution before (Boozari 2011). Therefore, it can be assumed that every aspect of the constitution was subject to the clerical scrutiny.

Conversely, after the second and third *Majlis* the new government discovered an institutional dilemma when the establishment of central authority was difficult. Though the financial constraints were at the heart of the problem, the growing decentralization created fragility. The provincial notables were pursuing their own foreign relations without the confidence of the central government. The dilemma was also the outcome of the struggle between the moderates, the constitutionalist clergy and democrats, and the French revolution inspired secularists. During 1920s, Iran had become a classic case of the state failure according to its contemporary definitions (Abrahamian 2008). The constitutional revolution, civil war and the growing colonial influence of Britain and Russia during wartime, weakened the Qajar regime. The departure of the great powers from the region left Qazvin based Cossack Brigade as a powerful force under the British appoint colonel, Reza Shah. Consequently, with the help of a series of manipulations Reza Shah ceased the power and proclaimed himself to be new Shah of Iran (Martin 2007).

Pahlavi's and Political Opposition of the *Usooli* Clergy

The political earthquake generated by the Tobacco Movement gave a drastic jolt to the Tudor style absolutism in Qajar Iran. The Qajars ceased being God's appointed protector of the people and bulwark against the social disintegration and foreign meddling. The Constitution Movement crumbled the superficiality of the regime. The Constitutionalist clergy had achieved the constitution but it was not completely established, the royal court lost its absolute power but was not ready to accept the new order and hence the struggle continued.

General Raza Khan Pahlavi, commander of the Cossack in Qazvin, took control of Tehran and the coup was later named as the 'glorious liberation' and this launched a new era in socio-political scene of Iran. The Pahlavi state-building was based on two principles; militarism and bureaucratism. The Pahlavi Shah was regarded as a reformer, modernizer and secularist, but he altered the constitution to aid state power into polity, ideology, economy and society and slowly dismantled

the 1905 constitution. The new shah being a modern monarch could not however undermine the clerical establishment. Therefore, the Shah indicated that he upholds the supremacy of the religion in the country. The Mujtahids who were forced out of Iraq for opposing the British, were received by the Shah in Iran in 1924. The Turkish model of Ataturk of de-religionizing the Turkish society and establishing a republic was a possible threat the *mujtahids* were suspecting to receive from the Shah. But the Shah was successful in convincing them of not going the Turkish way and the Shah participated in the Muharram processions the same year. Thereupon, the clergy of Najaf presented him an iconic sword supposedly belonging to Abbas, son of Ali. The Shah in return made a pilgrimage to Najaf and promised that he will restore the control of parliamentary legislation to the committee of five Mujtahids as given in the article 2 of the constitution. The disposition of the last Qajar Shah and proclamation of Raza Shah Pahlavi as a new monarch in 1925 was not opposed by the clergy either (Halm 1991).

However, after the power was consolidated by Raza Shah, he started to curtail power of the clergy and erode power of *sharia* courts. A proper law was passed in the parliament that made the western alliance compulsory and the clergy was exempted from this. It was followed by the announcement of a curriculum for all collages including the religious collages and the faculty of theology was introduced in the universities. In 1929, therefore the regime was attempting to empower itself to decide upon the kind of people who would become the clerical class. The rapid growth of the state schools was replacing *maktabs* and in 1931 strict limits were placed on *sharia* courts and reduced it to the matters of personal status and also the *waqf* was undertaken by the government (Momen 1984).

The anti-religion policy of the Pahlavi monarch was aimed to achieve a European style modern nation-state. The Shah primarily attacked the superiority of the clergy and also banned public appearance of the religious activities. The Shah also wanted the clergy to practice *ijtihad* according to his will. Though the space for prominent opposition declined abruptly but several acts of resistance were taking place in isolation. For instance, Ayatollah Bafeqi issued a *fatwa* against the appearance of women without veil in the shrine of Qom. This was followed by the crackdown of the shrine and the Ayatollah was dragged out of the shrine. Ayatollah

Abd al-Karim Yazdi Ha'iri was the only *marj i taqleed* in 1920s outside the shrine cities of Iraq. The Ayatollah moved to Qom and taught there until his death and followed the quietest policy but it was during his time that the Qom seminary attained more prominence among the *usooli* clergy (Halm 1991). The geo-political location of Iran made it a tempting corridor for the Britain and Russia to keep the flow of oil and supplies going to the Soviet Union. Therefore, the allied found it advantageous to remove Raza Shah, who had sympathies with the Germans but the challenge was to avoid the fragility of the state. In 1941, the Anglo-Soviet joined by the United States of America replaced the Shah by his own son, Muhammad Raza Shah Pahlavi. The new Shah's period was induced with Islamic resurgence in the context of containing the influence of communist ideology in the northern Iran. The British considered the clerical influence as a bulwark against the communists. Consequently, many religious groups emerged during this period, as *fidayan Islam* was formed in 1945 (Momen 1984).

Ayatollah Kashani was closely associated with the group and the group of likeminded delegates in the national assembly; the latter group was known as *mujahid i Islam*. The Ayatollah was committed to revive the supremacy of the *sharia* law in the country. He was supporter of Pan-Islamism and opposed the British presence in the region. It was his anti-imperialist and anti-colonialist approach that made him to bridge the *fida'iyen* and the National Front Party, to eradicate the western monopoly over the oil and nationalise the resources (Bakhshayeshi 1985). The Front leaders of the nationalization of the Anglo-Iranian Oil Company (AIOC) were sceptical of the clergy for themselves being liberals in their outlook and their proximity with the left. This scepticism was evident when Ayatollah Burujardi's *fatwa* failed Musadiq's plan to give women the right to vote. Conversely, the clerical establishment was also displeased with the overthrow of Musadegh's 1953 CIA aided coup (Halm 1991).

The flinchingly established Shah made several concessions to the clergy and promised to forbid the sale and purchase of alcohol, extended religious instruction in the schools and also in 1955 the clergy was given a free hand against the Baha'i community. Nonetheless, once the Shah consolidated his position as a monarch, he resumed his policies of modernization and centralization and the clergy was sent

back to their previous function of the exclusive representatives of people against the rule and non-Islamic influence (Halm 1991).

The major issue that brought the Shah in open confrontation with clergy was the 'land reform' bill draft. However, after the opposition of Ayatollah Barujardi the bill was withdrawn for some time but after his death the bill was implemented under the name of 'white revolution' in 1961 (Raza 2015).

Neo-usoolim in Iran: Huwze Ilmiye Qom

The Hawza Ilmiya Qom has a long history that goes back to life time of the Imams. The city is believed to have received many students of the Imams and family members of *Ahlbyt* and hence remained the seat of Shi'i learning from a long period of time. The most authentic case in this regard is the arrival of Al-Ashri family in seventh century during the time of sixth Imam, Ja'far al-Sadeq to the city. Al-Ashri family belonged to a tribe of Yeman and were considered to be close associates of the Ahlbyt and Shi'i circles in Hijaz and Iraq. The members of the family narrated the authentic traditions of the infallibles to the people of Qom and the city including the closer city of Ray became centers for the collection and recording of the traditions of Shi'i Islam. Shaykh Kulayni and Shaykh Saduq of the school of Qom (Qom and Ray), thus become the most authentic compilers of the Tradition books, *Al-Kafi* and *Al-Faqih* respectively that are the first two among the *Kutub Arba* (Newman 2013). However, it is in this backdrop that the School of Qom was more concerned with the traditions rather than engagement with rationalism, as the School of Bagdhad. Therefore, the two schools were not rivals but the time and space determined the areas to them.

However, Qom did not remain aloof of the rationalism for long but the migration of Mulla Sadra from Isfahan that was a center of *akhbarism*, and the arrival of other philosophers to the city started to ignite the growth of rational trend. Neo-usoolism also took over the city with the arrival of Wahid Bihbihani's brilliant student Mirza Abol Qasim Qomi in later part of eighteenth century. Mirza Qomi started teaching and practicing *ijtihad* and wrote a famous book of Usul called *Qawanin al-Muhkamah fil al-Usul* and came to be known as Sahib e Qawanin. The Mirza is also responsible for commencing Friday prayers in Iran, which *Akhbaris*

considered prohibited in the physical absence of the Imam (Khoshku 2014). The ulema administered constellation of formal and informal aspects of learning in private as well as in public spaces that may include Madrasas, Universities, Schools, Research Institutions or Study Circles are termed as Hawza Ilmiya. Though Qom Seminary attained the structure of contemporary Hawza Ilmiya with the arrival of Ayatollah Abd Al-Karim Hairi Yazdi in early part of the twentieth century.

The Ayatollah, the founder of the Hawza was a student of Mirza Shirazi of Samera and teacher of Ayatollah Khomeini. The Samera connection with Mirza Shirazi is evident in the political activism of the Qom Seminary and that also constitutes its indifference with that of Najaf Hawza in the matters of politics. The stable history of Shi'i political dominance of Iran as compared to that of Iraq and constant interaction with the Islamic Philosophers also plays a role in the character of the Hawza Ilmiya Qom in comparison with the *Atabat*. The revival of the Hawza Ilmiya Qom also coincided with the political instability in Iraq with a huge exodus of Ulema from the Atabat and this brought many Ulema in the refuge of the Qom Hawza, adding to its glory. The Neo-*Usoolis* took great interest in the consolidation of the Hawza as it would guarantee them political power for the reason that Iran had structure in the shape of presence of *sazman tabligat*. The experience of rationalism resulting from the interaction with Islamic philosophers like Al-Farabi, Ibn-Sina Mulla Sadra made the job of the *Usoolis* smooth in the city and therefore the *ijtihad* in Qom is considered to be more flexible and the approach is outward. Qom in this regard was strategic for Neo-*Usoolis* to influence the power corridors of Tehran (Rahdar 2014).

Furthermore, Ayatollah Hairi encouraged discussion sessions and deep critical thinking and modelled the curriculum as per the Hawza of Najaf. He renovated the madrasa buildings and used funds in the infra-structural direction. The Ayatollah's innovation in the instruction was to choose groups of students and elevate their academic levels. After Ayatollah Hairi, Ayatollah Syed Haysayn Barujardi became a heavy weight Marja al-taqlid from Qom whose followership overpowered the followership of the Marjas from Najaf. The Ayatollah built Mosques in Tripoli, Lebanon and Humburg, Germany along with facilitating the religious learning in

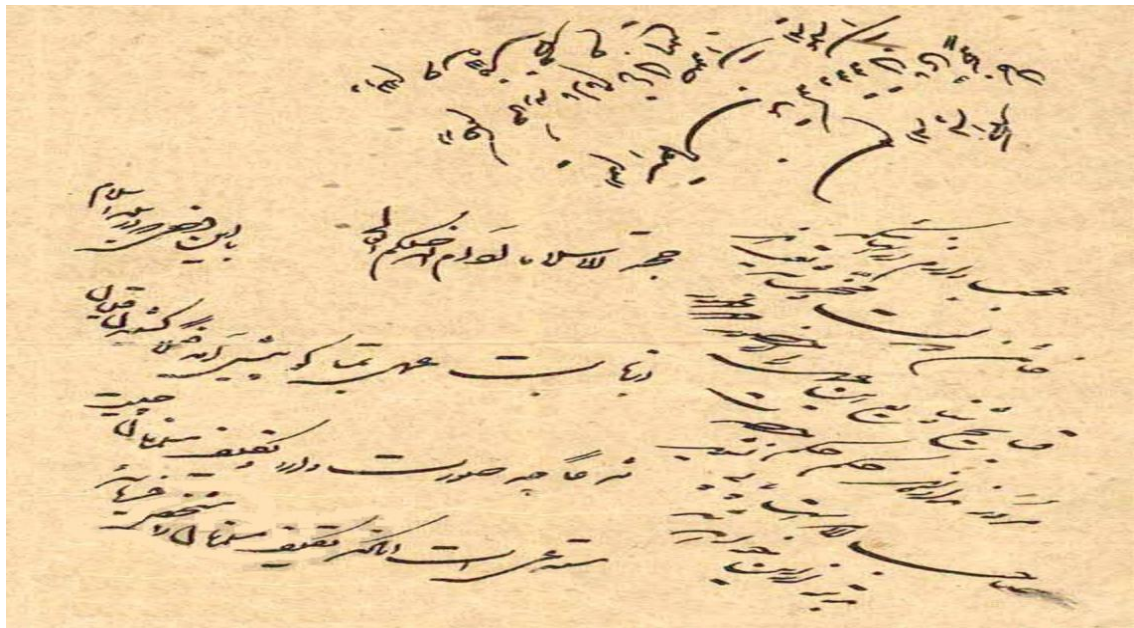
the most structured manner. He built libraries, structured lessons and discussions and journals. His skill of raising fund was also brilliant and with this he was able to do a lot of philanthropic work. However, the Hawza Ilmiya lost its glory as a result of the assault on religious establishment by the Pahalvi period that also include returning of the Marji'at to Najaf. Instead of engaging in direct politics, Ayatollah Barujardi opted to streanthen the institution of the Hawza Ilmiya and *Usoolim* in Iran.

After Barujardi, Ayatollah Khomeini became the most prominent Ayatollah and Khomeini's activism showcased the activist side of Neo-*Usoolism* and extended it to political jurisprudence. The Khurdad Uprising or 1963 protests against the Pahalvi regime had their epicentre in the Hawza (Khoshku 2014).

Usooli-Islamic Resurgence

The downfall of the Safavid dynasty deprived the clergy of political power except in the initial years of the Qajar period. It is evident that the clergy was struggling against secularization and introduction of the western concept of republicanism, that probably could underestimate their socio-political role and the *Sharia* law in the country. The deceptive religious policy of the Qajars and later on of the Pahlavi and spread of Kemalism in the region was a threat to all Islamists and the *Usooli* rationalist clergy in Iran and Iraq were apprehensive about the Shah of Iran might introduce similar kind of reforms and secular republicanism in Iran as well. The oppression that grew in the later part of nineteenth and earlier part of the twentieth centuries culminated in an independent outlook of the clergy that was evident in the practice of *ijtihad* and issuing of the fatwas against the regime policies. The first such *fatwa* was issued by Ayatollah Mirza Muhammad Hassan Shirazi during the Tobacco agitation in 1891, declaring the usage of Tabaco to be tantamount to war against the Hidden Imam.

Figure 4. Tobacco Protest Fatwa issued by Mirza Shirazi



Source: Mirza Mohammed Hassan Husseini Shirazi - iichs.ir (archived version)

Mirza Shirazi is reported to have had been influenced by the Pan-Islamism of Sayed Jamal-u-Din Assadabadi (Afghani) though during Sayed's stay in Tehran, none of the top clericks like Mujtahids are reported to have met him but it is evident that he wrote latters to them (Algar 1980). The letters depicted the colonial project of the European powers and exposed the criminal and fearful consequences of colonialism in the Muslim world (Bakhshayeshi 1985). The intensification of Islamic awakening throughout the Muslim world and its trembling effects on the spread of colonialism and imperialism had its repercussions in the socio-political landscape of Iran. The 'Tehran-Triangle' of Behbihani-Tabatabai-Noori aimed to establish Islamic framework for the constitution of Iran, which comprehended in their telegram exchange between the clergy in Najaf (Atabat). The trio is reported to have mentioned that they would not give up their struggle till the assembly is not established on the basis of the divine decree and is not carried out for Islamic justice and proper management of the affairs of the people according to the law of Islamic religion (Bakhshaeshi 1984). Bakhshayshi has cited the words of Noori that gave more insights of Islamism during the constitution movement:

The bill says: O People! I never refute the assembly, and I have done more than anyone else to establish it. For, our great religious leaders who reside in holy cities and other countries, did not at first agree with the constitutional revolution, and it was I who convinced them of its legitimacy and won them over by my reasonings. You can ask the reverend gentlemen themselves the truth of this statement. I explicitly declare for you to hear and inform those who are absent that my wish is for a constitution which is desired by all Muslims, namely a construction based on Islam, and avoiding a legislation which is contrary to Quran and Muhammad's faith, and sacred creed of Ja'fari. This is what I want, and we and all the Muslims are unanimous about it. The difference lies between us and atheists who deny Islam and are its enemies, including Babi Mazdakis and pro-European naturalists (Bakhshaeshi 1984: 72).

The strong support of the clergy for the constitution in Iran therefore prevented secularism to prevail in it and its preamble also promulgated that the constitution gives effect to the enactment of the sacred law of the prophet. The first two articles of the supplementary fundamental law of 1907 also emphasized Islamic framework of the constitution as:

Art.1: the official religion of Persia is Islam, according to the orthodox ja'fari doctrine of Ithna Ashariya, which hereforth the Shah of Persia must profess and promote.

Art 2: At no time must any legal enactment of the sacred National Consultative Assembly (i.e Majlis) be at variance with the sacred rules of Islam or the laws established by His Holiness the best of Mankind (i.e the Prophet).

