Shi'i scholars of nineteenth-century Iraq

The 'ulama' of Najaf and Karbala'

Meir Litvak

CAMBRIDGE
UNIVERSITY PRESS

PUBLISHED BY THE PRESS SYNDICATE OF THE UNIVERSITY OF CAMBRIDGE
The Pitt Building, Trumpington Street, Cambridge, United Kingdom

CAMBRIDGE UNIVERSITY PRESS
The Edinburgh Building, Cambridge CB2 2RU, UK
40 West 20th Street, New York NY 10011–4211, USA
477 Williamstown Road, Port Melbourne, VIC 3207, Australia
Ruiz de Alarcón 13, 28014 Madrid, Spain
Dock House, The Waterfront, Cape Town 8001, South Africa

http://www.cambridge.org

First published 1998
First paperback edition 2002

Typeface Plantin 10/12 pt.

A catalogue record for this book is available from the British Library

Library of Congress Cataloguing in Publication data
Litvak, Meir.
Shi'i scholars of nineteenth-century Iraq: the ulama of Najaf
and Karbala / Meir Litvak.
p. cm. – (Cambridge Middle East studies)
Includes bibliographical references (p.) and index.
ISBN 0 521 62356 1 (hb)
1. Shī' ah – Iraq – Najaf – History. 2. Shī' ah – Iraq – Karbala – History.
3. Shiite shrines – Iraq – Najaf. 4. Shiite shrines – Iraq – Karbala.
5. Iraq – History – 1534–1921. 6. Iraq – Politics and government.
I. Title. II. Series.
BP192.7.I7L58 1998 297.8'2'095675–dc21 97-35821 CIP

ISBN 0 521 62356 1 hardback
ISBN 0 521 89296 1 paperback

Contents

Introduction

> Knowledge (*'ilm*) lifts the lowly person to heights. Ignorance keeps the youth of noble birth immobile.[1]

The 'ulama', or men of learning in the Muslim world, have often been described as the one group that makes the Islamic community "Islamic" rather than something else.[2] Such a broad statement of course needs to be historicized with reference to specific periods and places, yet, it is particularly appropriate for the Shi'i 'ulama' in the two shrine cities (*'atabat-i 'aliyat*, lit. sublime thresholds) – the holiest pilgrimage sites in Shi'ism – Najaf and Karbala' in Iraq during the years 1791–1904.

During this time Najaf and Karbala', where the first and third Shi'i Imams, 'Ali and Husayn, are buried, emerged as the most important centers of learning and religious leadership in the Shi'i world, a status they would gradually lose during the twentieth century.[3] Equally important, it was in these places and years that the structure and content of higher Shi'i learning and of the institution of religious leadership achieved their final shape, which has remained largely in effect to this day. Likewise, it is during this period that the 'ulama' finally secured their role as almost exclusive custodians of Shi'i tradition and religious life by defeating all rival religious trends, and by appropriating the various manifestations of popular religion. Concurrently, the Shi'i 'ulama' did not face the encroachment of secular education either in Iran and Iraq to the extent that eroded the power base of their Sunni counterparts in the Middle East.

The uniqueness of the community of learning in the shrine cities was largely due to the fact that it was founded by the 'ulama' themselves to serve as a center of erudition and scholarship, rather than by rulers or lay notables to serve political, administrative, and social purposes. Consequently, in contrast to contemporary Sunni religious establishments, the community of learning in the shrine cities was independent of the rulers, and was much more oriented toward the lay Shi'i constituency than toward the state. As Shi'i towns in the Sunni

Ottoman Empire, it was the community rather than the state that constituted the primary socio-religious frame of reference discussed in this book, with the 'ulama' playing a central role as religious, communal, and political leaders.

Few if any other centers of learning in the Middle East assumed the character of a "university town" like Najaf, where the civic economy and social organization revolved around pilgrimage and learning. Thanks to this combination of pilgrimage, learning, and trade, Najaf emerged as the heart of a "Shi'i International," attracting students and visitors from all parts of the Shi'i world.[4] The presence of a large foreign, mostly Iranian, population of teachers, students, and pilgrims inside Ottoman Iraq placed the shrine cities in the unique situation of being simultaneously an integral part of two very different societies, polities, and cultures, those of Qajar Iran and Ottoman Iraq.

