

HUDSON INSTITUTE

BEYOND RADICAL ISLAM?

SESSION ONE

POPULAR SOVEREIGNTY AND THE DIVINE SOVEREIGN

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MR. JERRY WEINBERGER: Good morning, everyone. I'm Jerry Weinberger, director of the LeFrak Forum and the co-director of the Symposium on Science, Reason, and Modern Democracy. On behalf of my colleagues Arthur Melzer and Dick Zinman, and on behalf of Hillel Fradkin and Eric Brown of the [Project on Islam, Democracy, and the Future of the Muslim World] in Washington, I welcome you all to this conference entitled "Beyond Radical Islam?"

In the course of the unfolding war on terror, the view is often expressed, especially in the media, that the struggle between radical Islam and the West is really between the ideals of theocracy and disestablishment. According to the intellectual shorthand preferred by pundits, in the West in general, but especially and most fully in America, there is a rigid separation of church and state while, in Islam and Islamic law, there is no such separation. And for this reason, political pathologies in the Muslim world get expressed in the fanatical drive to replace secular regimes with clerical political rule.

There's always some truth to punditry. But, anyone who has read Tocqueville, the most penetrating thinker ever to comment on things American, must know that this easy dichotomy is misleading, at least as regards America.

Tocqueville observed that in America, the juggernaut force of modernity, the passion for equality was moderated perhaps most importantly by the religion of the Americans. Christianity was in his eyes perhaps the most important political institution in the country, maintaining its influence on politics and civic culture paradoxically by way of its clerics' complete refusal to compete for and hold public office. The priests command respect, because they cannot be tied to the failures of partisan politics. And with this respect, they insinuate their doctrines into public opinion which, while it holds no office, wields ultimate political power. Church and state are separate, but not church and the real sovereign, majority public opinion.

In the course of his extended discussion of American Christianity, Tocqueville made a comment about Islam that is directly relevant to our conference theme. The chapter where this comment occurs is entitled, "How in the United States Religion Knows How to Make Use of Democratic Instincts."

Tocqueville explains that the egalitarian and democratic frame of mind inclines men to a preference for simple, but broad and general, even abstract ideas. Democrats are much more

inclined to think of disparate things as being the same than they are to grasp each thing as separate and unique. Thus, so too in religion, democrats prefer broad and general and easy ideas, rules and forms rather than a multitude of specific rules and forms and practices.

In this context he then says, “Mohammed had not only religious doctrines descend from Heaven and placed in the Qur’an, but political maxims, civil and criminal laws, and scientific theories. The Gospels, in contrast, speak only of the general relations of men to God and among themselves. Outside of that, they teach nothing and oblige nothing to be believed. That alone, among a thousand reasons, is enough to show that the first of these two religions,” he means Islam, “cannot dominate for long in enlightened and democratic times. Whereas the second, Christianity,” is destined to rein in these centuries as in all others.

“I do not imagine,” he continues, “that it is possible to maintain a religion without external practices. But on the other hand, I think that in the centuries we are entering, it would be particularly dangerous to multiply them beyond measure, that one must rather restrict them and that one ought to retain only what is absolutely necessary for the perpetuation of the dogma itself, which is the substance of religions, whereas worship is only the form.”

“A religion that would become more minute, inflexible and burdened with small observances at the same time that men were becoming more equal, would soon see itself reduced to a flock of impassioned zealots in the midst of an incredulous multitude.” And in addition, says Tocqueville, “no religion will long survive in democratic times that does not make its peace with the mother of all democratic passions, the love of physical well-being.”

Were Tocqueville alive today, I think he might say that the problem of Islam and the West isn’t that Muslims can’t help wanting clerics to hold public office. As I’m sure we’ll see this weekend, Muslims have for a long time, and quite well, kept clerics from wielding political and administrative power. Rather, for Tocqueville, the problem is that Orthodox Islam—and this would go as well for Orthodox Judaism—simply cannot long survive the moral and intellectual instincts and the inquisitive passions that are bred by the primary force of modernity—the ever expanding love of equality.