The draft further pronounced that, "It is hereby declared that it is for the learned doctors of theology (i.e ulema) to determine whether such law as may be proposed are conformable to the rules of Islam (Pfuff 1963: 84).

Ayatollah Kashani laid the foundation of the society of Muslim Warriors in 1948 and endeavored for Islamic government in Iran and were resolute to end schism between religion and politics that the monarch was attempting to achieve.

The Ayatollah was also Pan-Islamist and supported the idea of holding an Islamic Congress. Ayatollah Kashani had also fought the British in Iraq (Bakhshyshesi 1985). However, Ayatollah Muhammad Hassan Barujardi followed a quietist politics. He termed land reform unislamic and issued fatwa against it in 1960. This indicates his loyalty towards the religious monopoly in Iran (Akhvani 1980). The Ayatollah was a staunch supporter of the Palestinian cause but according to his firm proximity with the *Usooli* Shi'ism, he supported persecution of the Bhai'i community in the country. However, after the death of Barujardi in 1960, the Land Reform Law was put into operation the following year. This state of affair coincided with the lack of a proper mechanism of choosing the new *marja al-taqleed* and the Shah's policy to indicate Najaf to be the Shi'i center by sending the condolence to Ayatollah Hakim in Najaf and not to any one in Qom (Mottahedeh 1986).

Therefore, the *anjumanha-yi Islami* or Islamic societies, that began as a movement for the religious reform and its members were largely, though not exclusively, drawn from the clerical class. The objective of the movement was to curb the state control of religion and also to address social and political problems of the time within the framework of Islam, particularly to avoid people's engagement with secular and communist systems. In this context, the members of the movement attempted to investigate the process through which *marja al-taqleed* is emanated. They believed that the *marja* is not only concerned with the religious practices but also with that of social and political issues. However, the movement was suppressed by the regime (Lambton 1964). The other need that was felt by the *usooli* rationalist circles after the demise of Barujardi was the financial independence of the clergy. The policy of the regime was constantly encroaching the space of the clergy and the statute of 1932 had already scraped their notorial income and the allowances from endowment also diminished. Therefore they were left with the religious taxes *khums* and *sahm-i-imam* (Halm 2001).

It was during the days of the referendum on the White Revolution when the clergy along with the traders staged protest and this movement was significant in the rise of Ayatollah Ruhullah Khomeini as political leader (Momen 1984). Khomeini was a pupil of Ayatollah Haini and he demanded abolition of monarchy. The protests ensued after he urged the 'resistance to the Yazid of time', in his sermon. A large

number of the people lost their lives in the firing of the government forces. According to Khomeini the Shah was in violation with his oath to defend Islam and constitution. The Shah's rule was termed as authoritarianism and condemned as a violation of the constitution. The Shah's policy towards Israel was also one of the main contentious points of Khomeini against the former. Moreover, the protesters were suppressed brutally in 1963 and Khomeini was imprisoned and later exiled to Turkey in 1964 and in the following year he settled in Najaf, Iraq (Arjomand 1988).

Islamic Revolution and the Republic

The emergence of Ayatollah Ruhollah Khomeini was a paradigm shift in the resistance politics of the *usooli* clergy. The Ayatollah was an exceptional student of Ayatollah Hairi and was known for having interest in the philosophical side of mysticism (*irfan*) and that he developed through the tradition of Mulla Sadra and other Safavid thinkers like Soharwardi. The Ayatollah's lectures overtone with mysticism trained his students in self-control though the instruction of philosophy was concealed during 1944 to 1961, as Ayatollah Borujardi disapproved philosophy in general. He also taught and wrote extensively on law and jurisprudence. He wrote a collection of treatise on jurisprudence, two books on commercial law and five volume work on the law of sale and two volume work on forbidden sources of income (Mottahedeh 1986). The thought that was commenced by Khomeinian standpoint is referred by the contemporary academicians as the Shi'i branch of political Islam. Guilain Denoëux describes political Islam as:

... a form of political religious utopia that promises to act as an ideological alternative to the invasion of modern doctrine of secularism, communism, socialism and liberalism. It is a form of instrumentalization of Islam by an individual, a group or organization that pursues political objective. It provides a political response to today's societal challenges by imagining a future, the foundation for which rests on a reappropriated, reinvented concept borrowed from the Islamic tradition (Siddiqui 2017 : 02).

A.K. Ramakrishnan observes that Khomeini is responsible for materializing a political Islam paradigm that challenged both imperialism and monarchy. The Ayatollah was of the opinion that the clergy has an important role in society and in politics. The main premises of the Khomeini's thesis was the inseparability of the

religion and politics (Ramakrishnan 2008). The Khomeinian desecularization of the politics was to ethicize the politics. According to Khomeini, the separation results in corruption and that is treacherous for the human society. The Ayatollah assumed the title of *Imam* in 1970 and propounded a political theory that advanced a direct hierocratic rule on behalf of the hidden Imam. According to Mottahedeh, it was Wahid Bihbihani's idea that was substantiated after two centuries, that more learned the one is, the more correctly he could discover the law for the other. The most learned mujtahid was not only responsible for discovering the law but also for its control and application (Mottahedeh 1986).

Khomeini's *Islamic Government*, a collection of his lectures at Najaf portrayed his thesis of *wilayat i faqih* in 1971. Khomeini cited Mullah Ahmed Naraqi as the harbinger of the thesis in his work, *awaid al-ayyam*. Naraqi argued that the jurist is the deputy of the hidden Imam and hence was entitled to the worldly authority too. Khomeini extended the *usooli* argument to eliminate binary between the hierocratic and temporal authority. Khomeini was specific in his thesis that the 'mandate' would be governance and administration of the county that will implement the provisions of canonical laws. The denunciation of monarchy in the thesis is inspired by the Quranic verse *lahul mulk*, that is, sovereignty belongs to God only. Khomeini vigorously spoke against colonialism and zionism in every manifestation. He was against the granting of extra-territorial rights to the American advisers in 1964 (Arjomand 1989).

The cohesive measures against the religious institutions in 1970s was termed by Khomeini as annihilative policy of the Shah towards the Islam. On the ground, the period constituted widespread populism of the clergy and Khomeini's popularity graph was also growing rapidly. Though the opposition that toppled the monarchic regime was overwhelmingly broad-based, the popular movement constituted the communists and socialists, liberals and intellectuals, radical and moderate factions of the clergy. Moreover, the Khomeinian takeover of the movement was because of the Ayatollah's capacity to mobilize the masses. The mobilization was done by distribution of the recorded cassettes of his lectures, written material by the *tulab* (students) in the mosques and *majalis*. The Khomeinian charisma replaced the influence of the other constituents of the movement.

The people of Iran voted in the referendum of the March 1979 for the Islamic Republic and the Revolutionary Council that included Ayatollah Taleqani, Ayatollah Khamenei, Rafsanjani, Bihishti and was predominantly influenced by the supporters of Khomeini. The council demanded that God's sovereignty may replace people's sovereignty and the *Vilayat i Faqih* be made the principle of the constitution. It was opposed by several other Mujtahids like Ayatollah Shariatmadari. However, the constitution of the Islamic Republic of Iran *Qanun-i Asasi-y Jumhuri-yi Islami-yi Iran* is the document that interprets the Khomeinian world view into the reality (Halm 1991).

Neo-Usoolism and Women

The centrality of the religious rituals has made Shi'i woman assertive compared to other Muslim women. The prime narrative of Shi'ism is somehow feminine and women characters have abundant prominence. Starting from the wife and daughter of the Prophet, Khadija and Fatima, wherein Khadija was a woman in commercial activities and autonomous enough to propose the Prophet for marriage. And, on the other hand Fatima is addressed as *umul abiha*, or mother of her father. The honouring with titles is further affirmed with the narration of the prophet's love, affection and regard for his daughter. Fatima is also seen as the first strong Shi'i voice for the support of Ali's legitimate claim on Caliphate. The presence of Fatima in *Mubahila* and her status as a member of *Panjatan* places her in the religious authority. The membership of fourteen infallibles also constitute her sayings and doings as part of the tradition, so the source of law. The Shi'i tradition studies emphasis on the Fatima's unapologetic demand for her inheritance right in the courts of first caliph as one of the basic inspirations of Shi'i Islam (Gorji 2019). The second most influential woman figure is Fatima's daughter, Zainab. Zainab is almost considered as mother of 'Karbala Paradigm'. It is summed up by some poet in the words that; the tradition of divine compassion has only two chapters that are Karbala and Damascus and former was written by Hussain and second by Zainab. Similarly, during the times of infallible Imams many women have seen playing active role (Aga 2015).

However, the de-eliticisation of the religious learning by the *usoolis* is also seen as accommodative of women's voices. Though, there is no substantial study available on women's works in usuli thought, it surfaces through other sources that the founding fathers of *usoolism* were influenced or helped by the women too. Shaykh Mufid is said to have written a book on women to honour the mother of his student, Alamal Huda but the book is unavailable. Shaykh Tusi's daughter was also trained by her father in the science of Usul. The founding father of neo-*usoolism*, Wahid Bihbihani was also trained by his aunt. Thus, women's activism or intellectual pursuit was not stigmatised but encouraged (Al-Abiri 1997). The substantial evidence is available on the role of Bint al-Huda, the *Mujtehidah* and political and social activist of Iraq. Bint al-Huda became the prominent member of Islamic movement in Iraq in 1950s, and wrote extensively on women issues in *al-Adwa al-Islamiya* (Light of Islam). She was a critical of liberal-secular ideology in Iraq and considered Islamic values compatible for the Muslim societies.

Sara Purslay understands al-Huda's work as critic of the 'liberal-secular child-centric understanding' as against human rationality. She was a staunch supporter of women's education and their right to choose husband and to divorce. She was of the opinion that marriages based on sexual attraction is the Western concept and should be replaced by the Islamic understanding of marriage as choice and companionship. The fame and influence of al-Huda can be understood in the naming of a women militia fighting the US invasion as 'Bint al-Huda Brigade' (Purslay 2012). Al-Huda was member of the *Jamiat Ulema* and with her influence, she opened the women discourse in the *usooli*-Islamist activism. She established and supervised girl's schools in *Atabat*. She was supported by Ayatollah Hakim and Ayatollah Khoie in her life time. Ayatollah Khomeini and Ustad Murtaza Mutahari were influenced by her work and in this way she influenced the Islamic Revolution of Iran, political and social activism in Lebanon and elsewhere too. She insisted that the God prefers one person over the other for piety and not for gender (Wiley 2001).

Nusrat Begam Amin (1895-1983) was a prominent Mujtahedah of twentieth century Iran. Begam Amin was learned Arabic conjugation, syntax, rhetoric, exegesis, tradition, jurisprudence and usul al-fiqh and Islamic philosophy, achieved the degree of Ijtihad and was given *ijaza* by prominent Ayatollahs like Ayatollahs Shirazi and Hairi Yazdi. The prominent works of Amin include, *Arba'in al-*

hashimiyah, Jami al-shitat, Akhlaq, tafsir makhzan al-irfhan, ma'ad ya akhrin seyre bashar, nafahat al-rahmaniyah fil waridat al-qalbiyah and so on (Cheragi 2012). The Islamic Republic established *Jamiat al-Zahra*, the Islamic seminary for women and Mujtahedah Zahra Sifati joined it as instructor of *dars al-kharij*, but she soon started giving private lessons and still continues at the time of writing this thesis (Künkler 2012).

Conclusion

Thus, it is evident that the rational and people-centric approach of neo-*usoolism* revived Shi'ism in modern Iran along the new ideas and made its way as monopolist player in the socio-political landscape. The practice of *Ijtihad* of *usoolism* shifted the Shi'i legitimacy to rule from rule on behalf of the infalliable Imams to the rule on behalf of the *mujtahid*. Neo-*usoolism* strengthened women's voices in religious authority and discourses. Eventhough such cases are still rare. Therefore the resurrengence of *usoolism* in the eighteenth and ninteenth centuries Iran was a paradigm shift that shaped new religious discourse that was active, political and modern and compartable with the ideas like constitutionalism and Islamic Revolution. The new religious discourse expanded Shi'i Islam to the political activism and the clergy conceived an idea of a now political entity of the Islam Republic based on the rule of jurist.

Chapter V

TRANSNATIONALISM OF NEO-*USOOLISM*

Introduction

The non-European world inherited the Westphalian order from the colonizers (direct or indirect) and with this modern nation-states became overwhelmingly hegemonic forces that eliminated other players from the scene. However, the surfacing of the non-state actors at various levels that transcended territorial boundaries came to be known as transnational movements. It is evident that *usoolism* emerged in West Asia and developed in a unique socio-political trajectory. The main premise of the movement remained its response to the problems that the Muslims were facing, Shi'as in particular as they were at the margins of the Islamic world. Since *usoolism* is concerned with religious discourse, it cannot be confined to any single territorial bounding. It is bound to reach wherever Islam reaches and is inherently transnational by its ability to have given birth to universal cultural and religious identity to its followers. However, the Islamic awakening followed by the Islamic Revolution in Iran underlined a specific tendency that is evidently different to the dominant Muslim behaviour and also substantiates that Muslims are not homogenous, but vastly a diverse community that has diverse mechanisms to deal with the world. Iran today is under the rule of clergy and its global presence in the shape of religious affiliations, culture, ideology and praxis as a hard or soft power is felt throughout. When terming it as a radical Islamist regime, one should not ignore the fact that it has a vivid history of rational movements. The transnational character of the neo-*usooli* movement is significant in order to understand huge portions of marginal world-views ascribed to Shi'ism. The movement cannot be confined only to modern Iran as it has evolved from many centres of authority throughout its history. The Shi'is in North America pay their religious taxes to the religious authority in Iraq and the seminaries have reached out to Europe. People from all over the world travel to the region for pilgrimages and religious studies.

Centralisation of Authority

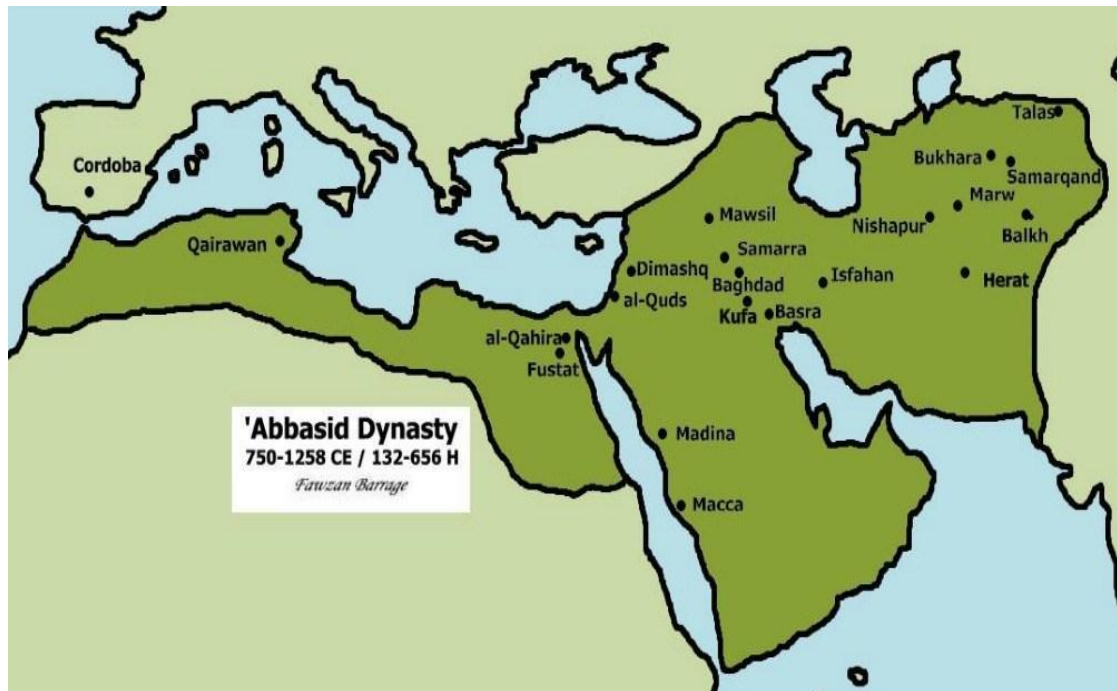
The triumph of *usoolism* in the nineteenth century resulted in overwhelming victory of rationalists over the scripturist in Atabat. According to Meir Litvak, the emergence of the rationalist ulema was neither the result of political elitism nor was the *usoolist* movement an attempt to commodification of knowledge and a means to acquire political distinction. Rather the movement sprouted from below, constituting

the soul of the social and religious networks that the *Mujtahids* maintained with lower rank ulema and ordinary believers throughout the Shi'i world (Litvak 1998).

