

MARJA' IYYA BETWEEN LAW AND LAITY

The requirements of jurists as imagined by their followers

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A *marja'* must fulfil both the minimum conditions outlined in Islamic law and the unstated requirements of his position. The latter consist of practical concerns as well as fulfilling the expectations of the very people who provide him with legitimacy. In the context of Iran, these expectations are, in a way, similar to the legal conditions of *Marja' iyya*; both demand that the *marja'* be exceedingly knowledgeable and devout. They diverge, however, in terms of definition. My research demonstrates that lay people in Iran do not merely expect that a *marja'* has a mastery over legal sources but that he also understands how to apply the law to his particular society. Furthermore, it is not sufficient in the eyes of these followers for a *marja'* to observe Islamic law. Rather, they expect him to exceed them in practice and earn their approval. The ideas articulated by these individuals corresponds with the writings of *marāji'* outside the mainstream in Iran. This indicates that the *marāji'* are aware of such concerns yet intentionally decide to restrict the legal conditions for becoming a *marja'*, perhaps in an effort to avoid confusion over the definition of *Marja' iyya*.

KEYWORDS: Twelver Shi'ism, *marāji'*, *taqlīd*, legal authority, fatwas

The *marāji'* are Twelver Shi'i scholars who are followed in their legal opinions by lay people. Beginning in the mid-nineteenth century, these transregional authorities of Twelver Shi'i law emerged from the seminaries of Iraq and Iran as a result of: a greater emphasis on reason in deriving law following the victory of Usuli scholars over Akhbaris in the late eighteenth and early nineteenth centuries; a recently-established ideology of strictly adhering to the legal opinions of jurists (*mujtahids*) and a hierarchy of scholars; and jurists' ability to remain independent from the state economically while still benefitting from modern forms of communication and the centralization of knowledge and resources.¹ While the *marāji'* possess great financial and legal authority, they describe themselves as jurists who must refrain from sin and be recognized as the most knowledgeable in their field. It is apparent, however, that in Twelver Shi'i religious culture, there are a number of other, unstated requirements for being a *marja'*. These include practical requirements, like producing a legal manual,

building a patronage network, and establishing an office with sufficient representatives.² They also include fulfilling the expectations of the lay people who are to support them financially and provide them with legitimacy. This legitimacy occurs when they choose to nominally attach themselves to the *marāji*'s legal opinions, or, perform *taqlīd* to them. To explore this matter, I conducted primary ethnographic interviews with forty *muqallids* in shrines and mosques in Tehran, Qom, Mashhad, Mazandaran, and the village of Ahar from 2017 to 2018. As my qualitative study demonstrates, these followers (*muqallids*) expect the jurists they follow to act upon the laws that they impose upon others. They also see it as necessary that the *marāji*' are aware of the contexts for which they provide legal opinions. *Muqallids* are not alone in this regard, as *marāji*' outside the circle of mainstream scholars in Iran have added conditions for *Marja'iyya* that seem to accord with lay people's expectations. This suggests that the mainstream *marāji*' are well-aware of the concerns of their followers yet choose – to varying degrees – to remain at a distance from their followers.

According to legal manuals, a *marja*' must be: male, mature (*bāligh*), sane, Twelver Shi'i, of legitimate birth, the most knowledgeable jurist (*mujtahid*), living,³ and morally upright (*'ādil*), which means he performs his obligatory duties, refrains from major sins, and does not persist in minor sins.⁴ In addition to requiring that a *marja*' be *'ādil*, Ayatollah Ruhollah Khomeini and Ayatollah Ali Khamenei state that a *marja*' must not be greedy or infatuated with worldly matters.⁵ Determining who is the most knowledgeable (*a'lam*) jurist can be a bit more difficult. Legal manuals instruct duty-bound individuals to refer to experts (*ahl al-khibra*), or, those familiar with the abilities of the *marāji*'.⁶ These experts include students and representatives of all of the *marāji*', which means that there are as many answers as there are *marāji*'. Before a scholar is mentioned as being among the most knowledgeable, he must first be recognized as a jurist. This requires the approval of his superiors; a scholar must demonstrate that he is a qualified *mujtahid* by his outstanding presence in the classrooms of his teachers. He will often then be given permission (*ijāza*) to perform *ijtihād*.⁷ This distinction is sometimes mentioned in the biographies of the *marāji*'.⁸

It is a practical requirement that a *marja*' make his opinions available to his followers. It has become tradition to publish legal manuals with particular formats so that the *marāji*' can demonstrate that they have opinions on all the matters about which previous prominent jurists have written, even when such issues are no longer the most relevant.⁹ Most legal manuals, then, are reworkings of the manuals of previous jurists that include slightly different answers to accommodate the particular opinions of a given *marja*'.¹⁰ In the Iranian context, the primary legal manual of a *marja*' is almost always the Persian-language *Tawḍīḥ al-masā'il*.¹¹ Only Khamenei from among the *marāji*' has not published one.¹² Meanwhile, in Iraq, the Arabic-language *Minhāj al-ṣāliḥīn* and *al-Fatāwā al-wāḍiḥa* are widely-used.¹³

Prominent scholars of the *ḥawza* – the Islamic seminary system in Twelver Shi'ism – who are outside the circle of mainstream *marāji*' in Iran have provided additional criteria for *Marja'iyya* that pertain to the needs of society and the soul. Ayatollah Muhammad al-Husayni al-Shirazi (d. 2001) a *marja*' not widely accepted by the seminary, writes that a *marja*' must be engaged with and have a strong presence in society. This requires that he is never dismissive of his followers, always smiling, and lenient in his opinions, which must be innovative and effective, so that he is accepted by them.¹⁴ A *marja*', in his opinion, must be careful in how he manages his affairs and how he selects his representatives, who

must be knowledgeable, pure, capable, and brave.¹⁵ He also writes that a *marja*^ʿ must be able to effectively propagate Islam and foster education in communities.¹⁶ In his treatise on *Marjaʿiyya*, a *marja*^ʿ is depicted as a leader who must be followed but also must protect his community from deviation and harm and be responsive to their needs and interests.¹⁷ ʿAllama Muhammad Husayn Tihrani (d. 1995), a philosopher, mystic, and jurist who had a small number of *muqallids*, adds similar conditions for jurists, writing that they must not contradict their words with their actions,¹⁸ be exceedingly patient,¹⁹ have a compassionate, fatherly outlook toward other members of society;²⁰ and provide laws for people only in accordance with their capacities.²¹ This last conditions requires that he is able to recognize the plotting of Satan and that he possesses an inner light.²² The latter, he writes, allows them access to the unseen realm and knowledge of future events and people’s intentions, all matters Ṭihirānī considers necessary for providing accurate legal opinions.²³ Lastly, Muhammad Husayn Fadlallah (d. 2010), a *marja*^ʿ with a strong following but controversial opinions,²⁴ writes that, due to global hegemony, the *marāji*^ʿ depend on their communities and must be more involved in culture, politics, public affairs, and the challenges posed by modern technology.²⁵

Shirazi, Tihrani, and Fadlallah all explicitly require that the *marāji*^ʿ pay attention to the needs of the community, a matter that scholars of Twelver Shiʿism have identified as critical to their legitimacy. Meir Litvak writes that there were three major prerequisites for being a *marja*^ʿ: scholarship; close ties with the Iranian Bazaar (financial support); and the ability to establish a patronage network of followers and students.²⁶ He demonstrates that certain jurists, like Muhammad b. Hasan al-Najafi (d. 1850) and Mirza Hasan Shirazi (d. 1895), had an exceptional ability to establish relations with Twelver Shiʿi communities, and it was largely for this reason that they came to be recognized as *marāji*^ʿ. He distinguishes al-Najafi, widely regarded as the first *marja*^ʿ in history, from his predecessors and contemporaries, as he was “conscious and apparently methodical efforts to build a patronage network...”²⁷ And unlike ʿAli Kashif al-Ghitaʾ (d. 1837), a rival jurist from a prominent family of scholars, al-Najafi did not shy away from issuing fatwas that directly addressed the concerns of his followers, as opposed to asking them to practice precaution (*iḥtiyāt*). In fact, al-Najafi devoted considerable attention to this endeavor, since it allowed him to establish close contact with his followers.²⁸

Popular support for jurists can, at times, outweigh the potential value *marāji*^ʿ place on the hierarchies determined by their fellow jurists. Litvak demonstrates that while a certain threshold of knowledge was necessary for *Marjaʿiyya*, it was not always the jurists with the highest recognition from their peers who became *marāji*^ʿ. Mirza Hasan Shirazi, for instance, came the closest of the nineteenth-century *marāji*^ʿ to being universally recognized as the most knowledgeable jurist, even though his scholarly output was far less than other *marāji*^ʿ and consisted mostly of commentaries on the works of Shaykh Murtada Ansari (d. 1864).²⁹ According to Litvak, Mirza Hasan gained recognition as a *marja*^ʿ by earning the admiration of and paying attention to the needs of the Twelver Shiʿi community. He also had connections with merchants in Shiraz, who admired him for his refusal to accept bribes.³⁰ These merchants served as his agents in numerous towns and channelled religious dues his way. And while his works of legal theory were not noteworthy, Mirza Hasan, like Najafi, took great care to personally answer questions from all across the Twelver Shiʿi world, knowing

that fulfilling the practical needs of the community did more to build a following than did elaborating abstract law.

