

IRAQ'S SHIITES UNDER OCCUPATION

I. OVERVIEW

The massive car bomb in Najaf on 29 August 2003, which took the lives of over 90 Iraqis, including the prominent cleric Ayatollah Mohammad Baqir al-Hakim, has put renewed focus on the fate of the country's Shiites.¹ The attack comes in the wake of the attempted killing of other prominent clerics, including Grand Ayatollah Mohammad Saed Al-Tabatab'i al-Hakim, al-Hakim's uncle. Although it is too soon to assign blame, it is not too soon to assess potential consequences: a heightened sense of insecurity; anger, directed both at the former regime and at the current occupiers; intensified intra-Shiite rivalry; and a growing risk of sectarian conflict as militias loyal to different groups vie for control.

From the moment the Baathist regime fell, Shiites were poised to play a decisive part in shaping Iraq's future. They constitute over half the population and, for the first time in their nation's modern history, are in a position to claim a share of power commensurate with their demographic weight.² But any certainty ends there. Iraqi Shiites are not monolithic, controlled by a central leadership, generally receptive to radical Islamist conceptions of political power or subservient to a foreign power (i.e., Iran). Instead, Iraqi Shiism is marked by a rich diversity of views and aspirations concerning the occupation, Iraq's future political system and, most basically, the role of religion in politics. The end of the Baathist regime paved the way for a Shiite reawakening but has left behind an atomised leadership that has yet to coalesce behind any

single party or platform. The struggles within the Shiite community will determine whether an organised political force can emerge as its legitimate representative and, if so, which it will be. It would be a serious mistake for the U.S. or others to assume the pre-existence of a Shiite political outlook which, in fact, is being shaped by current events, including the very policies the U.S. and others pursue.

Iraqi Shiism is being influenced by a combination of factors:

Strengthened communitarian ties. Divided along urban/rural, religious/secular, ideological and tribal lines, Iraq's Shiites traditionally have not thought of themselves principally in religious terms or developed a strong sense of common identity. However, long years of suppression and persecution under Saddam helped forge bonds of sectarian solidarity. Anger at their political marginalisation grew as the Baathist regime exacerbated sectarian divides, Shiites suffered the brunt of the Iran-Iraq War, and the regime did little to repair infrastructure damage both then and after the Gulf War. A Shiite uprising at the end of that latter conflict was brutally crushed by the regime, with thousands killed and disappeared; that and the U.S. failure to back the uprising account for much of Shiite hostility toward and mistrust of the American presence today. During the 1990s, Shiites became increasingly assertive in formulating demands on behalf of the community as a whole and rejecting their marginal status.

Much of this came to the fore in the aftermath of Saddam Hussein's ouster when they finally could express themselves freely. From that day on, Shiite symbols began to pervade Iraq's public space. Barely hours after the regime's collapse, Shiites carried symbols of their identity: palm leaves, green banners (symbol of noble descendents from the line of Imam Ali) and *turba* (clay discs made from the

¹ "Shia" generally refers to the larger community and "Shiites" to its members. The two terms are frequently used interchangeably, however, and for most practical purposes have identical meanings. For simplicity, this briefing paper uses "Shiites" throughout.

² There are no reliable statistics on Iraq's religious or ethnic make-up.

soil of Najaf and used for prayer). In the capital and southern cities, entire neighbourhoods, streets, bridges, hospitals and schools have been renamed after revered Shiite martyrs.³ Portraits of Ayatollah Khomeini and of several Shiite figures either killed by the Baathist regime or recently returned from exile replaced those of Saddam Hussein. Walls were dotted with religious graffiti, and religious institutions such as mosques and *husayniyas* (Shiite gathering places mourning the third Imam, Hussein) became focal points for social interaction, centres of charity and of politics and even storage areas for weapons.⁴ This reassertion of identity culminated at the end of April 2003 when over three million Shiites marched on the holy city of Karbala to commemorate the martyrdom of Imam Hussein, a pilgrimage that the former regime had banned.⁵ The 29 August attack, while it might exacerbate intra-Shiite divisions, is almost certain to bolster the feeling that Iraqi Shiism, under assault, must assert and defend itself.

Strengthened Shiite religious activism. Religiously-inspired Shiite activism has long been a feature of Iraq's political landscape, though it has had to contend with a powerful apolitical tradition among the traditional clergy. The vacuum in authority and the absence of a clear political compass following the fall of the Baathist regime bolstered the position of the more radical religiously-motivated Shiites as they were best able to step in where the occupation fell short. In the immediate aftermath of the war, the virtual absence of an effective central authority in a society in which 60 per cent of the population relied on the state for its daily bread prompted many who might not otherwise have done so to turn to the clergy

for help. Shiite activists provided welfare services, health care and law and order. Without an effective police force, vigilantes designated by religious leaders patrolled the streets and administered hospitals and universities.

In short, the provision of social services gave religious groups, if not necessarily a loyal constituency, at least a receptive audience for their claim to legitimacy. In turn, the fact that they have been effective in providing for society gave them a license to begin to shape it. Women are subjected to a strict Islamic dress code and, increasingly, to gender segregation in public arenas.

Heightened religious polarisation. The selection by the Coalition Provisional Authority (CPA) of the Interim Governing Council marked an important political turning point. The presence of a Shiite majority in the Interim Governing Council and the appointed Iraqi cabinet may well have allayed the immediate concerns of many Shiites. But there are longer-term consequences. For the first time in its modern history, sectarian and ethnic identity has been elevated to the rank of primary organising political principle. ICG has warned of the precedent-setting risks involved; unfortunately, subsequent developments have only added reason for concern.⁶ The more Iraqis feel that political representation will be established on the basis of their religious or ethnic affiliation, the more they are likely to join political parties that are built along those lines. The net effect is to weaken secular Iraqis – Shiites included, but also Sunni Arabs – and all who aspire to a different kind of political organisation that would mitigate rather than exacerbate sectarian or ethnic divisions.

³ Saddam city, the vast and virtually entirely Shiite neighbourhood on Baghdad's periphery, has been renamed "al-Sadr city" in honour of Ayatollah Mohammad Sadeq al-Sadr. In the capital's centre, Yasser Arafat Avenue is now called the Avenue of 'Imam al-Mahdi; the "Leader's Bridge" has become "Al-Hussein's Bridge." In late August 2003, traffic signs on roads and highways criss-crossing the capital were replaced to reflect the new nomenclature.

⁴ These mosques were both Shiite and Sunni. In Hilla in mid-May 2003, U.S. forces raided a Shiite mosque and confiscated several machine guns. Several Baghdad newspapers reported that coalition forces had confiscated RPG rocket launchers, AK47 assault rifles and hand grenades from mosques in Ramadi and Baghdad. Officials of the Islamic Party in Yarmook told ICG that some of these weapons were meant to protect the mosques from thieves. ICG interviews, Baghdad, July 2003.

⁵ *The New York Times*, 23 April 2003.

⁶ The cabinet named by the Interim Governing Council in early September was strictly divided among religious and ethnic lines in a transparent attempt to replicate both the Council itself and Iraq's current demographic make-up more generally. *The New York Times*, 28 August 2003. See ICG Middle East Report No.17, *Governing Iraq*, 25 August 2003, pp. 15-17. The appointment of a 25-member Constitutional Preparatory Committee in mid-July betrayed that same ethnic/sectarian logic. Sheikh Abdul Salam al-Kubeisi, a senior official of the Association of Muslim Clerics, a Sunni group, recently criticised the Interim Governing Council and the cabinet of ministers it appointed, saying that the members of both had been selected on a sectarian basis, which he called an aspect of a U.S. plan to rule Iraq by dividing it. "Sunni cleric says U.S. wants civil strife in Iraq", Reuters (Baghdad), 7 September 2003.

Growing Nationalism. Iraqi Shiites for the most part welcomed the ouster of the Baathist regime that had long oppressed them. By most accounts, they were prepared to give the occupying powers a grace period despite lingering suspicion about U.S. motives and past behaviour.⁷ Among many Shiites, a sense of relief at the U.S.-led invasion remains. But the failure of the occupation forces to safeguard law and order, ensure adequate welfare and offer the Iraqi people a genuine sense of ownership in the political process or a clear path toward self-government have combined to intensify feelings of nationalism and of opposition to the U.S. Even Shiite leaders initially most inclined to acquiesce in the occupation have been forced to oppose it in increasingly strong language. The less the Iraqi people have a feeling they are getting security, welfare and their country back, the more this trend is likely to grow. Initial reactions following the 29 August car bomb were telling: although many blamed Baathist remnants, anger was also directed at the U.S., faulted both for failing to ensure security and for preventing Iraqis from doing it themselves.⁸ The accusation was used as a basis for calls for the U.S. to hand over more control over security matters to the Interim Governing Council and newly-established Interior Ministry, and for the right to set up a militia that would protect the Shiite religious leadership and the shrine of the Imam Ali in Najaf.

Increased power for locally-based groups. During the years of Baathist repression, many Shiite political organisations took refuge in Iran, Syria or Europe. For obvious reasons, they became the more vocal Shiite groups. With the fall of the regime, the political centre of gravity moved back to Iraq. Many exiles have returned and are seeking to build a domestic following. But those who remained in Iraq, such as the movement of Moqtada al-Sadr, were able to gain central prominence.

As a result of these trends, Iraqi Shiism's rich diversity so far has been overshadowed by competition between three principal groups: the traditional clerical establishment, based in Najaf; the formerly Teheran-based Supreme Council for

the Islamic Revolution in Iraq (SCIRI), previously led by Mohammad Baqir al-Hakim, and now by his brother, Abdul Aziz al-Hakim; and the home-grown, radical and populist movement of Moqtada al-Sadr, a young cleric who inherited his father's vast network of charities, schools and mosques as well as his significant popular following. Secular Shiites, meanwhile, have found themselves marginalised and without clear leadership.

This briefing paper describes the state of Iraqi Shiism and the multitude of political and religious organisations that are seeking to give it voice.

II. FROM PERSECUTION TO POLITICAL REAWAKENING

Present day Iraq is the cradle of Shiism and the heartland of the Shiite community; it has served as the battleground for many of the seminal events that have defined the Sunni-Shiite division.⁹ Eight of the twelve revered Shiite holy Imams are buried in Iraq and their shrines are destinations of pilgrimage for millions of Shiites the world over. Until the 1920s, Najaf, not the Iranian city of Qom, was the most important Shiite centre of learning. Today, of Iraq's roughly 25 million inhabitants, some 15 to 16 million are estimated to be Shiites, making Iraq one of only five countries with a Shiite majority.¹⁰ This population is concentrated in the south and the poorer suburbs of Baghdad, which have been magnets for southern rural migration since the 1940s.

⁷ Many Shiites charge the U.S. with betrayal for its failure to come to their aid during the 1991 uprising. See ICG Middle East Report No. 6, *Iraq Background: What Lies Beneath*, 1 October 2002, pp. 7-8.

⁸ ICG interviews, Najaf, Baghdad, 30 August 2003. At the funeral held for al-Hakim on 2 September 2003, his brother was quoted as saying the U.S. bore "primary" responsibility for the attack. Associated Press, 2 September 2003.

⁹ The separation between Shiites and Sunnis originated in a dispute over Muslim succession following the death of the Prophet Mohammad in 632 AD. While most of the faithful, subsequently called Sunnis, backed Abu Bakr as leader, a minority – known as the partisans, or Shiites – backed the Prophet's son-in-law, Ali ibn Abu Talib. Shiites remained loyal to Ali's descendents after his assassination in the southern Iraqi city of Kufa in 661 AD and survived a series of attempts to annihilate the movement, most famously at Karbala in 680 AD, when Ali's son, Hussein, and his 72 companions were slaughtered. The massacre is re-enacted in Shiite rites annually and stands as the prime example of Sunni persecution in the eyes of Shiites. See also ICG Report, *Iraq Background*, op. cit., p. 14.

¹⁰ The others are Azerbaijan, Bahrain, Iran and Lebanon. Shiites comprise an estimated 10 per cent of the Muslim population worldwide.