The peculiar nature of the two communities as centers of learning independent of the state is best described by the Shi'i term *hawza 'ilmiyya* (lit. territory of learning) or community of learning, denoting a communal whole which encompasses scholarship, inter-personal and social bonds, as well as the organizational and financial spheres. The 'ulama' of the two shrine cities constituted a distinct social stratum whose members possessed a strong self-consciousness and group identity formed by shared values, interests, and lifestyle, as well as by the continuous interaction between members.[5]

A major factor in the 'ulama''s self-esteem lay in their being a small literate minority in an otherwise mostly illiterate society both in Iran and Ottoman Iraq. Although women could study and attain high ranks of learning in Shi'ism, the community of 'ulama' in the shrine cities was predominantly a society of men, particularly as many of the students could not afford to marry.[6]

Pre-modern Iranian society was characterized by vertical social divisions determined by religion, ethnicity, and ecological factors. Whereas the focus of identity for many of these social groupings was primarily defense against outsiders, the focus of identity of the 'ulama' community was basically different.[7] Entry to the ranks of the 'ulama' was often voluntary, whether out of genuine piety or as a means of social betterment. The ethos of the 'ulama' as heirs to the Prophet and Imams was another major factor in forging this identity. Consequently, while economic factors tended to increase the importance of class divisions in Iran, partially supplanting many of the former vertical divisions, the 'ulama' community retained its nature as a status group.

The study of the social organization of Muslim learning and of the 'ulama' as a social stratum has made important gains in recent years,

but for obvious reasons has been focused on the majority Sunni community.[8] The study of Shi'ism and of the Shi'i 'ulama' has also progressed considerably, largely under the impact of the 1978–79 revolution in Iran. The majority of the latter studies have concentrated on doctrinal developments, particularly Shi'i political theory, and on the role of the 'ulama' in politics, thus dealing primarily with the 'ulama' elite. Likewise, most of these studies have focused on Iran itself as the largest and most important Shi'i society,[9] rarely delving into the internal organization of the Shi'i religious stratum, or giving the shrine cities their due share, as this study aims to do.

The Shi'i 'ulama' have been mainly associated with Iran, and the communities of 'ulama' in the shrine cities have mostly been seen as part of the larger Iranian context, without looking deeply at their uniqueness as centers of learning and as consisting predominantly of migrants. Recent studies on Shi'ism in Iraq, primarily by Batatu, Luizard, Mallat, Nakash, and Wiley have focused mainly on the Shi'i tribal population or on the twentieth century.[10]

This study, therefore, seeks to fill this gap by examining the internal dynamics of a community of 'ulama' in the two most important centers of Shi'i learning and to place them in three different, but partly related, historical contexts: first, the institutions of higher learning in Islam and the evolution of the 'ulama' as a social stratum; second, socio-political developments in Iraq, particularly through the prism of Sunni–Shi'i relations; and finally, the relations between religion and state in Iran. Likewise, it seeks to encompass both the upper and lower level of the 'ulama' and provide, as much as is made possible by the available sources, a history of the 'ulama' from below.

The nineteenth century was a period of profound change in the Middle East produced by the interaction between internal developments and western influences and pressures. Yet, large segments of local society in Iraq and Iran remained deeply traditional and highly religious as far as their worldview and modes of social organization were concerned. Within this context the 'ulama' acted as a bastion of religious tradition and social continuity. An additional aspect is suggested by the provincial small-town nature of Najaf and Karbala', which sets the community apart from the Sunni 'ulama' in metropolitan centers such as Istanbul, Cairo, or Damascus. A major purpose of this study, therefore, is to examine the relative impact of external and internal forces on the social makeup and organization of the community of 'ulama' and on its relations with other historical players.

What holds together a community of scholars and students in a situation where the state is unfriendly, and does not play the simulta-

neous role of benefactor and overseer? The key is the preponderance of informal interpersonal ties, which serve as the basis for social interaction in the society of the 'ulama', and is manifested by patron–client relationships. These ties have often been associated in a cause-and-effect relationship with the absence of formal organizations and overall administrative mechanisms in Muslim communities of learning. As this study will show, both these elements encompassed most aspects of life in the shrine cities, ranging from the mode of teaching to finances and the institution of leadership. Equally important, they remained largely intact during the entire period under study and well into the twentieth century.

The 'ulama' are examined here in three expanding circles. Part 1 analyzes the internal aspects of Shi'i learning and of the community of 'ulama' in the shrine cities. Most important, it seeks to analyze the interaction and role of the two key factors underlying the social organization of the 'ulama' community, that is, scholarship and patronage. Consequently, we see how links of patronage cut across and superseded class and ethnic divisions in the shrine cities, even though they did not annul them.