The Twelver Shi‘i community continues to contribute to the legitimacy of the *marāji‘*. A prominent example is Kamal al-Haydari, who was regularly featured on the popular satellite channel Al-Kawthar TV and now has *muqallids* even though other *marāji‘* consider some of his opinions to be deviant and do not consider him to be a *marja‘*.³¹ In her top-down approach concerning the establishment of authority of the Khoei and al-Hakim families, Elvire Corboz identifies three domains that account for the prominent status of the *marāji‘*: networks, philanthropy, and participation in politics. She demonstrates that paying particular attention to the needs of the community helped these families gain social capital and establish and maintain authority.³² In *The Thread of Mu‘awiya*, Linda Walbridge writes that Ayatollah Ali Sistani was able to achieve his prominent status among jurists in part because he was “elected” by the Al-Khoei Foundation and because he gained the support of one particular group of Twelver Shi‘i believers, the Khojas.³³ In a recent article, Sajjad Rizvi writes that Sistani’s supporters cite the “modernity” and efficiency of his organizations as well as his awareness of the contemporary world as reasons they chose to follow him from among the *marāji‘*.³⁴ Meanwhile, accomplished scholars who are not able to secure popular support, sometimes due to their ethnicity, may be less recognized. Ishaq Fayyad, widely considered one of the most knowledgeable *hawza* scholars in Najaf, is not well known because of what Rizvi describes as “his inability to develop a social constituency for himself, since he comes from a simple, peasant background in Afghanistan and does not have the family or class connections of others.”³⁵ Similarly, he writes, ethnicity played a factor in Iraqis’ decisions not to follow the Iranian Khomeini, and Iranians deciding not to follow the Iraqi Muḥammad Sadiq al-Sadr.³⁶ Of course, in some cases, a foreign scholar may come to be seen as one of the people, like the example of the Iranian Ayatollah Sistani in Iraq.

To further our understanding of what *muqallids* expect from the *marāji‘* they choose to support, I will rely upon the results of my interviews with Iranian *muqallids*, who ranged in age from eighteen to seventy-three-year-old with an average age of forty-six-years-old. Sixteen of these individuals were women and twenty-four were men. Thirty-three of them resided in Tehran, three in Mashhad, two in the village of Ahar, one in Mazandaran, and one in Qom. Two held doctorate degrees, three had master’s degrees, and at least twelve others had undergraduate degrees. Four individuals had studied religion in the seminary or elsewhere.

My interviewees all recognized as significant two of the most basic requirements for *Marja‘iyya* outlined in legal manuals: legal expertise and piety. However, they often had their own interpretations of what must be known and what proper behavior entails. They – like the *marāji‘* outside the mainstream – expected the *marāji‘* to be aware of matters of concern in their respective societies, establish good relations with lay people in order to earn their acceptance, provide reasonable opinions, and embody the Islamic laws and tradition they represent. In the process of defining *Marja‘iyya* and outlining the responsibilities the position entails, they combined traditional Islamic law with questions of modernity and Iranian custom in forming answers. This process aligns with Ann Swidler’s theory of the cultural toolkit, or, the idea that people draw from the various elements in their culture that help them determine strategies of action, and use these “tools” as they see fit.³⁷

A *MARJA*‘ MUST BE AN EXPERT OF LAW AND LEGAL CONTEXTS

At the start of interviews, *muqallids* generally reiterated the definition of *marja*‘ given in legal works and mentioned that he must be the foremost expert of Islamic law. However, as our discussions proceeded, they essentially conveyed that this expertise must be accommodated by great familiarity with one’s context and the ability to effectively apply the law. Expertise in Islamic law, according to these followers, was ordinarily obtained by decades of study in the *hawza*. They did not see how such knowledge could be acquired elsewhere, though some would be accepting of a scholar who was able to do so. Another advantage of the *hawza*, *muqallids* articulated, is that there is a system of checks and balances, which means a scholar cannot reach the rank of *marja*‘ without demonstrating his expertise to his peers. Lastly, there is no guarantee, some argued, that those who pursue knowledge outside of the *hawza* will be able to maintain the level of piety required for the job. For most of these followers, a seminary education is a practical requirement, the only system currently in place capable of producing qualified jurists of Islamic law.³⁸

While these followers consider seminary training significant, they do not view it as being sufficient for a *marja*‘. For them, legal expertise is a tool that must be used appropriately, and awareness of society is its instruction manual. “Hasan” – a seventy-eight-year-old retired entrepreneur (IAA) – said a *marja*‘ must prevent laws that are not in accordance with sharia, enforce justice, provide services, and be dedicated to his *muqallids*.³⁹ In selecting a *marja*‘, he said, one should ask, “What has he done [to improve] the conditions of today, for his *muqallids*... What kind of acts has he prevented them from doing?” “Zahra” – a forty-seven-year-old woman with an MA in international relations whom I met in Tehran’s Jamal Abad mosque (henceforth “JA”) – mentioned Sistani as an example of such a *marja*‘, as he issued appropriate legal opinions when necessary.⁴⁰ Legal opinions, they often stated, must be up-to-date (*be rūz*), reasonable, and not so strict that they discourage one from acting upon them. “Mahsa” – a twenty-nine-year-old woman with a degree in accounting in Tehran – told me that a *marja*‘ must be inquisitive and that he must “update (*be rūz*) himself, his knowledge, and his religion every day, so that people can trust him to answer any question they have.” “Ahmad,” a sixty-three-year-old retired craftsman whom I met at the mosque of Ozgol in Tehran, said that a jurist must progress with modern knowledge (*‘ilm-e rūz*) so that he can convince those who refer to him and so that others “can’t say he is backwards.” Zahra said “the most important factor in a *marja*’s success is that he understands, with the depths of his existence, the realities of his society and gives opinions in accordance with them.” She mentioned the desirability of updating legal manuals multiple times a year. “Mansureh” – a fifty-year-old woman with an MA in philosophy (JA) – was critical of the *marāji*‘ for not consulting qualified experts and for being reactive instead of proactive. She mentioned fatwas related to banks, artificial insemination, and improper wealth accumulation as examples that must be updated to be in accordance with the times (*rūz*). She said:

It shouldn’t be such that we encounter problems, and then the *marāji*‘ start to think about them. Rather, they should have available a great number of people who are up-to-date (*be rūz*) to consult regarding new matters and older matters that have now changed. They have to be modern (*be rūz*) and ahead [of their time] so that they can resolve people’s problems,

because one of the issues that has weakened *Marja'iyya* is that they are not aware of modern (*rūz*) issues.

The *marāji'*s ability to put themselves in the place of followers was a major issue for *muqallids* who mentioned modernity as a requirement for *Marja'iyya*. Mansureh said that the *marāji'* lose credibility for responding to new forms of technology by immediately prohibiting them instead of providing a nuanced explanation of the permissible and impermissible ways of using them. She noted that these same *marāji'* would later use such technology – like televisions or cell phones – in permissible fashion, demonstrating that their original fatwas were unnecessarily strict. “Sanaz” – a thirty-two-year-old reporter whom I interviewed in the shrine of the Eighth Imam, 'Ali b. Musa al-Rida, in Mashhad – stated that she decides whether or not to follow a *marja'* largely based on his ability to communicate with others regardless of their age or gender. “Siddiqeh” – a fifty-eight-year-old woman with an MA in theology (JA) – believes the *marāji'* must be careful to not provide legal rulings that violate the rights of women. Unfortunately, she said, many of their rulings have this problem, as they tend to view religion through the lens of patriarchy (*sālāriyyat-ye mard*). When explaining to me why a *marja'* must have piety, she said:

“Some [*marāji'* allow their gender to play a role in their rulings.] They're still *marāji'*. But [this bias] exists. Meaning, if this weren't the case, we'd see different results in our society. I use this to say that the displeasure in my society in terms of violating some of the rights of women is due to a lack of effort by the *marāji'*. I can't say this lack of effort is the absence of piety. I can't accuse them of this. But there are some things that are disregarded.”