For much of the twentieth century, Iraqi Shiites have been either unrepresented or underrepresented in the political elite, an experience that cemented a sense of communal identity. Sunni ascendancy during the Ottoman period was perpetuated in modern Iraq. In 1917, Britain promised to free the Shiite majority from Ottoman Sunni oppression. Three years later, when the Shiite clergy in Karbala, Najaf, Samarra and Kazimayn threw their support behind the anti-colonial rebellion, Britain appointed Faisal, a Sunni Hashemite prince, King of Iraq. Although the Shiites initially backed Faisal, their hopes for an enhanced political role soon were disappointed. Under the monarchy, Sunni political figures and officers who had served in the Ottoman army held a disproportionate share of power. Feelings of exclusion deepened as Shiites regularly were accused of loyalty to Iran, and several Shiite clergymen, notably those of Iranian origin, were deported there.

In 1958, the overthrow of the monarchy by army officers marked a temporary halt to Sunni supremacy. Secular Shiites still hail Qassem's rule as a halcyon era partly because of his austere and simple way of life, but primarily because he was Iraq's first leader of partly Shiite origins.¹¹ Shiites who had risen through the ranks of clandestine organisations during the monarchy emerged as leaders of powerful political movements, in particular the Communist Party and the Arab nationalist Baath. However, power struggles undermined the Shiites' political status. The Baath Party that came to power in the late 1960s had been purged of most of its Shiite civilian leaders and was dominated by a new military-civilian leadership originating from Sunni provincial towns and villages north and northwest of Baghdad. This was not so much a sectarian-driven purge as a political one, directed at the so-called left wing and radical currents of the party, which were predominantly Shiite. Likewise, Baathist repression hit Iraq's various communities across ethnic and sectarian lines, but it hit some groups hardest – the business class, the communists, autonomous religious institutions and Islamic political organisations – all dominated by Shiites.

Examples of policies that hurt the Shiite community are legion. Tens of thousands of Iraqi Shiites, primarily Fayli Kurds, were deported to

Iran and their property confiscated. While the infantry remained primarily Shiite, Shiites were all but barred from the Republican Guard, the senior ranks of intelligence and the military academy. The regime interfered with religious practices and took action against Shiite religious figures. These policies strengthened Shiite opposition and bolstered anti-regime activism. One result was the emergence of a stronger Islamist Shiite opposition, which became more potent and politicised, both inside Iraq and in exile.

On several occasions, segments of the Shiite community openly rose up. In 1977, Shiites revolted against the regime's harsh secular measures that restricted their practices; in response, the regime sent tanks to the holy city of Najaf. The 1979 Iranian revolution emboldened Iraq's Islamist Shiites. Clashes with the regime became more frequent; with the exception of the main seminary in Najaf, religious educational establishments were closed, in some cases demolished by bulldozers, and scores of Shiite clerics were arrested.¹² In the wake of the 1990-1991 Gulf War, a popular rebellion spread to all the cities of the South, including the holy cities of Najaf and Karbala. While some Islamist parties (principally the SCIRI) sought to present it as a Shiite rebellion, religious leaders were unable to control or channel it. Indeed, it is best understood as a spontaneous expression of anger and resentment directed at a regime whose military adventures had cost the people dearly.¹³ Still, the result was to further exacerbate feelings of Shiite oppression: mass executions took place in the South; the regime desecrated Shiite holy sites in Najaf and Karbala on the grounds that they had served as refuge for the rebels; and, in its pursuit of the Shiite opposition, army deserters and other dissidents, the regime forcibly relocated the local population (the Marsh Arabs).¹⁴

¹² The regime simultaneously reached out to Shiite Baathists, conscious that Shiite support was vital in the war against Iran. In 1982, Shiites represented roughly a third of the Baath's Revolutionary Command Council and half of its Regional Command. Malik Mufti, *Sovereign Creations* (New York, 1996), p. 224.

¹³ This was true particularly in the South. Indeed, the uprising was sparked by defeated military units returning from Kuwait.

¹⁴ Most of the mass graves discovered since the fall of the Baathist regime contain victims of the 1991 repression. Ezzedin, son of Grand Ayatollah Mohammed Saed al-Hakim, accused the Baath of closing down 90 branches of

¹¹ Qassem was born to a Sunni (Arab) father and a Shiite (Kurdish) mother.

Though repression continued periodically throughout the 1990s, particularly against religiously motivated political activism, the regime also sought to co-opt Shiites,¹⁵ including selected members of the upper class and certain Shiite tribes, and to play on the spread of religious sentiment across the country. The *hamla imaniya*, or faith campaign, reversed the rampant secularism of the 1980s, allowing some outward displays of religiosity that earlier had been banned. Since 1998, Shiites have been allowed to perform many of their religious ceremonies in most Iraqi cities, including the mass pilgrimage to Karbala and the Ashoura ritual of distributing rice and broth to mark the anniversary of the massacre of Hussein and his companions.¹⁶ In 2001, clerics in some Shiite neighbourhoods could once again provide religious education in state schools during the summer holidays.

Shiites also were named to ministerial positions and were represented at high levels throughout the power structure. This strategy was meant both to boost the legitimacy of the regime and to tap into the supposed reservoir of anti-Western and specifically anti-American feeling. While the regime had eliminated, exiled, or, through house arrests, muzzled much of the Shiite clergy, it sought to co-opt Shiites by appealing to their faith. The turn to religion was further accelerated by the impact of UN economic sanctions, which many families sought to mitigate by appealing to clerical foundations for both charity and services the state was no longer able to provide.¹⁷

the family library in 1991 and of confiscating many prized works. "They treated our books like they treated us", he said. "Some they executed, some they arrested, and the rest they put under house arrest. It was a *Kulturkampf* – they thought that by eliminating our books they could eliminate us". ICG interview, Najaf, 27 May 2003.

¹⁵ See ICG Report, *Iraq Background*, op. cit., p. 16.

¹⁶ The impassioned rituals of public mourning that mark Ashoura remained banned until the fall of the Baathist regime.

¹⁷ According to Prof. Saad Naji Jawad of Baghdad University, from 1992 to 1998 Baghdad University academics raised funds to buy medicine, which was distributed to religious charities in the capital, Najaf and Karbala. After 1998 the authorities required that all donations go directly to the Ministry of Health. Preachers with a history of activism, however, were prevented from distributing welfare. ICG interview with Mohammed Bakr al Basri, the son of a prominent cleric executed in 1974, Baghdad, 18 May 2003.

Far from neutralising or appeasing the Shiite religious movement, the *hamla imaniya* bolstered it. The campaign helped spread conservative Islamic practices – the veiling of women, gender segregation in primary schools, the banning of alcohol from public places – but not loyalty to the regime. Most Iraqis viewed the Baathists' approach as hypocritical; its ultimate effect was both to promote religious values and further discredit the regime. Some Shiites perceived it as an attempt to inculcate Sunni observance, for instance through the teaching of Sunni prayer rituals in school textbooks.¹⁸ Throughout this period, the experience of discrimination bound Shiites in common opposition to the regime. As early as 1990, the mere assertion of one's Shiite identity had become an act of political defiance. Today, Shiites stress their oppression at the hand of the Baathists together with their decades-long suffering as grounds for their claim to political power.

A sense of grievance born of the experience of marginalisation and repression helped forge a common identity even among those who are secular and most strongly anti-clerical.¹⁹ It is this shared sentiment that unites Iraqi Shiites in their drive for a more equitable political representation. All were not equally subject to discrimination; but the feeling of having been excluded from power *because* they were Shiites has become a profoundly unifying factor.

Still, while Shiites have become more politicised and more assertive in formulating their demands qua Shiites, it would be wrong to assume they form a monolithic group under the control of a centralised leadership. Shiites are almost certainly the most socially, economically and politically diverse Iraqi group. Among them one finds a commercial bourgeoisie, a bureaucratised middle class, a large working class and peasants. Shiite professors at Baghdad University have far more in common with their Sunni counterparts than with Shiite urban migrants hailing from the "poverty belt" surrounding the capital.²⁰ Inter-marriage

¹⁸ *Al-Tarbia al-Islamia*, first year school primer, Iraqi Ministry of Education, 9th edition, 1999.

¹⁹ Amir al Helou, former editor of the official newspaper *al-Qadissiya*, told ICG: "I'm not religious. I don't fast or pray. And yet the oppression has created a Shiite identity", Baghdad, 18 May 2003.

²⁰ ICG interview with Professor Saad Naji Jawad, Baghdad University, 18 May 2003.

between religions and sects is both widespread and accepted, contributing to a further diluting of communal fault-lines.

The July 2003 appointment of the Iraqi Interim Governing Council would appear to mark a significant break in Iraq's history. By ensuring that thirteen of the Council's 25 members were Shiites, the CPA officially recognised Shiites as the country's majority group. For the first time since the establishment of the modern Iraqi state in the 1920s, they enjoy a political representation that reflects their numeric strength. The cabinet had a parallel breakdown, with the key ministries of interior and oil in the hands of Shiites (the oil minister, Ibrahim Bahr al-Uloum, is the son of a prominent cleric). It is only one of the many paradoxes of the situation that this occurred thanks to the military intervention of a country that has long feared Shiite activism and its role both in Iran and in Lebanon. Another is that, by its action, the CPA has taken a significant step in making sectarian (and ethnic) affiliation the organising principle of Iraqi politics. The quota-like apportionment of seats already appears to be a powerful precedent.

III. A PRIMER ON IRAQI SHIISM

A. BETWEEN ISLAMISM AND SECULARISM

Since the fall of the Baathist regime, one of the most important yet unspoken debates concerns the role of religion in Iraqi politics. Open advocates of a clear separation between religion and state are rare; even secular political parties side-step this issue, fearful of alienating a majority of Iraqis, whether Shiites or Sunnis. Instead, they concede that Islam will be the state's religion, leaving decisions as to its precise role in politics to the intended constitutional conference and, ultimately, the Iraqi people. The openly atheistic Communist Party of Iraqi Workers received death threats, in particular directed at its female members.²¹ The rise

of religion in Iraq largely explains this reality, as does the weakness of secular organisations, whether of a monarchical, left-wing or liberal variant. The Baathist regime systematically killed, exiled or co-opted its secular rivals. Today, secular parties are deeply divided and largely dominated by members of the exile community who are still struggling to capture broad grass-roots support.²² Moreover, religious organisations benefited from the start from resources and institutional support.

Just as many Iraqi parties have been driven by events to adopt an Islamist agenda, so too have they been led to adhere to a sectarian one. The Sunni-Shiite division, which traditionally has not been an organising principle of Iraqi politics,²³ has become extremely hard for any political group to ignore. A number of political organisations have a mixed, Sunni-Shiite leadership and seek to put forward a non-denominational program. But on the ground, the sense of sectarian rivalry is growing. Shiite politicians for the most part have embraced a confessional approach in which demands for greater political representation for their community loom large. Even when denying any suggestion of communalism, secular Shiites are reluctant to see a replica of the past, with Sunni leadership and Shiite rank-and-file.

Again, it is within the formerly exiled opposition that one finds secular Shiites holding leadership positions in multi-confessional parties. Ahmad Chalabi, who heads the Iraqi National Congress, is a Shiite from Nasiriya, and Ayad Alawi, leader of the Iraqi National Accord, is a Shiite from the town of Hilla. But both are still struggling to establish their credentials and to mobilise genuine constituencies within Iraq. Of the two, Alawi appears so far to have had greater – albeit still insufficient – success in forging ties with local labour syndicates, whose membership is predominantly Shiite. The formerly exiled communist leadership, headed by Hamid Majid Musa, also is majority Shiite, while the multi-confessional Iraqi Patriotic Alliance is headed by a Shiite, Tawfiq al-Yaseri, a former brigadier in the

²¹ Predominantly Shiite, the party defied these death-threats, opening a branch in the Baghdad suburb of al-Thoura (renamed al-Sadr city). The neighborhood was once a communist stronghold but has since become the power-base for the Islamist movement of Moqtada al-Sadr. ICG interview with communist party leaders, Baghdad, June 2003.

²² Iraq has three communist parties, three contenders to a restored throne (Sherif Ali bin Hussein, Prince Raad bin Zeid, and Prince Hassan of Jordan), and dozens of parties that espouse a pro-Western, liberal orientation. For the most part, parties belonging to these categories can hardly be differentiated from one another.

²³ See ICG Report, *Iraq Backgrounder*, op. cit.

Iraqi army who was forced to flee the country following his participation in the 1991 revolt.