The mode of teaching in the shrine cities is also closely linked to the system of patronage. Students were affiliated with individual teachers and not with institutions. Likewise, the diploma was awarded by the teacher as a personal matter between him and the student, giving a formal stamp to the patronage ties that linked them.

The importance of patronage is highlighted by the nature of finances in the shrine cities which was based on donations and religious dues – alms and the fifth – provided by believers, rather than on landed endowments (*awqaf*) as was the case in the Ottoman Empire and even Qajar Iran. The dependence on donations required the teachers to construct networks of patronage composed of former students and followers, mainly merchants, who channeled funds to them. The centrality of these ties to the sustenance of the community of learning, and the religious obligation of emulation (*taqlid*) of the leading scholars by their lay followers rendered these networks more significant for the 'ulama' of the shrine cities than their links of patronage with state officials. Since patronage relationships were exclusive to the teacher and did not pass to his sons, the latter could not succeed to their father's status and position, as was the case in the Ottoman Empire and Iran, and had to justify their status on their own merits. Consequently, the community of learning in the shrine cities has remained open to talented newcomers throughout the last two centuries. While networks of patronage were being formed and dissolved throughout the period the practice itself showed remarkable durability.

Chapters 2 to 5 deal with the institutionalization and evolving nature of leadership in the scholarly community in both towns as well as in the wider Shi'i world, using the leadership issue as a focus to analyze the various other aspects of the community of learning.

In contrast to Catholicism, the Islamic *shari'a* rejected the need for a clerical institution to mediate between man and God in order to attain spiritual salvation. Rather, in view of the judicial, social, and administrative duties of the 'ulama', and the close links between religion and state in Islamic history, official religious hierarchies were established on the initiative of the state to serve its own purposes. Such was the case with the Ottoman *Ilmiyeh*, which was headed by the Shaykh al-Islam of Istanbul, the office of Shaykh al-Azhar in Egypt, or even the Imam Jum'a of Lucknow in the Shi'i kingdom of Awadh. All these religious leaders could, therefore, be termed "officials," since they derived their authority from organizational and bureaucratic positions.

By contrast, the Shi'i mujtahids, those scholars eligible to issue religious rulings, fit the definition of informal leaders who, in the often-quoted words of the nineteenth-century British historian John Malcolm, "fill no office, receive no appointment, [and] have no specific duties but who are called, from their superior learning, piety and virtue, by the silent but unanimous suffrage of the inhabitants ... to be their guides in religion, and their protectors against the violence and oppression of their rulers."[11]

Malcolm's description, which alludes to certain charismatic qualities, captures the dual role of the Shi'i mujtahids as both spiritual and social leaders. This was particularly true of the religious leadership in the shrine cities in view of its independent and informal character and the centrality of personal loyalties.

Shi'i religious leadership and particularly the institution of Supreme Exemplar (*marja'iyyat-i taqlid*) resulted from the development of the concept of general deputyship (*niyaba 'amma*), which enabled the 'ulama' to claim charismatic authority inherited from and wielded on behalf of the Hidden Imam, and through socio-political processes which culminated with the reinstatement of Usulism – the rationalist school and methodology for deducing legal norms – in the eighteenth century. However, whereas the concept of emulation (*taqlid*) and the prerequisites for *ijtihad* (the process of inferring legal norms using reason) were instrumental in designating a religious elite of mujtahids, they were insufficient to create a clear hierarchy within it.[12]

There is a theory in contemporary Shi'ism that at any given time in Shi'i history there was one 'alim who was recognized as the supreme religious authority. Consequently, there are historiographic attempts to

draw a continuous line of exemplars back to the days of the Twelfth Imam.[13] This theory, however, is relatively new and ungrounded. The institution of a supreme religious authority under one mujtahid first appeared under the Safavids when Shah Tahmasp bestowed the title "Mujtahid of the Age" (*mujtahid-i zaman*) upon ʿAli al-Karaki al-ʿAmili in 1533. The title, however, entailed neither systematic doctrinal authority nor formal leadership over the administration of religious institutions. Only the office of Mullabashi established in the late seventeenth century formally recognized a mujtahid as the highest religious authority in Safavid Iran.[14] The destruction of the Safavid state in 1722 marked the demise of that institution.