“But I want to know how one becomes a *marja'*. You say there must possess a kind of piety. This piety, as you explained it, means that they must not be bigoted on account of their being men. However, you say [this bigotry] exists among the *marāji'*...” I clarified.

“It does exist,” she noted.

“But still you say they're *marāji'*,” I pointed out.

“Yes, unfortunately,” she said sadly.

When *muqallids* articulate that they expect fatwas to take their particular contexts into consideration, they mean that these legal opinions must be reasonable, lenient, and considerate of the rights of women. “Jawad” – a thirty-three-year-old entrepreneur whom I interviewed at the shrine of Imamzadeh 'Ali Akbar in Chizar, Tehran (henceforth “IAA”) – stated that he changed his *marja'* multiple times because he found the *marāji'* to be unreasonable or extreme (*ifrāt wa-tafrīt*)⁴¹ before finally settling on Ali Khamenei, the leader of Iran. “Hamid” – a thirty-three-year-old law student whom I interviewed at the shrine of Imamzadeh Salih in Tajrish, Tehran – chose Ayatollah Nasir Makarim-Shirazi because he is “more lenient” than other *marāji'*. “Murtada” – a thirty-four-year-old accountant in Tehran – said he might pursue the opinions of two or three different *marāji'* on an issue to find a *marja'* who is “less strict or his logic is closer to your logic.” “Nasir” – a sixty-seven-year-old with a PhD in project engineering (JA) – also chose his *marja'* because he views him as lenient. He said:

I think it's problematic to perform *taqlīd* to those who make issues very complicated. God sent the Qur'an and the Prophet so people can pursue religion and doctrine with ease, without all this complication. Those I know who consistently try to observe precaution in their deeds place a burden on both themselves and those around them.

Such strictness can cost *marāji*‘ followers. “Shahrzad” – a fifty-three-year-old woman whom I met at the shrine of Chizar – decided she could not perform *taqlīd* to Ayatollah Muhammad Taqi Bahjat (d. 2009) because he ruled a woman cannot ride in a taxi alone with a man. And Hasan did not like the idea of a *marja*‘ presenting his fatwas in absolute terms, saying, “If he wants to speak to me like he’s my boss, I won’t accept that.”⁴²

In addition to possessing expert knowledge of the Qur’an, hadith and legal hermeneutics, the *marāji*‘ are expected to study their societies and consider the difficulties and complexities of modern life. This should not be surprising, as lay people are only concerned with practice and acting upon their duties and not the abstract discussion of law that is the area of jurists. The responses of these *muqallids* indicate that they do not believe that the *marāji*‘ have sufficiently tried to put themselves in the place of their followers when forming legal opinions.

POPULAR APPROVAL

When the *marāji*‘ are perceived to be experts of Islamic law and also aware of their society, they are then capable of being received by potential *muqallids*, the next step to becoming an authority in their lives. Some of the reasons given for a *marja*‘ being accepted are that he is well known, trustworthy, good with people, capable of attracting them with his conduct, and willing to provide answers to their questions. “Sara” – a fifty-five-year-old woman with an educational background in theology and the traditional seminary (JA) – said concerning the requirements for a *marja*‘:

Well, the first step is completing all those studies. But the next is that he must be accepted by people. To what degree do people have a relationship with him? How much have they determined he knows his environment and the requirements of his time? And how much have they determined he has knowledge and faith? However much his relationship with people increases – and they can determine these things – well, it’s obvious that their relationship will grow deeper.

Here one sees a connection between people’s approval and the previous requirement, legal expertise bolstered by awareness of one’s environment; Sārā states that it is people who can determine the latter.

For *muqallids* to accept the *marāji*‘, they must perceive him to be one of them. When asked to describe the piety that sets a *marja*‘ apart, Jawad said, “He has to be good with people (*mardum-dār*).” Siddiqeh answered the same question about the piety particular to the *marāji*‘ by saying: “They must be good with people (*mardumī*). They must have a great relationship with the poor and weak members of society and also be present with people.” She added that she felt that this element was a bit faint (*kamrang*) among the current *marāji*‘. I asked “Sadiq” – a sixty-year-old electrical engineer whom I met at the mosque of Niyavaran in Tehran – to explain the behavior of the *marāji*‘. He replied with a rhetorical question: “Is it even possible for one to be accepted by society but not be good with people (*mardum-dār*)?” This closeness to people must be accommodated by love. Ahmad referred to *mardum-dūstī*, or, “love for people” and said: “A *marja*‘ must like people. Perhaps the entire reason he became a *marja*‘ is because he likes people and wants to resolve their

problems.” When I asked why some jurists became *marājiʿ* and others did not, Hasan said, “Piety without love never gets you anywhere... A *marjaʿ* must consider all his *muqallids* to be like family.”

A key to a *marjaʿ* demonstrating that he is one with his people is visibility or recognition either at the macro or micro level. In describing the ways in which one recognizes a *marjaʿ*, “Kubra” – a sixty-three-year-old woman with a degree in architecture (JA) – mentioned referring to honest scholars with knowledge but also “popularity on the global scale.” Hasan, meanwhile, said that before one can perform *taqlīd*, one must “get close” to the jurist, get to know him, and interact with him. Khomeini and Khamenei, the two leaders in the history of the Islamic Republic Iran, benefitted most from such visibility, as is apparent in my interviews. Zahra told me that she and her family selected Khomeini as their *marjaʿ* because he was “so well known that the people of Iran were generally inclined to choose him.” Mahsa said she accepted Khamenei as her *marjaʿ* because, like Khomeini, he was trusted by people. “Hajj Akram” – a seventy-one-year-old retired teacher and prayer leader at the Noor Afshar mosque – and Ahmad cited bravery as a reason for Khomeini’s appeal. “When [the *marājiʿ*] have to be patient, they’re patient. When they have to show bravery, they show bravery. We saw these attributes in Imam [Khomeini],” said Ahmad.

Appearing on television or on the radio can help a *marjaʿ* gain followers, even though the *marājiʿ* generally do not discuss the details of their rulings or other technical knowledge that demonstrates their ability as jurists on such platforms. Rather, they tend to give sermons about what they perceive to be the most relevant and comprehensible issues, which are usually related to ethics, the lives of the Imams, or the Qur’an. This represents what Stewart M. Hoover describes as the media constituting a realm in which spiritual and deeply meaningful projects take place.⁴³ Babak Rahimi and Mohsen Amin apply Hoover’s idea that the media transforms (and is transformed by) religion to the case of the Arbaʿīn commemorative walk to Karbala. They write that it is through this transformation that ritual traditions gain a form of authenticity and evoke meaning particular to these new forms of connectivity.⁴⁴ Here it can be said that the *marājiʿ* connect with potential followers by way of televised speeches that have come to serve the function of traditional sermons in providing spirituality and knowledge of the most essential aspects of religion through the medium of a pious scholar who embodies his words. It is through these sermons – observed in person or through the media – that a lay person can appreciate the extent and value of a *marjaʿ*’s religious education.

A prominent example of a *marjaʿ* who has increased his following by way of his media appearances is Makarim-Shirazi, who provides lectures about the Qur’an during the month of Ramaḍān. Again, though, Khamenei appears to be the *marjaʿ* who is most successful at attracting followers on account of massive exposure. “Ghulam-Husayn” – a sixty-two-year-old stonecutter whom I interviewed at the Noor Afshar mosque in Tehran – said that, after hearing Khamenei’s speeches and watching him on Iranian state television, he realized that everything about Khamenei – his knowledge, behavior, and even appearance – appealed to him, and thus he accepted him. “Zuhreh” – a thirty-five-year-old with a high school degree in architecture (JA) – said that society accepts Khamenei, which is why he must be followed. When describing why she selected Khamenei, she said, “I love him from the bottom of my heart.” She then said, “Aqa Makarim-Shirazi is a *marjaʿ*, but I don’t see him a lot in

the media. But because Aqa [Khamenei] is the leader and because, as I said, I have a certain kind of affection for him, I chose him as my *marja*.” It is worth noting that Makarim-Shirazi does, in fact, appear regularly on Iranian state television and radio, though not as much as Khamenei.