Aware of their vulnerability and lack of influence, and insistent that Iraq does not yet possess the political and cultural underpinnings of a functioning democracy, secular politicians have mostly opposed early elections, tending to advocate instead a transitional technocratic government – for up to two years – pending the emergence of a viable secular party.²⁴ They argue that Iraqis have had no history of democratic elections and that time is needed to allow for development of a robust civil society, including an independent, responsible and critical media and a refurbished education system.

B. POLITICAL MAPPING OF SHIITE ISLAMIST PARTIES

On the eve of Saddam's fall, Iraqi Islamist Shiites could be divided into four broad groupings:

- the home-grown, established clerical authority in Najaf, most prominently the four grand ayatollahs of Najaf's *hawza* or centre of learning, Ali Sistani, Ishaq Fayadh, Basheer al-Najafi and Mohammad Saed al-Tabataba'i al-Hakim;²⁵
- London and Paris-based Islamic political groups, clerical figures and charities, including branches of the SCIRI and Da'wa organisations and the Khoei Charitable Foundation;
- Teheran-based Islamic political parties and clerical dignitaries, including the SCIRI and its armed militia, the Badr Corps, the Iranian-based branch of the Da'wa party, and what are

estimated to be several hundred clerics who graduated from Qom; most of the latter are followers of Grand Ayatollah Kazim al Ha'iri, who remains in Qom; and

- local clerical dignitaries, of whom the most prominent has become the Najaf and Baghdad-based movement of Moqtada al-Sadr, a young cleric who inherited his father's vast network of charities, schools and mosques as well as his significant popular following.

IV. COMMUNAL LEADERSHIP: THE HAWZA OF NAJAF

A. BACKGROUND

Although other theological schools and centres of Shiite learning exist both inside Iraq (e.g., in Karbala and Kazimayn) and outside (e.g., in the Iranian city of Qom, in Syria's Sayyida Zaynab or within Lebanon's Shiite religious schools), Najaf occupies a privileged and unique position. It is home both to the shrine of Ali, Shiism's first Imam, and to the historical centre of Shiism, the *hawza 'ilmiyya* (literally, territory of learning). Najaf is where, in the eleventh century, the first genuine school or theological centre of Shiism was established. The *hawza* consists of doctors of religion, tutors and students established at various religious schools and institutions. Najaf's significance cannot be overstated: mosques fill the city's alleyways, and ulamas from the four corners of Shiism – from India, Lebanon, Bahrain and elsewhere – went to Najaf's *hawza* to receive religious education. They would spend many years in the city, forging close personal and familial links with its religious elite and inhabitants.

During the 1980s, Najaf's *hawza* was forced to curtail its activities substantially. Its formal student roll shrunk from 7,000 prior to the Iran-Iraq War to less than 700, many of whom studied in secret, on the eve of the 2003 war.²⁶ Of these, clerics estimate that roughly 10 per cent were state informers, most had no more than a primary school education, less

²⁴ ICG interview with Ayad Alawi, Baghdad, 18 May 2003: "You can't hold elections unless you have a sovereign government. We need consensus, not a ballot, and that requires a transitional sovereign government". Religious groups, by contrast, have staged makeshift elections across government institutions and have campaigned for early polls to elect a sovereign government.

²⁵ Mohammad Saed al-Tabataba'i al-Hakim is the uncle of Mohammad Baqir al-Hakim, the former leader of the SCIRI, who died in the 29 August car bombing in Najaf. With the exception of al-Hakim, all four Grand Ayatollahs are non-Iraqis. Sistani is of Iranian origin, Fayadh is Afghani and Njafi is from Pakistan. Today, they form the *marj'iyah* (or religious authority) and are the *hawza's* most prominent religious figures; Ayatollah Sistani is widely considered to be first among equals.

²⁶ Estimates of student numbers vary widely. The figures are derived from ICG interviews with clerics in Najaf and with Abdellatif Miah of Baghdad's Al Mustansiriya University in May 2003.

than 100 were considered to be “competent”,²⁷ and only nine qualified as *mujtahids*, or jurists. Under the Baath regime, the *hawza* lost much of its financial independence and strength.²⁸ Although details of the annual budget are closely guarded, it is apparent that income from Iraqi sources diminished as a result of declining receipts of alms.²⁹ The *hawza* downsized its colleges and reduced the number of monthly stipends available to students; it also increasingly turned to foreign sources such as Shiite foundations in Iran for funding.³⁰

The fall of the Baathist regime and the ensuing political vacuum contributed to Najaf's re-emergence. Shiites across the country proclaimed “the *hawza* is our leadership” – a slogan embracing a range of political views, from support for the establishment of an Islamic state to an expression of trust in and emotional attachment to the *hawza* as the institution best equipped to provide moral and social direction. The *hawza* was seen as a symbol of order at a time when all other public institutions – the state, its bureaucracy, and police forces – appeared to have vanished. Many Shiites also perceived it as a source of identity and power when violence and anarchy were the most widespread concern. Turbaned men claiming to belong to the *hawza* began to manifest themselves throughout Shiite areas. For all intents and purposes, the *hawza* became a full-fledged, legitimate socio-political actor.

²⁷ Ezzedin, the son of Grand Ayatollah Mohammed Saed al-Tabataba'i al-Hakim, claims that at its nadir there were only a few dozen genuine *hawza* students. ICG interview, Najaf, 27 May 2003.

²⁸ The Baath dissolved religious trusts in 1978.

²⁹ As a result, some claim that Shiite clerics grew increasingly dependent on subsidies from the Ministry of Awqaf, or Religious Endowments. Other clerics deny this, arguing that the Awqaf funded only Sunni institutions. ICG interviews with Emir al-Hellou, former managing editor of *Al-Qadisiya*, and Nasir Ghassir, Iraqi freelance journalist and *Hawza* graduate, June 2003.

³⁰ The Grand Ayatollahs have invested in foreign assets, including publishing houses in the U.S., London and Beirut. Ayatollah al-Sistani reportedly is the best financed cleric in Najaf, largely because he is the prime recipient of religious donations from the London-based al-Khoei Foundation. See Faleh A. Jabar, “The Worldly Roots of Religiosity in Post-Saddam Iraq”, MERIP. The UK Charity Commission in 2002 estimated the Foundation's annual expenditures at £1,448,644, http://www.charity-commission.gov.uk/registeredcharities/showcharity.asp?re_mchar=&chyno=802000. Other sources cite far larger sums. See ICG Report, *Iraq Backgrounder*, op. cit., p. 33.

Whether Najaf can regain its status as the foremost centre of Shiite learning and achieve primacy over Qom is another matter, one that involves rivalry between Arab and Persian Shiism. During the Baathist years, an estimated 2,000 Iraqi clerics settled in Qom, whose seminaries have at least ten times more trainees than Najaf, which wants them back. Pilgrims have begun to come to Iraq's holy towns; foreign pilgrims can now stay more than the maximum seven days authorised by the Baath but the lack of security holds their numbers down somewhat. Najaf also is likely to benefit from the end of state interference in the *hawza*'s affairs, which will further distinguish it from Qom. Indeed, several dissident, reformist clerics in Qom may be drawn to Najaf.³¹ Since the end of the war, Najaf clerics have drawn up plans to expand the *hawza*'s influence, including building a *hawza* university, a college for girls, mosques, hospitals, hotels for pilgrims and Najaf-based *hawza* satellite television.³² ICG also saw signs of a revival in contributions for funding public hospitals (*khoms*)³³ and neighbourhood electrification projects in Najaf.³⁴

B. HOW THE HAWZA WORKS

The *hawza* is a unique institution, ardently protective of its autonomy and financial independence and a non-state actor that transcends national boundaries by attracting Shiism's religious elite. Religious institutions in the *hawza* are named after particular *marjas* (senior *hawza* scholars), and students choose whose school of thought they wish to follow. The *marjas* also have offices (*al-Barani*) that are open to the public to answer inquiries. Some schools have hundreds of students; others less than twenty. Students aspire to become

³¹ Khomeini's grandson, Hossein, came to Iraq and is considering opening a seminary to launch a reformation of Islam leading to a separation of religion and state. See B. Daragahi, “A new kind of Ayatollah”, Baghdad Bulletin, Issue n 6, 18 August 2003, p. 16. Iraqi clerics interviewed by ICG have also suggested that the revival of Najaf could gradually weaken the hold of Iran's hardliners.

³² ICG interviews with Ezzedin Hakim, Najaf, 27 May 2003 and with Sheikh Ali Abdal Hassan Kamuna, mayor of Karbala, 25 May 2003. They also spoke of revitalising a construction program for housing estates for clerics suspended in the 1970s after the Baath came to power.

³³ After 1991, hospitals were decreed to be self-funding and patients charged for healthcare,

³⁴ One of Ayatollah Bashir's projects is to install three communal generators capable of serving 3,000 people in Najaf.

mujtahids and learn how to provide religious interpretation. Clerics rise through a system that involves religious learning and a web of local, national and supra-national networks of followers known as *muqallidoun*, or “emulators”. The more followers a cleric has and the more money he receives, the more elevated his position.³⁵ State patronage – if translated in resources, influence and material infrastructure – can be instrumental in the promotion of clerics. Clerics may advance from novice, to teacher, to *hujjat al-Islam*, to ayatollah and, finally, to grand ayatollah. Promotion results from an *ijaza* or certificate, granted by a higher authority or, alternatively, through recognition of an individual by a majority of clerics of lower rank. The process is not akin to a Vatican-type election; rather, it is a lengthy selection that uses organised disorder to produce recognised leaders.

Since the 1950s, governance of the *hawza* has oscillated between a more centralised system (in which there is one recognised, consensus supreme leader, or *marja' mutlaq*)³⁶ and a more decentralised one (in which multiple contenders, or *marja'iyyat*, coexist). Most often, there is no consensus, and there are several *marja'*. In that case, each lay Shiite is free to choose his or her *marja'* but must then follow his pronouncements and pay him alms.³⁷

Today the *hawza* of Najaf is loosely led by four grand ayatollahs,³⁸ of whom the 71-year old, Iranian born Grand Ayatollah Ali Sistani enjoys the widest following and most substantial endowment. In an attempt to curb the influence of more radical ayatollahs, Sistani issued a *fatwa* restricting the sources of emulation available to lay Iraqi Shiites to the foursome. As a general matter, they are perceived as being less political; Sistani in

particular has emerged as a firm advocate of a separation between religion and government.

C. THE HAWZA AND POLITICS

Many observers tend to divide Iraqi Shiite religious leaders between quietist traditionalists and activists, with Najaf's *hawza* said to belong to the former school of thought. The distinction has some grounding, but it would be wrong to over-emphasise it. Historically, there has been much overlap. So-called quietists have been known to intervene forcefully in the community's political affairs, for example by leading resistance against British rule in 1920. Their withdrawal from active politics under the Baathist regime reflected a decision to preserve as much religious and fiscal independence as circumstances would allow. The London-based al-Khoei Foundation, founded by the supposed spiritual mentor of Shiite quietism, Grand Ayatollah Abolqassim al-Khoei, voiced its opposition to Saddam Hussein once its founder had died in 1992 and the family had escaped to Europe.³⁹

Even the outwardly most apolitical ayatollahs can be masters of non-cooperation. During his lifetime, Grand Ayatollah al-Khoei steered a course between opposing Ayatollah Khomeini's pretensions to Shiite hegemony and resisting Saddam Hussein's demands to issue a *fatwa* in support of his war with Iran. For the past twenty years, *hawza* clocks have run an hour behind Baghdad, a stubborn refusal to adopt Baghdad's introduction of summer time.

Nor is the image of Najaf as the quietest counterpart to Qom's activism accurate. Najaf's scholars have been “at the heart of most revivalist or revolutionary movements in the Muslim world”.⁴⁰ Shiite clerics who studied in Najaf include the late Ayatollah Khomeini⁴¹ and Sayyid Hassan Nasrallah, the current Secretary General of Lebanon's Hizbollah movement.

³⁵ Lay Shiites must pay *khums* (a fifth of their profits) in alms though they can choose whom to pay it to.

³⁶ The *marja'* generally possesses the rank of Grand Ayatollah.

³⁷ Ayatollah Sistani, who receives his funds from foundations overseas, declared that followers could give all their alms to charity. Others take the position that a portion must be paid to a *marja'*.