In modern times, Tocqueville suggests, something like easygoing, happy-faced, American Christianity, is the only real alternative to religious indifference or outright materialism and atheism. Now, if Tocqueville is right, then Orthodox Muslim believers have good reasons not just to reject the West and modernity, but to resist its encroachments with all their hearts and all their souls and, if necessary, all their guns.

Now, I refer to Tocqueville not to suggest that he’s right. I do so rather because, with his powerful and serious arguments, he helps us to frame the questions with some clarity. Is there some deep, ineradicable conflict between Islam and modernity and democracy as such; or, as any politically sensitive Western scholar of Islam might ask, is this not just a simplified Western prejudice? If it is, what might a modernized Islam look like? Is not Islam much more flexible and tolerant than meets the Western eye? After all Sufism is much older than Wahabism. The fanatical Kharijites were rejected by early Islam. And by the time of the Umayyads, the Caliphs had lost the power to determine Orthodox dogma.

And is not the situation pretty much the same today? True, many of the recent horrors of the world can now be ascribed to radical Islam. But, is radical Islam the whole of Islam? Perhaps far from it. So, were not the Iranian and the Taliban theocracies and the Sudan atrocities not aberrations in Muslim history?

And if all of these latter questions are answered in the affirmative, just what are the sources of political and theological extremism in the Muslim world? And what are the possible ways that Islam, modernity and democracy might come together in new and different ways?

To address questions such as these, I cannot think of a more distinguished and qualified collection of scholars, intellectuals and political activists as is assembled here today.

One problem with including not just scholars, but also scholars involved in politics, -one problem is that in politics problems sometimes arise that can't be put off until after a conference. This explains the late changes in our program. For Nurcholish Madjid from Indonesia, Olivier Roy from Paris and Mohammad Fadel, were all called away by pressing political and practical concerns.

The conference will consist of five sessions. The topics to be covered are in order: Popular Sovereignty and the Divine Sovereign; Political Islam; Islam and Modernity; Islam in the West; and finally, Cultivating a Liberal Islamic Ethos.

It's my pleasure now to introduce the panelists who will address the issue of "Popular Sovereignty and the Divine Sovereign." Ahmed al-Rahim is a founding member of the American Islamic Congress, an organization formed after 9/11, in the belief that American Muslims should play a leading role in rejecting Islamic extremism and promoting a democratic future in the Muslim world. He's also a preceptor of the Arabic Language and Literature at Harvard.

The respondent originally scheduled, Mohammad Fadel, was among those called away by pressing business. In his place, commentary will be presented by Shaykh Hisham Mohammad Kabbani. Shaykh Kabbani is a Sufi scholar and chairman of the Islamic Supreme Council of America.

Welcome to you all and please welcome Mr.al-Rahim.

MR. AHMED AL-RAHIM: Thank you for the kind introduction. I will be speaking about the tradition of quietism in Shi'a Islam and talking about the current trends in Iraq.

Shortly before, and certainly after the fall of Baghdad this past April 9th, there has been a lot of discussion of the quietest tradition in Twelver Shi'ism. Twelver Shi'ism should be distinguished from the Sevener tradition and just the Islam (inaudible) tradition. It's a tradition that recognizes twelve Shi'ite Imams—or leaders, spiritual and sense.

The quietest tradition in Iraq has been compared to the political activist tradition in Iran, which led to the Islamic revolution of February 1979. Grand Ayatollah Ali al-Sistani, who I'm sure most of you have heard of, has been compared and contrasted with the ruling mullahs in Iran and a lesser figure, Muqtada al-Sadr.

What is the quietest tradition of Twelver Shi'ism and where does it come from? What is the history of this tradition? Is it rooted in the sources of the Twelver Shi'a? What are the competing traditions within Shi'ism, which are playing themselves out today in Iraq and the rest of the Shi'a world? Finally, what role does the quietest Shi'i tradition have in the future of any democracy in Iraq, or in any other part of the Shi'i world? In the limited time I have, I will try to address some of these questions.