A *marja* who is visible and thus is observed by followers is naturally expected to conduct himself in a way that society deems appropriate. “His behavior must be the best,” opined Kubra. “He must be dignified, noble, calm, kind and only speak with [people] using proofs and logic,” she said. In describing the behavior of the *marāji*, “Kazim” – an eighteen-year-old whom I interviewed at the shrine of Imamzadeh Salih – said: “Well, he has to have good conduct in order to be able to establish relationships with people and have them want to establish relations with him in return. Not every person will pursue one who is ill-tempered or rude.” In other words, a *marja* must appeal to people, which is what Ḥasan stated more explicitly: “When I go to see him, he has to behave in such a way that he attracts me.” According to Murtada, a *marja*’s status in society is the very metric by which his piety should be measured. He said: “If one is a good person, people will know about it somehow. If one isn’t a good person, he can’t gain prominence in society.”

A *marja* who is in the presence of people must also have the patience for the day-to-day tasks of answering questions. She said:

[The *marāji*] must have patience. People have different questions. They can’t say they don’t feel well today [and excuse themselves from such duties]. Each moment, each hour, you must have the patience to treat each person who chose you as a *marja* delicately, regardless of how that person speaks to you. One might ask [a question] in a rude tone, another might ask nicely. Whatever the situation, [the *marja*] has to be warm and gentle in tone, such that he can provide a convincing answer for the person across from him.

For these *muqallids*, it is not sufficient that a *marja* provide an answer. Rather, he should also provide his followers with comfort, similar to physicians and fathers. Akram, “Dr. Jawhari,” Siddiqeh, “Yasir,” and “Abbas” all compared the *marja* to a physician. Yasir called the *marāji* “spiritual doctors.”⁴⁵ Siddiqeh said, “Just as one is *maḥram*⁴⁶ and comfortable with a doctor, it is the same [with a *marja*].” Dr. Jawhari – a sixty-year-old physician whom I interviewed at the Kashanak mosque of Tehran – compared the need to trust a physician before taking medicine to the necessity of trusting the *marāji* before receiving their fatwas. Meanwhile, Hasan said, “A *marja* must consider all of the people who perform *taqlīd* to him to be like his family.” And “Sayyid Muhsin” – a fifty-nine-year-old rice farmer in Mazandaran – said, “The *marja* is like the elder of a family, like a father, such that one can ask [him questions] comfortably.” In other words, it is not simply that the *marja* provides a legal opinion without any consideration of the emotional repercussions of his decision. Rather, he must be reassuring and demonstrate that he cares.⁴⁷

These followers are not merely looking for abstract legal opinions but rather seek human interaction with the *marāji*. They expect them to demonstrate compassion and to appeal to them, which is why visibility is a major advantage.

A *MARJA*‘ MUST ACT UPON HIS KNOWLEDGE

The *marāji*‘ are, according to the legal definition, *‘ādil*, meaning they refrain from major sins and do not persist in minor sins.⁴⁸ This, though, is a characteristic they share with prayer leaders and thus does not speak to their specific position atop Twelver Shi‘ism. Khomeini and those with similar political leanings particularized this piety somewhat by adding the condition that the *marja*‘ not be overly pursuant of worldly matters or that he must possess a level of piety appropriate for the position of *Marja*‘*yya*.⁴⁹ That still leaves much unsaid. The overall theme of the piety that *muqallids* articulated as a requirement of the *marāji*‘ is that of embodying tradition. This means that the *marāji*‘ are expected to act upon that which they demand of others, or, perfectly observe their own fatwas in their lives. “A *marja*‘ could read every book, but if he doesn’t act on it, it has no value,” stated “Abu’l-Fadl,” a nineteen-year-old student at the seminary of Chizar, Tehran. “A‘zam” – a fifty-five-year-old woman who coordinates programs at the shrine in Chizar – asserted that the *marja*‘s appearance must be like that of the Prophet, who “did the things that he said.” Nasir indicated that society is the judge of whether or not a *marja*‘ acts upon his words, saying:

Before you can perform *taqlid* to someone, he has to go through complete his studies, and certainly, most definitely, he has to be advanced in age, [such that he has] experienced a lot of things, acted upon them himself, and his characteristics, what he observes and doesn’t observe are all known in society what things he observes, what he doesn’t observe.

These *muqallids* appear to adhere to a certain logic related to accepting for oneself what one proposes for others. If the law the *marāji*‘ write for their followers has salvation as the goal, then these scholars should be equally invested in applying it to their own lives. In fact, my interviewees imply, the *marāji*‘ should be even more invested, as they are more aware of the path to salvation than any other and naturally recognize observance of sharia as being in their best interests. Sara posited, “It’s only natural that one who wants to explain God’s rulings acts upon them himself.” Ma‘sumeh postulated, “If the *marja*‘ says watching a certain television program is *ḥarām*, it must be because he considers it *ḥarām* for himself.” And Karim opined, “If he tells me to not lie or not be arrogant in my interactions, my way of walking, my glances, my actions, he should do all that as well.” It was also expressed that if the *marja*‘ does not act on what he knows, his words lose value. Siddiqeh stated that the *marāji*‘ can better resolve matters with their actions than with their words. “I can’t smoke and then tell a young person not to smoke,” she said. And according to Kazim, a *marja*‘ who does not do the right thing is not trustworthy.

Followers also demand that the *marāji*‘ are disinterested in worldly affairs, most importantly the prestige of being a *marja*‘ and the financial power that comes with the position. This requirement accords with the aforementioned definitions of *Marja*‘*yya* given by Khomeini and Khamenei. Hasan said he chose Ayatollah Burujirdi as his *marja*‘ because “he wasn’t eager to become a *marja*‘.” He narrated that the jurist initially recommended that Khoei be selected instead of himself and only accepted the position when it was determined that he would fulfil this duty exclusively in Iran, allowing Khoei to do so in Iraq. Perhaps more important than a lack of desire for prestige is austerity, as the *marāji*‘ are entrusted with a great amount of wealth in the form of *khums*. “Living simply is very important,” opined Rahim. “Our *marāji*‘ have adopted the way of life of Imam ‘Ali, the way of the Prophet,” said

Ma'sumeh. "They have very simple lives," she added. Siddiqeh declared that: "[A *marja'*] has to live simply and wear simple clothes... I'm not saying he should live lower than others, but at most, he should live like an average person. And his wealth should be for others... How can a *marja'* be good with people while living luxuriously?" Implicit in these words is the idea that a *marja'*, unlike others, does not acquire wealth for his own purposes, but rather for the advancement of Islam. In describing a *marja'*, "Majid" – a fifty-eight-year-old lathe turner in the south of Tehran – made this idea clear. He stated that a *marja'* is one who is an accomplished scholar, tries not to sin, and "tries not to take what belongs to others, [and does] not take their wealth." In this regard, Sayyid Muhsin mentioned Ayatollah Ahmad Khansari (d. 1985) as a *marja'* who achieved success because of his financial integrity. He said:

When people gave him religious taxes in the mosque, he would put it on the *minbar* (pulpit). After prayer concluded, he would distribute [the taxes] among the poor and wouldn't spend any of [the wealth] on himself. This was a sign that he was pure. When someone doesn't spend money and distributes it right in front of you, there's no room for doubt.

And when I asked Karim if a *marja'* must live more simply than others, he replied, "No, no, no." Thus it is not always necessary that the *marja'* live at a lower standard, but rather that he not abuse his power and wealth and live in luxury. This idea of resisting the urge to embezzle funds was the most specific example given by *muqallids* for the embodiment of tradition. As will be seen shortly, most other descriptions of the piety of the *marāji'* are less clear.