The integration of the clerical community into an independent establishment during the early years of the Qajar dynasty prompted both the 'ulama' and their constituent groups to search for a more systematic line of authority. The recognition of a "head" or a leader was intended to answer the need for a superior model who, by embodying both rational capacity and moral piety, could sanctify the righteousness of the entire 'ulama' establishment.[15]

Theoretically, the designation of the spiritual leader or the Supreme Exemplar was determined by his superiority in the three major qualifications for *ijtihad*, i.e. *ʿilm* (knowledge of the law), *ʿadl* (justice in the practice of law) and *waraʿ* (piety). Of the three, *aʿlamiyat* (superiority in learning) was held as the most important. The idea of emulating the most learned mujtahid was implicit in Muhammad Baqir Bihbihani's (d. 1791) writing. Mirza Abu al-Qasim Qummi (d. 1815–16) advanced it by reestablishing the concept of *mutabaʿa*, i.e. the conscious following of the opinion of a superior mujtahid both in doctrine and in practice, thereby facilitating the emergence of an informal hierarchy among the mujtahids.[16]

The coherent concept and institution of *marjaʿiyya* appeared only during the second half of the nineteenth century. It was Murtada Ansari who formulated the concept, which nullified all religious acts not performed in emulation of the exemplar. Ansari's excessive caution in exercising his authority, however, raises some questions as to the actual application of the theory during his period. Likewise, none of the leading nineteenth-century mujtahids claimed doctrinal or spiritual authority.[17]

The rationalism propounded in Usuli theory largely contradicted the spiritual standing attributed to the exemplars in order to enhance their prestige among their followers. In order to obscure this paradox, unworldly qualities such as asceticism and extreme devotion were often assigned to them.[18] Miracles (*karamat*) which happened to or were

performed by the mujtahid, and dreams in which the Imams appeared to him, endowed him with the necessary charismatic aura.

There was of course a large gap between the theory and the actual practice of selecting an exemplar. The requirements for *marja'iyya* were too vague and subjective, paving the way for conflicting claims and arbitrary denials of qualifications, problems to which the more formal western academic system is also not immune. Likewise, the procedure for pronouncing the choice, i.e. the attestation of these qualifications by two just men, contained the same vagueness and could have led to an uncontrolled proliferation of exemplars. Even the simple question of whether the evaluation of knowledge is a prerogative of the 'ulama' or of every believer is left ambiguous. Consequently, the criteria could hardly be applied in a systematic and practical way to determine scholastic superiority among the mujtahids. In practice, these criteria enabled the believer to choose or shift from one exemplar to another as he pleased and whenever it suited his interests.[19]

Equally important, doctrinal obstacles inhibited the full institutionalization of a religious hierarchy and particularly the position of Supreme Exemplar. The presence (or actually the material absence) of the Hidden Imam made any attempt toward the theoretical elaboration of a supreme authority a matter of controversy and conflict. The absence of a centrally organized structure in the learning complex in the shrine cities or in Iran and the fact that any mujtahid could bestow *ijazat ijtihad* – the diploma permitting the practice of ijtihad – on his students made the ranking of mujtahids difficult. A certain incompatibility also existed between the stress of otherworldliness attributed to the *marja'iyya* and the requirements necessary for carrying out his role of social and communal leadership.[20]

Consequently, in the Shi'i context it is more instructive to focus on the institution of *ri'asa*, i.e. the combination of religious and communal leadership. The difference between *ri'asa* and *marja'iyya* parallels in a way the implicit tensions over seniority between pure scholarship and academic administration in western hospitals or universities, as each role requires different qualifications.[21] Whereas *marja'iyya* implied the intellectual and spiritual superiority of one mujtahid, *ri'asa* reflected the amorphous structure of the Shi'i establishment, where numerous religious leaders coexisted with each other. Even so, the Shi'i *ri'asa* had greater spiritual authority than the more administratively constituted Ottoman religious leadership.

The Usuli concept of religious leadership and hierarchy also differed from the model espoused by Sufi Islam which stipulated a hierarchical order in which man is defined in terms of his spiritual perfection. By

contrast the Usuli notion of hierarchy refers more to rational knowledge of the law. The Shi'i Perfect Man is clearly a charismatic figure who is described as the heart of the *umma*, yet he has no worldly power and lives with his wishes unfulfilled.[22] The mujtahid on the other hand, is only partially a charismatic figure, and his authority extends to every aspect of religious life.