³⁸ See fn. 25 above. All four were students of the Grand Ayatollah Abolqasim al-Khoei, and are known as representatives of traditional Shiism, or *salafia ja'afaria*. ICG interview with Professor Abdellatif Miah, director of Arab Homeland Research Centre at Al Mustansiria University, Baghdad, 20 May 2003.

³⁹ Despite the reputation for quietism, the Khoei Foundation displayed remarkable political activism during the 1990s, calling for the creation of a “safe haven” in the South akin to that set up for the Kurds. See Jens-Uwe Rahe, “Iraqi Shi'is in Exile in London”, in *Ayatollahs, Sufis and Ideologues*, Faleh Abdul-Jabar, ed. (London, 2002), p. 215.

⁴⁰ See Magnus Ranstorp, *Hizb'Allah in Lebanon: The Politics of the Western Hostage Crisis* (New York, 1996), p. 26.

⁴¹ Khomeini studied in Najaf for fourteen years, from 1965 to 1978.

In post-Baathist Iraq the distinction between quietist and activist clerics is equally blurred. Sistani, known as a quietest, has issued several *fatwas* pertaining to important political issues. One of his most significant demanded that Iraqis hold elections to select representatives to draft a constitution.⁴² Sistani's advisers insist that Iraq's judiciary should be drawn from graduates of the *hawza*. In recognition of his political influence, prospective contenders for leadership in Iraq as well as UN representatives have taken the road to Najaf.⁴³

The *hawza's* relationship to the occupying power reflects its internal tensions and ambivalence. The first *fatwas* issued by the grand ayatollahs following the outbreak of the 2003 war were viewed as generally welcoming the U.S. operation or, at a minimum, not actively opposing it. Sistani's office, for example, authorised contacts with the U.S.⁴⁴ The ayatollahs' sons, who for the most part act as their fathers' representatives to the outside world, also made statements hailing the Iraqi people's newfound freedom that allowed booksellers to stock their stalls with long-banned religious texts and ayatollahs to publish *fatwas* without a government license for the first time in decades.⁴⁵

⁴² *Al Hayat*, 30 June 2003. Sistani's fatwa declared that the U.S. proposal for a handpicked constitutional council was "fundamentally unacceptable".

⁴³ Politicians who have paid their respects include Ayad Alawi, leader of the Iraqi National Accord, Kurdish leader Masoud Barzani, and Ahmed Chalabi, the head of the INC. UN envoy Sergio Vieira de Mello, charged with overseeing Iraq's political transition and who was killed in the 19 August 2003 attack on the UN building, also visited Sistani.

⁴⁴ U.S. claims during the war that Sistani appealed to Iraq's Shiites not to resist U.S.-led coalition forces appear uncertain, at best. Central Command (CENTCOM) Deputy Director of Operations Brigadier General Vincent Brooks hailed the alleged declaration as the first pro-U.S. fatwa in modern times during a 3 April press briefing in Qatar, but the authenticity of the fatwa was questioned the same day. Interviewed on al-Jazeera 3 April, Mohammad Bahr al-Ulum, then spokesman for the London-based Al-Khoei Foundation and himself a cleric, said that "what we have heard" is that the ayatollah wants the Iraqi people not to resist coalition forces. Sistani's office later denied issuing any such fatwa.

⁴⁵ A Najaf journalist interviewed by ICG characterised their mood: "The clerics are delighted with their freedom. Before they were perpetually monitored and followed, and anyone who called at their doors was registered. Ayatollah Sistani never left his house. Now they are free and can talk." ICG interview with Abdelhamid al Hilo, editor of

At the same time, the *hawza's* leaders have been careful to distance themselves from the occupying forces, stopping just short of demands for U.S. troops to leave.⁴⁶ Criticised by some for his overly passive response to the U.S. invasion, Sistani has eschewed public contacts with American personnel. He also has condemned the occupation for failing to provide basic security. One of his aides, Ahmad al-Safi, explained that the occupation was unacceptable and warned that there might be a need to resort to violence if it were unduly prolonged.⁴⁷ Sistani has good reason to be apprehensive. Only days after the invasion, two senior clerics, including a prominent exile who had backed the invasion, Abdelmajid al-Khoei, were knifed to death in Najaf.⁴⁸ Besieged in his house by a group of Shiites – most likely followers of Moqtada al-Sadr – Sistani appealed to the tribal leadership for help. It rallied to his defence and the siege was lifted but the lesson was not lost: the price for an overly close relationship with the U.S. could be death. The subsequent attempted murders of Mohammad Saed al-Tabataba'i al-Hakim and Sistani's deputy in Baghdad, Sayyid Ali al-Wa'iz, together with the car bomb that killed Baqir al-Hakim – all of whom were perceived as adopting moderate positions vis-à-vis the occupation – are likely to reinforce that message.

Still, for those looking for a moderate Shiite communal leadership, Sistani remains a principal hope. Prospects are uncertain. Under his tenure at the *hawza*, student numbers have thinned dramatically, while claimants for leadership of the Shiite community have multiplied. Sistani's backers blamed these developments on the Baathist

Sada al Huria, Najaf, 29 May 2003. Hilo also acts as spokesman for the son of the late Ayatollah Sabzevari.

⁴⁶ In one fatwa, Sistani advocated Iraqi self rule: "We feel great unease over their goals, and we see that it is necessary that they should make room for Iraqis to rule themselves by themselves without foreign intervention". *The Washington Post*, 23 June 2003.

⁴⁷ *Al-Hayat*, 26 August 2003.

⁴⁸ *The Wall Street Journal*, 7 April 2003. Abdelmajid al-Khoei is quoted as having said: "We shall never forget what the coalition has done for our people...A free Iraq shall be a living monument to our people's friendship with its liberators." Abdelmajid was the second son of Abolqasim al-Khoei to be killed. His eldest son and Secretary General of the Khoei Foundation died in a mysterious car accident near Najaf in 1994, for which the Khoei family blamed the Baathist regime. See ICG Report, *Iraq Backgrounder*, op. cit., p. 33.

regime's tactics, and they certainly played a part. But there is no shortage of criticism of his weak management style, which is unfavourably compared to his predecessors'. Even al-Khoei, who had to deal with Saddam and defend Najaf against Iranian attempts to establish its hegemony, was viewed as more skilful in that respect.⁴⁹ Some clerics criticise Sistani for not speaking out against the mixing of religion and politics in Iran; others blame him for weak leadership in failing to confront the younger clerics who have challenged the *hawza's* authority. In the face of such criticism, and confronted with Moqtada al-Sadr's challenge, the four grand ayatollahs have sought to close ranks, forming a more collegiate body and issuing joint *fatwas* to buttress their authority.⁵⁰

V. THE SEARCH FOR POLITICAL REPRESENTATION: SHIITE ISLAMIST PARTIES AND ACTIVISTS

The political centre of gravity of Iraqi Shiism inexorably has moved back to Iraq; exiles have returned, and those who remained in Iraq have gained renewed prominence. The political battle for representation of the Shiite community has emerged in full force, the legacy of long-standing family and ideological rivalries among clerical groups but made more complicated by the presence of the occupying power.

As previously discussed, it would be a mistake to draw lines too sharply. Nonetheless, differences exist. The clerical establishment represented by the *hawza* leadership for the most part relies on its networks of emulators to exercise influence and has

not sought a direct political role. By contrast, other clerics from outside the traditional *hawza* have directly intervened in the political field in a bid for power. Before his assassination in August 2003, Baqir al-Hakim tried through the SCIRI to develop an influential political party, bolstered both by its armed militia – the Badr Corps – and his strong ties to Iran. He banked on a mixed relationship with the U.S. occupation, denouncing it and calling for its prompt departure while at the same time working through its institutions (and through the *hawza* clerics) to wield greater influence. For al-Hakim, the creation of a democratic, pluralistic Iraq was designed to serve as the launching pad for the establishment of an Islamic Republic dominated by Iraq's Shiite majority.

Lacking al-Hakim's institutional and material resources, al-Sadr represents a different, populist strand of street politics. He also has crystallised the resentment of middle-to-low ranking clerics under the age of 35, who are rebelling against the older establishment. That said, even al-Sadr's Islamism cannot be viewed wholly independently of the Shiite clerical leadership. Rather, it operates in a close but tense relationship with the clergy, whose moral and spiritual endorsement it needs but whose caution and conservatism it decries. The distinctions are not always easy to make: a growing number of *hawza* students and clerics aspiring to a political role have joined the Islamist parties in recent months. While the *hawza*, the SCIRI, al-Sadr's movement and their forerunners, the Hizb al-Da'wa, all foresee and desire a major role for the Shiites and its ecclesiastical body in Iraq's internal affairs, they see different outcomes and different ways of getting there.

A. HIZB AL-DA'WA (PARTY OF THE CALL)

Whereas the *hawza* has always retained its status as the spiritual headquarters of Iraqi Shiism, al-Da'wa has for long periods been its political face. Decimated by Baathist repression, it is a shadow of its former self, a group of exiles who have splintered into rival factions based abroad. Yet for over 40 years, it was the unchallenged leader of the Shiite activist community and the prime conduit for the entry into politics of Iraqi Shiite clerics and students.

Al-Da'wa was founded by clerical seminarians and lay merchants in Najaf in the confusion that

⁴⁹ ICG interview with Abdelhamid al Hiloo Najaf, 29 May 2003. After 21 years as Grand Ayatollah, Khoei died in August 1992 at the age of 93. He was succeeded as Grand Ayatollah by Abdul A'la Sabzevari, 86, in Najaf, and Grand Ayatollah Golpaygani, 96, in Qom. Both men died a year later. This precipitated a leadership crisis amid a thinning of the clerical ranks. Mohammed Sadiq al-Sadr filled the void until his assassination in 1999. Thereafter the *hawza* leadership in Najaf split into four. W. Millward, "Leadership in the Islamic Republic and the Hierarchy of Shia Islam", January 1994 (internet).

⁵⁰ For example, on 11 June 2003 *Al Zaman* published a fax signed by the four Ayatollahs denying they had issued a *fatwa* requiring believers to force women to wear a veil.

surrounded the overthrow of the monarchy in 1958.⁵¹ At its inception, its principal objective was to stem the drift of young Shiites to the Communist Party. Neither strictly a sectarian nor a clerical movement, it aspired to act as the interface between the *hawza* establishment and the people. From the outset, it operated as a clandestine organisation with tightly knit cells and a strict hierarchy. Its charter, drafted in Najaf, called for implementation of Islamic law (*sharia*) and establishment of the rule of God on earth a full decade before Khomeini issued a similar appeal.

But al-Da'wa was at its core a nationalistic party that placed Iraqi interests (as it perceived them) above those of a putative Islamic *umma*. Half its members were lay professionals – including its current spokesman, Dr Ibrahim al-Jafaari. For its first 22 years, it was a secret society, emerging openly only following the Islamic Revolution in Iran when it called upon its followers to take up arms against the Baathists. In response, the regime killed hundreds of its followers, including Mohammed Baqir al-Sadr, al-Da'wa's presumed founder, and his sister, Bint al-Hoda.

By the mid-1980s, al-Dawa had suffered severe blows. Repression at the hands of the regime had effectively eradicated any organised presence in Iraq. Mohammed Baqir al-Sadr's execution deprived the party of its renowned institutional and spiritual leader. Most surviving members either fled to Iran or left the party. In exile the movement faced pressure from Iran to join the Supreme Council for the Islamic Revolution in Iraq, which clearly enjoyed Teheran's favours. Al-Da'wa splintered, with branches emerging in Teheran, Damascus and London. Having lost its most prominent leaders, it lacked clerical legitimacy and muscle. Branches in Western Europe distanced themselves from the party's original Islamist views.⁵² As prospects of a U.S. war in Iraq sharpened, so too did disputes over al-Dawa's attitude toward it. Today, the branch of al-Da'wa that is led by Ibrahim al-Jafaari and had been based in Europe and Damascus participates in the Interim Governing Council; indeed, al-Jafaari was its first rotating president, until 1 September 2003. A spin-off, the Da'wa Movement (*Haraka*), which broke away in the

1980s, is also in the Council.⁵³ The branch of al-Da'wa that was based in Iran and is closest to Teheran's views split from the party and formed *Al-Da'wa Tanzim al-Iraq* (Da'wa - Iraq Organisation). It was not invited to join the Council.⁵⁴

Ibrahim al-Jaffari's one month tenure as president boosted the party's visibility and proved that its leader can still command respect. But while al-Da'wa's offshoots squabble, none appears to enjoy genuine support, influence or resources, other than a historical legitimacy as part of Iraq's oldest Shiite party. The real battle for leadership of the Shiite Islamist movement is being waged between the Hakims and the Sadrs, two of Iraq's most prominent clerical families, who, together, founded al-Da'wa.