The earliest roots of Twelver Shi'ism most probably go back to the Imamate of the fourth Shi'a Imam, Ali ibn Husayn Zayn al-Abidin, also known as Sajjad for his asceticism. A Sajjad is one who prostrates himself in front of God among the Shi'i—and he died in 714 Common Era. Most of the dates I'm using are Common Era.

His Imamate was established after the death of his father, the third Shi'a Imam, Husayn al-Abidin, on the battlefields of Karbala in 680. Husayn al-Abidin went back to his birth city, Medina. This is the city of the founder of Islam, Mohammad.

There he spent his remaining days engaged in worship, writing, and really avoiding any direct political contact with the ruling Maets (sp). He was noted for his asceticism, piety and as the author of an important Shi'ite handbook on supplication, *As-Sahifatul-Kamilah*, better known as *As-Sahifatus-Sajjadiyah*.

His son and grandson, al-Baqir, and the well known, Ja'far As-Sadiq, the fifth and sixth Shi'a Imams, respectively, spent their days also making and teaching and writing and had little to do with politics. Sunni and Shi'i biographical literature accords both of them esteemed for their writing, especially the fifth Shi'i Imam, in the field of Islamic jurisprudence. In fact, the Twelver Shi'ia are also known for their legal school, which is derived from his name, Ja'fari Fiqh. He was also the last Imam recognized by the Twelvers and Seveners.

What is significant about Ja'fari Imam for the quietest tradition, is his unwillingness to take sides in political and military conflicts of his time, and what appears to be his single-minded focus on teaching Islamic law and transmitting traditions of Mohammad Hadif.

Ja'far lived during crucial years of transition from Umayyad rule to Abbasid power and headed the Shi'ite community, who accepted a non-militant Imam, through Fatima, the wife of the first Shi'a Imam, Ali ibn Abu Talib.

At the time of Zayd's revolution in 740, Ja'far served as a symbol for those Shi'ites who refused to rise up against the Umayyads. And during the revolutions leading to the Abbasid state, Donid (sp) al-Ja'far remained neutral. After the Abbasid victory, his candidacy was still considered by the Krufins (sp) and also for the position of Caliph, but he declined and held to the principle of Ormunt (sp).

He held fast to the principle of Ormunt, namely, that a true Imam need not --- have to serve to seize power. The quietest is extolled in a probably spurious tradition dating back from the end of the first century. There will be a *fitnah*—which may be translated as a “test” or “trial,” even “civil war.” He who does not take an active part properly is better than the one who does, hadin (sp), the one who stands up or rises up.

The Twelvers Shi’i tradition of religious learning and training, which during the lives of the succeeding Imams tended to avoid any direct political power, with few exceptions, continued until and through the occupation of the twelfth and last Shi’i Imam, Muhammad al-Mahdi, the Messiah 874.

I should note that the major of al-Mahdi began in 941, with the death of his fourth and final emissary, Sidthery (sp), ending any direct contact with the Imams themselves, and which also coincided almost nearly with the beginning of Buyid rule in Baghdad in 945.

This coincidence is no historical accident. The Shi’a scholars of the time knew, it seemed, that the Buyids, although loosely Shi’a, were interested in maintaining political boundaries—maintaining the political balance in Iraq through the prestige of the Abbasid Caliphate— and would be unsympathetic to the claims of authority of the Shi’ia Imam, and for that matter, of any of the supposed emissaries ?

And so, these Shi’i scholars aimed to direct political power and sought patronage from the Buyids for developing Shi’i jurisprudence in theology. In fact, it was during the Buyid period, 945-1055, that the basic sources of Twelver Shi’ism were collected and canonized, including most importantly the four books of tradition, *al-Kutub al-Arb’ah*

The Twelver Shi’i scholars, the most important being Shaykh al-Ta’ifah, Sayyid Murtaza and Shaykh Madrati, Shaykh Tusi, (sp?) were engaged in religious studies and learning, and remained pretty much on the sidelines of direct political power during the Buyid Period. Except for the position of Nabib Shi’a (sp), which was a physician that--whereby the Shi’a were represented in the court. And Shaykh (inaudible) occupied that position. So their example of learning and teaching Shi’a tradition was used by later generations of Shi’a scholars, really up until really the modern period.