The *marāji'* are not only expected to act upon their own laws but also surpass their followers in practice, indicating that they do not necessarily function as practical role models. "In terms of spirituality, a *marja'* has to be higher [than average people]," said Dr. Jawhari. "He has to trample his lower inclinations. He can't be like us," he added. "Abdullah" – a twenty-eight-year-old welder originally from Mazar-i-Sharif, Afghanistan whom I met at the shrine of the Eighth Imam – said, "[*Marja'iyya*] is one hundred percent at a level higher than ours. Because their worship and deeds are different. They're focused on the Qur'an, prayer, commanding the good, prohibiting the evil... [*Marja'iyya*] is something our minds can't understand." *Muqallids* clearly expect the *marāji'* to represent a religious ideal, though they did not quite explain what this means, instead they used words like "complete" or "perfect" (*kāmil*) when describing the *marja'*'s behavior.

There is an apparent contradiction between the words of followers who decide they can never embody the virtues of the *marāji'* and yet maintain that they can model their behavior after them. When asked if the conduct of the *marāji'* must be different from that of others, "Ziba" – a fifty-two-year-old Persian literature teacher (JA) – replied, "Yes, yes," while adding, "They have to be role models in every sense." This problem was made clearer in other interviews. Karim initially stated, "The *marāji'* are automatically role models. And we can copy them, and try to behave exactly how they behave." But when asked if there was a difference between the conduct of the *marja'* and that of others, he replied, "Yes, because he's reached the highest level of knowledge, and there has to be a difference between normal people and educated people."⁵⁰ Hasan and Sara expressed similar sentiments. Of course, this idea can also mean that the *marāji'*, as teachers of ethics, must be well ahead of the path in order to caution those not as far along on the path. This is what Hamid indicated when he declared, "He who wears the clothing of the *Ahl al-Bayt* and shares the words of the *Ahl*

al Bayt... must be superior to others [in *akhlāq*] in order to teach them *akhlāq*.” He then stated that if the *marja*‘ wants to help people achieve a certain level of *akhlāq*, he must first surpass that level himself. Still, it is apparent that followers demarcate a clear space between themselves and their *marāji*‘.

The spiritual elevation of the *marja*‘ above *muqallids* was often articulated as the logical outcome of the former’s superior knowledge. This appears to be derived from discussions about the infallibility of the Imams. “When you reach greater heights [in knowledge], your behavior changes as well,” claimed “Qasim,” a twenty-one-year-old student of theology in Mashhad. Ma‘sumeh mentioned that a *marja*‘ has the “best attributes” because he can “distinguish good from bad.” “We can’t ever be like our leaders,” asserted ‘Abbas. “But we’ve always followed their path... And he is higher than me because of his *Marja’iyya* and [knowledge of] *fiqh*,” he said. In explaining why a *marja*‘ cannot do certain things that are permissible for others (like chewing gum), Lutfullah argued, “A *marja*‘ has a high level of knowledge and education. However much [one’s knowledge] reaches greater heights, his actions become more special (*khāṣṣ*).” Abu’l-Fadl said concerning the *marāji*‘, “Sometimes their level [of knowledge, or, perhaps piety] is so high that they don’t even commit the sins that are *makrūh* (merely discouraged, and not prohibited).”

The argument – derived from an understanding of the Imams’ infallibility – is that the more one knows, the more apparent the adverse effects of sin become. Thus, those at the highest level of knowledge are naturally inclined toward obedience and disinterested in sin.⁵¹ The oft-used example is the certainty an average person has in the harm of poison. As a result, one has no desire to consume poison. Similarly, the Infallible is certain of the negative outcomes of sinning, and thus is disinclined from violating the laws of God.⁵² And it is clear that certain followers determine standards for the *marāji*‘ by considering the infallibility of the Imams and prophets. These *muqallids* view the *marāji*‘ as lesser versions of the sinless Imams in knowledge, piety, and leadership, and thus deserving of being followed to the degree that they embody the same virtues. Yasir – a fifty-five-year-old social worker in Tehran – said the *marāji*‘ distinguish themselves from their followers in their exceptional ability to abstain from sin. “Sajjad” – a thirty-four-year-old mechanical engineer whom I interviewed at the Jawzistān Mosque of Tehran – said that *marāji*‘ achieve their distinction from others by restraining themselves from temptation and remaining upright. Still, *muqallids* make clear that the *marāji*‘ are lower in position than the Imams. Mansureh clarified the difference between the Imams and *marāji*‘, saying, “We should never consider [the *marāji*‘] to be of the same status as the Infallibles. We should know they are different from them, and that they make mistakes.” And Hamid said, “By rule [the *marja*‘] won’t get to that level of the *Ahl al-Bayt* and the Infallibles.” “Rahim” – a fifty-two-year-old grocer in the village of Ahar – opined that a *marja*‘s *akhlāq* “must be complete, though not at the level of an infallible.” After explaining that most *marāji*‘ perform their religious duties properly, “Tahireh” – a sixty-year-old woman (JA) – remarked, “Of course, we all make mistakes. You can’t say [the *marāji*‘] are prophets. We can’t say one hundred percent, but they go ninety percent of the way.”

The embodiment of tradition expected of the *marāji*‘ might best be contained in the phrase “practice what you preach.” The *marāji*‘ must be pious observers of the laws that they produce and – according to many *muqallids* – even surpass others in practicing these laws,

making them impractical role models. This elevated spiritual station, some interviewees argued, was the natural outcome of their exhaustive knowledge of Islamic legal sources, making them lesser versions of the infallible Imams. It should be noted, though, that in the eyes of these followers, *Marja'iyya* is not accompanied by any sort of supernatural powers, like minor miracles (*karāmāt*). Followers articulated that some *marāji'* – by which they usually intended Ayatollah Bahjat – may possess such powers as a result of their particular spiritual purification as individuals but not due to their position of *marja'*. Furthermore, followers did not consider the *marāji'* to be closer to the Twelfth Imam except insofar as they may be more devout than others. Lastly, being a representative or deputy of the Twelfth Imam was, at most, viewed as fulfilling duties related to Islamic law. Of course, some *marāji'* could be said to be true representatives of the Twelfth Imam. In this regard, Khamenei and Khomeini were prominently mentioned, perhaps on account of their visibility and assumption of societal responsibilities.

A MARJA'’S APPEARANCE

The *muqallids* I interviewed expect that the *marja'* have an “Islamic appearance,” one that reflects his dedication to, and embodiment of, Islam. This includes both outward observance of the dictates of Islamic law (having a beard) and custom (not wearing short sleeves). It also includes more abstract ideas, like having a radiant face. *Muqallids* did not generally require that the *marāji'* wear particular clothing, like the traditional garb of the *hawza*, though they often had a hard time imagining a *marja'* without it.

My initial question about the outward appearance of a *marja'* was often met with confusion. When I asked Jawād about the *marja'*’s appearance, he initially replied, “I swear to God I don’t understand” and called my question “very strange.” Sadiq laughed at my question and remarked, “There’s no reason for [the *marāji'*] to have a particular appearance... People aren’t different in our religion.” He then claimed that no one would recognize Ayatollah Bahjat if he were hiking, implying that he looks like every other human being. I then asked *muqallids* if a *marja'* could dress like me – I wore jeans and short-sleeved shirts – and was told that he could not, as he is required to observe Islam and wear “Islamic” dress, which some also referred to as being “neat” (*murattab*). Another physical requirement mentioned was having a beard, as shaving one’s beard is not allowed by the *marāji'* on the basis of obligatory precaution.⁵³ Shahrzad asked rhetorically: “If he shaves, can we rely on him? Such a person wants me to follow his *Tawḍīḥ al-masā'il*?”

Some of the “Islamic” elements of appearance that *muqallids* mentioned were rooted in standards determined by society. Yasir mentioned that the *marja'* cannot commit actions that are considered “ugly” (*zisht*) by society or not in accordance with *urf* or what God and the Prophet ordained. “Khadijeh” – a fifty-three-year-old woman with a degree in societal economics (JA) – similarly framed her “Islamic” standards in terms of society’s acceptance. She asserted that a *marja'*’s outward appearance “[must be] in accordance with the conventions (*urf*) of society, in accordance with what is rational, and agree with what he claims.” “Rayhaneh” – a sixty-one-year-old woman with a degree in computer science (JA) – suggested that this Islamic appearance is determined by society, saying, “[His appearance]

must be such that whoever sees him says that he is a good person, that he behaves well, [approves of] his *akhlāq* and how he treats people, [and his appearance must convey that] he performs all the obligatory actions of Islam.”