B. AL-HAKIMS AND THE SCIRI

To a large extent, the late Mohammed Baqir al-Hakim's political authority was derivative of his father's, Grand Ayatollah Mohsen al-Hakim (1889-1970), who dominated the *hawza* in the 1960s. Mohsen's political career dates back to when he helped mobilise the tribes of the Euphrates to rise up against the British occupation. According to some reports, his eldest son, Mehdi, played a part in the founding of al-Dawa.⁵⁵ After his father's death, however, Mehdi was forced into exile by the Baathist regime. In 1988, Saddam's agents murdered him in Khartoum. His younger brother, Mohammed Baqir al-Hakim, remained in Iraq until he left for Iran in 1980.

In 1982, al-Hakim founded the SCIRI, which was headquartered in Teheran. The organisation was culled largely from opposition Iraqi Shiites living in exile in Iran and prisoners of war. Prodded by Iran, a number of Iraqi Shiite Islamic parties joined the SCIRI, which at its inception aimed to become an umbrella group for all Iraqi Shiites. Both al-Da'wa and the Organisation of Islamic Action (*Munazzamat al-Amal al-Islami*) joined what at the

⁵¹ Scholars differ over the precise date and circumstances of the organisation's founding.

⁵² ICG interviews with members of al-Da'wa, Baghdad, June 2003.

⁵³ The principal reason for the split appears to be non-ideological. Members of Haraka are mainly from Basra, and they protested the over-representation of Najafi elements in al-Da'wa.

⁵⁴ ICG interview with Dr. Qassim al-Sahlani, speaker of the Da'wa-Iraq Organisation, Baghdad, June 2003, and other members of the party.

⁵⁵ Faleh al-Jaber, ed., *Ayatollahs, Sufis and Ideologues* (London, 2002), p. 151.

time was a loose movement.⁵⁶ The SCIRI was deeply influenced by and dependent on Iran; it adhered to the principle of *Wilayati al-Faqih* (the rule of the Islamic Jurist) and recognised first Khomeini and, subsequently, his successor Khamenei, as the *Wali al-Faqih* (the Ruling Jurist), possessing authority over Shiites worldwide.⁵⁷ In 1983, the SCIRI established a government in exile and set up a military unit, the Badr corps, whose strength is estimated at between 4,000 to 8,000 fighters, armed and financed by Iran. It fought alongside Iranian forces in many battles of the war with Iraq that ended in 1988, a decision that cost the SCIRI popular support.

During the final years of the Baathist regime, al-Hakim and his political movement were challenged within Iraq by Ayatollah Mohammed Sadiq al-Sadr, a distant relative of Da'wa founder Mohammed Baqir al-Sadr. Rivals attacked the SCIRI for being under Iranian influence and members of the Badr Corps for acting as Iranian mercenaries. Al-Hakim was personally challenged for having departed Iraq in 1980 while leaving behind tens of family members who were killed as a result of his political activities. According to some Iraqis, exiles in Qom threw shoes at al-Hakim in the wake of al-Sadr's assassination as a sign of disapproval.⁵⁸

Although the SCIRI's posture toward the war was ambivalent, it clearly was preparing itself for the day after, maintaining contacts with the U.S. and making sure it would have influence in a post-Saddam regime. Al-Hakim and his successor at the head of the SCIRI, his brother Abdul Aziz

(commander of the Badr Corps and chief of the party's political affairs in Baghdad), displayed a general readiness to work with the U.S. After the regime's fall, the SCIRI chose to participate in municipal and national councils, served on electoral committees and joined the Interim Governing Council, all under U.S. supervision and control. In his sermons, al-Hakim denounced armed attacks against the occupation forces, arguing that resistance should be non-violent. At the same time, he adamantly rejected any long-term U.S. role.⁵⁹ The approach appears to be above all else tactical: there was little to gain by open opposition to American troops; rather, by working with the occupation without endorsing it, al-Hakim was in a position to strengthen his position in Iraq; a democratic, pluralistic system could serve as the prelude to the establishment of a Shiite-dominated Islamic republic.

The SCIRI's ambivalence was mirrored by Washington's. The U.S. saw in the organisation both an important bridge to the Shiite community and a potential stalking horse for Iran. While the U.S. has talked with the SCIRI and dealt with it both before and after the war, it also has issued periodic warning against the Badr Corps and Iran's influence. U.S. officials claimed that the Badr Corps infiltrated Iraq after Saddam's ouster to extend Iranian interests and establish armed camps.⁶⁰ Badr Corps forces allegedly operated in towns close to the Iranian border in contravention of U.S. demands. In response, SCIRI argued that it was ready to cooperate but that Iraq's security must above all be an Iraqi concern. Tensions surfaced regarding U.S. demands that the Corps be disarmed; while SCIRI leaders generally put their weapons aside, they insisted that the Badr Corps was not an Iranian extension and complained

⁵⁶ Al-Da'wa subsequently left the SCIRI, reportedly over disagreements concerning Iran's influence. See ICG Report, *Iraq Background*, op. cit., pp. 31-33.

⁵⁷ For discussion of the concepts, see ICG Middle East Report No. 5, *Iran: The Struggle for the Revolution's Soul*, 5 August 2002. Al-Hakim and Khamenei were classmates. Iran declared three days of mourning upon al-Hakim's death, and Khamenei attended a memorial service held in his honour on 31 August 2003 in Teheran. Al-Hakim's decision to recognise Khamenei as *wali al-Faqih* proved controversial. Khomeini, unlike Khamenei, enjoyed widespread devotion and respect in Iraq and is revered by the followers of both al-Hakim and Sadr. A portrait of Khomeini hangs in al-Hikma mosque run by Mohammed Fartousi, Sadr's representative in Baghdad.

⁵⁸ ICG interview with Iraqi exiles returning from Qom to Najaf, May 2003. Iraqi exiles from Qom also alleged that SCIRI had diverted funds raised for humanitarian purposes in Iraq for the party's use.

⁵⁹ "We have said from the beginning that we reject any American attempt to impose a post-Saddam order because it will simply be an occupation force". ICG interview with Mohammed Baqer al-Hakim, Najaf, May 2003.

⁶⁰ In May 2003, U.S. General John Abizaid, accused the Badr Corps of operating under the influence of Iran. *Sunday Telegraph*, 25 May 2003. U.S. military spokesmen in Najaf told ICG that, following al-Hakim's killing, they were monitoring the presence of an Iranian delegation and looking for signs of militias. Anyone bearing weapons without authorisation, they said, would be disarmed. Some local press reports allege that Iranian agents have been coming into Iraq under the guise of pilgrims.

vigorously about Kurdish forces being exempted from the decommissioning effort.⁶¹

Predictably, the massive 29 August car bomb revived calls by the SCIRI and other Iraqis (including the rival group of Moqtada al-Sadr) for their own militias to ensure security in light of the U.S. failure.⁶² The attack also led to the reappearance of the Badr Corps on the streets in southern Iraq. Armed Badr militiamen organised the funeral procession for al-Hakim and his bodyguards, providing water, food and security patrols for the hundreds of thousands who followed the cortege as it toured from Najaf to Baghdad and back again. In the wake of the bomb attack, they also manned checkpoints and launched raids on suspect Baathists and Sunni extremists, whom they blamed for the attack. SCIRI party leaders in Najaf told ICG that over 27 suspects had been arrested. They alleged that they were coordinating with Coalition forces and the local police but said they had yet to decide whether to hand the detainees over to the courts or hold their own trials. There also are indications that Badr force commanders may be seeking to take advantage of the less forceful leadership of al-Hakim's brother, Abdul-Aziz, to assert their influence.⁶³

⁶¹ Following an order for militias to hand in their weapons, U.S. forces raided SCIRI offices, including its Baghdad headquarters. Iranian Students News Agency (ISNA), 20 June 2003. SCIRI spokesman Hamid Al-Bayati had earlier warned that the U.S. decree could prompt attacks: "The longer Americans remain here, the more they are at risk from terrorist attack", *Sunday Telegraph*, 25 May 2003. SCIRI leader Adil Abdul-Mahdi acknowledged to ICG that these tensions grew out of U.S. suspicions that the Badr Corps is controlled by Iran. Abdul-Mahdi rejected the charge: "[the Badr conscripts] are professionals with high-level degrees, who joined the Badr Army to fight Saddam, not to serve Iran. Some of them have married Iranians and cross the borders, generally for family visits. The U.S. considers these visits suspicious". He added: "Iranian intelligence services may have recruited some members of the Badr Army, but this has been done on an individual basis, without our consent or knowledge". ICG interview, Baghdad, 18 June 2003.

⁶² ICG interviews, Baghdad, September 2003. A senior SCIRI figure, Adil Abdul Mahdi, had earlier suggested that the Badr Corps would play a more active role in the future. "I cannot say that Badr has already spread its forces in the streets. But Badr's people are Iraqis and they will join Iraqi forces". *The New York Times*, 31 August 2003.

⁶³ Within hours of Abdul Aziz's appointment as party leader on 2 September 2003, Mohammed Taqi Mullah, a Badr Corps commander, held a midnight press conference

Post-Saddam Iraq presents other challenges to the SCIRI. After his ostentatious homecoming from a 23-year exile, al-Hakim sought to highlight both his own sufferings and his loyalty to the Iraqi cause.⁶⁴ He elevated himself to the rank of *marja'*, or source of emulation, and claimed the status of Just Imam.⁶⁵ Yet, his authority was questioned by Najaf clerics, many of whom considered him a political rather than a senior spiritual leader.⁶⁶ Some also questioned the extent of his loyalty to Iran's Khamenei.⁶⁷

Perhaps most importantly, the old rivalry between the Hakims and the Sadrs has continued in a different form. Al-Sadr followers staged demonstrations against al-Hakim in Basra, his stronghold, branding him an "Iranian stooge" and "a wealthy cleric, fond of printing his coloured pictures".⁶⁸ They also were quick to recall – and slow to forgive – that al-Hakim had once accused Mohammed Sadiq al-Sadr of being a Baathist-appointed "lackey".⁶⁹ Mohammed Fartousi, Moqtada al-Sadr's deputy in al-Sadr city, said:

Hakim does not represent Iraq; he has not studied in the *hawza* and has no religious qualifications to be an ayatollah. He represents

praising the Badr Corps and demanding that U.S. authorities cede them responsibility for security. He said that in contrast to foreign forces, his Corps knew where "Iraq's criminals live".

⁶⁴ "I come with an Iraqi message, for the Shiites of Iraq", ICG interview with Mohammed Baqir al-Hakim, May 2003.

⁶⁵ Ibid.

⁶⁶ Al-Hakim announced that he would forsake his political activity and focus instead on becoming a respected jurisprudent, a division of labour that left SCIRI's actual political leadership in the hands of his younger brother, Abdul Aziz, who officially took his position after al-Hakim's death. ICG interview with Adil Abdul Mahdi, SCIRI leader, Baghdad, 17 June 2003. Following his assassination, al-Hakim was elevated to the rank of Grand Ayatollah. It should be noted that Mohammad Baqir al-Hakim's nephew Mohammed Saed, is one of the *hawza's* four Grand Ayatollahs.

⁶⁷ In an interview with ICG, al-Hakim suggested that Qom would retain its dominance over Najaf: "When Ayatollah Khomeini died, there were 700 clerics in Najaf as opposed to 7,000 clerics when he took office. At that time there were between 3,000 and 3,500 clerics in Qom; now there are 25,000. That is seven times as many. So you see Najaf's weight vis-à-vis Qom".

⁶⁸ According to Sadr followers, the late Ayatollah Mohammad Sadiq al-Sadr prohibited the "printing of images of live Imams", ICG interview, Baghdad, 24 June 2003.