Moving ahead to currents within Twelver Shi’ism up to the modern period, you see that quietism is the dominant form of Shi’ism, with relatively few exceptions, until the rise of the Safavids in Iran in 1501, and later the Islamic Revolution in Iran, led by Khomeini in 1979.

The Safavids were the first dynasty to declare Twelver Shi’ism as a state religion. The Safavids, with the help of important Shi’ia scholars from Lebanon, Sudan, Amman, and Iraq, used force, converging those Twelver Shi’ias among Iran, which had been up until that time a majority Sunni territory.

The reason the Shi'i scholars had to be brought into Iran was that, during the 16th century, the centers of Twelver Shi'ism were in the Arab world, mainly in Iraq, Najaf and Karbala, and Qom, which is the dominant center of learning in Iran, although it ceased to be a center of Shi'ism in the 16th Century. To assert their religious authority, the Safavids claimed descent from the seventh Shi'ia Imam, Musa al-Kazim [sp], and claimed to be emissaries of the hidden Imam.

However, even as the Safavids claimed Imam descent, Shi'ia scholars were under no obligation to follow them in matters of politics. Since after the major occultation of the Twelve Imam, Shi'i teachings were explicit in that no one can claim to be an emissary of the hidden Imam until the Imam himself reappears.

Nevertheless, it seemed that many of the Twelver Shi'i scholars were brought to Iran under the patronage of the Safavid, accepted their claim to Imam descent, and worked actively to convert Iran into a total Shi'i state, in which the secular and religious powers worked together hand in hand. Often it was united in the person of the Safavid Imam with the backing of the Twelver Shi'ia clerics.

The other major exception to the quietest tradition is Ayatollah Khomeini's theory of "velayat-e faqeh," or "governance of the jurist," which led to the Islamic revolution in 1979. Based on the authority of certain verses of the Qur'an and sayings of the Imams, Khomeini argued that the Shi'i jurists were obligated under Islam to carry out the judiciary, executive and legislative roles of government.

This theory was established in a series of lectures in Iraq, in the Iraqi seminaries at Najaf in 1970. It's interesting and ironic to note that Khomeini's grandson has returned to Najaf and to Iraq, and has called for a referendum on the Islamic Republic of Iran—in the same place that his grandfather came up with this theory. This theory, as I mentioned, was elaborated in a series of lectures in Najaf. At the time there was opposition to Khomeini's theory from Ayatollah al-Khoe'i, a proponent of quietism, and other leading jurists in that city. The opposition did not take the form of lectures or more written recitations of Khomeini's theory, but rather al-Khoe'i and other jurists seemed to just ignore and not take Khomeini seriously.

Part of the reason why Khomeini was ignored was that his theory, velayat-e faqeh, flew in the face of centuries of Twelver Shi'i tradition, which probably limited—which *politically*, rather, limited the direct role that clerics could play in any government, at least before the reappearance of the hidden Imam.

There was one leading Iraqi cleric, (inaudible), who did take Khomeini seriously, mainly Muhammad Baqir al-Sadr, the uncle of the fire-breathing cleric, Muqtada al-Sadr. The Ba'athists executed Baqir al-Sadr in 1980 after the revolution in Iran, on charges of conspiring with Khomeini to overthrow Saddam's regime and establish an Islamic Republic in Iraq.

Before his execution, Baqir al-Sadr gave birth to what might be termed "Twelver Shi'i Modernism."—which forwarded the idea that Islamists can match and respond to modern ideologies in the sphere of political theory and economics. His two works, *Iqtisaduna* and

Falsafatuna —(Islamic economics and philosophy, respectively)— were written as a response to the spread of communism and socialism in Iraq.