While I do not seek to provide an exhaustive account of every struggle for leadership in the shrine cities, these chapters trace the continuous pendulum between centralization and diffusion of leadership and the development of the concept and actual practices of leadership in the shrine cities and the Shi'a as a whole.

In Sunni communities the 'ulama' competed among themselves for the favor of the rulers or for positions in madrasas in their struggle for leadership. The focus of the leadership struggles in the shrine cities was different, since endowed chairs were fewer due to the scarcity of substantial *awqaf*. Consequently, in order to attain the status of exemplar, mujtahids needed both symbolic and material resources. Symbolic resources, that is a reputation for scholarship and a certain charismatic quality expressed as piety and justice, were necessary, but by no means sufficient, preconditions for attaining leadership status since they did not represent by themselves the necessary link with the mujtahid's constituents.

The complementary material capital was the close link with the Bazaar community in Iran which provided the financial mainstay of the 'ulama'. However, those who have discussed the importance of the mujtahids' relations with the merchant community have failed to point out to the importance of networks of patronage composed of former students. These students, who were stationed in the various communities, provided the crucial link between the leader and his followers by collecting the religious dues for their teacher, by referring students, pilgrims, and legal questions to him, and by disseminating his rulings among the followers.

The various ascriptive factors, such as clerical or sayyid origins, were helpful, but again were neither necessary nor sufficient conditions for the attainment of leadership. Consequently, this study will show how the leadership ranks in the shrine cities were more open to talented newcomers than was the case in either the Ottoman religious hierarchy or Qajar Iran. The major reason for this openness was the central role of teaching in the shrine cities and the relatively minor role of endowments as a source of funds and status, in contrast to the holding of official positions as was the case in Sunni countries. Further, a distinction is made between the various levels and meanings of status, such as

scholarly vs. socio-political eminence; recognition by peers, by students, or by the wider masses; and the acknowledgment of the seniority of a fellow mujtahid as compared with the acceptance of subordination to him.

During the nineteenth century the Shi'i religious leadership underwent centralization from the multiple places of learning to the shrine cities, particularly Najaf. However, as this study shows, no mujtahid was ever able fully to concentrate the religious leadership in his own person and achieve the universal recognition and subordination of his peers. More important, neither a theory nor a mechanism for the selection or appointment of leaders was ever formulated. Despite the centralization, therefore, no formal religious hierarchy was ever established in the shrine cities or among the Shi'a as a whole. Again the patronage system was both a cause and effect of this pattern.

Part 2 examines the political and social activity of the 'ulama' within a political triangle formed together with the Ottoman rulers of Iraq and the Qajar dynasty in Iran. The 'ulama' of the shrine cities found themselves in the peculiar situation of being a part of an oppressed minority in Iraq but also members of the powerful religious establishment of Iran. Since most of their constituents and financial support came from Iran, the shrine cities were directly affected by all the important socio-economic developments in that state. Concurrently, the 'ulama' played a prominent role in the complex relations between Sunnis and Shi'is as well as between center and periphery in Iraq.

This dual and opposing position in two adjacent countries had a profound impact on the 'ulama''s political conduct and activity in both arenas, which was markedly different from that of their counterparts in Iran. Thus in the context of the historiographical debate on the political role of the 'ulama' in nineteenth-century Iran, this study supports the view describing the relations between the 'ulama' and the Qajars as multi-faceted. In addition to periods of tension and rivalry between certain segments of the 'ulama' and the Qajars, there was also a commonality of interests, implicit and also some explicit recognition of Qajar legitimacy during some parts of the nineteenth century, and even cooperation against heretic revolutionary movements such as Babism.

Moreover, whereas various studies have concluded that the shrine cities were centers of opposition to the Qajars, I argue that the dependence of the 'ulama' in these cities on the Qajar government to offset various discriminatory Ottoman policies and pressures, as well as the nature of the shrine cities as centers of learning, rendered the 'ulama' there much more politically quietist than their colleagues in Iran.[23]

The evolving relationship between the 'ulama' and the British in Iraq adds another though somewhat less important factor and dimension to the 'ulama'–Ottoman–Qajar triangle. Research on British penetration in Iraq has focused mainly on the strategic and economic issues. This study examines how the British forged relations with the Shi'i community, initially as part of their interests in India, but subsequently, as their involvement in Iran grew, so did their interest in the community of 'ulama' *per se*. British involvement in the shrine cities adds another facet to the role of the external factors of change affecting the community of learning.