The *Usooli* movement legitimized the employment of *ijtihad* to survive the predicament produced by the Major Occultation for the Shi'is. The rationalization gave rise to a new legal-traditional leadership as a substitute for the authority of charismatic direction of imam (Mavani 2013). The commencement of the Major Occultation passed on not only the question of authority but also the means of inferring religious rules or *istenbat* which were also unclear in the absence of the infallible Imams and their deputies. The main predicament was that of practical cessation of *nass*, which had continued to remain intact within Shi'ism after the death of the Prophet of Islam. The Occultation dilemma initiated a debate on questions about inference among the Shi'i ulema. One circle of ulema considered collection of the tradition more important and suggested that inference should be based on the infallible traditions passed down by the *Ahlbayt* and this trend is the *akhbari* or traditionist current. Meanwhile, the Shi'i ulema of Baghdad were of the opinion that rationality be employed in the process of inferring the precepts from the Quran and traditions. Such a thinking represents the rationalist or *usooli* ulema within the Twelver Shi'ism and they consider practice of *ijtihad* to be legitimate. *Ijtihad* is the process of deducting laws from the Quran and traditions with the usage of *aql* and *ijma* or reason and consensus (Moussavi 1985). The *akhbaris* considered that employment of rationality was the right of infallibles and fallible rationality is not only illegitimate but also strictly forbidden in Shi'ism. However, the *usooli* argument is that the traditionist of earlier time were not *akhbari* in the true sense, but were scripturist or *nasgira* in the sense that they considered collection of the traditions important.

As a result of Shi'i marginality, the *usooli* centres too were compelled to change their domicile and this dispersed the ulema into several other places generating widened interaction and networks. The roaming nature of the centres of *usooli* ulema was because of their indifference with the power centres. Yet, the inherent intimacy with the Muatazilite rationality of the Abbasids allowed a space to the *usoolis* in Baghdad for some time.

Figure 5. Abbasid Caliphate between Eighth and Thirteenth centuries



Source:<https://www.europeandefenceleague.com/islam/the-rise-and-fall-of-the-abbasid-caliphate/>

The Abbasid period was followed with the Buyid period. Rulers of the Buyid dynasty had shown protective and sympathetic attitude towards Shi'i followers. The Buyid patronage of Shi'is resulted into support of the public mourning during Muharram and the celebration of *Eid e Gadeer*. However, it instilled sectarian tension in the capital (Donald 2001). The period also coincided with the establishment of Hamadanids in Syria and Fatimid in Egypt. Therefore, the Shi'i ulema were well in position to consolidate themselves and penetrate into society through intellectual discourses on Imami Shi'ism. The followers of Shi'i faith were diffused and spread throughout the Muslim world and the ulema intended to advance their ideas of carrying out their duty of being *Naib Imam* (Momen 1985).

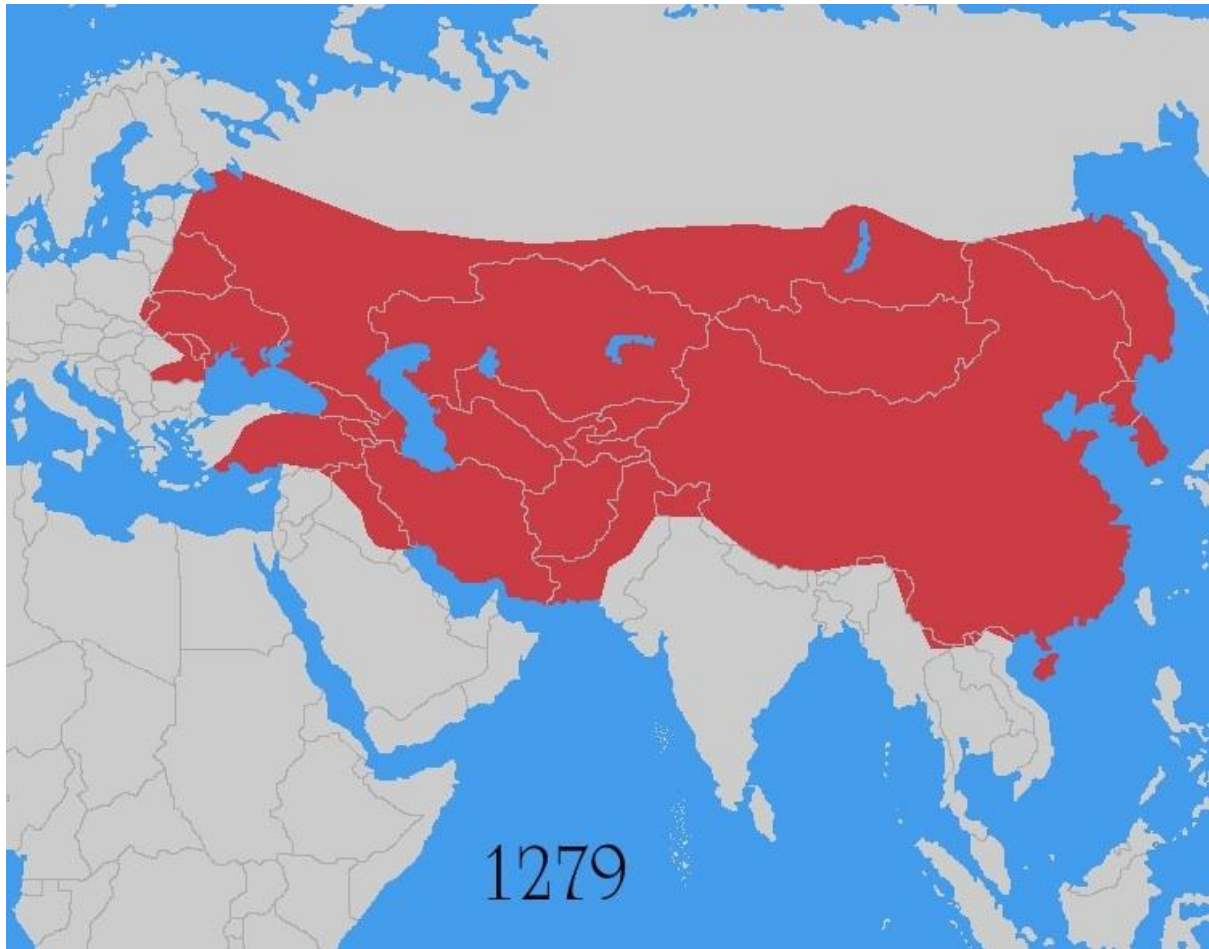
Figure 6. Buyid Dynasty in Tenth Century



Source: https://upload.wikimedia.org/wikipedia/commons/5/53/Buyids_970.png

However, the *usooli* ulema were driven out of Baghdad during the Seljuk attack on the city. Shaykh Tusi, the pioneer of *usoolism* and the third of the three founders of the school after Shaykh Mufid and Alamal Huda, relocated in the city of Najaf (Takim 2015). Shaykh Tusi established the first *Hawza Ilmiya* in Najaf, where students would be trained in *usooli* jurisprudence for the centuries to come. Al-Najaf is the final resting place of Ali ibn Abu Talib and after the establishment of the Hawza, the city became the bastion of *usooli* scholarship (Norton 2011). The period of two centuries after the death of Shaykh is considered to be the period of ‘imitation of Al-Tusi’ and hence was a period of stagnation in the *usooli* intellectualism. Later, the establishment of the Hawza at Hilla during the period when Baghdad came under Mongol attack, revived the intellectual activism of *usoolis*.

Figure 7. Mongol Empire in Thirteenth Century



Source:<https://history.stackexchange.com/questions/16808/why-didnt-gengis-khan-invade-india>

Alama Hilli structured Shaykh Tusi's work and engaged with *ijtihad* (Takim 2015). One century after the death of Alama Hilli, *usoolism* was again eclipsed by Akhbari current, initiated by Astarabadi (Gleave 2007). The triumph of *usoolism* in its debate with Akhbarism was accomplished by Wahid Bihbihani. *Usooli* scholarship gained prominence in Karbala and then in Najaf under Bihbihani's student, Syed Muhammad Mehdi Bahrul Uloom (Davani 1983). The city of Najaf effectively served the purpose of spreading and learning the *usooli* ideas, owing to the presence of the reputed *hawza*, as well as due to the inflow and gathering of the pilgrims from the entire Shi'i world to the Shrine of Imam Ali, located in the city.

Consolidation of Ideas

The ideas of Neo-*usoolism* were already germinated by the classic *usoolism* in Abbasid Baghdad and was consolidated in Najaf, with the establishment of *Hawza Ilmiya*. The foundation of the *Hawza* was laid down by Shaykh Tusi in about 1057, when he was expelled from Baghdad during the Seljuk repression of Buyid Baghdad in the sectarian tension, Najaf, also known as Al-Ghari, lies 100 miles South of Baghdad and is central to the history of Shi'i Islam. The city is the last resting place of Ali ibn Abu Talib, hence every Shi'i throughout and till this time also, pays a visit to the city at least once in life time (Norton 2011). Since its inception, the *Hawza* has primarily laid out the framework for a Shi'i seminary and its operation. The instruction in the *Hawza* includes study of *Fiqh* (Islamic law), *usul* (legal principles), *tafsir* (exegesis) *falsafa* (philosophy) and every subject that is related to the affairs or thought of Islam. The *Hawza Ilmiya* of Najaf has completed thousand years and still follows Al-Tusi's methods, for instance, freedom of students in choosing their courses and emphasis on oral transmission of knowledge, (Heern 2015). Richard Norton writes that the *Hawza* was established twenty years before the University of Bologna, the oldest university of Europe. Yet, among Islamic institutions of higher learning, the *Hawza* is the fourth oldest in the Arab world after the Universities of Zitounah, Qarawiyyin and Al-Azhar (Norton 2011).

The literal meaning of *Hawza* is to possess, obtain or gain control. According to Abd al-Husayn al-Salihi, *Hawza* means township, community and centre of gravity and Ali al-Bahadidi defines it as "a scholarly entity, particularly for the purpose of conducting *ijtihad*" (Heern 2015). In the words of Devin Stewart, *Hawza ilmiya* is an academic centre which more than any other institution has structured the Twelver Shi'i legal Madhab diachronically and has a remarkable degree of continuity in the Shi'i legal education from eleventh century till now (Stewart 2001). According to Heern, *Hawza* is like a madrasa that refers to a localised community of learning and this is not to be confused with *Madhhab*. However, the advent of formalised education system marked the beginning of a new phase in Shi'i Islamic education and is deeply influenced by *Hawza Ilmiya*. Yet, Heern argues that between the arrival of Al-Tusi till the revival of *usoolism*, Najaf was not a bastion of scholarship, while the younger *Hawzas* at Hilla, Ray, Khorasan and Isfahan produced profound scholarship (Heern 2015).

However, the emergence of the School of Hilla in the city of Hilla, that is about 100 km south of Bagdad and comes in between Najaf and Karbala, rejuvenated *ijtihad* studies after its stagnation in the post-Tusi period. The School initiated criticism of Shaykh Tusi that was unheard for one and half century and revived rationalism of Allaml Huda. The School is *foru*, perhaps what Neo-Marxism is for Classical Marxism. The main contribution of the school was in hypothesizing the problems and solving them with the process of *ijtihad* and in this way the scope of *fiqh* was also got widened. The school contributed in distinguishing Shi'i *fiqh* from the Sunni *fiqh*. Theological discussions and the works that the school produced were instrumental in introducing and establishing new structures followed for centuries. Ibn Idris al-Hilli's *Al-Sarair* was a path breaking jurisprudence book and text for the seminaries that followed Hilla (Maddahi 2016).

Abu Abdallah Shams Din Makki al-Amili, who also came to be known as Shaykh al-Shahid and Shahid al-Awal, established a seminary at Jabal Amil in fourteenth century, presently in Lebanon. He was a student of Allama Hilli's son Hassan al-Hilli and that was why the Jabal Amil seminay was not considered an autonomous Hawza. Al-Amili wrote *Al-Lum'at al-Dimashqiyya* and the work became text for Hawza instruction. Al-Amilli was also trained in Sunni jurisprudence and had *ijaza* of the tradition narration. He travelled widely and was assassinated through fatwas issued by the Sunni jurists (Khoshkhu 2013).

The Karbala seminary remained at the crossroads of the Shi'i intellectualism and with the arrival of Safavid rule, the Akhbari tendency accelerated. The two primary reasons for the acceleration were the influence of the school of Medina and favourable environment prevailed under the Safavid rule. Astarabadi claimed that the *usoolis* had lost the way of *Ahlbayt* and criticised *usoolis* in his work *Fawa'id Madaniyah* (Maddahi 2014). Atarabadi spent some time in Hejaz and came under the influence of the *hadithi* tendency that was modish in *harmayn*. The seminaries of Mecca and Medina in Hejaz were influenced by the Asharite thought. Besides, the Kharjites rebellion, the forced migration of many Bahraini scholars to migrate to Iraq and Iran and many of them advanced *akhbarism* in the region. However, Shaykh Yousef Bahraini built a mosque in Karbala in the courtyard of the Shrine and started teaching there. He wrote his famous work, *al-Nadhira fi-Ahkam al-Itrah al-Tahira*, and established *akhbarism* as the official thought of the seminary.

However, the *Usooli-Akhbari* debate between Wahid Bihbihani and Bahraini resulted into the triumph of *usoolism* and it replaced Akhbarism after the death of Bahraini (Khoshkhu 2013).

Institutionalization of Authority and Cosmopolitisation of Neo-Usooli Elite

The grass-root approach in Neo-*usoolism* commenced with a stratification of entire community regardless of territorial location, gender and other indicators into the categories of *mujtahid* and *muqalid*. Before this, the classic form of *usoolism* was confined to elitist intellectualism unlike *akhbarism* and Sufism that had capacity to identify with the masses. However, the importance given to *istenbat* by the *usoolis* stressed that *ijtihad* was the duty of every *momin* man and woman. Therefore, the individuals who are not trained to conduct the *ijtihad* themselves, choose a senior *Mujtahid* as their authoritative guide (*Marji e Taqlid*) and emulates him for *istenbat* in the shape of *taqlid*. In this way, a layman practices *taqlid* of a *Marja* and the practice is considered to be an independent choice of the *muqalid* (Norton 2011). The notion of *marja* as a source of imitation appeared in the Shi'i traditions that were collected in and around tenth century. According to these traditions, the infallible Imams designated the ulema to respond to their followers. Therefore, these traditions authorized the ulema as vicegerent (*nayib*) of the Imams in the community. However, the ulema were not addressed as *marja* at that stage, but the nomenclature developed with peculiar characteristics in the nineteenth century after the triumph of *usoolism*. However, the jurisprudence of *taqlid* with *marja* and emergence of the notion of *Marja al-taqlid* appeared in the post-Mongol Hilla, when the hierarchical structure of *usoolism* obliged its followers to abide with the order (Moussavi 1985).

It was in *Sirat an-Nayat* written by Mortaza Ansari that the stratification was conceived. However, according to Heern, the institution of *Marja e Taqlid* developed as a response to the external religious movements such as *Akhbarism*, Shykism, Sufism and Babiism. The intention was to establish a structured hierarchical authority and the model reflects expertise of the candidate in teaching and writing. The authorship of a legal treatise or *Risal al-amliya/tawzeeul masael*, wherein the scholar synopsis his rulings and beliefs provide licence to a *Mujtahid* to become a *Marja al-taqlid*. Furthermore, Ansari added a sole supreme exemplar or

Marja al-Taqlid al-Mutlaq to the theory of *Marj'at*, the idea was conceptualized for the Shi'is around the world. Ansari's position introduced the collecting of religious taxes or *Sahme Imam*, welfare system run on charitable donations from Shi'is worldwide. He also institutionalised expenditure of religious taxes on the training and education of the students and also their stipend (Heern 2010). The systematization of the idea of *marja* as a head of *Hawza* was also conceived by Ansari (Litvak 1998). According to the idea, a *mujtahid* earns *ijazat* of *ijtihad* on the culmination of the learning process at *dars e kharij*, which was the highest stage of learning during nineteenth century Atabat. The *ijaza* authorized a student to exercise *ijtihad* and issue fatwas (Kondo 2009).

The distance of the *usoolism* from the power centres restrained it from becoming an elitist intellectual movement that pleases the ruling class. In the most part of its historical trajectory, *usoolism* also faced financial strain till the religious taxes were structured. Therefore, the movement grew organically from the below in the Shi'i world.

The triumph of *usoolism* in nineteenth century resulted in the overwhelming victory of rationalists over the scripturist and ensured dominance of the former in Atabat. According to Meir Litvak, the emergence of *usooli* scholars was neither the result of political elitism nor was the *usooli* movement a commodification of knowledge and means to acquire political distinction. Noticeably, the movement germinated from the below and constituted the soul of social and religious network of the *Mujtahids* with lower rank ulema and ordinary believer throughout the Shi'i world (Litvak 1998).