Other “Islamic” requirements for the appearance of the *marāji* were more idealized and not necessarily descriptions of outward appearance. The most prominent theme mentioned was that of light that reflects spiritual purity. Mansureh said that Khamenei is radiant (*nūrāni*), and that light is reflected in his face, but she said that this was not necessarily the case with the other *marāji*, though she maintained that their appearance must also reflect purity, cleanliness, self-restraint, and simplicity. Rahim said the *marja*’s face is “spiritual, radiant, and appeals to the heart (*dil nishīn*).” Ziba said the *marāji* have a certain grandeur that not all can perceive, but still, “most of the *marāji* you see, they have a special kind of light” that is accompanied by a sober demeanor and restraint in the face of sin. When asked to describe the appearance of a *marja*, Hasan said that when Ayatollah Burujirdi would walk, “you thought there were four lamps around him.” Majid described a *marja* as follows:

In terms of outward appearance, a *marja* is radiant, he has a pure face (*sifid rū*), very good behavior, and he speaks with a smile on his face. His interactions with others are good. He is radiant. This is very clear. If one drinks alcohol, you can tell from his appearance. [A person’s] appearance completely shows what kind of person he is and what he is not... Normally a *marja*, well, he more wears clean, pure, white clothing. If there is a stain on his clothing, it is quickly recognizable. He changes [stained clothing immediately]. They more wear white. They don’t wear different colors.

This imagery of pure, white clothing seems to be not based in actual encounters with the *marāji*, but rather in certain religious ideals, as the *marāji* generally wear brown or black cloaks. Meanwhile, descriptions about radiance are even harder to substantiate. Mahsa provided perhaps an even more abstract attribute for the *marāji*. After stating that particular clothing is not a requirement for them, she said, “They always have a question mark above their heads, meaning, no matter how much they learn, they still think it isn’t very much... They’re always looking for answers. They have goals, they search, and they persevere.”

Somewhat surprising is the fact that my interviewees did not initially mention the traditional dress of senior *hawza* scholars known as the *libās*: the turban (*amāmeḥ*), cloak (*abā*), and long dress worn beneath the cloak that have become the identifying mark of scholars trained in the *hawza*.⁵⁴ The overall consensus of these *muqallids* was that the *marāji* happen to wear the *libās* even though it is not an inherent part of *Marja’iyya*. If anything, it has become a norm, a uniform, something expected in society, or an indication of their scholarly pedigree. *Muqallids* reasoned that the *libās* is not the only form of clothing that accomplishes the goals mentioned above. After describing the radiance of Burujirdi, Hasan said, “[The *marja*’s] clothing isn’t important.” I asked if a *marja* could wear clothing like what I was wearing. He replied: “Yeah. [Whispering] Clothing doesn’t make one a *marja*. [Louder] Clothing doesn’t make one a *marja*. Piety makes one a *marja*.” And after telling me that the face of the *marja* is “spiritual, radiant, and appeals to the heart (*dil nishīn*),” Rahim stated, “His clothes aren’t any different... If my *marja* doesn’t wear the *libās* and wears normal attire, he’s still a *marja*.” When I asked Khadijeh if there is a particular form of clothing he must wear, she responded: “No. There’s no particular clothing that is... dignified, normal, and custom (*urf*) in society. It’s not necessary that it’s [the clothing of] a religious

scholar... From all aspects it has to be respectable and acceptable. I don't maintain that there's a particular style." Nasir, Mansureh, Ahmad, and Zahra all mentioned accomplished scholars who do not wear the *libās* in order to negate it being a condition, though Zahra did add: "Now, of course, in our current context, I don't think anyone, if, for instance, one is a *marja'* and doesn't wear the clothing of scholars, I think at first it might be, what do you call it... but now it's become more acceptable in our society." In other words, though it is not necessary to perform the tasks of *Marja'iyya*, it is still a bit difficult for society to accept such a *marja'*. Her answer is a microcosm of the uncertainty surrounding the *libās* from the perspective of *muqallids*. This uncertainty demonstrates that the *libās* has become a norm even though the logic or necessity of it is not always clear for *muqallids*. Rayhaneh, Abu'l-Fadl, Zuhreh, and Lutfullah all articulated that the *libās* is simply how the *marāji'* have always dressed in Iran, though they were not sure whether or not it was a condition.

A few *muqallids* seemed to waver between saying that the *libās* was dictated by religion and simply something that has become the norm in Iranian society. For instance, Qasim remarked that the *marāji'* "wear the clothing of the Prophet" but said that it is not a necessary condition and merely preferred by people. And Majid initially asserted that the *libās* is something "God commanded" but then reasoned that it functions as a uniform that shows they are qualified. Siddiqeh gave an answer that aligns with Swidler's cultural toolkit. Siddiqeh asserted that a *marja'* must wear "the clothing of the Prophet." When I asked if one could be *marja'* dressed like me, she answered, "No, because we know in hadith that the Prophet's clothing was long and white, uh, and then, these men wear a cloak, and we know that it's one of the recommended things in prayer." However, she took issue with the yellow slippers (*na'layn*) that some scholars wear, arguing that the "culture and traditions of today necessitate" that one wear shoes. When I pointed out this contradiction, she replied that *hawza* scholars, like Christian priests, require a distinct uniform. She also said that *libās* serves as a sort of hijab. Others embraced the fact that the *libās* serves a practical purpose without framing it in the context of continuing the tradition of the Prophet and the Imams. For Dr. Jawhari, the *libās* indicates that a scholar has the endorsement of the *hawza* and can be trusted. Sadiq told me that a *marja'* must wear the clothing to indicate his special status and his distinction from other scholars and even other *mujtahids*.

The topic of a *marja'*'s appearance provides a window onto how various elements in Iranian religious culture converge in shaping people's ideas about *Marja'iyya*. A *marja'* is expected to observe Islamic law, just as is stated in legal manuals. He is also to reflect the physical manifestations of spirituality found in depictions of respected figures in popular Twelver Shi'i iconography. And he is to refrain from social vices and observe customs not articulated in Islamic law. All of these fall under what my interviewees would describe as an "Islamic" appearance, demonstrating that *Marja'iyya* is defined not just by jurists but also by popular religious culture and even popular culture.

CONCLUSION

Though legal works and people both value knowledge and behavior, the conditions for *Marja'iyya* as articulated in the former (*a'lamiiyya* and *'adāla*) and the expectations that

the latter have of the *marāji'* have clear discrepancies. While *muqallids* accept the legal definitions of *Marja'iyya*, they often reframe them in accordance with their own expectations, which are related to popular appeal and serving the best interests of their followers. This indicates that followers turn to elements in Iranian religious culture – such as popular religion, modernity and awareness of society – outside the confines of Islamic law in defining *Marja'iyya*. Some of the *marāji'* outside of the mainstream in Iran explicitly acknowledge concerns related to community and ethics in their discussions on *Marja'iyya*, which provides such expectations with further legitimacy. It is possible these scholars see an opportunity to fill vacancy and attract followers who more strongly demand that the *marāji'* address their needs. The question then becomes: why do the mainstream *marāji'* not include such detail in their legal works? It might be argued that maintaining the traditional formats and contents of such works is for the purpose of convenience and to avoid starting a legal discussion that may have no end. This could be compared to the *marāji'*'s lack of pronouncements on matters of ethics, which arguably reside in grey areas far more than the clearly defined topics of Islamic law, like prayer and fasting. Embodying knowledge, having an “Islamic” appearance, or earning the trust of people are all difficult to determine in the realm of law. Another possibility, though, is that the *marāji'* recognize that engaging with the ideas and concerns of the masses could push conversations about *Marja'iyya* outside the realm of law – where the *marāji'* are unquestionably the most qualified authorities – to the realms of society and culture – where they would be on equal footing with their followers. This, though, does not mean that they are simply looking to maintain their superiority in determining what is and is not “Islamic.” Rather, the method of the *marāji'* is generally to refrain from engaging in the application of the law and from determining that which does not directly pertain to Islamic law, the only field in which they claim to be the most knowledgeable scholars.⁵⁵