⁶⁹ Ibid.

outsider forces and works with Iran, the U.S. and Israel. We need someone from inside who suffered with Iraqis and represents the people's voice. We don't want an Iranian state.⁷⁰

In turn, the SCIRI has alleged that Moqtada al-Sadr has ties with Baathist loyalists, noting that even his followers admit that his Baghdad militia includes former army soldiers.

How al-Hakim's death will affect his movement remains unclear. Al-Hakim's principal strategy since his return was to gain the loyalty of the country's tribal, political and clerical establishment, adopting a political stance sufficiently vague to avoid overly antagonising his constituency, his Iranian backers, *hawza* leaders or the U.S.⁷¹ Despite simmering differences, al-Hakim appeared to have garnered support from both the clerical establishment in Najaf and U.S. administrators, who viewed him as a useful counter-weight to al-Sadr's movement.⁷² The SCIRI moved quickly to fill any power vacuum by naming his brother to lead the party, which clearly enjoys greater institutional and financing backing than al-Sadr's movement, as manifested in Abdul Aziz's presence in the Interim Governing Council and continued Iranian support.

The impact of his death and the ripple effects of the car bomb in Najaf on Iraqi politics and intra-Shiite relations, however, are likely to be profound. Grieving over al-Hakim's assassination has been widespread, with massive crowds marching from the holy shrine of Kazimayn in Baghdad to Karbala and Haja where he was buried. The Interim Governing Council decreed a three-day mourning period, and the party pointed to the massive turnout for the funeral as evidence of its popular support. That said, not all of the popular outpouring reflects political or even personal loyalty; Al-Hakim was a central and respected figure of Iraqi Shiism, and

even his rivals – such as Moqtada al-Sadr – joined in the grief, condemned the attack and helped organise public demonstrations of mourning. Many came to bury but not necessarily praise him. Public animosity between the SCIRI and al-Sadr's group is likely to be tempered in the coming period – in their chants, some mourners included comparisons of al-Hakim to Sadiq al-Sadr. But the truce will probably be short lived, as both movements vie for a greater political role. The next stage in that struggle will be over the choice of al-Hakim's successor to lead Najaf's Friday prayer.

Nor is it clear whether the SCIRI will be able to maintain its unity and cohesion after its founder's demise. Al-Hakim for the most part had successfully managed the many internal rifts in the movement over the years. On paper, Abdul Aziz holds all the cards: he is head of the party, commander of its Badr Corps, and SCIRI representative in the Interim Governing Council. But he lacks the religious authority and, some say, the savvy of his brother. While Abdul Aziz led the first Friday prayers after the car-bomb in Najaf's Imam Ali shrine, there were dissenting voices in the party.

How the SCIRI's attitude toward the occupation will develop is another complex question. Until now, it has opted for an accommodating stance; but anti-U.S. sentiment within the ranks of the party and especially the Badr Corps may prove hard to contain and competing Iranian and U.S. pressures difficult to accommodate. In the wake of al-Hakim's death, his brother singled out U.S. forces for failing to ensure security.⁷³ Ultimately, the SCIRI's posture will be a function of the occupations forces' ability to meet the Iraqi people's basic needs, the speed of the transition toward full Iraqi sovereignty, SCIRI's rivalry with al-Sadr and, importantly, U.S. relations with Iran. Abdul Aziz will face a daunting task as he seeks to balance these conflicting pulls and pressures.

C. MOQTADA AL-SADR: A NEW MILITANT FORCE

Much as al-Hakim, Moqtada al-Sadr largely owes his position to the influence of his father, Grand

⁷⁰ ICG interview, Mohammed Fartousi, 21 May 2003.

⁷¹ His positions on the nature of the future Iraqi state have varied between a state respectful of Islam and a state that enforces Islamic law.

⁷² In ICG interviews in Najaf, May 2003, clerics close to Ayatollah Sistani praised al-Hakim as "more rational and better behaved" than Moqtada Sadr. In June, the *hawza* establishment tacitly approved after the fact al-Hakim's decision to stage Friday prayers in the Imam Ali shrine in May 2003 for the first time in 132 years, in the hope his sermons might attract believers away from Moqtada al-Sadr.

⁷³ "The occupation force is responsible, in essence, for the sacred blood that was shed in Najaf", *The Washington Post*, 3 September 2003.

Ayatollah Mohammad Sadiq al-Sadr. Unlike al-Hakim, however, Sadiq al-Sadr remained in Iraq. His release from prison after ten years initially raised suspicions among Iraqis that he was being manipulated by the regime. Indeed, Baathist officials hailed his Arab (as opposed to Persian) origins and supported his claim to become grand ayatollah. Both he and his books were treated relatively leniently. But Sadiq al-Sadr soon exploited his relative freedom to increase his influence, particularly among poorer Iraqis, and to develop an educational, social and economic network independent of the state. He revived Friday prayers for Shiites⁷⁴ but dispensed with the Sunni custom of beseeching God to protect the head of state; he publicly called on Saddam Hussein to repent, appointed *sharia* judges, and dispatched a network of agents to hold Friday prayers in Shiite mosques across central and southern Iraq.

During his lifetime, Sadiq al-Sadr sought to straddle Iraq's Shiite-Sunni divide. From mosques with which he was associated one still can see banners carrying the words: "There is no Sunna and no Shia. Yes to Islamic unity". He also clearly sought to resist Iranian influence and re-establish the primacy of Iraqi Shiism. In 1997, he proclaimed himself *wali amr al-muslimeen*, a title vested with the same authority as the ruler (*Faqih*), thereby challenging Iran's Supreme Leader Ayatollah Ali Khamenei's claim to pan-Shiite leadership.⁷⁵ Sadiq al-Sadr considered Mohammed Baqr al-Hakim an Iranian pawn, describing him as *fasid* (corrupt).

Saddam saw in Sadiq al-Sadr's growing assertiveness a clear and dangerous threat. To the Iraqi ruler, it appeared that Sadr was preparing his

own *wilayat al-faqih*, or theocracy. In February 1999 gunmen fired on his car, killing him and his two eldest sons. His death sparked violent demonstrations that the regime forcefully put down, driving his followers into hiding. Even after the fall of Baghdad in April 2003, Mohammed Sadiq al-Sadr remained the most popular source of political emulation for Iraqi Shiites.⁷⁶

Al-Sadr's movement remained underground until the regime's demise, however, when his 27-year-old son, Moqtada al-Sadr emerged to provide public leadership. The movement's subsequent rapid rise to prominence – it is variously known as *Harakat al-Sadr al-Thani*; *al-hawza al-natiqa*; or the *Sadriyyun*, meaning partisans of al-Sadr – surprised Iraq's clerical class and the world at large. Moqtada al-Sadr possesses few religious credentials – indeed, far fewer than did al-Hakim – and he is clearly too young to have earned the reverence accorded to his father, Sistani and the other *marjas*. Rather, he claims his authority largely by lineage. In addition, Ayatollah Qazim al-Ha'eri, a prominent *marja* based in Qom who studied under Sadiq al-Sadr, deputised Moqtada to represent him in Iraq.

Moqtada al-Sadr in turn deputised a number of his followers to divide the Shiite areas of Baghdad into districts of 200,000 people each (the population of what is now known as al-Sadr city is about two million, almost half of Baghdad's total). This makes it easier for al-Sadr and his deputies to manage the Shiite population and provide services.⁷⁷ The movement also has made inroads across southern Iraq.

⁷⁴ The Shiite custom of boycotting Friday prayers appears to be of relatively recent vintage. According to Juan Cole, *Sacred Space and Holy War* (London 2002), p. 111, Shiites continued to hold Friday prayers into the nineteenth century. The decision to stop this practice derives from the fact that prayers are always led under the auspices of the temporal ruler; because the latter is illegitimate in Shiite eyes in the absence of the *mahdi*, prayers were deemed illegal. Academics continue to debate why Sadiq al-Sadr sought to revive Friday prayers under a non-Shiite tyrannical regime, but his followers understood it as an indirect claim to temporal as well as spiritual authority.

⁷⁵ Al-Sadr did not dismiss the notion of *Wilayat-al-Faqih*, or the governance of the jurist, but argued that each *wilaya*, or district, should have its *faqih*. ICG interview with Hassan al-Furali of Ayatollah Mudarressi's office, Karbala, May 2003.

⁷⁶ Traditionally, Shiite laymen are required to follow a living mujtahid (a religious scholar entitled to derive legal opinions from the sacred texts). However, al-Sadr followers argue that living mujtahids (in this case Ayatollah Qazim Ha'iri and Ishaq Fayadh) have authorised the emulation of a dead mujtahid until such time as a superior one emerges.

⁷⁷ ICG interview with Syed Ali Al-Rawawi, a 23-year-old cleric and "local mayor" of Gayara al-Thoura, Baghdad, 21 May 2003. According to al-Rawawi, the Sadr movement had taken control of al-Thoura, a mainly Shiite slum of two million people, with just 90 trainee clerics. ICG saw letters of appointment from Moqtada al-Sadr naming them his wakils, or representatives. Moqtada's wakil in al-Thoura, Mohammed Fartousi, claimed he was licensed to issue fatwas, which included the prohibition of alcohol and films at cinemas incompatible with Islamic mores. However,

Both Moqtada al-Sadr and al-Hakim are of Arab descent and claim to speak for the *hawza*. Each has sought to impose more conservative social and cultural mores, argued the need for his own armed militia to ensure security, and is battling for the allegiance of the Shiite community.⁷⁸ But there are important differences, most significantly in the social constituencies they represent, the tools they seek to use to increase their power, and their sources of external support.

Al-Sadr's power base is in the impoverished slums of Baghdad and southern Iraq, areas where Iraq's communists held sway in the 1960s. His movement has sought to win the loyalty of the Shiite community by providing welfare services in such neighbourhoods. Operating in disciplined fashion, his followers filled the power vacuums that existed in Najaf and al-Sadr city, the poor suburb on Baghdad's eastern flank inhabited principally by migrant peasants and destitute Baghdadis. Young clerics from his movement went there to impose law and order, protect hospitals and public buildings, offer neighbourhood assistance, impose Islamic dress codes and gender segregation and close music shops.⁷⁹ They took control of mosques, welfare centres, universities and hospitals.⁸⁰ According to al-Sadr city residents interviewed by ICG, 90 per cent of the mosques in the area are now controlled by the Sadr movement.

despite the ten years he says he spent studying at the Najaf *hawza*, he has yet to rise to the rank of a mujtahid (qualified jurisprudent). Mainstream clerics take the position that only a mujtahid is permitted to issue fatwas.

⁷⁸ On 13 August 2003, a U.S. helicopter dislodged a Shiite banner from a tower in Baghdad's al-Sadr City. The incident triggered violent protests, and Moqtada al-Sadr subsequently called for the creation of a Shiite militia force, "the Army of Imam Mahdi to defend the *hawza*". ICG visits to al-Sadr city since that time have witnessed a greater presence of al-Sadr armed loyalists. And in Najaf, Moqtada stationed 300 guards outside his home following the attack on Hakim. Coalition forces in Najaf sent tanks to his home and ordered the guards to disband, but withdrew when they refused. See Iraq Today, "In Sadr city incident, media misconceptions inflamed passions", 25 August 2003; *The Washington Post*, 29 August 2003.

⁷⁹ ICG interviews with dozens of Iraqis in early and late June 2003, al-Sadr city.

⁸⁰ At an orphanage run by al-Sadr clerics in al-Sadr city, boys and girls were separated and girls forced to wear a veil. Boys enjoyed the use of a space three times greater than girls, but the girls were quoted as saying they preferred the security of the orphanage to the anarchy of the streets. ICG observation, al-Sadr City, May 2003.