The consolidation of *usooli* movement established long-distance networks by organizing the learning process. The student influx to Atabat, especially to Najaf from Iran, Lebanon, Arabia and Indian sub-continent multiplied. The multi-ethnic student community made the premises vibrant and syncretic. As the students remained associated throughout their lives with one *Mujtahid* that they choose to be taught, the master-pupil ties became transnational, once the student went back to one's native land. In this way, the *Mujtahids* became the focal point and introduced 'religious clientism' which was similar or parallel to the *Peer-Murid* concept in sufism, but was less absorbing and demanding (Litvak 2002). The teachers in Atabat

were not only Arabs, but the ulema that fled Iran during Afghan invasion, between 1722-1763, had also reached to the higher ranks in the *Hawza Ilmiya*. The exodus of Iranian ulema to Atabat shifted the centre of learning from Iranian cities to the Iraqi cities in the South, that is known as *Atabat*. Ustun (2011) notes that the population of Karbala alone ranged from 15,000-20,000 persons in 1843, but it raised to 60,000-70,000 if Iranians were also included.

The resettlement of Iranian ulema in Iraq predominantly exposed South Iraq to the Shi'i influence of Iran, that included Shi'i style prayers, Friday-sermons, *Majlis rozekhani* and the like (Nakash 1994). The triumph of *usoolism* was accepted by the North Indian post-Mughal successor state, Awadh as well. The *usoolization* of Awadh Shi'ism resulted in the departure of numerous students from Awadh to Atabat (Cole 1986). Students from Kashmir, Baltistan, Ladakh and other regions also reached Najaf and broadened the alliance (Gupta 2014).

The revival of *usoolism* was coincided with the rise of Wahabism in Arabia. The Wahabi *takfir* against the Shi'is forced a substantial population to migrate to Iraq, between 1791-1805. This period witnessed mass conversion of the Sunni tribes to Shi'ism under the *usooli* influence. The ottoman agriculture policy reinforced sedentarisation of the nomads that forced them to reconstruct their socio-religious identity. The *usooli* jurisprudence assisted the tribal people in their worship (*ibadat*) and daily activities (*Muamlat*) (Nakash 1994). In this way, a unified legal system emerged among the newly composed cosmopolitan *usooli* community. Many in the mosaic retained their distinct culture, the methods of conflict resolution remained predominantly tribal in nature, the socio-economic operation and laws regulating women also continued to reflect tribal codes.

Transnational Authority

It is evident that along with some inherent transnational tendencies of *usoolism*, the movement also developed in an environment that was conducive for this. The protagonists of the movement also seem to have contributed in taking their ideas to every corner of the Shi'i world and retain centrality of the authority. However, the process of *taqlid* of a *mujtahid* was not a mechanised process but was dependent on the universal recognition by the Shi'i community after earning *ijaza*. Therefore, the *Mujtahid* was supposed to expand his own personal networks outside

of the *hawza* also. It is said that there were 58 recognised *Marja al-taqlid* between 949-1961 and these included 34 of Persian origin, 24 Arabs; that included 16 Iraqis, 7 Syrians and one from Oman. The statistics is open to doubt because of the lack of substantial evidence, but during the Safavid period it is evident that Muhakik Karaki used to visit different cities and appoint local ulemas (Hairi 1977).

The word *Marja* (pl. *Maraji*) is an Arabic word that means reference. The institution of *Marja* developed much later than the formation of the concepts of *ijtihad* and *Mujtahid* and is result of the Neo-*usoolism*. The *Mujtahids* that reach to the ‘upper echelon’ of the *usooli* structure is called *Marja* or more formally *Marja al-Taqlid* and popularly rendered with the honorific title of Grand Ayatollah and the institution of *marja* is usually referred as *marji’at*. Additional to be a *Mujtahid*, a *Marja* has to be a free male adult of legitimate parentage and who believes in Shi’i faith. The *marja* is also supposed to renounce material pursuits and worldly pleasures and should possess ultimate knowledge in religious sciences (Coppucci 2015). There are multiple minute details for the qualification of *marja*, like *nasab* that is the sacred lineage to the Prophet as Syed which is displayed by wearing a black turban. The *Ijaza* is also evident of the scholar-disciple relations and therefore the transmission of knowledge also establishes scholarly linkages that plays role while reaching the highest ranks (Corboz 2014).

The institution of *Marji’at* heavily depends on the income collected from the *muqalids* in the shape of *Sahm e Imam*, the most important religious tax in Shi’a Islam. The accumulation of the revenue adds to the influence, power and prestige of the *Marja*. The classic example of such case is the Khoie Foundation in London and New York. The revenue helps to cultivate a diverse and huge patronage networks constituted of lesser clerics and representatives. The institution of *Marja al-Taqlid*, in a very organised form emerged during the time of Shaykh Muhammad Hassan Isfahani Najafi, also known as Sahib al-Jawahar after his famous work, *Jawahir al-Kalam fi Sharh Shara’i’ al-Islam*. The *Marji’at* period of Muhammad Hassan Najafi consolidated the institution of *Marji’at* as a transnational structure between late nineteenth and early twentieth centuries. Najafi established his position of pre-eminence with his ability to build networks of transnational character beyond *Atabat*. Najafi introduced new system of interpersonal relations by dispatching his disciples to the Shi’i populated regions in Iran, India and other parts of Arabia. The disciples had mandate of *marjas* to pronounce judgements as well as collect the religious taxes and alms on behalf of the *Marja e taqlid*, Najafi. This model built a

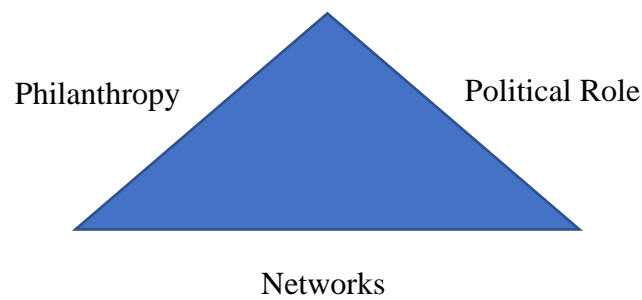
whole network of representatives or *vakils* (sg. *vakil* pl. *vukula*) that function as the delegates in main centres of religious learning (Litvak 1998).

The delegation of power has various operative leverages, as this equips the *marja* for having presence in the community globally and enables him to collect more taxes and raise funds, without having to travel to such places. Laurence Louer calls this model as centralization of management of religious authority, and this practice is emulated even today (Louer 2011). Though a *vakil* performs vital role in managing and sustaining the *Marji'at* at global level, there is no systematic mechanism for choosing a *vakil*. The *vakil* is chosen primarily on the basis of family ties and personal relationships. The *Marja-Vakil* system indicates the centrality of *wasta* system i.e connection, which is very common in social interactions in the West Asian society. The relationship is reciprocal and highly personal. The *vakil* on the one hand enjoys privilege for representing the *marja* and also plays a key role in projecting a *mujtahid* as *marja* by spreading his word, the personal influence of the *vakil* is also used in this process. However, in the absence of proper mechanism of the selection, the *vakil* gets *ijaza* from *marja* to assume the role of being official spokesperson and representative for *marja*. However, other ulema or individuals or groups connected with the *marja* act as liaisons for one or more *marjas*. Yet, the *vakils* of the most popular *marja* enjoy popularity and huge workload (Walbridge 2001).

Transnational Activism

The major difference between the classic *usoolism* and neo-*usoolism* is that the former was chiefly an intellectual trend in a given time and space that was mostly under the domination of Sunni Islam. However, the neo-*usoolism* developed in such a conducive environment that was in alienation with the Sunni political world. Though, there is no subjective differentiation between the two schools, neo-*usoolism* put an end to political quietism among Shi'is in the most valorous way. It also produced a political thought independent of Sunnis and Sultans that resulted in the development of the concepts like *Vilayat Faqih* or *Vilayat Shura*. Alvire Corboz identifies a tringle of *usooli* transnational activism:

Figure 8. Model depicting usooli transnational activism



The triangle indicates the functionality and structure of *Marji'at* and the successful triangle determines the legitimacy of *Marji'at* (Corboz 2014). Historically, the transnational character inherent in *usooli* movements, such as religious taxes, interpretations, exchange of visits and words etc., has maintained continuous flow of the finance, people and ideas from the centre to the peripheries in the Shi'i world and hence constitutes the case for the network. The 'Oudh Bequest' is a classic example of such inflow of the finance. The bequest was the debit amount on the East India Company on five per cent interest rate that it extracted from Ghazi al-Din Hyder, the King of Awadh. The arrangement stipulated some amount to be transferred to the *Mujtahids* at Atabat. Between 1852-1903, the British transferred the amount equal to about ten thousand Euros annually, to Atabat and this amount was crucial to support the scholarly community (Litvak 2000). Similar cases of the movement of funds in cash and kind in the shape of *sahm e imam*, *nazr* and *niyaz*, took place all over the Shi'i world towards the centre and that from every section of the society belonging to the larger peripheries.

The establishment of the Safavid Empire in the sixteenth century affirmed political power of Shi'ism after the Shi'a Century of the Muslim history. Regardless of Shi'ism being the state religion, grater parts of the ulema were politically quiet. However, the rapprochement stimulated political activism when the later Qajar rulers attempted to undermine the status of the ulema by secularisation and modernisation and westernisation projects.

Mirza Hassan Shirazi, who succeeded Mortaza al-Ansari in late nineteenth century, inherited *usooli* system in the most organized form. The *usoolis* believe that the clergy is independent of rulers and are custodians of the oppressed, reflected in the approach of Shirazi in his *marji'at*. Shah Nasir ud-Din visited Najaf in 1870 and

Shirazi restrained himself from joining welcome ceremony to the Shah (Kedourie 1987). The ordinance *Hukum*, that is binding only on the *mujtahid*'s emulators, issued by Shirazi against the Tobacco Concession reflected the transnational authority of the *marja*. The Tobacco episode brought Samara to the prominence as Shi'i learning centre for a short time (Litvak 1998). The Constitution Revolution of 1906 in Iran is another powerful impetus of transnationalisation of the religious class at Atabat.

Though there were two circles, in favour of and in opposition to the implementation of constitution, the ideas of both the circles travelled to Iran from Atabat and shaped its politics. Mirza Tehrani and Akhond Khorasani were under the influence of Mirza Shirazi and were in the circles of the learning centres of Atabat. The opposite circle declared heretics against the each other on the debate that constitutionalism was western concept. The pro-constitution group extended their alignment to the Ottoman Sultan as well, in the wake of Young Turkish Revolution. During this Usooli-Ottoman intimacy, the Atabat ulema addressed the Sultan as Amir al-Mumineen and petitioned that the Sultan should help the cause of constitution in Iran (Kedourie 1987). The British penetration in Iran and their enlarging presence in Iraq alarmed the *mujtahids* for two main reason: firstly, losing control over the movement of finance between Atabat and the other Shi'i centres in the world; and secondly, the Christian attempt to demolish Islamic pillar in the Levant by the British occupation of Palestine after the collapse of the Ottoman Empire. The British move was taken as a threatening crusade against Islam and therefore, jihad was declared against the British (Nakash 1994). It is said that the successors of the vocal clergy of Samera seminary became the twentieth century *Hawza* of Qom.

European Modernity and Social Change

The commencement of the modern nation-state system on the socio-political landscape of the region, threatened the traditional notions of authority that had evolved over the period of many centuries. The process facilitated a social change, enhanced national awakening and cessation of the Shi'i authority in the ambience of of secular assimilating political system and the European modern intellectual wave. The nineteenth and twentieth centuries witnessed a tremendous change in the

Muslim world together with the Shi'is. The development in transportation and means of communication, urbanisation, modern education conjointly gave shape to the emergence of new social classes and intellectual progression which culminated into the inquisition of the religious institutions.

Figure 9. Iran under early Qajars in Nineteenth Century



Source: <http://iranpoliticsclub.net/maps/maps10/index.htm>

In this regard, the opening up of the Qajar Iran to the world by inculcating the western technology, the improvised means of communication and rapid urbanisation enhanced modern education in the country. The countrybuilt telegraph network of 4000 miles in 1860. The first railway track was laid in 1888, the banking sector was expanded with the foreign players and with Russian financial help, towards the end of the century, over 500 miles of road was built (Gilbar 1986). The process of urbanisation, in particular in the Pahlavi period with the white revolution launched

in 1963, enforced corresponding social changes and the resulting social changes necessitated the overall reformation of the system of governance for the compatibility. Therefore, the Pahlavi state-building constituted European model on the terrain of territorial nationalism with secular outlook (Machlis 2014).

Simultaneously, the Iraqi Shi'i being at the Ottoman periphery, encountered the spectrum of modernity a while later. The largest segments of population was more loyal to the tribal and ethnic identities along with being the followers of *Mujtahids*. Although, the Governor of Iraq between 1869-72, Midhat Pasha, built modern schools, introduced printing press and improved road networks. The twentieth century ventilated for the first Modern Shi'i school, al-Madrasa al-Jafariya, that was established in Baghdad and later also in Najaf. The establishment of various rail links bolstered trade relations and urban development. As modern education ensured state employment, growing numbers of Shi'i children were sent to the schools run by the government. Consequently, a new nationalistic and secular patriotism penetrated into society. Jamiyat Muntada al Nasr was a modernised madrasa that was established in 1935 and patterned with the reforms introduced by Muhammad Abdu and Sad Zaghlul in Egypt (Nakash 1995). The growing ties between the Iraqi establishment and the Shi'is developed a new nationalistic affiliation, yet the new ties were unable to blur the traditional, ethnic and sectarian bondings. The patriotic language used in 1920 Iraqi Revolt penetrated into the Shi'i circles and aspiration for inclusion into the state system initiated a sense of belongingness. The distance of *Mujtahids* with the Iraqi politics, in contrast with the case of Iran, also paved way for the modern-secular social class to fill the vacuum. The social class voiced themselves in *Al-Irfan* journal and propagated a new brand of modern secular narrative. However, the phenomena also pushed for a sort of modernity which was loaded with Islamic values, in other words, an Islamic Modernity (Machlis 2014).

The Lebanese Shi'is have a history of more marginality. Though they lived and worked with their neighbours in a close proximity, they were not usually acknowledged as a sectarian community. Thus the community choose to live in the peripheral areas to avoid occasional persecution, mostly in concentration in Jabal Amil and parts of Beqa. However, the community was recognised as an independent sect during the mandate period. The French approved the establishment of the Jafari

court under the jurisdiction of Shi'i *qadi* for legal actions of personal status (Shanahan 2005). The lower rank clerics joined the official religious positions, while as the senior ulema like Abd al-Husyn Sharaf al-Din al Mosawi and Mohsin al-Amin rejected their nominations. Furthermore, the 1943 power-sharing arrangement of the 'Gentleman's Agreement' according to the census 1932 of the country, provided the community with the office of the parliamentary speaker. The circumscribe created a degree of loyalty among the community in the framework of the national politics (Machlis 2014).

Nationalist Challenge to Transnational *Usoolism*

The exposure of the West Asian region to European modernity, though, brought its ideas to the region in various phases and eventuated a national awakening that triggered revival of the ancient manifestations of their civilization into hegemoniing nationhood. The revival of complete Arabic literature and culture played a significant role in the wake of Turkification of the region. The proponents of the nationalism in the Arab world believed that national patriotism was the secret of Europe's success and the Arab world was backward in the absence of such idea (Salem 1994). However, the rendezvous of the Arab awakening in the context of colonial and imperial designs that drafted modern nation-states on the elitist discourse of nationalism. In the similar fashion, a multifarious and chequered Iraqi nationalism emerged by introducing top to bottom nationalism and identity. Therefore, the nationalism in Iraq emerged as an official national ideology as well as opposition to such attempts (Franzen 2011). Unlike the European pattern of national identity, the people in the region considered religion and geography as the identity indicators. Yet, the consolidation of a national consciousness among the unrecognized papulation continued after 1920 revolt and the awakening initiated by the Arab nationalists through education propagated modern secular ideas, hence challenging monopoly of the ulema as well. Sati al Husri, a staunch Arabist, joined Iraqi education department on the insistence of King Faysal and redesigned the system on the lines of Pan-Arabism (Cleveland 1971).