The communist party represented the greatest threat to the Twelver Shi'a clerics, since most of its members were recruited from the ranks of the Shi'a. It should be noted that the communist party in Iraq was also the most populous party in Iraqi history. It is not at all clear from his writings if Baqir al-Sadr fully accepted Khomeini's theory for an Islamic government.

But, what was clear is that, through his writings, Baqir al-Sadr developed an Islamic language from which to argue against the intellectual dominance of the West—and most particularly, communism.

Currently, Baqir al-Sadr's followers, many of whom have returned from exile, make up the Da'wa Party, which was founded in the late 1950s, and are working closely with Ayatollah al-Sistani, and seem to accept some form of Islamic democracy, though it's not really clear what form.

Muwaffaq al-Rubaie, who up until his recent appointment as Security Advisor, I think it was last week, started on the Iraqi Governing Council and is a former member of the Da'wa Party, and works closely with the Da'wa Party and al-Sistani.

Now, the past year in Iraq has revealed at least four movements—competing movements within within Twelver Shi'ism in Iraq. The first is that of Muqtada al-Sadr and his Mahdi army. As mentioned previously, he is the nephew of the late Muhammad Baqir al-Sadr, considered to be the first Sadr, and the son of the great Ayatollah Sadeq al-Sadr, considered the second Sadr, who was brutally assassinated, along with two of his sons, in 1999 by a Ba'athist.

Muqtada's father was the most active Shi'i cleric in Iraq during the 1990s. Because of his anti-American tone, Saddam usually allowed Sadeq al-Sadr to preach in Baghdad—in Baghdad's Saddam City, which is essentially a Shi'i enclave, which, following the fall of Baghdad was renamed after the second Sadr, Al-Sadr City.

Sadeq al-Sadr's power mainly stemmed from his relationship with the powerful Shi'i tribes of Southern Iraq. Under Saddam, tribalism throughout Iraq was revived. In fact, Iraqis were legally required to trace their lineage to an Iraqi tribe for identification.

I remember on a recent trip to Baghdad I was constantly asked, whether it was at the barber or other places, "what tribe do you belong to?" My family is from Iraq and I never remembered belonging to any tribe. And so I told them I did not know. They said well, "you can't be Iraqi then." So, tribalism is very central to what's going on right now in Iraq.

Sadeq al-Sadr achieved his influence over the tribes through a popular work he wrote, titled *Fiqh al-Asha'ir*, or *Jurisprudence of the Tribes*. In this work he combines traditional Iraqi tribal customs and Twelver Shi'ia jurisprudence to create a synthesis that would satisfy, and unite to some extent, both tribal leaders and Shi'i clerics.

In the late 1990s, Sadeq al-Sadr also set up a Shi'i court system in Southern Iraq, alongside those of the State—which is similar, in fact, to the parallel government, courts and army that Muqtada al-Sadr has set up, or has tried to set up alongside the Coalition Provisional Authority (CPA) and the Iraqi Government Counsel.

Additionally, Sadeq al-Sadr's tone became more anti-American and anti-Saddam. The anti-American tone suited Saddam fine; however, Sadeq al-Sadr's competing court system and his criticism of the state were not tolerated, which brought about his assassination in 1999.

Muqtada's grab for power then needs to be understood in light of his father's mantle, which he is trying to claim. A major problem facing Muqtada is his lack of seniority within the regime clerical establishment, in spite of his father's popularity and authority. In fact, after his father's assassination, most if not all of his father's followers began following al-Sistani's religious leadership, which explains some of the hostility that Muqtada al-Sadr has for al-Sistani. At one point last summer, he gave al-Sistani 48-hours to get out of Najaf, which al-Sistani didn't do.

It seems clear from most of his statements and published articles in his newspaper, *Al-Hawza*, that his movement seeks some form of an Islamic state, perhaps based on an Iranian model, but not necessarily so, with Ayatollah al-Haeri, who is his main funder from Iran who is an Iraqi cleric, at its head as the wayta fatib (sp).