Within weeks of the regime's collapse, Al-Sadr's representatives claimed to have employed 50,000 volunteers in East Baghdad to provide refuse collection, hospital meals and traffic control. Religious seminaries run by al-Sadr's followers have proliferated.⁸¹ In the absence of a functioning public judicial system, Mohammed Fartousi, al-Sadr's agent in al-Sadr city, used his Hikma mosque to establish rudimentary personal status courts.⁸² Al-Sadr's *wakils*, or agents, distributed vests to traffic wardens emblazoned with the words "*hawza* police". Such assertions of authority triggered discontent on the part of secular political parties, other Shiite organisations (such as the SCIRI) and victims of a zealous anti-alcohol and anti-prostitution campaign. Liquor stores in Baghdad, Basra and the southern border city of Amara, which are run by Christians, were targets of firebombs and other attacks and many had to shut down. By and large, however, in the early months following the war, residents of al-Sadr city told ICG, criminality, including revenge killings of ex-Baathists, was kept under relative control and social services ran relatively smoothly, for which they expressed gratitude to al-Sadr.⁸³

In Najaf, al-Sadr's movement waged a battle against both traditional clerics and the SCIRI, which he denounced as an Iranian pawn. Presenting themselves as champions of the "militant [*natiqa*] *hawza*", his followers roundly denounced the "silent [*samita*] *hawza*" (i.e., Ayatollah Sistani and other leaders of the *hawza*)⁸⁴ and disparaged Sistani for his Iranian heritage.⁸⁵ According to various

⁸¹ In an interview with ICG, Najaf, 28 May 2003, Riyadh Nouri, a spokesman for Moqtada al-Sadr, claimed that in two months the movement had established twenty religious seminaries training 2,000 students across Iraq.

⁸² The courts, sitting twice a week, stopped short of applying the *sharia* penal code on the ground that they lacked executive authority. However, followers told ICG that volunteers had been assigned to enforce their rulings.

⁸³ ICG interview, al-Sadr city, June 2003.

⁸⁴ In a 2 May 2003 sermon, Moqtada al-Sadr attacked the "traditional, silent *hawza*". A few days before, his second lieutenant, Adnan Shahmani, explained: "The traditional current [of the religious authority of Najaf] focuses on lessons and lectures, fortune-telling [and] collecting religious taxes. Our [current] follows Mohammad Baqir al-Sadr, and we now emulate Grand Ayatollah Kazim Ha'eri. The Da'wa and the SCIRI have no voice in Iraq and have no legitimate cover [from a religious authority]", *Al-Hayat*, 29 April 2003.

⁸⁵ ICG interview with Imam of the Baya mosque and Wakil of Ayatollah Qazim al-Ha'iri in West Baghdad, Sayyid

reports, the conflict at times has turned violent. In Najaf, some – including several clerics close to Sistani – blame Sadr's movement for the killing of Majeed al-Khoei, Grand Ayatollah Abu al-Qassem al-Khoei's son, upon his return from exile; al-Sadr strongly denies the charge.⁸⁶ Groups of activists loyal to al-Sadr are said to have surrounded Sistani's home in mid-April 2003, and by August 2003 all senior clerics had guards posted day-and-night at their doors. There are persistent reports from his detractors that, like his father, Moqtada co-opted Baathists into his ranks.

Finally, the 24 August 2003 bombing of the house of Grand Ayatollah Mohammad Said al-Hakim also has been attributed by some to al-Sadr's followers. Not all these accusations should be taken at face value. In the wake of the 29 August car bombing in Najaf, for instance, some were quick to blame al-Sadr. Since then, the most widespread assessment is that his movement would not have had the capacity to undertake such an attack, and it would not have risked damaging Imam Ali's Shrine, one of Shiism's holiest sites. That one of the goals of those who perpetrated this attack – like the attack on Mohammad Saed al-Hakim – might have been to sow intra-Shiite discord is not at all out of the question.

The rise of a movement of young turbulent clerics and Islamists clearly caught the traditional clerical establishment off guard. The grand ayatollahs, including Moqtada's former teacher, Sheikh Ishaq Fayadh, have taken various steps to curtail his influence.⁸⁷ The clerical establishment has given at

Mouayed Kharazji, Baghdad, June 2003. Sistani was born in the Iranian city of Mashhad and came to Iraq in 1952. Sheikh Rida al-Nu'mani, an aide to Moqtada al-Sadr, explained: "As for Sayyid Sistani, with all due respect, he cannot involve himself in political action in Iraq because he is not Iraqi and he does not have Iraqi citizenship; he has Iranian documents", *Al-Arab al-Alamiyah*, 24 June 2003.

⁸⁶ Adnan Shahmani, Moqtada's second lieutenant, strongly denied any involvement by al-Sadr followers in the killing, ICG interview, Najaf, 26 June 2003. Others who accompanied al-Khoei claim that the killing took place on Moqtada's direct orders. ICG interview with Iraq journalist Ma'ad Fayyadh, who was accompanying al-Khoei at the time, London, 21 May 2003. See also Fayyadh's account in *al-Sharq al-Awsat*, May 2003.

⁸⁷ For instance, they persuaded Ayatollah Ha'iri to dispatch Nur al-Din al-Eshkowari, a more learned *wakil*, to Najaf, in an apparent bid to weaken al-Sadr, ICG interview with Nour al-Din al-Eshkowari, Najaf, May 2003. Al-Eshkowari claims to enjoy a general delegation of authority covering Iraq as a whole that overrides al-Sadr's own authority.

least tacit support to al-Hakim while making overtures to Shiite and non-Shiite secular leaders on the Interim Governing Council.

The rivalry between al-Hakim and al-Sadr also has served as a channel for other societal divides. Al-Sadr's supporters include principally native Iraqis who remained in Iraq and endured the Baath regime, while Al-Hakim led a movement in exile. Many Iraqis who did not leave the country resent the prospect of being supplanted by exiles. Property disputes also play a part. Returning Iraqi exiles seeking to regain homes confiscated by the old regime have clashed with those who claim rightful ownership of property purchased from the state. Problems are likely to be particularly intense in Karbala, previously home to a large Persian-speaking elite evicted under the Baath. After considerable delay, Sistani issued a *fatwa* stating that all property should revert to the original owners on the grounds that the confiscation was illegitimate.⁸⁸ But Sadr's followers have challenged the decree, and disputes are likely to intensify with the return of growing number of exiles from Iran.⁸⁹

Al-Sadr's political program appears a work in progress. He has variously denied wanting any

Moqtada al-Sadr's followers responded by portraying Ha'iri's reluctance to return to Iraq as disloyal and by limiting his jurisdiction to issues of religion (*fiqh*), not politics. Moqtada al-Sadr's spokesman Riyadh Nouri explained to ICG: "We won't allow Ha'iri to rule in our political affairs. If he's an Iraqi he should be in Iraq, otherwise we will have to find a more qualified *mujtahid*, or authority", ICG interview, Najaf, 28 May 2003. In an interview with the Najaf newspaper, *al-Hawza al-Natiqa*, on 28 August 2003, Moqtada al-Sadr again called for Ha'iri to return, and expressed his disappointment that Ha'iri's representative in Najaf did not attend celebrations for Fatima's birthday. The newspaper quoted him as saying: "We tell them that if they do not want to come to Iraq...they should leave the door open for the Iraqi people to work for their own interests".

⁸⁸ ICG interviews with Mohammed Reda Ali Sistani, son of Ayatollah Sistani, Najaf, May 2003, and Mohammed Haqqani, advisor to Ayatollah Sistani: "Property should be returned to the original owners. Trading in stolen property is not acceptable". However, land disputes are likely to be aggravated by the destruction of title deeds in arson attacks on public records offices and a general sense of mistrust. Real estate agents in Karbala interviewed by ICG denigrated Iraqi returnees for acquiring the "snooty and stingy" character of the Ajami [Persians], but also recognised that after a generation in Iran the exiles were for the most part better educated and wealthier.

⁸⁹ ICG interviews, Karbala, May 2003.

executive power and clamoured for the formation of a government under the *hawza's* leadership, called for a system in which doctors of religion (*ulamas*) would exercise a mere supervisory role and demanded a full-fledged-Islamic government.⁹⁰ He has declined to form a political party but describes himself as a political leader considering participating in elections: "If the people call for Moqtada to stand as their leader, he will stand as a candidate", explained his spokesman, Riyadh Nouri.⁹¹ His principal political asset, he clearly realises, is less a particular ideological brand than his father's immense prestige.⁹² Al-Sadr's movement has denounced both the U.S. occupation and the Interim Governing Council it set up, announced that an "alternative Governing Council will be established",⁹³ but has stopped short of calling on his followers to wage an armed struggle against either and relatively few attacks on U.S. forces have been reported from areas under its control. At the same time, it has argued for a popular militia to protect Shiite neighbourhoods.

The composition of his movement is equally diverse and includes:

- clerics who served under his father during the 1990s;
- young religious seminarians from Najaf and returning from Iran;
- the network of lay agents who collect *khums* – one fifth of the disposable net profit accruing

from commerce, industry, banking or agriculture;

- the charitable network established by his father; and
- a mob-like following that joined in the wake of the Baathist demise and reportedly includes some Baathist elements.⁹⁴

The diversity within the movement accounts for the eclectic views of its members. Some clerics close to al-Sadr assert that they "emulate" Khomeini; others are followers of Mohammad Baqir al-Sadr (the original mentor of Hizb al-Da'wa, executed in 1980); a significant number profess their allegiance to the Iran-based Qazim al-Ha'iri, who holds radical, fundamentalist views.⁹⁵

The line-up of forces arrayed against Moqtada al-Sadr, however, is powerful. In some instances, U.S. forces have sought to take power away from his movement and hand it to newly established municipal authorities.⁹⁶ The SCIRI enjoys greater resources and the clerical establishment a more powerful institutional presence;⁹⁷ both also have a degree of tribal support.⁹⁸ Under pressure and unable to cope with the burden, al-Sadr's appointees appear to have retreated from many of

⁹⁰ It is worth noting that, like his father, Moqtada al-Sadr has extolled the need for Sunni-Shiite unity. ICG also witnessed some support among poor Sunnis for the al-Sadr movement's attempt to bridge the Sunni-Shiite divide. There have been some reports of cooperation between al-Sadr and Ahmed Kubeisi, a Sunni cleric who has taken strong anti-U.S. positions, *The Washington Post*, 17 August 2003.

⁹¹ ICG interview, Najaf, 28 May 2003. See also an interview with Moqtada al-Sadr's aides, Sheikh Rida al-Nu'mani and Sheikh Adnan al-Shahmani, published in *Al-Arab al-Alamiyah*, 24 June 2003.

⁹² During an interview with ICG, Moqtada al-Sadr spoke of those who exploit the Sadr family name. He acknowledged not having attained the rank of *mutjahid*, but reiterated his personal right to a position of leadership based on the sacrifices of those "who never left the country and remained with their people in Iraq to share their burdens", ICG interview, Najaf, 26 June 2003.

⁹³ ICG attendance of the Kufa mosque Friday sermon, Kufa, 18 July 2003.

⁹⁴ Some former Baath members explained that they joined the party upon al-Sadr's orders as a means of concealing their true allegiance. ICG interviews, Baghdad and Najaf, June 2003.

⁹⁵ ICG interviews, June 2003

⁹⁶ Moqtada al-Sadr complained to ICG that he had been "stripped of weapons and money", ICG interview, Najaf, June 2003. On the other hand, there are some signs the U.S. has not given up on the idea of a dialogue with al-Sadr's movement. Its representative in West Baghdad, Sayyid Mouayed Kharazji, told ICG his followers held two meetings with U.S. officers, during which it was agreed that his mosque would supervise two pilot schools in the neighbourhood, ICG interview with Sayyid Mouayed Kharazji, Baghdad, 8 June 2003. After the meeting, Kharazji called for U.S. troops to remain in the capital to maintain security and pursue their de-Baathification program.

⁹⁷ Al-Sadr followers dispute the claim that they are at a financial disadvantage. Sheikh Adnan Shahmani, Moqtada al-Sadr's aide in Najaf, stated that the movement collects U.S.\$65,000 a month (or \$780,000 a year), of which a fifth is spent on its seminary students and a fifth on the poor. "This is proof that we can compete with Sistani", *The Washington Post*, 30 June 2003.

⁹⁸ After the killing of al-Khoei, 1,500 tribesmen moved into Najaf for three days to disperse al-Sadr followers who had surrounded Sistani's home and were threatening other establishment clerics, Agence France-Presse, 14 April 2003.

the public institutions and hospitals they previously controlled. Many of the portraits of Sadiq al-Sadr that were put up in mid-summer have been taken down. By late summer, they were a rarity in much of southern Iraq. Al-Sadr's attempt to train a corps, the Mahdi army, to rival the Badr Corps also appears for now to have produced only a paper force.⁹⁹ As one illustration of al-Sadr's apparently declining fortunes, al-Hakim wrested control of the Friday Najaf prayers, while al-Sadr led evening prayers during the week, and Friday prayers from his father's favourite mosque in Kufa city.