NOTES

1. See: Robert Gleave, “Conceptions of Authority in Iraqi Shi'ism: Baqir al-Hakim, Ha'iri and Sistani on *Ijtihad*, *Taqlid* and *Marja'iyya*,” *Theory Culture & Society*, v. 24 (2), 2007: 59–78; and Zackery Mirza Heern, “Thou Shalt Emulate the Most knowledgeable Living Cleric: Redefinition of Islamic Law and Authority in Usuli Shi'ism,” *Journal of Shi'a Islamic Studies*, v. 7, n. 3, Summer, 2014: 321–344.
2. See: Elvire Corboz, *Guardians of Shi'ism: Sacred Authority and Transnational Family Networks* (Edinburgh: Edinburgh University Press, 2015); Meir Litvak, *Shi'i Scholars of Nineteenth Century Iraq: the 'ulama' of Najaf and Karbala* (Cambridge: Cambridge University Press, 1998); Ahmad Kazemi Moussavi, *Religious Authority in Shi'ite Islam: From the Office of Mufti to the Institution of Marja'* (Kuala Lumpur: International Institute of Islamic Thought and Civilization, 1996); and Linda Walbridge, *The Most Learned of the Shi'a: The Institution of the Marja' Taqlid* (New York: Oxford University Press, 2001).
3. A minority of *marāji'* only require that one's life overlap with the *marja'* who was worthy of *taqlid* while alive, not that one performed *taqlid* to him while he was alive. See: Muhammad-Hasan Bani-Hashimi-Khumayni, *Tawdīh al-masā'il-e marāji' mutābiq bā fatāwā-ye sīzdah nafar az marāji' mu'azzam-e taqlid*, v. 1 (Qom: Intishārāt-e Islāmī, 1385 AHS), 19; and Husayn Wahid Khurasani, *Tawdīh al-masā'il* (Qom: Imam Bāqir al-'Ulūm, 2012), 6.

4. Bani-Hashimi-Khumayni, *Tawdīh al-masā'il-e marāji'*, v. 1, 10, issue #2; Nasir Makarim-Shirazi, *Tawdīh al-masā'il* (Qom: Imam Ali Publications, 1391 AHS), 16, #3 and 4; Ali Sistani, *Minhāj al-ṣāliḥīn*, v. 1 (Baghdad: Dār al-Badhra, 2009), 6–7, #6–#9; and Wahid-Khurasani, *Tawdīh*, 6–7, #2.
5. Ruhollah Khomeini, *Tahrīr al-wasīla* (Damascus: The Ministry of the Islamic Republic of Iran, 1998), v. 1, 8, issue #3; and Ali Khamenei, *Ajwibat al-istiftā'āt*, v. 1 (Beirut: Al-Dār al-Islāmiyya, 1420 AH), 8, #12.
6. Bani-Hashimi-Khumayni, *Tawdīh al-masā'il-e marāji'*, v. 1, 12, #3. Ali Sistani defines *ahl al-khibra* as those who are either capable of *ijtihād* (deriving legal opinions) or close to this level of scholarship and are familiar with the scholarship of those who are in the discussion for being the most knowledgeable jurists. See: Sistani.org, “Ahl al-khibra,” <<https://www.sistani.org/arabic/qa/o2o82/>> . Accessed May 29 2018.
7. Khalid Sindawi, “Ḥawza Instruction and Its Role in Shaping Modern Shī'ite Identity: The Ḥawzas of al-Najaf and Qumm as a Case Study,” *Middle Eastern Studies*, v. 43, no. 6 (Nov., 2007), 845.
8. See: <https://www.sistani.org/english/data/2/> and <https://makarem.ir/main.aspx?lid=o&typeinfo=22&catid=30407>. Accessed: August 14, 2020.
9. The origin of the legal manual in the Twelver Shī'i context is debatable. It might be argued that early canonical hadith compilations like *Al-Kāfī*, by Muhammad b. Ya'qub al-Kulayni (d. 328/939), and *Man lā yaḥduruhu al-faqīh*, by Abu Ja'far Muhammad b. Babawayh al-Qummi (d. 381/991–2), widely known as “Shaykh Saduq,” were written with the purpose of enabling the lay person to resolve religious matters on her own. [See: Muhammad b. Ya'qub al-Kulayni, *Uṣūl al-Kāfī* v. 1 (Beirut: Dār al-Murtaḍā, 2005), 6–9; and Muhammad b. Babawayh al-Qummi, *Man lā yaḥduruhu al-faqīh*, v. 1 (Beirut: Al-Aalami Institute, 1986), 12.] It might also be argued that the first legal manual was that of Shaykh Baha' al-din al-'Amili (d. 1621), *Jāmi' 'Abbāsī*, which was written in Persian to provide easy access for lay people in Iran. This argument has been refuted by Ahmad Kazemi Moussavi, who claims that the *Najāt al-'ibād* of Muhammad b. Hasan al-Najafi (d. 1850) was the first legal manual, in the sense that it was the first such manual to be mass produced and well received. [See: Ahmad Kazemi-Moussavi, “The Struggle for Authority in the Nineteenth Century Shī'ite Community: the emergence of the institution of Marja'-i Taqlīd” (doctoral dissertation, McGill Univeresity, 1991) 26–27.] Furthermore, al-Najafi was likely preceded by Muhammad Kalbasi Isfahani (d. 1845) in this regard. [See: Aqa Buzurg Tihrani, *Al-Dharī 'a ilā taṣānīf al-Shī'a*, v. 24 (Beirut: Dār al-Aḍwā', 1978), 90.]
10. The *marāji'* do not write these works themselves. Rather, their offices gather their opinions from their fatwas – often found in commentaries on Muhammad Kazim Yazdi's (d. 1920) *Al-'Urwa al-wuthqā* – in order to compose these works.
11. The original work was written by the Iranian jurist Husayn Burujirdi (d. 1961), who helped develop the *ḥawza* of Qom beginning in 1944. See: Devin Stewart, “The Portrayal of an Academic Rivalry: Najaf and Qum in the Writings and Speeches of Khomeini, 1964–78,” in *The Most Learned of the Shi'a: The Institution of the Marja' Taqlid*, ed. Linda Walbridge (New York: Oxford University Press, 2001), 219.
12. Khamanei, though, has published his legal opinions and provided followers with elaborate guidelines for acting upon their duties. In fact, his offices appear to be more efficient and responsive than most if not all of the other *marāji'*. Furthermore, one of his representatives, Muhammad Husayn Fallahzadeh, regularly shares and explains Khamenei's opinions on television and the radio.
13. The original *Minhāj* was written by the Iraqi jurist Muhsin al-Hakim (d. 1970). Many of the most prominent *marāji'* have their own *Minhāj*, including Khoei, Sistani, and Tabrizi. And the original *Al-Fatāwā* was written by the Iraqi jurist and philosopher Muhammad Baqir al-Sadr, who was assassinated by the Ba'athist regime in 1980.
14. Muhammad Husayni Shirazi, *Al-Marja'iyya al-islāmiyya* (Beirut: Al-Wa'y al-islāmī, 1424 AH), 16, 22, and 41–2.