Al-Husri employed Darwish al Maqdadi, who elaborated the unification of the Arab world into Arab homeland (*al-watan al-Arabi*) in his work *Tarikh al ummah al Arabiyya* (History of the Arab Nations). The book became a major textbook for

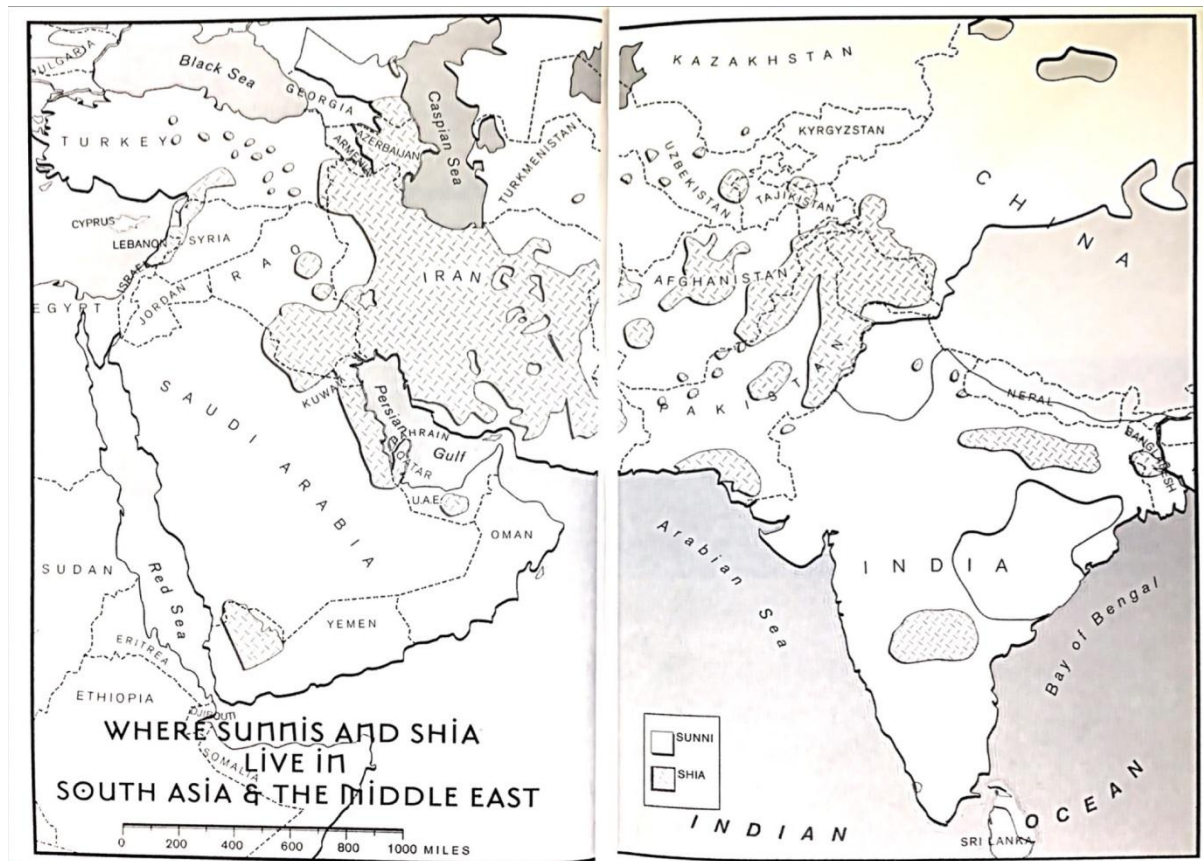
history courses in the country (Abdi 2008). After the penetration of radical Arabism into the multi-ethnic, multi-sectarian/religious society of Iraq, the Iraqization of the citizenship was introduced. Muhammad Mehdi al-Jawahiri, son of a prominent *Mujtahid* of Najaf and famous modern Iraqi poet was denied job till he gave up the possession of *jinsiyyah* or Iranian citizenship. Therefore, state-building in Iraq was aided through imposition of natural borders, legal code, a capital, national army, national anthem, a monarchy and post-mandate membership of the League of Nations. The construction of the ideology, evolving from transnational Arabism to Iraqi Nationalism was for the creation of a modern nation-state and that can result in the eradication of every contentious element (Franzen 2011).

On the contrary, the Iranian nationalism as an ideology emerged between 1924-1941 under the rule of Pahlavis. The inspiration of the ideology was western culture, philosophy and technology and the main premises of the Iranian nationalism was Iranian pride in the ancient/pre-Islamic glory. It refused to acknowledge the Islamic contribution and termed the Islamic period of Iran as an era of Arab invasion and held the aliens as responsible for deterioration of the Persian glory. Reza Shah enthusiastically projected the ulema as threat to the Iranian society and attempted to exclude Islam from the narrative. The other important pillar of the ideology was Aryan superiority theory, according to which the Iranians belonged to the Arayan race that lived in Iran. The racial sentiments were furthermore kindled to consider the Arabs as barbarian nomads (Fazeli 2006).

Shi'i Modernity as *Usuli* Response to European Modernity

The emphasis of the Europeanist modernity on secular legislation obliged the Shi'i ulema to present a fresh approach in the Islamic jurisprudence and its sources. Therefore, the modernist venture of the ulema surfaced as a dialectical engagement between comprehensive Islamic notions that made reformists to reconcile with the judicial domain of the Sunnis (Machlis 2014). Though, the development of *usoolism* in the occultation period formulated the distinctive theology defined by the core doctrine of Imamate, the discourse created an insurmountable schism between the two sects and that was further deepened by the emergence of the rival powers, the Sunni Hanafi Ottomans and Twelver Safavids.

Figure 10. Shia - Sunni population



Source: Nasir, Vali (2006) *The Shia Revival How Conflicts Within Islam will Shape the Future*, London: Norton.

However, in the first half of twentieth century, the *usooli* ulema proclaimed Shia-Sunni unity as flagship of their thought. The urgency for the unity was felt due to the perception that colonialism was a new Christian crusade against Islam. The emphasis on the unity was also a result of new socio-political dynamics created by sectarianism. The two concepts of *ijma* and *al-Khassa* of the Sunnis and Shi'is respectively prevented rapprochement between the two for a substantial period of time. According to *ijma* in Sunni Islam, Shi'ism was not a sect but deviation from the four main *madhabs*, while *al-Khassa* of Shi'is perceived Shi'ism to be a specially chosen group for its origin in the household of the prophet (*al-khassa*) among Muslims that are *al-Amma* (Kohlberg 1988). However, the vague Muslim unity flagship of Pan-Islamism of the nineteenth and twentieth centuries established the rapprochement that was mostly driven by the fear of spread of secularism across the region. In this backdrop, Muhammad Husayn Kashif al-Gita was the first Shi'i

cleric of Najaf to have been invited and welcomed at a Pan-Islamic Congress in 1931. Consequently, Al-Gita took keen interest in substantiating the Shia-Sunni unity in his works, introduced comparative method of *Fiqh* at Hawza Ilmiya, Najaf and recognised the need for homeland (*watan*) in his book *Al-Din Wa'i Islam aw al Dawa al Islamiya* (The Islamic Call).

The *Tahrir al-Mujallah* is considered to be the first comparative study of Jafri and Hanafi *Fiqh*. The *Mujtahid* also advocated for broadening the scope of *ijtihad* to the fields like linguistics and grammar. He along with Sharaf al Din al-Mosawi, desired to refine the belligerent narrative through shared recourse of *ijtihad* and emphasised over the joint principles of the belief. Mosawi also polished the idea of plural outlook within the discourse, inspired from the Ottoman concept of *milla*, with an intention to call for tolerance towards Shi'ism. He associated material development to spiritual progress to counter secular ideas. According to Elisheva Machlis, there was a clear impression of *al-Nahda* on Mosawi's thought. Mosawi promoted rationality in decision making for an egalitarian inter-Muslim relation and breaking away with a disputed historiography and to replace it with human-oriented approach (Machlis 2014).

The growing Wahabi onslaught on Shi'i Islam also appears to have accelerated and prompted *usoolism* to focus on debates around the core principles of the Islam. In this backdrop, the ulema overwhelmingly debated on the concepts of *tawhid* and *nabuwat*. Muhammad Jamal Mughniya, originally from Lebanon, wrote *Falsafat al tawhid wal nabuwa* and attempted to establish the existence of God through logical arguments and scientific proofs (Mughniya 1993). In order to present Islam as a more relevant judicial discourse and comprehensive system in the outrage of secularism being structured in government policies, the Islamic knowledge was made more inclusive by classifying it into *ibadat* and *muamlat*. Shaykh Muhammad Mahdi al-Khalisi refined the classification by including modern legal problems and judicial questions related to women (Khalisi 1951). Khalisi presented Islamic law in holistic approach, negotiable methods and human orientation. To Reza Shah's modernisation process, Khalisi presented an idea of Islamic alternative to development and rebuffed the European codes and protagonist revision of Islamic *Fiqh*. The work of Khalisi was further developed by the modern *usoolis* of Iran, Iraq and Lebanon (Machlis 2014).

Usooli Reformism and Pinnacle of Modern Shi'ism

The *Mujtahids* identified communism as a serious threat and significant anti-communism movement were progressing in Atabat and Hilla in the decade of 1960s (Nakash 1994). The ulema employed the process of purification of religious practices from the cultural practices and tried to establish a righteous society before the communist and secular ideas gets structured. Though, many *Mujtahids* issued fatwas of heresy against the communists, Al-Hakim and his followers used violence and civil organs against *ilhad* (atheism) of the communists. Al-Hakim issued a fatwa in 1960 that proclaimed communism 'irreligious and blasphemous' (Abisaab 2004). The young ulema obtained support from the *Mujtahids*, especially from Al-Hakim in the fight against the communists.

Thereafter, Muhammad Baqr al-Sadr became prominent reformer of modern Shi'ism after he joined Islamic Movement in Iraq and attempted to revive Islam as a comprehensive ideological alternative to Marxism and Western capitalism. Al-Sadr wrote extensively philosophically rooted and empirically informed works like *Falsafatuna*, *Iqtisaduna* and *Al-Insan al-Muasir wal-mushkilatul ijtimaeh*, amongst which the last one was seized by the Saddam regime and remained unpublished. *Falsafatuna* gives an informed critique of the Western philosophy, in particular Marxism and empiricism. The premises of Al-Baqr's argument rests on the Muslim philosophical tradition, especially the philosophy of Mulla Sadra (Al-Sadr 1987). *Iqtisaduna* introduced an Islamic theory of political economy and confronted economic theories of communism and capitalism (Aziz 1993).

The Shi'i political activism shunned quietism in an organised manner by the establishment of *Hizb al-Dawa* (Dawa Party) in 1957. On the insistence of Sayid Talib Rida, Al-Sadr became *Faqih al-hiz*. Rida was a member of the Sunni based organisation influenced by Taqi al-Din al Nebhani's *Ikhwan*. Al-Sadr extended his reformation to the *Marja* system to consolidate it with more centralised economic, social and political role. The other agenda of the *usooli* modernism was the modernization of Hawza education by inducing accountability, quality check and balances and other ideas taken from modern-style secular universities. In the contemplation of making the jurisprudence accessible to the masses, Al-Sadr eliminated the jargons and used modern Arabic for fatwas. The *Al-fatawa al-wadiha*

is a collection of such fatwas in uncomplicated language with detailed exposition (Aziz 2001).

Al-Sadr's modern taxonomy studies Islamic law in four categories:

- 1) *Ibadat*:- purification/purity, prayer, fasting, religious retreats (*itikaf*), Hajj, umrah and repentances (*kaffarat*),
- 2) *Amwal*
 - a) property law
 - a) Public property: zakat, khums, kharaj and anfal etc.
 - b) Private property
- 3) *Saluk al-Khas*
 - a) private behaviour: relationship between woman and man in terms of marriage, repudiation, khul, mubara, ziharila etc.
 - b) private behaviour in sphere like food, clothing
 - c) adab al-mu'ashara: social behaviour rules on religious view (nidhr) oath (yamin).
- 4) *Saluk al-Aamm*:

This refers to the behaviour of the ruler (*wali al-amr*) in sphere of government and governance, justice, *hadud* and jihad etc. (Mallat 1993: 13)

Al-Sadr's political thought which consists of the concept of Islamic State is discernible in the following three works:

1. *Al-Usus al-Islamiya li-Hizb al-Dawa* (The Islamic Principles of the Islamic Dawa Party), written in 1958 as the constitution for his party.
2. *Lambat Fiqhiya Tamhidiya an-Mashru Dastur al-jumhuriyat al Islamiya fi Iran* (Provisional Jurisprudential Glimpse at the Constitutional Project of Islamic Republic of Iran), written as a letter to a Lebanese scholar in 1979.
3. *Khilafat al-insan wa shahadat al-anbiya* (Man as the Trustee of God, Prophet as the Witness), written as a pamphlet in 1979 underpinning political system of Al-Sadr.

Al-Sadr describes Islamic State in three forms

- a) Infallible
- b) Fallible
- c) Deviating Fallible

The Infallible state is a theoretical construct of the ideal state that is based purely on Islam and ruled by infallible persons. The Fallible state is embryonic and herewith the duty of the most knowledgeable people is to guide the state. This form of Islamic state is relevant in contemporary times. According to Al-Sadr, the Fallible state is based on separation of power and the ideas of *hokum al-shura* (rule of consultation) and *hokum al-ummah* (rule of people). The Deviating Fallible state represents the inability of the infallible state to perform the stated functions and therefore the people are obliged to isolate the ruling authority and restore fallible state (Al-Rikabi 2012).

The *Ijtihad* in Najaf enabled the nascent Islamic Movement of the Iraqi Shi'is rigorously to address contemporary issues. Amina al-Sadr (1937-1980) popularly known as Bint al-Huda, propagated women's rights in Islam including right to education and work outside their houses. She established, supervised two girls' schools at Najaf and Kazmyn and also taught and trained the girls in these schools. She believed that lack of education has secluded women and the perception of considering women as inferior to men, is the outcome of un-Islamic practices. Bint al-Huda being equally educated in religious studies wrote fiction and non-fiction including Arabic poetry and also contributed articles in *Al-Adwa al-islamiya*. She also wrote a religious treatise entitled, *Bint al-Huda*. She was an active member of *Jamat al-Ulema* (established in 1950) and Ayatollah Hakim, Ayatollah Khoie, Al-Sadr endorsed her role in the Islamic movement in Iraq (Wiley 2001).

Murtaza Mutahari considered *Ijtihad* to be a vital tool of approaching the Quran and traditions to engage contemporary question with the religion. Mutahari engaged with philosophy and was well versed with the western as well as Islamic philosophy and that made his thought appealing to the Shi'is all over the world (Mutahari 2002). The reformative approach of Mutahari was specifically for elimination of stagnation from the Islamic discourse and for which he advocated for the reformation of the *Hawza* education system and the collection of *sham e imam* tariff. He advocated for more centralised system for the tariff collection and also

emphasised on the establishment of a competent system rather than insisting over individuals. He advanced Islamic theory based on piety, truthfulness, sincerity, justice and spirituality (Mutahari 1996).

Mutahari expressed his scepticism over the feminist movements of the Europe, in particular the liberal emphasis on liberty and equality. He rested his argument on natural rights in the paradigm of woman and man being equal human beings and both of them enjoy natural, inalienable and irrevocable rights. However, Mutahari substantiated his argument of natural/biological differences of the two genders by relying on the discoveries in modern scientific and psychological studies (Mutahari 1998).

Syed Muhamad al-Shirazi (1928-2002) was also *Marja* emulated by millions of the Shi'is across the Gulf, Iran and Iraq and Indian Sub-continent. Al-Shirazi made tremendous contribution to the diverse fields from jurisprudence, theology, politics, economics and law to sociology in the religious studies. He reportedly has authored about twelve thousand books (Shirazi.ir). The school of thought that had been developed by Al-Shirazi advocates for the fundamental freedom of mankind. The school calls for freedom of expression, political pluralism, space for debates and discussions and advancement of tolerance and forgiveness. The political vision of al-Shriazi is that of consultative system of leadership by the establishment of leadership council of religious authorities. The school also nurtures for the ideas of universal Islamic government enveloping all Muslim countries.

The school of thought representing Syed al-Shirazi culminated into a cultural and socio-religious platform in 1950s in Karbala and became an organised movement as *Harkat al-risaliyin al-tala* or the Movement of Vanguard's Missionaries (MVM) in 1968. The aim of the movement was to propagate Islamic message and administer *sharia*, with which *insan risali* or human imbibed with Islamic message to form *umma mu'mina* (the faithful nation) and *hadara islamiya* (Islamic civilization). The MVM was later joined by Muhammad Taqi al-Mudarassi, on the invitation of al-Shirazi. Al-Mudarassi was well vered in the thoughts of Jalal al-Ahmad and Ali Shariati, and Sunni scholars like Allama Iqbal, Al-Muwdodi, Hassan al-Bana, Syed Qutub and Yousuf al Sebai. He rejuvenated an intellectual tradition that was anchored in Shi'ism and aimed to produce a progressive version of Shi'ism through *Ijtihad* and to establish the basis for Islamic revivalism (Ibrahim 2006).