The local and urban history of Iraq has been a fairly neglected area of research, mostly due to the paucity of sources. While this study does not focus principally on this topic, it attempts to shed light on various aspects of local Iraqi history. Whereas most studies of nineteenth-century Ottoman reforms examine the peasants or the major urban centers in the Middle East, this study will discuss their impact on local society in smaller peripheral towns. Thus part 2 treats both the common and the divergent interests of the 'ulama' and those of the local sayyid elite. It shows how the 'ulama' elite assumed the role of urban notables, as formulated in Albert Hourani's paradigm, as mediators between the population and the Sunni government in Baghdad.[24]

Various historians have often pointed out the close links between the 'ulama' and the urban mafia-type gangs in Middle Eastern towns. In the shrine cities these relationships were much more tenuous than in other places. The 'ulama', who were often harassed by the gangs, occasionally even preferred Sunni Ottoman rule to gang lawlessness. Overall, however, the study shows that while various 'ulama' were integrated into the larger Middle Eastern Ottoman pattern of notables, their Shi'i identity, the fact that most of them did not become landowners, and none joined the Ottoman bureaucracy, set them as a distinct group within the larger phenomenon.

The basic methodology used in this book is prosopographical, defined as collective biography of a group of actors in history. The technique employed makes detailed investigations into the genealogy, interests, and political activities of the group, combined with detailed case studies.[25]

The peculiar situation of the 'ulama' of the shrine cities in being simultaneously members of the dominant religious establishment in Iran and part of an oppressed minority in Iraq raises the interesting question of locating them on the church–sect social continuum. The term "church" refers to a religious group that accepts the culture of the social environment in which it exists, and tends to be large, conservative,

and universalist. A church tends to acquire a certain amount of social and political power, which it often retains by association with the government or the ruling classes. A sect is a religious group that does not accept the social environment in which it exists. Sects are often small, exclusive, and uncompromising. Members are mostly voluntary converts, and their lives are pretty much controlled by and revolve around the sect. In this sharp and schematic dichotomy most religious groups fall somewhere between the two extremes.

The church–sect continuum was originally devised for western protestant societies.[26] However, while recognizing the differences between Muslim and western societies, these concepts may serve as a useful device to analyze the conduct of the 'ulama' in a variety of spheres: the structure of the learning community; the leadership question; and particularly their attitude toward external challenges to their authority coming from the Akhbari, Sufi, Shaykhi, and Babi movements; and finally the conduct of the 'ulama' as part of the 'ulama'–Ottoman–Qajar triangle.

The Shi'i 'ulama' in history

During the first three centuries of Islam the Imami Shi'i community followed the leadership of the infallible Imams, with the scholars remaining much in their shadow. The geographical expansion of Shi'ism in the third/ninth century and growing 'Abbasid persecution obliged the last three active Imams to delegate much of their authority to their disciples, the 'ulama'.[27]

The Imami community overcame the crisis caused by the occultation (*ghayba*) of the Twelfth Shi'i Imam in 260/874 largely thanks to the leadership provided by the 'ulama'. The 'ulama', however, lacked the essential qualification on which the authority of the Imams rested, their infallibility. Their own authority, which rested on their knowledge of the transmitted commands and statements of the Imams as well as on their role as jurisprudents was legal-traditional rather than charismatic.[28]

The dominant legal school in Imami–Twelver Shi'ism since the fifth/eleventh century has been the *Usuliyya*, named after its reliance on *usul al-fiqh* (principles of jurisprudence) as the methodology for deducing legal norms. The science of Usul was supposed to deal, on the basis of preponderant supposition (*zann*), with legal problems for which there were no clear answers in the Qur'an or Traditions (*akhbar*). The process of inferring legal norms using reason and relying on the other sources of law was called *ijtihad*.[29]

Ijtihad developed in response to the changing needs of the Shi'i

community, while also reflecting the need to assert and justify the 'ulama''s general deputyship (*niyaba 'amma*) of the Imam in his absence. No question requiring ijtihad could be settled conclusively through the consensus of the 'ulama' without confirmation from the Imam. Ijtihad, therefore, must remain an open process in an effort to reach the closest approximation to the objective truth until the return of the Imam.