But it would be a mistake to count al-Sadr out. He still enjoys considerable popular appeal and appears in control of a significant number of the mosques and other institutions to which he initially laid claim early on. His Friday sermons in Kufa are packed. Reluctant to publicise their divisions, and fearful of a cycle of violence, other clerics so far have muted their criticism and sought to contain the rivalry.¹⁰⁰

D. OTHER SHIITE LEADERS

1. Ayatollah Sayyid Qazem al-Ha'eri

Al-Ha'eri was born in Karbala but has lived in Qom for two decades. He began his political life in Iraq as spiritual mentor or *faqih* in al-Da'wa, which he quit in the 1980s. Since then, he has remained involved with the Iraqi opposition, though he has spent most of his time teaching in Qom. Mohammed Sadiq al-Sadr named him his successor as ayatollah, and he exercises religious authority over Moqtada al-Sadr's movement. In the current difficult political context, al-Ha'eri has sought to strike a delicate balance between al-Sadr, the clerical establishment and Iran. Although al-Ha'eri

propounds a vision of a theocratic state based on *wilayat al-faqih* that is close to the Iranian model, he demonstrated his independence from Teheran by refusing to support al-Hakim and the SCIRI. Although he appears to be trying to ride the wave of popular support for al-Sadr as a prelude to his own return, his decision to send his representative to Iraq upon the request of the Najaf clerical establishment was widely interpreted as an effort to curb al-Sadr's authority.¹⁰¹

2. Ayatollah Mohammad Hadi al-Mudarrasi

Mudarrasi leads the Organisation of Islamic Action (OIA), a group founded in 1965 in Karbala by his uncle, the late Ayatollah Muhammed al-Shirazi. In the 1970s, it developed into a clandestine, radical organisation, sending its members to Lebanon for military training during that country's civil war. In the wake of the Iranian revolution, it launched an unsuccessful armed revolt against the Baathist regime. In the 1980s, it joined the SCIRI but subsequently split between a Damascus branch, headed by Mudarrasi, and an Iranian branch, led by Sheikh Qasim al-Husseini.

After the fall of the Baathist regime, Mudarrasi rushed back to Iraq, becoming the most prominent exiled cleric to return to Karbala. From there his influence rapidly spread and his portraits soon adorned roadsides across southern Iraq. Mudarrasi has sought to shed the OIA of its radical ideology, distance it from Iran and highlight his own nationalist credentials. Casting himself as a moderate Islamist reformer aiming to build "a new *hawza*" with ties to the West, he has criticised the Iranian system's coercive aspects¹⁰² and backed a more gradual approach to the establishment of an Islamic state.¹⁰³ Within weeks of his return to Karbala, he opened two religious seminaries intended to train 300 students, the nucleus – he

⁹⁹ That said, al-Sadr's security guards claim they raided some heavy weapons from army bases following Saddam Hussein's fall. Also, al-Sadr seems determined not to give up the idea of building a militia. See "Iraqi firebrand rejects U.S. disarmament deadline", Agence France-Presse (Najaf), 7 September 2003, reporting that the cleric would not meet a 13 September 2003 deadline for the militia to disarm.

¹⁰⁰ In interviews with ICG, Mohammed Reda Ali Sistani, son of Grand Ayatollah Ali Sistani, Ali Rubai, secretary to Grand Ayatollah Sheikh Fayadh, Ali, the son of Grand Ayatollah Bashir, and Ezzedin, son of Grand Ayatollah Mohammed Sayed Hakim, expressed concern about possible retribution by al-Sadr followers, ICG interviews, May 2003. Clerics in Najaf close to Sistani told ICG in May 2003: "we have no court to put al-Sadr on trial".

¹⁰¹ ICG interview with al-Ha'eri's representative, Nur al-Din al-Eshkowari, Najaf, 30 May 2003.

¹⁰² Mudarrasi is prone to highlight his tensions with Iranian authorities. According to his Karbala office, Iran shut down his religious seminary in Teheran following Khomeini's death in 1989, prompting 150 students to relocate to Damascus, ICG interview with Mudarrasi, Karbala, 25 May 2003.

¹⁰³ According to Hassan Furali, head of Mudarrasi's public relations office in Teheran, Mudarrasi favours holding a referendum on the establishment of a wilaya al-fuqaha, a five-person clerical council composed of Mudarrasi, Sistani and Said al-Hakim, ICG interview, Karbala, May 2003.

hopes – of a new *hawza* university. He has reached out to Sunni communities around the world, establishing offices and charities in Tanzania, Comoros, Bahrain, Burkina Faso and Sudan.

3. Grand Ayatollah Mohammed Hassan Fadlallah

Born of Lebanese parents in Najaf in 1934, Fadlallah spent twenty years studying at the *hawza* under the tutelage of al-Khoei. While in Najaf, he developed close ties to Khomeini. Fadlallah co-founded the Iraqi Da'wa party in the 1960s, returning to Lebanon at the time of the rise of the Baath regime. Fadlallah served as al-Khoei's representative in Lebanon, where his writings helped inspire Hizbollah.¹⁰⁴ He has staunchly resisted Iran's attempts to assert authority over Shiites worldwide, objecting in particular to Hizbollah's allegiance to Ayatollah Khamenei and to efforts to monopolise Shiite religious teachings in Qom.

Fadlallah initially opposed the U.S.-led war in Iraq, calling on Shiites to resist foreign occupation. He subsequently softened his stance and reportedly has advised al-Dawa to avoid a violent confrontation and to cooperate with the U.S. in rebuilding Iraq. Despite his Lebanese roots and frail health, his Arab ancestry and status as a leading Arab Shiite have made him popular across much of southern Iraq. Leading members of al-Dawa as well as some members of the Sadr movement have called on him to return to Iraq.¹⁰⁵

¹⁰⁴ The U.S. holds him responsible for a deadly attack against the Marine barracks in Beirut and for the kidnapping of a number of its citizens in Lebanon in the 1980s. On Fadlallah, see ICG Middle East Briefing, *Hizbollah: Rebel Without a Cause?*, 30 July 2003, pp. 12-14.

¹⁰⁵ Raad al Kursan, Hizb al-Dawa leader in Najaf, said that Fadlallah had been "sending his representatives to Iraq with money", and was regarded as the party's most prominent religious authority, ICG interview, Najaf, May 2003.

VI. CONCLUSION

As ICG described in a recent report, Iraq under occupation is experiencing insecurity, inadequate basic services such as electricity and clean water, inadequate social services, a lack of self-government; and increased sectarian tension.¹⁰⁶ All these factors are playing out in the complex arena of Shiite politics.

Iraq's political actors unanimously condemned the horrific bombing in Najaf. Its sophistication, its similar fingerprint to the earlier bombings of the Jordanian embassy and the UN headquarters in Baghdad, and the fact that it targeted a Shiite holy site led many to blame Saddam loyalists – who resent al-Hakim's cooperation with the U.S. – possibly in an alliance with foreign Sunni Islamists. Meanwhile, most Shiites appear to be engaged in an implicit political bargain: they will continue to work with the occupation forces in exchange for the prospect of genuine political power down the road.

But the U.S. should take little solace from that fact: beneath the accusation directed at the old regime, the grievances directed at the occupation forces quickly resurfaced. Iraqi Shiites condemned the CPA for failing to provide basic security, and anti-American sentiment was evident during the funeral. Mohammed Bahr al-Uloum, a prominent independent Shiite cleric, suspended his membership in the Interim Governing Council, protesting lack of Iraqi control over security matters. Both Moqtada al-Sadr and the SCIRI are demanding that they be allowed to protect Shiite holy sites and that the U.S. delegate far more authority, particularly when it comes to law and order, a demand echoed by the Council's former president and Da'wa leader Ibrahim al-Ja'fari.¹⁰⁷

On the ground, militias loyal to al-Sadr and to the SCIRI have become increasingly visible. On the road between Baghdad and Najaf, militiamen are manning checkpoints. Some Shiites also perceive delays in holding direct local elections and uncertainly concerning the timetable for the full transfer of power to the Iraqi people as a means of containing their influence. Al-Hakim's death also is

¹⁰⁶ See ICG Middle East Report No. 17, *Governing Iraq*, 25 August 2003. ICG noticed that the security situation was in fact slowly improving. The new and significant factor is the car bombs, though they generally do not affect the ordinary people on the street.

¹⁰⁷ ICG interview, Baghdad, 2 September 2003.

likely to diminish the Interim Governing Council's already shaky legitimacy, for he played a significant role as a bridge between the Shiite community and the occupation authorities.

Among Shiites, in short, the U.S. will remain a target of criticism so long as it has overall responsibility for security and insofar as it is a lightning rod for a resurgent nationalism. Moreover, many Iraqis understand that putting pressure on the U.S. (which increases with every car bombing it fails to prevent) and blaming it for the current hardships is likely to accelerate the transfer of authority they strongly favour to the local population, particularly in the security realm. The Coalition Provisional Authority, which suffers from a serious shortage of legitimacy, must be seen as handing over authority to the Interim Governing Council as soon and as much as possible.

Intra-Shiite tensions also are unlikely to fade: early suspicion that al-Sadr's movement might have had a hand in the attack quickly dissipated, but the roots of the rivalry remain. Since he does not have a seat on the Interim Governing Council, the street is the only arena where Moqtada al-Sadr can flex his political muscle.

Finally, tensions between Shiites and Sunnis may well grow, despite concerted and laudable efforts on both sides to lessen them.¹⁰⁸ In the wake of the attack, which they perceived as an assault on their community as a whole, some Shiites could be heard chanting anti-Sunni slogans. The focus on foreign Sunni Islamists, whether from al-Qaeda or Saudi Arabia, is also liable to have an impact on relations. Stoking these tensions, Iraqi newspapers have directly accused Saudi Arabia of assisting al-Qaeda¹⁰⁹ and of seeking to spread Wahhabi ideology in Iraq. For their part, Sunnis may fear of an

assertion of Shiite power, already augured by the composition of the Interim Governing Council. It is in this respect that the use of sectarian principles as a means of selecting the Interim Governing Council and cabinet is particularly distressing.

For now, the leaders of the Shiite Islamist movement continue to eschew confrontation with the occupation forces because of a historical debt (the end of the Baathist regime) and a common goal (the end of Sunni domination). Thus while the SCIRI and al-Sadr's movement oppose the U.S. presence in principle, they both denounce attacks on American troops as Baathist sabotage and decline to issue *fatwas* supporting violence against the U.S. presence¹¹⁰.

Nor has Iraq reached the point where either intra-Shiite or Sunni-Shiite tensions will erupt in protracted violence.

But the current muddle-through is far from being the best prescription. The answer to the challenges in dealing with the Shiites is the same as that which applies to Iraq as a whole: accelerating the process of transferring responsibility to the Iraqi people, including by laying out a clear path toward national elections and the end of the occupation; putting Iraqi politics and its political transition under the aegis of the United Nations; providing the Iraqi people with greater security and better services; and weakening rather than exacerbating sectarian loyalties.

Baghdad/Brussels, 9 September 2003

¹⁰⁸ Both Sistani and Ha'eri reportedly issued *fatwas* against seeking revenge for the bomb attack. Shiite clerics have been accused of fomenting the takeover of a score of Sunni mosques in Baghdad, Karbala and Najaf, but based on its own fieldwork, ICG believes such reports to be exaggerated. See Agence France-Presse, 4 September 2003.

¹⁰⁹ For instance, on 2 September 2003, Iraq's Al-Shira newspaper stated: "no one believes Saudi lies [that it is not behind al-Qaeda's attack on Najaf] anymore. Citizens coming from the governorates of Al-Ramadi and Salah-al-Din say Saudi Arabia is sending millions of dollars to these areas to mobilise them against their fellow Iraqis and stir sectarian feuds inside them. At a time a when a misguided and lowly sect responded to Saudi Arabia, other Iraqis refused to respond".

¹¹⁰ Interview with Moqtada al-Sadr, *Al Hayat* newspaper, 27 June 2003; Agence France-Presse, Najaf, 27 June 2003, quoted Hakim's sermon as follows: "The use of violence is the last resort. We must start by negotiations and peaceful demonstrations against the occupation".

APPENDIX A

MAP OF IRAQ