Modern Wave of Transnational *Usoolism*

Usoolism in its constitutive nature, was a transnational movement and it was born long before the development of modern nation-states. It evolved in a time of porous political borders and unspecified ethno-national confines on the trail of multinational family networks. The *usooli* movement in its classic and neo phases is an extra-territorial entity constituted with the cosmopolitan composition. Therefore, the *usooli* ulema largely consider themselves as part of a much larger world that is beyond the confines of the politico-territorial Iraq and Iran. Though the nation-state became a reality in twentieth century and many ulema accepted this reality, while as many others resented. In fact, the long-distance linkages and the ability to flow the virtual authority from the centre to periphery with the *usooli* infrastructure of *Marji'at* made it compatible with the modern format. However, it was the spread of socialism and communism at large that principally activated the *usooli* ulema to shun the passive role. The formation of Dawa Party was an outcome of Shi'i Modernism in Iraq and because of its dominion in Najaf, many students from Bahrain, Saudi Arabia and other countries also joined it and took it to their country.

The Bahraini Dawa members soon took control of a Bahraini Shi'i Islamist organisation, *Jama'iyat al-Tawu'iyya al-Islamiya* (Islamic Enlightenment Society) in 1970s. The Bahraini Shi'ism has remained under the *Akhbari* influence, therefore, the challenge was not only from the Sunni authorities and secularist groups, but also from the followers of Akhbarism. However, with the time, the line between the Akhbari and *usooli* factions blurred so much that conflict seems to have ended (Louër 2011).

The Shi'i Islamist movement in the Kingdom of Saudi Arabia was also informed by the movements in Iraq and Iran. There had been prominent members of the Saudi Shi'i families, like al-Khunayzi, who studied in Najaf. They were followers of the *Maraji* like Ayatollah Hakim and Ayatollah Khoie and were not expected to assume political roles. However, the establishment of *Jamat al-Ulema* in 1960s, initially revived the political role of the Hawza members. The founder of the *Jamat* was Muhamad Bakir al-Shakhs from Al-Ahsa. Abd al-Hadi al-Fadli were too from the eastern province of the Kingdom who actively participated in the political society and co-founded Dawa Party. The Dawa inspired students went back to the

Kingdom, but unlike in Kuwait and Bahrain, the party was not seen taking off, instead it was the Shirazi group that played a major role (Matthiesen 2010).

Unlike Bahrain, Kuwait had no local clerical class and hence requested *Marjas* of Iraq to send pray leaders to their mosques. This gap became a chance for the Dawa to penetrate the country. The first Dawa leader who landed in Kuwait in 1968 was a young Lebanese, Ali al-Kurani and he also represented Ayatollah Hakim in Kuwait. However, a new era of interaction between Kuwait and *usooli* centres began with the arrival of Muhammed al-Aswfi. *Al- madrasa al-wataniya al-jafariya* was a national school for the Shi'is of Kuwait, established in 1932. The teachers of the schools were mostly drawn from Iraq and they used to spread the Dawa ideology among the young Kuwaiti Shi'i students. With a fatwa of Ayatollah Khoi, Shi'i jurisprudence was also introduced and a small Hawza was established in the mid - 1970s and now it is replaced by *Dar al-Zahra* (Louër 2011).

The United Arab Emirate (UAE) also lacked a local clerical class, so the religious affairs were looked after by the merchant of Ijmi and Bahraini families. In UAE, the Dawa penetration started with the forced exile of Mahdi al-Hakim to Dubai. However, he was forced to leave the country on the accusations of being an Iranian agent in 1980s. He handed over the endowment to Abdullah al-Ghurayfi, who built good interpersonal relations with the Shi'is in Abu Dhabi, who largely are of Bahraini origin. Al-Hakim left Dubai for London and established AhlBayt Association there (Wilay 1992).

The case of the Kingdom of Saudi Arabia is unique, as the Kingdom is ideologically hostile and structurally inhospitable to the Shi'is. Many scholarly families of *usoolism* have direct or indirect connection with the Eastern province of the Kingdom that include Al-Hasa and Qatif. However, evidences suggest that the province was initially not dominated by the *usooli* thought but had inclination towards the Akhbarism of Yusuf Bahraini. Furthermore, the province also has remained under the great influence of Shakhism under its leader Shaykh Ahmed Al-Ahsai (1753-1826) (Matthiesen 2014). Neo-*usoolism* reached the Kingdom through propagation by the clerics who visited the province during their Hajj travels and hence the local populace also developed ties with the *marjas* in Iraq and Iran (Louër 2011). However, Shaykh Muhammad Ali Amri (1909-2011) dominated Shi'ism in

the city of Medina. The Shaykh reportedly studied in Najaf, Qom and Mashhad and returned to the Kingdom and became leader of the Shi'is of Medina and also representative of several mujtahids including Ayatollah Hakim, Ayatollah Khoie and Ayatollah Sistani.

The *usooli* movement is not new to Lebanon as it was for the Gulf countries. Lebanon housed a major *usooli* learning centre in Jabil Amil and has remained very close to the affairs of Iraq and intellectual trends in Atabat. Lebanon has also produced some of the prominent scholars of *usoolism* in the classic as well in its neo phases. Therefore, the country experienced *usooli* transnationalism in most of its vivid forms. The revivalist message of the Dawa Party was taken by Imam Musa Sadr to Lebanon in 1960s and he laid the foundation of the platform of *Harkat al-Mahrumin* or Movement of the Dispossessed which later on took the shape of Amal movement (Siklawi 2012).

However, the *usoolism* to the Indo-Pak sub-continent reached as the intellectual trend through the direct interaction between the local Shi'i learning centres and Atabat, especially Najaf. The local centres in the city of Lucknow (Askari 2019) and region of Kashmir produced *mujtahids*, who were trained in Atabat and later they started training students in their regions as well. However, later many *marjas* also sent *vakils* to the cities in the South and Central Asia and many others like *usoolis* in Kashmir organised by establishing parties (Mosavi 2019). An *Ijtihad* based Shi'i learning centre was established in Lucknow by the Shia Nawabs with the support of *Mujtahid* families in eighteenth century. Allama Syed Dildar Ali Naqvi is considered to be the first Mujtahid of Lucknow, who also is said to be a student of Wahid Bihbihani and his disciple Mahdi Bahrul Uloom (Kazmi et al. 2019). Similarly, a Shi'i learning centre was established in Kashmir around nineteenth century after Ayatollah Aga Syed Mehdi al-Mosavi returned to Kashmir with the *ijaza* of *Ijtihad* and it was later in twentieth century structured as Hawza Ilmiya Jamia Babul Ilem (Mosavi 2019).

The Shirazi group also believed in the transnational activism and grew in the similar condition as the Dawa party. The group give a great emphasis over the pre-Islamic Revolution *usooli* political activism in Iraq and Iran. The group was resentful towards the idea of nation-state that challenged their position in Karbala by

excluding them from Iraqi nationalism, unlike the Sadr and Hakim families. The group structured primarily as a family network of Shiraziyyin, Mudarassi and Qazvini families. They relocated in Syria and Lebanon after the expulsion from Karbala and established a Shi'i learning centre in Sayida Zainab in 1975. Mohammad al-Shirazi built close relations with the Syrian regime and Kuwaiti merchants. Since, the Najaf vs Karbala feud was still prevalent inside the Iraqi frontiers, it was easier for the Shirazis to settle down in Kuwait and they later played a role in Kuwaiti politics and organised religious activities as well. They established *Ahlbayt* Association and started to finance charitable projects or for building and renovations of mosques and *hussainiya* in Iran, Iraq, Pakistan and Azerbaijan. The group also found the first Hawza in Kuwait, *Hawzat al-Rasul al-Adham*, which resulted in the creation of a local class of clerics in the country. The Hawza later on became a centre for political and ideological training under Muhammad Taqi al-Mudarasi for the students from Saudi, Bahrain and Iraq. The Shirazis remained in good terms with the authorities in Kuwait, but stirred the politics in neighbouring Gulf countries (Louër 2011).

The other pattern that developed in neo-*usoolism* can be termed as transnational philanthropy in a very organised manner. If political activism is considered to be at the heart of neo-*usoolism*, then philanthropy must be termed as its soul and the networks as its nervous system. It is evident that the transnational networks of *Marja* through *vakils* is central to the *marji'at*, but it has remained more or less in the informal pattern. However, the establishment of Ayatollah Khoie Foundation in 1989 in London is an instance of institutionalised *marji'at* as a transnational philanthropic organisation. The foundation undertakes the functions historically associated with the *marji'at*, in a modern and organized fashion. The foundation plays its role not only in religious sphere but also in social, humanitarian and educational services in countries like India, Pakistan, Bangladesh, Thailand, Malaysia, England, France, North America, Iran and Iraq (Corboz 2014).

Power Shift to Qom

The activism and autonomy of the *mujtahids* in Iraq was surely a matter of concern for the rulers and the issue was becoming graver after the downfall of the Ottomans. King Faysal of Iraq managed to gain a pledge of allegiance from the

mujtahids on the condition that he will save Iraq from the Saudi-Wahabi attacks. But, the abode of *Mujtahids* in Iraq was identified by the King and he pointed out this to the British in 1921. The 1922 Ikhwani raids of Ibn Saud on Iraq was worrisome affair for the *mujtahids* in Atabat. Assessing the inability of Iraqi government to protect Iraq, *mujtahids* decided to mobilise the opposition in a conference at Karbala to consider defence measures. This conference resulted in the election boycott that was termed by the *mujtahids* as penalty for not establishing an Islamic nation in Iraq and fatwas were issued against the government. The King also became determined to break the power of *mujtahids* by forcing them to leave the country. The successive Sunni government of Iraq caused substantial shrinkage in the space of the *mujtahids* in Iraq. The commencement of modern Iraqi nation-state surfaced with three power centres on the political landscape- the Sunni ex-Ottoman officers, the Sharifians and the British. The stature of the *mujtahids* or the Shi'i Islam in Iraq was felt as a common threat to the all three. Therefore, efforts were made to curb the Shi'i Islam even after the collapse of the monarchy in 1958 (Nakash 1994).

In the fragile environment of Iraq for the ulema, Qom was more lucrative as the result of the centuries old interconnectedness of the state and clergy and the later constituted part of the elite segment of the society (Abrahamian 1982). The period became most conducive to shift the authority to Qom, in the backdrop the most exalted student of Mirza Shirazi, Ayatollah Abdul Karim Hai'ri Yazdi, who was also teacher and patron of Ayatollah Khomeini, went to Arak to teach and lead prayers. However, Yazdi shifted to Qom and was later joined by Ayatollah Barujardi. This was the re-establishment of the *Hawza Ilmiya*, Qom, Ayatollah Barujardi become the first prominent *Marja* of the Shi'i world in Modern Iran (Bakhshyshi 1985). The Shi'i resistance to British caused exodus of the Ayatollahs and their students from Iraq and Qom Hawza played host to the refugees from Atabat and the prominent *marjas* shifted to Qom permanently (Fisher 1980). The second wave of the ulema exodus took place after the Baathist policy of overwhelming secularisation of Iraq in 1970s. The secularisation policy was offensive for the ulema in Atabat, because it encroached the space of ulema by banning the *Hawza* education and bringing their publication under a strict surveillance (Batatu 1978).

Revolutionary *Usoolism* in Iran

Ayatollah Hairi and Ayatollah Barujardi consolidated the epicentre of the *Usooli* scholarship in the Iranian city of Qom. Both the Ayatollahs followed quietist political policy but are considered to have laid the foundation of the Islamic revolution in the country. However, the barrier between the turbaned cleric and political affairs in modern Iran was broken by Ayatollah Abol Qasim Kashani (1885-1962). Kashani was a prominent anti-colonialist and anti-imperialist *usooli* cleric in the true sense of their contemporary meaning. The participation in Jihad for Ottomans against the British mandate in 1920 Iraq expelled Kashani from the country. He was arrested in Iran on the allegation to have had ties with Germany in the world war second. The Pan-Islamist influence on Kashani became evident on his anti-Zionist mobilization on the establishment of Israel in 1947 (Abolfathi 2015). Yet, Kashani was occupied by the national politics of Iran during his struggle and support for the nationalisation of the oil resources. During the movement, Kashani also increased proximity with several militant groups, and with his support for the National Front agenda, translated into electoral victory of Musadegh between 1951-1952. The Thirty Tir Movement of 1952, after which Musadegh reassumed power after his resignation, is also said to have support of Kashani. However, the Kashani-Musadegh alliance lasted only till the former was disillusioned about the secularization policy of the latter (Keddie 1983).

The *usooli* response to the alien ideas commenced a political discourse that developed into populist revolutionary ideology with emergence of the charismatic leadership of Ayatollah Khomeini. The Islamic revolution of 1979 was a consequence of a huge and diverse upheaval against the Pahlavi rule, that composed the collective will of overthrowing the rule. The movement of resistance politicised the people and constructed the ‘self’, symbolising the popular discourse as opposed to the ruler and his sympathizers as the ‘other’ (Holliday 2016). Although, the Islamic Revolution was the first contemporary instance with Islamic orientation and, unlike other revolutions in the non-Western countries, the revolution was modern in the sense that it occurred in better socio-economic urban centres and was carried out with the political confrontation rather than the armed conflict (Halliday 1983). However, the complex combination of the upheaval was ultimately hegemonised by the Islamic Republic narrative for the reason that Islamic values possessed unique

place in the populist discourse. The systematic reconstruction of the battle of Karbala of 680 played a crucial role in the discourse, to keep Islam at its heart and aided the construction of - *the 'self' as Husayni: just and oppressed, and the 'other' as Yazidi: unjust and oppressor* (Aghale 2001).

Though the Karbala Paradigm has been used in the Muslim history for revolts, as well as to support political status quo, in the case under study the paradigm was employed to uproot the rule, socialize the people with the revolutionary Islamic political philosophy and accomplish solidarities beyond the territorial boundaries. The paradigm was also easily comprehensible to most of the Iranian for centrality of the Shi'i rituals and beliefs in their collective memory. The Shah's suicidal dictate of banning the lamentation and effigy aroused public anger and the juncture was used by the ulema to revise the interpretation of the Karbala narrative.

Salihi Najafabadi, who studied with Khomeini, wrote *Shahid i Javid* in 1968 and demystified the paradigm in a more politically activist light. Najafabadi talked about four motivational forces of Al-Husayn that made the Imam to upsurge:

- a) Uprooting an un-Islamic government
- b) Reformation of the system with Islamic doctrine
- c) The time was ripe
- d) Preservation of Islam (Najafabadi 1970).

Najafabadi's revision was criticized by many ulema but many revolutionary ulema, who were also close aids of Khomeini, adopted some themes of the new narrative (Aghaie 2001). The speeches, writings and sloganeering of the ulema and especially of Khomeini was based on the 'Karbala Paradigm' i.e., "triumph of blood over sword". In a statement at a gathering of ulema of Tehran, Khomeini said that Islam is maintained by the grace of the Master of Martyrs, Al-Husayn. The Imam gave everything in the path of God and rose against the corruption, tyranny and oppression (Khomeini 1995).

Transnational *Usoolism* and Constitution of the Islamic Republic

The constitution of the Islamic Republic of Iran, adopted on 24th of October 1979, is the reflection of the political aspirations of the *usoolis* and is heavily impregnated by the political thought that evolved through the *usooli* movement in

the major occultation period. The multiple inward and outward linkages and interactions of the constitution establish networks across the territorial borders of a nation-state and challenges its confinements also. The first and foremost emphasis of the constitution is to build Iranian society on the basis of Islamic principles and this proximity with the Islamic principles establishes links with the universal Islamic ideas. The constitution is laden with the role of the ulema from interpretation to the implementation of the Islamic law and order in the country. The feature clearly acknowledges the efforts of the *usoolis* from the constitution movement till the Islamic Revolution and brings the reason with the Quran and traditions and this what political jurisprudence of *ijtihad* is called. The *usooli* ulema are themselves of transnational character as being the *Marja* and the constitutions acknowledges this feature of the ulema, specially of Ayatollah Khomeini, to be responsible for the success of the revolution. The second important feature of the constitution can be termed as Third Worldism. The strong condemnation of imperialism, colonialism and neo-colonialism infuses the constitution of the Islamic Republic with a strong component of Third Worldism and that has a great influence over the internal as well as external policies. The Third Worldism of the constitution has capacitated it to look beyond the paradigm of the Islamist world-view and establish linkages with anti-hegemonic forces around the world (Afrasiabi 1994).