In the course of this process, the 'ulama' appropriated many of the Imam's prerogatives. The most important of these were the collection and distribution of alms (*zakat*) and the fifth (the *khums*, which every Shi'i is obliged to give to the Imam from his annual income); the administration of justice; the conduct of the Friday prayer; and the declaration of Jihad.[30] The assumption of these prerogatives gave the 'ulama' the power to legitimize Shi'i rulers. In addition, it advanced the process of professionalization of the 'ulama' since it established the jurisdiction of the calling, i.e. the particular areas of work with which it deals, and their restriction to eligible persons.[31]

The exercise of ijtihad was confined to qualified persons, while the ordinary believer was required to follow and emulate (*taqlid*) the decisions of those learned in law. The Usuli school, therefore, divided society into two strata: a majority of followers and emulators (*muqallidun*) and a minority of mujtahids who are to be followed (*muqalladun*). Since Islam theoretically encompasses all aspects of life, the mujtahids could combine religious and social leadership, thus enjoying greater authority than their Sunni counterparts.[32]

Concurrently, the individual practicing of ijtihad perpetuated the diffused nature of authority within the ranks of the Shi'i 'ulama'. Norms were derived by individuals and gradually accepted by a consensus, rather than by formal ecclesiastical bodies as in Christian churches.

The proclamation in 1501 by the new ruler of Iran, Shah Isma'il Safavi, of Twelver Shi'ism as the state religion marked a turning point in the history of both Shi'ism and Iran. Twelver Shi'ism was transformed from mainly an Arab minority sect to a state religion dominated by Iranians. The endorsement of Shi'ism marked a turning point in Iranian history by making it a central element of Iranian identity and culture, and by transforming the 'ulama' into a powerful social stratum.

To diffuse Twelver Shi'ism in Iran, the Safavids invited large numbers of Twelver Shi'i 'ulama' from Lebanon, Arab Iraq, and Bahrayn. While the adoption of Twelver Shi'ism brought the Shi'i 'ulama' to unprecedented social and economic power, it simultaneously raised new problems, as the religious institutions in Iran were subordinated to the

state, and the 'ulama' had to reconcile the charismatic bases of Safavid authority with Twelver Shi'i beliefs.[33]

However, the newly arrived Arab 'ulama' were too dependent on the Safavids' patronage to challenge them on this issue. Nor did they wish to undermine the Safavid state which was propagating Shi'ism. Gradually, however, the 'ulama' forged alliances with the merchant community and artisan guilds. They were also appointed as trustees of charitable endowments (*awqaf*) and were able to amass extensive wealth. In the decades after their accession to power, the Safavids suppressed the various Sufi orders whose messianism seemed to threaten the stability of the state, thereby eliminating a major rival to the 'ulama'.[34]

As Safavid rule weakened in the second half of the seventeenth century, the 'ulama' emerged as a hierocracy, that is, an establishment relatively independent of the state. As their power grew, the 'ulama' changed their attitude toward the legitimacy of the state, as some of them argued that the ruler should be both a sayyid and a senior jurisprudent.[35]

The fall of the Safavid dynasty in 1722 under the invasion of the Sunni Afghans began a prolonged period of wars and economic hardship in Iran. In addition to loss of life and property, the 'ulama' were deprived of government patronage. Concurrently, the fall of the Safavids advanced the 'ulama"s monopolistic control over Shi'ism, as it dealt a mortal blow to the extremist heritage (*ghuluw*) in Shi'ism. They were also relieved of the anomalous position of legitimizing charismatic Safavid authority, which contradicted their beliefs.[36]

With the accession of Nadir Shah (1736–47) to power, the 'ulama' faced another danger. Nadir expropriated the religious endowments in Iran in order to sustain his massive armies, and to undermine the economic and political position of the 'ulama'. Seeking to preserve the unity of his religiously mixed army, he sought to reconcile Shi'a and Sunna and to transform Shi'ism into the fifth legal school (*madhhab*) of Sunni Islam, instead of a separate sect.[37] A conference of Sunni and Shi'i 'ulama' which he convened in Najaf in 1743 produced an imposed agreement to that effect, but its impact was short lived as neither the Shi'i 'ulama' nor the Ottomans could reconcile themselves to it. Nadir Shah's policies collapsed with his assassination in 1747.[38]

Persecution by the Afghans and also by Nadir Shah as well as the worsening conditions in Iran resulted in a massive emigration of 'ulama' from Iran to the shrine cities and to India. This emigration together with the decline of learning in Iran transformed the shrine cities into the leading Shi'i centers of scholarship during the eighteenth century.