15. Shirazi, *Al-Marja'iyya*, 19–20.
16. Shirazi, *Al-Marja'iyya*, 29 and 49–50.
17. Shirazi, *Al-Marja'iyya*, 33.
18. Tihran, *Risāleh-ye ijtiḥād wa-taqlīd*, 375.
19. 'Allama Muhammad Husayn Tihrani, *Risāla-ye ijtiḥād wa-taqlīd*, transcribed by Husayn Hilli, translated by Muhammad Muhsin Tihrani (Tehran: Maktab-e Wahy, 1434 AH), 388. The term used is *si'a-ye ṣadr* (expansion of the chest). Shirazi uses a similar term, *inshirāḥ al-naḥs* (expansion of the soul). See: Shirazi, *Al-Marja'iyya al-islāmiyya*, 16.
20. Tihrani, *Risāleh-ye ijtiḥād wa-taqlīd*, 376.
21. Tihrani, *Risāleh-ye ijtiḥād wa-taqlīd*, 377–8. This is similar, though more explicit and liberal, to Shirazi's statement that a *marja'* must be lenient in his interpretation of the law.
22. Tihrani, *Risāleh-ye ijtiḥād wa-taqlīd*, 387–8.
23. Tihrani, *Risāleh-ye ijtiḥād wa-taqlīd*, 398.
24. He is perhaps best known for his unorthodox opinions concerning the death of Fatima al-Zahra, the daughter of the Prophet. He also held controversial positions on numerous legal issues. For instance, he did not require that women receive the permission of their fathers for marriage, he considered female masturbation permissible (with certain conditions), he advocated the use of astronomy to cite the new moon, and he permitted women in the west to wear wigs if it helps them avoid discrimination. See: Morgan Clarke, *Islam and Law in Lebanon: Sharia within and without the State* (Cambridge: Cambridge University Press, 2018), 252–5; and Talib Aziz, "Fadlallah and the Remaking of the Marja'iyya," in Walbridge, *Most Learned of the Shi'a*, 208–212.
25. Muhammad Husayn Fadlallah, *Al-Ma'ālim al-jadīda li'l-marja'iyya al-shi'iyya* (Beirut: Dār al-Malāk, 1993), 14–15, 61–64, and 128–9.
26. Litvak, *Shi'i Scholars of Nineteenth Century Iraq*, 182.
27. Litvak, *Shi'i Scholars of Nineteenth Century Iraq*, 64.
28. Litvak, *Shi'i Scholars of Nineteenth Century Iraq*, 68.
29. Litvak, *Shi'i Scholars of Nineteenth Century Iraq*, 84.
30. Abbas Amanat, "The Madrasa and the Marketplace," in *Authority and Political Culture in Shi'ism*, ed. Said Amir Arjomand (Albany: SUNY, 1988), 118.
31. See: <https://www.shia-news.com/fa/news/159447/>; <https://www.shia-news.com/fa/news/60809/>; Accessed: October 13, 2020.
32. Elvire Corboz, *Guardians of Shi'ism: Sacred Authority and Transnational Family Networks* (Edinburgh: Edinburgh University Press, 2015), 6.
33. Sajjad Rizvi, "The Making of a Marja': Sīstānī and Shi'i Religious Authority in the Contemporary Age," *Sociology of Islam* 6, no. 2 (2018): 165–189, here 182.
34. Rizvi, "The Making of a Marja'," 182.
35. Rizvi, "The Making of a Marja'," 171.
36. Rizvi, "The Making of a Marja'," 173. It is arguably this matter of ethnicity, as opposed to place of education (Qom or Najaf), that explains why certain *marāji'* are not known or followed in Iran or Iraq. The prominent *marāji'* of Qom – Musa Shubayri-Zanjani, Husayn Wahid-Khurasani, and (to a lesser extent) Nasir Makarim-Shirazi – all studied in Najaf in their youth. But they are Iranian, which means they can communicate better with their followers, even if by way of impersonal fatwas and representatives. Even Sistani, who has resided in Iraq for approximately seventy years, is followed by a large number of Iranians. Meanwhile, prominent Iraqi jurists located in Qom, like the *marja'* Kazim Ha'iri, do not have a following in Iran.

It should also be clarified that, while the scholarly prestige of a *marja'* is not dependent upon studying in Qom or Najaf, the teacher from whom one learned is. Sistani, Wahid-Khurasani, Tabrizi, Shubayri-Zanjani, and Makarim-Shirazi derive a certain degree of their legitimacy from having studied under Abu al-Qasim Khoei (d. 1992) and not simply from having studied in Najaf.

37. See: Ann Swidler, *Talk of Love* (Chicago: The University of Chicago Press, 2001).

38. Some, of course, did mention that following qualified jurists is a religious duty on account of hadith used to support this notion.

39. All names have been changed for the sake of privacy.

40. Apparently a reference to his involvement in the politics of Iraq following the fall of Saddam Hussein.

41. Literally “going too far” and “not going far enough.”

42. His statement can also be translated as: “I won’t accept him.”

43. Stewart M. Hoover, “Introduction: The Cultural Construction of Religion in the Media” in Hoover and Lynn Schofield Clark (eds.), *Practicing Religion in the Age of Media: Explorations in Media, Religion, and Culture* (New York: Columbia University Press), 6.

44. Babak Rahimi and Mohsen Amin, “Digital Technology and Pilgrimage: Shi‘i Rituals of Araba‘in in Iraq,” *Journal of Religion, Media and Digital Culture*, 9 (2020): 82–106 (here: 104).

45. They used the Persian *duktur*, but it is understood that they intended “physician” or “medical doctor,” and not merely one with a doctorate degree. Nonetheless, I chose to leave the translation as “doctor” for accuracy.

46. A *mahram* is one with whom marriage is forbidden. In Islamic law, this means that skin to skin contact is permissible with such a person, and women are not required to wear the hijab in front of him. It is popular in Iranian culture that a physician is *mahram*, meaning, he can see and touch a woman to whom he is not married or closely related, due to the necessity of treatment. Here, Siddiqeh uses this analogy apparently to convey that a woman can discuss certain personal matters she would not discuss with a “strange” (*ajnabi*) man.

47. This is one reason the *marja'* is often compared to a physician. James McCormick categorizes medicine as a “caring profession” and argues that it is for this reason that it is accompanied by a greater ethical responsibility. His research is in the context of the United Kingdom but apparently applies elsewhere. He writes:

“Medicine is different from most other professions not by virtue of the length of training (which is extremely long), or the depth of knowledge but by its code of behaviour and by its concern with people, rather than buildings, structures or accounts. This involvement with people is shared with priests, nurses, teachers, social workers and to some extent with lawyers. It is not characteristic of architects, actuaries, accountants and engineers... Medicine, in common with other caring professions – with the priesthood and to some extent with teachers – inherits a further and different sort of ethical responsibility which is concerned with service, a commitment to people or pupils which transcends any written contract of duties and responsibilities.” [See: James McCormick, *The Doctor: Father Figure or Plumber* (London: Croom Helm, 1979), 13–14.]

McCormick writes elsewhere that when a medical doctor enters a room, he provides calm and alleviates suffering by his mere presence. McCormick, *The Doctor*, 99.

Similarly, a number of *muqallids* were attentive of the fact that *marja'iyya* is a “caring profession,” and a *marja'* must not only provide rulings that take his audience into consideration but also embrace his commitment to society and demonstrate behavior that puts the concerns of others to rest.

48. Bani-Hashimi-Khumayni, *Tawdih al-masā'il-e marāji'*, v. 1, p. 10, issue #2.

49. Khomeini, *Tahrir al-wasila*, v. 1, p. 8, issue #3; Khamenei, *Ajwibat al-istiftā'āt*, v. 1, p. 8, question #12; Bani-Hashimi-Khumayni, *Tawdih al-masā'il-e marāji'* v. 1, 10, issue #10, footnote #4.

Muhammad Baqir al-Sadr, *Al-Fatāwā al-wāḍiḥa* with commentary by Muhammad al-Sadr v. 1 (Qom: Al-Muntazar, 2013), 145; Mahmoud Hashemi Shahroudi, *Minhāj al-ṣāliḥīn* v. 1 (Qom: Mu'assasa al-fiqh wa-ma'ārif Ahl al-Bayt, 2012), 15, issue #20, part 3; Kazim Hāiri, *Al-Fatāwā al-wāḍiḥa* v. 1 (Qom: Dār al-Bashīr, 1433 AH), 130–1, issue #32, taken from: <http://www.alhaeri.org/main.php?p=ahkam&bid=1&pid=130#ahkam>. Accessed April 8, 2018; Kamal al-Haydari, *Al-Fatāwā al-fiqhiyya* v. 1 (Beirut: Al-Thaqalayn, 2012), 23.

50. Perhaps an idea understood from Qur'an, 39:9, which rhetorically asks if those who know and those who do not know are equal.

51. For a brief discussion on the relationship between knowledge and ignorance and obedience and disobedience to God, see: Muhammad Husayn Tabatabā'i, *Al-Mizān fī tafsīr al-Qur'ān* v. 11 (Beirut: Al-A'lamī, 1973), 154.

52. See: Kamal al-Haydari, *Al-'Iṣma: baḥth taḥlīlī fī ḍaw' al-manhaj al-Qur'ānī*, speeches by al-Haydari transcribed by Muhammad al-Qadi (Qom: Dār al-Farāqid, 1999), 134–156.

53. Bani-Hashimi-Khumayni, *Tawḍīḥ al-masā'il-e marāji'*, v. 2, 1013–14, issues #1409–1418.

54. In the Iranian context, this long dress is usually a button-up jacket, either a *qabā* (crew neck) or a *labbādeh* (v-neck). Arab scholars might wear a *dishdāsha* (a long-sleeved garment that covers from the neck to the ankles) as might Iranian scholars in warmer months.

55. This work was supported by the European Research Council under Grant 695245 under the auspices of the Law, Authority and Learning in Imami Shi'ite Islam project (LAWALISI).