The most unique feature of the constitution of the Islamic Republic of Iran is the concept of *Vilayat Faqih* or rule of jurist. There are several characteristics of the *vilayat faqih*, as described by Ayatollah Khomeini, that have transnational appeal. Firstly, the derivation of the authority from the Quran and traditions and establishing the concept on the Islamic concepts like *nabuva* and Imamate and resting it on the foundation of sovereignty of God. Secondly, the role of the jurist as *Ulul Amr*, make it fluid and non-confinable into the territorial boundaries (Gavahi 1987). Ayatollah Khomeini in *Islamic Government* has employed a Pan-Islamist language with an insignificant insinuate towards narrow nationalist outlook (Khomeini 2008). Therefore, Article 11 clearly states that the Islamic Republic must cultivate friendship and unity with the Muslims. Article 16 makes it compulsory to teach Arabic language, the language of the Quran, necessary at the elementary level schools. Furthermore, Article 17 opts for Muslim calendar (Hijri) as the official calendar and Friday as official weekly holiday. The special mention of

women in the constitution acknowledges the role of family in the society that makes a woman and man grow together under Islamic government. The indication of woman by the constitution has a transnational appeal in the sense that it has become the point of departure for woman activism in the Shi'i world. The mention of jihad and extension of the God's sovereignty to the ideological army that is the Islamic Revolutionary Guards Corps, also ensigns it as a transnational force. The ideas of the struggle of *mustadfun* against *mustakbirun* in every corner of the world is expressed in different article of the constitution. Article 152 rejects domination in any of its form and defends rights of Muslims. Furthermore, Article 154 also deals with the attainment of freedom, rule of justice and truth to be the right of all people in the world.

Monopolisation of the Revolution

The marginal *usooli muqalid* around the Shi'i world visualises the Islamic Revolution as the triumph of their faith. The outbreak of protests in Iranian streets vitalized the spirit of Shi'is that was shattered through a marginalised history under the Sunni monopoly. However, the revolution provided Shi'is with a sense of power and resolve that they lacked before. It gave them a kind of courage to stand up and voice their grievances and that without compromising on their Shi'i identity.

The Islamic Revolution of 1979 was termed as Islamic Revolution and not as Iranian Revolution for the fact that it was perceived by its protagonists as a first step towards the *darul islamiya*. Since, the neo-*usoolism* was at the heart of the revolution, most of the *usoolis* world over, supported it. Assemblies like Dawa party and Shirazi group too were in favour of exportation of the ideals of the revolution and an end to the subjugation of not only Shi'is but all Muslims and oppressed. However, the advent of Islamic regime was a new instance for *usoolism* and the ideas were to be structured around the modern nation-state (Louër 2011). Therefore, the priorities to function also were different. The Islamic Republic was supposed to engineer a foreign policy to interact to the outer world in-spite of merely igniting political opposition or containment of the western ideologies.

Thus, the exportation of revolutionary ideas happened through the state and non- state groups. The Shirazi group and Dawa cadres were active before the Islamic

Revolution and they believed in the political and social activism of neo-*usooli* movement. Furthermore, the groups became closer to the ruling elite of the Islamic Republic and were enthusiastically propagating the message of the revolution, specially to Arabic speaking population of Iran and also in other countries. The MVM members like Muhammad Taqi al-Mudarasi and Muhammad al-Shirazi relocated in Iran, straightway after the Islamic Revolution. The international student influx intensified in the Islamic Republic and especially the Saudi students joined the Hawza al-Qaim run by the MVM in Tehran. The MVM also established *Sazman e Zanan*, a seminary for the women and modelled it on the Hawza in Kuwait. This was attended mostly by Saudi women. The Saudi Shi'i *intifada* is also considered to be the handiwork the non-state groups in Iran like the Shirazi group as the MVM members were in charge of Arabic radio and broadcasting in Iran. Yet, Ayatollah Khomeini's war of words was always against the Saudi ruling family and that was seen in support to the Organisation of Islamic Revolution in Arabian Peninsula (OIRAP) during the hajj protests in 1987 (Matthiesen 201). However, the Shirazi group realised that their association with the state might strip their autonomy (Schain 2005).

The Dawa party was composed of autonomous national movements with no central authority. The assassination of Ayatollah Bakir al-Sadr and Bint al-Huda caused heavy damage and loss to the party in Iraq and laer it split into main two factions. The party also faded its clerical colour and secular and progressive members started to surface, though the Dawa party was also enthusiastic about the Islamic revolution and celebrated the advent of the new regime.

On the other hand, the Islamic Republic intended to monopolise the transnational *usoolism* and bring the scholars, activists or madrasas under its own influence. The evolution of the Islamic regime from Hawza world to realpolitik demanded some monopoly and some strong decisions that included the question of the succession of Ayatollah Khomeini. The alienation in the international community brought about by the hostility fuelled by the US Embassy crisis, the annoyance of neighbours for Ayatollah Khomeini as he called them illegitimate rulers, plus the aggression of Sadam Hussain constituted a rough route for the new leader (Louër 2011).

Therefore, for the consolidation of the power, the Islamic Republic in early 1980s laid greater importance on structuring its soft power. The export of the revolution through traditional diverse channels was replaced by establishment of revolutionary networks with central authority with the Supreme Leader (Salamey 2011). As a result, a new post-revolutionary trend emerged called as *khatt hizbollah* or Hizbollah line and most of the Dawa Cadre was absorbed into it. The line was a group of loose networks of various voluntaries and sometimes supported by an individual figure, intending to safeguard the ideals of the Revolution. In the Iranian context, it was considered as partisans of Imam's line (Imam Khomeini's) but outside of Iran it is famous as the Lebanese resistance force against the Israeli Defence Force (Louër 2011).

The marginality of the Lebanese Shi'is in a sectarian political system pushed them to be organised. However, the establishment of Hizbollah by alumni of the Qom Hawza under the leadership of Hassan Nasrallah is widely considered to be the post-revolutionary transnational effect of the revolution (Aga 2017). In another important instance, Hizbollah al-Hijaz was modelled on the Lebanese Hizbollah in 1987. The group was also influenced by the Hizbollah line and the members were earlier part of *Tajamu ulama al-Hijaz* (Metthiesen 2010). In the case of Bahrain, the Hizbollah line is considered to be a concept, therefore people do not hesitate to raise the Hizb flag. It is evident in the case of Bahrain that the Hizbollah supporters are mostly the ex Dawa Cadre, like Mohammad Mahdi al-Asefi. However, Isa Qasem emerged on the politico-religious landscape of Bahraini Shi'is and was accused by the regime of the country of planning to establish Bahraini Hizbollah and this accusation was always denied by Qasem and his followers but his intimacy towards Khomeinism substantiates his belief in the Hizbollah line (Louër 2011).

In the case of South Asia, an enormous impact was seen in Pakistan, Afghanistan and Kashmir. Initially in Pakistan it was the translated works of Ali Shariati into Urdu that initiated many Shi'i student movements, but later the scene was overtaken by the Iranian Cultural Centres or *Khane Farhag* that produces counter narrative to Wahabi'ism. The period coincided with the Islamisation policy of Zai al-Haq and the Shi'i dissent became stronger as they called such a policy as Sunnisation. The movement was under leaders like Allama Irfan Hussain, who was

the representative of Ayatollah Khomeini. Needless to say, Pakistani Shi'is dominantly became *Muqalid* of Ayatollah Khomeini (Abou-Zahab 2007).

Global Presence of Neo-Usoolism

The Global presence of the neo-*usoolis* is undeniable and constitutes a huge network of transnationalism. Though the phenomenon is primarily determined by the non-governmental and individual institution of the *Marji'at*, after the Islamic Revolution the governmental aspect is also added. The emergence of new challenges like media, especially social media are also contributing to its contemporary evolution. Most of the scholars have termed the global outreach of the Islamic Republic as its public diplomacy meant to project its soft power. The Iranian Cultural Centres in most of the big cities globally constitute the backbone of the cultural diplomacy of the country. The centres are sub-branches of the Islamic Cultural Relations Organisation (ICRO) under the direction of the Government of the Islamic Republic (Rad 2010). The centres indulge in activities that mostly reflect on religious and cultural dialogue that conform with the official line of the Islamic Republic. The objectives given on the website of the Iranian Cultural Centre clearly state that:

1. Creating awareness among the people of the World about the Islamic Revolution and its ideals.
2. Expansion of the cultural relation with the Muslims and oppressed.
3. Strengthening of the ties with other other countries and cultural organisations.
4. Presenting Iranian language, culture and history to the world.
5. Promoting the unity among Muslims on the principles of Islam.
6. Initiating scholarly debates.
7. Improving lives of the Muslims.

The functions of the organisation are also given as:

- a) policy-making,
- b) planning, directing,
- c) controlling, arid coordinating research activities, and
- d) executive affairs. (Islamic Cultural Relations Organisation 2019).

The office of the Supreme leader is a new bureaucratized form of the *Marji'at*. The office has its centre in Tehran and sub offices mostly in the Cultural Centres of the Islamic Republic in foreign as well as in the Iranian cities (The Office of the Supreme Leader). The other form in which the *usoolism* has global presence is through the traditional *vakil* networks and Ayatollah Sistani has a huge following through this pattern. The Ayatollah's *Marji'at* is structured as follows:

1. Board of *Istifta*: The board is responsible to give answers to the problems of the *muqalids*. The answers also include the fatwas that are not present in the *risala* of the Ayatollah and other diverse issues.
2. Assistance to *Tulab*: This department primarily focuses on the welfare of the students of the Islamic seminaries and distribution of annual allowances to them. According to the data, the Ayatollah supports 300 religious centres in Iran with 35000 students in Qom, 10,00 in Mashhad and 4000 in Isfahan alone. The office of Ayatollah is also supporting libraries and computer networks along with providing residence and supporting the students with the household items like refrigerators, coolers, carpets and etc. The allowances are also distributed in the countries like Lebanon, Afghanistan, Syria, Pakistan, India, and some portion in Europe, America and Africa and other parts of Asia.
3. Hajj Mission: This is a special assistance to the Hajj pilgrims in Mecca, wherein the pilgrims are guided through the rituals of Hajj, financial help is provided and religious awareness is also spread.
4. Distribution of literature: The distribution of the books based on the *Ijtihad* of the Ayatollah is also responsibility of the office.
5. Philanthropy: According to the data, the office of the Ayatollah has undertaken several permanent and temporary assistance projects for the poor and needy. This department looks after the assistance for the mourning ceremonies, marriages, medical aid, relief for Iraqi refugees, help centres for Afghan refugees. (sistani.org: nd)

The instances of such work are tabulated as under:

Housing for the Seminary students:

1. Grand Ayatollah Sistani Residential Complex, Qom.
2. Mahdiya Housing Complex, Qom.
3. Al-Zahra Housing Complex, Qom.
4. Thameenul Hojaj Housing Complex, Mashhad.
5. Residential Complex, Siraj Road Qom.

Medical Aid:

1. Jawad al-Aimma Specialist Eye Hospital, Qom.
2. Imam Sadiq Charitable Clinic, Qom.
3. Imam Hassan Mojtaba Clinic, Elaam.

NGOs:

1. Al-Ayan Social Care Foundation, Iraq. The foundation in under the patronage of Ayatollah Sistani and has his permission to collect religious tax and spend it in social works.

Figure 10. Al-Ayan Social Care Foundation, Iraq

AL-AYAN SOCIAL CARE FOUNDATION
N.G.O.
التاريخ : ٢٠١٤ / ١٢ / ٣ م
١٠ / صفر المظفر / ١٤٣٦ هـ

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
﴿وَقُلْ اغْنُوا فِتْنَتَيْنِ اللَّهُ عَمَلِكُمْ وَرِشْوَةَ الْمُؤْمِنُونَ﴾

سماحة آية الله العظمى المرجع الأعلى السيد علي الحسيني السيستاني
وبعد، تشرفنا مؤسستنا بأن تقدم وأفر شكريها الجزيل وامتنانها الكبير لشخص سماحتكم الكريم على دعمكم لها طيلة فترة عملها تحت مباركة ومأذونية سماحتكم في قبض الحقوق الشرعية وتوزيعها على يتامي المؤمنين ومنذ (٦/ صفر المظفر ١٤٢٨ هـ) والتي جددت في (٢٥/ صفر المظفر ١٤٣٠ هـ) من تم في (١٠ / صفر المظفر / ١٤٣٢ هـ) وكن ذلك تحت رعاية وإشراف فضيلة الشيخ أمجد زياتي (حفظه الله).

ونحمد سماحتكم علما بأن المؤسسة لا تزال مستمرة في كفالة ورعاية يتامي شهداء المؤمنين من ضحايا العمليات الارهابية التي وقعت في المناطق التي داهمها الإرهاب الأعمى لاختطاف منهم أبائهم وأولادهم، فيعد أن بدأنا بالعاصمة الحبيبة بغداد، وتوسعتنا إلى بعض المحافظات الأخرى كالوصل وديالى وكركوك وصلاح الدين، وتوثيق ورعاية آلاف من يتامي الشهداء الذين سقطوا ضحايا تلك العمليات، ونتيجة لقناعة بعض من يعنون بالعمل الاجتماعي والخدعي لشرعية يتامي، توسع عمل المؤسسة أخيرا ليشمل المحافظات في جنوب العراق الحريز من استشهد أبائهم في العمليات الارهابية أو توفوا بالأسباب الطبيعية.

وقد ازداد عدد يتامي المكفولين من قبل المؤسسة بالآلاف وهو في تزايد مستمر، والمؤسسة لا تزال تسعى وتتميز وتحتضن يتامي وضحايا تلك العمليات ما استطاعت إلى ذلك سبيلا ويتامي شهداء الحشد الشعبي من اربنا الغياري الذين لبوا داعيتكم وضجوا بانفسهم في ساحات القتال متخذين من مدرسة الحسين (ع) نهجا لرفض الذل ومقارعة الظلم وتقديم الدعم للفقراء والنازحين. وهكذا تنمو البذرة التي زرعتموها وسقيتموها ليشتأ منها برعم كبير بفضل عطائكم وجهودكم المستمرة.

سيدا المعظم ونظرا لما تقدم ازادات نفقات المؤسسة بسبب هذا التوسع من جهة، وسعي ورغبة المؤسسة المستمر للوصول بالخدمات التي توليها لليتامي والفقراء والنازحين إلى أفضل مستوى ممكن كي تشمل الجوانب الصحية والتربوية والترفيهية بالإضافة إلى الجوانب الثقافية والعينية المعمول بها، الأمر الذي اتقل كاهل المؤسسة بسبب تزايد اعداد يتامي الموقنين والمكفولين لديها وشمول الفقراء والنازحين.

ومن هنا نتقدم إليكم بطلب تجديد الإذن في هذا العمل بعد أن اتفقت مدة الإذن السابق، ليمكن المؤمنين في داخل العراق وخارجه من المساهمة في تغطية نفقات احتضان يتامي وتقديم الدعم للفقراء والنازحين، وذلك من خلال أمور:

- ١- الحقوق الشرعية من السهمين (سهم الامام ع) وسهم السادة شرفهم الله.
- ٢- الاموال المجموعة في صناديق معدة لذلك والتي هي صدقات مقبوضة بإذنكم.
- ٣- الصدقات الجارية وأكلات الموتى التي تنشأ بها بنايات تكون وقفيتها بتولية من المرجعية الدينية العليا والتي يكون ريعها لمصلحة يتامي.
- ٤- التبرعات والخيرات العامة ونحوها و المواد العينية (الألبسة، المواد الغذائية).
- ٥- الزكاة والكفارات.
- ٦- مجمل اعمال المؤسسة (شراء الصناديق، اجور المتابعات، ايجارات الفروع، تكاليف المطبوعات، شراء الاجهزة الضرورية لعمل المؤسسة وكل ما يخدم عملها).

فكفل هذا يعين المؤسسة في سماعها للذكور، علما أننا لا نزال نعمل وبإشراف مباشر من فضيلة الشيخ أمجد زياتي (أيده الله) المؤمنين والمؤمنات من قبلكم تطبيقا للمادة (١٥) من النظام الداخلي للمؤسسة، وبراعي الاجراءات الضرورية للتأكد من وصول الحق إلى مستحقه.

كما ونلتزم من سماحتكم أيضا المبارك لهذا العمل والدعاء لنا بالتوفيق، والسلام عليكم ورحمة الله وبركاته.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
السلام عليكم ورحمة الله وبركاته
تجدد الشكر لكم وللاعلامين متم على جهودكم المتواصلة في تقديم العون للناجين والنازحين سائلين المولى العلي القدير ان يعطيكم مزيداً من القوة لمواصلة هذه المسيرة المباركة لتجدد لكم في الاجراءات الواجب. وقد انناكم من مطلقتم مشروطاً بالشرعية فضيلة العلامة الشيخ العبد يرضى لامتثالكم
ومدة هذا الاذن ثلاثة اعوام
١٢ صفر
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1. Imam Ali Foundation, Qom.
2. Imam Ali Foundation, London.
3. Specialised Library of Commentary and Quranic Science, Qom.
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5. Specialised *Fiqh* and Usul Library, Qom.
6. Specialised Library of Philosophy and Theology.
7. Specialised Library of Literature, Qom.
8. Muhaqiq Tabatabaye Library, Qom.
9. Risalat Center, Qom
10. Ideological Research Centre, Qom.
11. Ideological Research Centre, Najaf.
12. Al-Mustafa Centre for Islamic Researchers, Qom.
13. Islamic Heritage Rebirth Centre, Qom.
14. Specialised Imam Mahdi Centre, Najaf.
15. Al-Zahra Cultural House, Qom.
16. Astronomical Research Centre.
17. Imam Sadiq Islamic Medical Research Centre.
18. Hawza Text Books Publication Centre, Qom.
19. Cultural Centre of Grand Ayatollah Haeri, Qom.
20. Islamic Data Bank, Qom.
21. Aalulbayt Global Information Centre, Qom, Najaf, Karbala, Kadhmain, Basra (Sistani.org: nd).

The Islamic Revolution brought about a structural change in all *usooli* institutions that fell under the preview of Islamic Republic. The Qom Hawza was bureaucratised and made a Quasi-governmental institution, Muhammad al-Shirazi resisted to come under the monopoly of the state. Later al-Shirazi's son, Murtadha Shirazi published al-Shirazi's theory of *Shurat al-Faquha*. However, after this Murtadha headed for the United States and founded Imam Shirazi World Foundation in Washington (Khalaji 2000). Various other members of the Shirazi group are relocated in Syria after the Islamic Revolution (Louër 2011). The following table depicts the global presence of the Shirazi Group *usooli marji'at* in several sectors, according to the figures provided by the official website of the group.

Table 4. Global presence of the Shirazi Group *usooli marji'at*

<i>Countries</i>	<i>Health</i>	<i>Education and Research</i>	<i>Media and Publication</i>	<i>Others</i>
Canada		2		
Europe		1		
Iraq		6	5	4
Syria	1	3	1	1
Lebanon			1	
Afghanistan				2
Iran	3	7	4	7
Kuwait		2	4	5
UAE		1		

(Shirazi.ir: nd)

Another instance of the transnational networks of the *usooli* movement can be stated as the Islamic Movement in Nigeria. Shi'i Islam in the country surfaced in early 1980s and it is consensually understood by the scholars that growth of Shi'ism in Nigeria is the consequence of the global spread of the Khomeini's thought in the aftermath of the Islamic Revolution of 1979. The Islamic Movement of Shaykh Ibrahim al-Zakzaky is the main Shi'i organization that accepts the religious authority of Iran's supreme leader, Khamenei. However, the movement declined due to sectarian rifts and now accepts all schools of Islam as equal, but rejects to affiliate with the secular authority of the country.

Though, the Shia population of Pakistan, mainly belongs to the Twelver Shi'ism and is believed to make huge *muqalid* segment of the Iraqi and Iranian *mujtahids*. The Grand Ayatollah Shaykh Basher Hussain is the only Urdu speaking high ranking elitist *marja* in contemporary Najaf who is of Pakistani origin (najafy.com).

Though evidence of direct impact of *usooli* movement on the creation of Pakistan was not found during the research, the sectarian relations in the country were largely modelled on the idea of the Muslim unity of the Islamic modernism and

the *usooli*-Sunni reconciliation. Therefore, the Shias enjoyed fair amount of accommodation between 1947 and 1977 in the country. However, the Islamization policy of General Zia al-Haq triggered a wave of Shia awakening in Pakistan. The period also coincided with the Islamic Revolution of Iran and ultra-Wahhabization facilitated by the petro-dollar decade in the Gulf. The Zia's Islamization policy was considered by the Shias as Sunnization of the state and society of the country. The policy proceeded to Islamise the law and legislation by appointing ulema as Judges and imposing the *zakat* ordinance. The *zakat* ordinance in particular was cogitated as an attack on the jurisprudential independence of the Shias. The narrow interpretation of Islamic laws was opposed by the Shi'i scholars and it gave birth to the Shi'i movements like *Tahriq e nifaz e Fiqh e Jafaria* (Begum 2012).

The Iranian influence in Azerbaijan is another instance of the dispersion of the ideas of *usooli* movement, its transnational character that shapes domestic politics and society of the country and the construction of a particular Shi'i identity and culture (Jödicke 2017).

Iran and Afghanistan are considered cultural cousins and apart from a huge cultural, historical and geographic affinity. The two countries have magnificent annals of religious communication and substantial presence of the Twelver Shias in Afghanistan has made the country West visage. The *usooli* ideas of Islamic internationalism and Muslim unity, anti-imperialism and desistence to the Super-powers were observed taking shape in Afghanistan. In the resistance, Ayatollah Aga Alem, Syed Sarwar and a son of Ayatollah Mir Ali, who represented or were vakils of Imam Khomeini, Ruhani and Shariatmadari respectively. The Islamic Republic of Iran also supported Harkat-e-Islami or Islamic Movement of Afghan Shias and other organisations like Sazman-e-Nasr, Sepah-e-Pasdaran. The Islamic Revolution streamlined Afghan Shias and the Shias enthusiastically accepted the religious and judicial authority of the Iranian Mujtahids. Consequently, the trends like Hazara nationalism or Maoism weakened to make way for the Islamic political groups drastically (Khalilzad 1987).

Conclusion

The tendency to diffuse ideas and enhanced emanation of material makes neo-*usoolism* a classic case of transnationalism in contemporary world. The revival of *usoolism* in eighteenth century consolidated its authority firstly in Najaf in the form of Hawza Ilmiya and the Hawza developed a community of diverse membership originating from Indian sub-continent to Lebanon, Arabia to Azerbaijan and so on, covering a huge pocket of territories. Furthermore, the community under the *usooli* movement was divided hierarchically into *mujtahid* and *muqalid* linked by the junior ulema and maintained by the merchant networks. The network linkages contribute to igniting and expanding the transnational activism far and wide in the universe of of *usooli* Shi'ism. The movement was posed with the challenge by European modernism that include Modern nation-state, secular nationalism and socialism and communism. But, the challenges fuelled an intense awakening age in modern Shi'ism and various prominent *usooli* elites engaged with the rationality and *ijtihad* to deal with the situation. The awakening is referred by this study as Shi'i modernity that initiated reformism. The reformation too diffused and crossed the nation-state borders. Being politically opposed to the regimes, the *usoolis* were crackdowned and throughout its history was forced to change its centre. However, the power shift to the Hawza Ilmiya Qom proved to be a paradigm shift and this shift was to a large extend responsible for the establishment of the Islamic Republic in 1979. The Islamic Revolution and the subsequent constitution of the IRI too is advancement of the *usooli* ideas of rationality and it is reflected in its transnational character and appeal.

Chapter VI

CONCLUSION

The study had been directed to locate neo-*usoolism* in the ‘Multiple Modernities’ paradigm and it ended up throwing plenty of more questions. However, it is evident that rationalisation of Shi’ism revived Shi’ism in modern Iran and brought it to the centre-stage. The evolution of rational Shi’ism as an expression of modernity makes a case for multiple modernities and it represents non-Western progress stories that function agentially and autonomously in an indigenous manner.

The classic *usoolis* strived to end the stagnation that surfaced with the occultation in Shi’i Islam. Therefore, they reconceptualised the concept of rationality endowed by the Book and traditions and prepared the ground for *ijtihad* in Shi’i learning. The emphasis on human reason as ‘internal proof’ legitimised *ijtihad* in the absence of external proof; the Imam. The introduction of *ijtihad* decentralised the Shi’i learning by making the Islamic precepts accessible for the common believer. *Usoolism* was developed in the margins of the Islamic history and intellectual endeavours. It was purely a horizontal movement catering to the jurisprudential and religious needs of the marginal group and their marginal discourse. The Shi’is were marginal for being deprived of their Imam and developed structurally as symbol of resistance to the power. This also resulted in the persecution of the Shi’is and in their institutional discrimination.

The commencement of the science of interpretation, *usul al-fiqh*, empowered the common Shi’is with body of accessible jurisprudence so that they could practice their religion as were expected by their Imams. The physical mobility and mobility of time were no more a problem as *ijtihad* solved the problems in the place of Imam. The framework of *usooli ijtihad* also prevented the Shi’i merger with the dominant Islamic discourse of Sunni Islam. Therefore, the essence of the Shi’i narrative of the marginalisation of the family of the prophet and their sacrifice stories, was also preserved that ultimately preserved Shi’i identity.

The *Usooli Ijtihad* has passed through a unique trajectory as compared to the Sunni *Ijtihad*. Unlike Sunni *ijtihad*, the *usooli ijtihad* lacked state patronage and was supported mostly by the Shi’i clergy and traders. This maintained the autonomy and authenticity of *usooli ijtihad*. This people-centric character developed the *mujtahids* into a motherly figure for the community who were like orphans in the absence of their Imam. This built a trust-based relationship between the *mujtahid* and *muqalid*

and made it easier for the *mujtahids* to collect religious taxes, retain custodianship of endowments and distribution of alms etc.

The opposition to *usoolis* from different quarters, especially from the *akhbarism*, was also dealt with the application of rationality and to a large extent they were successful in overcoming such challenges. The traditionist literature, contrary to its intention, has contributed to the accuracy of *ijtihad* by providing authentic and simplified treasure of the traditions. Here, the study observed that employment of rationality is most active when the community is under non-Shi'i rule, especially under encroaching Sunni rule, whereas under the safety of Shi'i rule the inclination towards *Akhbarism* increased.

The *Usooli-Qajar* alliance brought Neo-*usoolism* to Iran and in a new shape that was assertive, active and later on also turned revolutionary. It ended the long political quietism and passiveness in Shi'ism. The popular and unquestionable support and organic reach of *usoolis* are indicated in the implementation of their fatwas that even came from Iraq. This popularity made the *usoolis* monopolistic custodians of Iranian socio-political landscape as compared to the rulers. The monopoly inside Iran reinforced the *usoolis* who still were operating from Ottoman Iraqi cities of Atabat and they structured the movement and it also seems that their eyes were straight on Qom to have a safer sanctuary but still retained their headquarters in Atabat. The institutionalisation appeared as *Marja Taqlid*, *Muqalid*, *Risala Amliya*, *Vukula* system and so on. This was the golden period of neo-*usoolism* and the *mujtahids* also started competing for followers and that prevented a unified centralised authority from emerging.

Meanwhile, the Hawza Ilmiya of Qom was revived and the exodus of the ulema from time to time from Iraq also added power to the Qom Hawza. This further strengthened the neo-*usooli* movement in Iran and hence the political tone was intensified during the political and strategic crises like Russian aggression or Tobacco concession. This was followed with the political demand of curtailing powers of the Shah, establishment of House of Justice and, more importantly a Constitution.

Neo-*usoolism* constituted a major opposition to the Pahlavi monarch and his policies and conceived the idea of Islamic Republic and realised it through the

Islamic Revolution. The Revolution was the result of the political activism of *usoolis* and their active political customising of the narrative of marginalisation of the Imams, the Karbala paradigm and the identification of the monarch as the enemy of Islam. This realised the dream of Islamic Republic under the rule of *usooli* jurist. The neo-*usooli* movement is not an upstart but has centuries of intellectual rigor and marginal Shi'i narrative at its back. The movement employed concepts of reformation and revivalism and refined itself with time. The initial fulcrum of the movement was Najaf, where the ideas and authority were consolidated and it formed a cosmopolitan community of clergy and transported its ideas to the world.

The movement had an inherent tendency of diffusion, and it could not be bound into the territorial borders. After it assumed apparent political tones, it tested its ideas in Iran and later transported those ideas towards the Gulf, South Asia, Central Asia, Europe and North America. However, after the Iranian Islamic Revolution, *usoolis* to a large extent became part of the system in Iran. The governmental and non-governmental exportation of *usooli* ideas continues in a significant manner even now. It evolved from a closely-knit group to a diverse and decentralised modern movement. The accessibility to *ijtihad* to diverse students has elevated the number of *mujtahids* of diverse backgrounds. The diversity is also seen in the diversity of fatwas and differences of opinions among different *mujtahids*. \

European modernity posed a threat to it by inducing ideas such as nation-state, secular nationalism, and communist and socialist ideas. But it equally fought back and without even losing an inch of its space, it flourished. It is one of the oldest and largest transnational movements with resourceful networks with a global presence. The movement has modernised Shi'ism and influenced daily lives of the Shias world-wide. The rules for ablution to intimate moment, from manner of taking bath after child birth and mensuration to distribution of wealth, are prescribed by *mujtahids*. The *usooli* ulema control the largest endowment in Iran, Iraq, Syria, parts of the Arab side of the Gulf, Lebanon and the Sub-continent, though the management of endowments has a degree of internal autonomy.

The pictures of Ayatollahs Sistani and Khamenei are hanged on buildings in Iran and the same thing is seen in Bara Imam Bara in Lucknow or any Imam Bara in Kashmir or *Ashur khana* in Hyderabad or Shi'i neighbourhood in Lahore or

Lebanon in the homes of *muqalids*. From Tobacco Movement to Nuclear deal with the West, the *usooli* ulema have a say and are heard.

The socio-political activism of Shias is largely informed and influenced by modernity of *usoolism*. It plays a global role as philanthropic and political actor in various countries and has near-monopoly over the Shi'i learning. Its reformative character has adhered to for its genesis of ending stagnation. It is, therefore, proving to be a flexible and compatible global ideology of the Shias. It is observed that elements of it are adaptive towards human rights, environmental issues and inter-faith dialogue. Furthermore, it has the tendency to inform Shi'i Islamist women's movements also. In contemporary times, it has influenced political opposition in many countries and has given rise to Shi'i Islamist Movements independent of Sunni Islamism, across the globe. Many offshoots of Neo-*usoolism* are part of political processes in different countries. That indicates its transnational character and the resultant domestic application of its precepts. Having been started at the margins of dominant Islam, it can be observed that in its new phase, it came to represent such an origin by adopting the ideas like Pan-Islamism and anti-colonialism and anti-imperialism. Besides, the usage of social media in the contemporary period shows its adaptability towards modern technology. The *usooli* movement in the twenty-first century is a classic case of one of the most organised religious ideology.

Therefore, the contribution of the *usooli* rationalism in the direction of development of constitutions, reformative and revival programmes and its political thought and tendency of transnational interaction, gives a specific framework for Modern Iran to present a case for Multiple Modernity. It proves the first hypothesis of the study that 'the revival and employment of *usooli* rationalism has contributed to emergence of multiple modernities discourse in modern Iran'.

Though the *usooli* school developed in Iraqi cities, Iran was considered to be the ultimate laboratory for the *usooli* ideas for the reason that the country is having an overwhelming number of followers of the Twelver Shi'ism. Thus the Shi'i character of the country is potential in providing horizontal as well as vertical support to the *usooli* clergy. The *Usooli-Qajar* alliance institutionalised the trend for inferring the rules and regulations of the sharia and through this the clergy begun to occupy dominant position in politics as well as in society. The *usooli* control of the

seminary of Qom developed revolutionary ideas that resulted into the Islamic Republic. Hence, the hypothesis that ‘the consolidation of rationalist *usooli* movement transformed the clergy to a dominant leadership position in Iranian society and politics’ is reaffirmed.

Ijtihad or the right to interpret religious edicts developed not only a tangible jurisprudence of Imamic laws but also focused on the political thought and reformation and revivalism in various societies. The religious edicts disseminated beyond the centres of *ijtihad* and constituted a unique culture that informed the political and social activism in many peripheral countries of the Shi’i world. Therefore, the study also validates the final hypothesis that ‘the right to interpret religious edicts through the process of *ijtihad* made the *usooli* clergy a pivot in greater social and political activism in Twelver Shi’ism.’

The study concludes that the revival and employment of rationalism contributed to the emergence of modernity in Iran that is distinct in character from European modernity. The Constitutions of modern Iran are tremendously influenced by the *usooli* ideas and the institutions that emerged in the process are guided by them. The consolidation of rationalist *usooli* movement has transported the clergy to a dominant leadership position in Iran, not necessarily only the official clergy that is the followers of Ayatollah Khamenei, but Ayatollah Sistani, Ayatollah Shirazi, Ayatollah Amilli and others also have following in the Islamic Republic. Furthermore, the exclusive right to interpret the sources through *ijtihad* has also made the *usooli* clergy a pivot in greater social and political activism in Twelver Shi’ism around the world. The *mujtahids* are observed to have issued fatwas to the problems outside of the places of their residence, including fatwas of transnational nature. The fatwas are also not necessarily always uniform but depict differences of opinion of the *mujtahids* on similar issues. Thus, the end of political quietism is not limited to Iran or Iraq but it has diffused all over the Shi’i world and more and more Shias are seen embracing and addressing the worldly issues and are actively presenting their opinions. The Shi’is who are influenced by *usooli* rationalism can be found in diverse realms such as the state, organisations, Islamist movements and political parties.

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