Ayatollah al-Haeri, incidentally, also is very well connected within the clerical establishment in Iran, and serves some sort of advisory function to Ayatollah Ali Khamenei.

The second movement, and one which seems to be the least understood and supported in Iraq and by the CPA, is associated with the cleric Ayad Jamal al-Din, an exile from the Iraqi town of Nasiriyah, who described himself to me in an interview as a secular Shi'i who happens to be a cleric. He is best known for his call for a separation of mosque and state at the Nasiriyah Conference last April.

I asked him how he came to this conviction of separating mosque and state. He said that at one point he was a close follower of Imam Khomeini and had lived and studied in Iran, where there was and is, in his words, no religious freedom. But after traveling and living in the West, in Europe and the Arab Gulf, he realized that the only way to protect his own religious freedom and that of others was to advocate for the separation of religion and state. As a result of his declaration in Nasiriyah, he informed me that he had received numerous death threats, and has been declared an infidel by supporters of Muqtada al-Sadr.

The fact that he is a cleric and one who calls for secular government has not only confused Iraqis, but also the CPA. The CPA, which has tended to look at Iraq through mainly a sectarian ethnic lens, not one that will look at class, divisions, has not been able to pigeon-hole Ayad Jamal al-Din. He does not seem to fit the definition of a Twelver Shi'i cleric; neither Muqtada al-Sadr, nor a Sistani. Ayad Jamal al-Din supporters thus were left on the sidelines in the current debate about Islam and democracy, which is going on.

The third trend is that of the Supreme Counsel for the Islamic Revolution in Iraq (SCIRI), formerly led by Mohammed Baqir al-Hakim, who is the son of a well-known religious authority in the 1960s, Muhsin al-Hakim. He's the cleric who was also brutally assassinated over the summer, in August, in Najaf at the shrine on a Friday. I don't know if you remember that bombing, which killed [inaudible]. SCIRI is now headed by this brother, Abdel-Aziz, currently a member of the Iraqi Governing Counsel.

During the Saddam era, SCIRI was based and funded in Iran. Its Badr Brigade was involved in the failed 1991 uprising after the First Gulf War. Ideologically, SCIRI had sunk the establishment of a Khomeini-style Islamic government in Iraq. SCIRI officially opposed the war in Iraq, but that had more to do with being in Iran and Iran's opposition to the war than with SCIRI's own ambitions after the war.

Once on the ground in Iraq, Mohammad Baqir al-Hakim assumed the role of spiritual head of SCIRI and moved to Najaf alongside the other religious authorities, and his brother assumed the political running of the organization. In Najaf, Baqir al-Hakim began giving the Friday sermon weekly in the Imam Ali shrine.

Last summer I attended one such Friday sermon in Najaf—in fact, a week before he was assassinated I was there, where he spoke about working with the Americans to rebuild the country and something he called “peaceful resistance.”

This notion of peaceful resistance was a pragmatic move on the part of the late Mohammad Baqir al-Hakim. Based on the Islamic legal principle of *islah* it would seem mainly that acting in the general welfare of some community, in response to the new reality he faced (inaudible) in Iraq. The creative use of *islah* by a Muslim cleric in response to the coalition forces in Iraq is unprecedented in the region, where the standard response has been the model of Hezbollah's resistance against Israel. Sadly, the moderating influence of Mohammad Baqir was cut casually short with his assassination in August of last year.

Nevertheless, Sadr seemed to have shifted his politics and that of SCIRI in the short time he spent in Iraq, from the more activist Iranian model to a more traditional quietest one.

Finally, the return to the quietest tradition that is represented by Ayatollah Sistani, who is considered the most senior Twelver Shi'i religious authority in Iraq, and perhaps in the Shi'i world in general. He was born in Iran and remains to this day a citizen of that country. The fact is, Sistani is not an Iraqi as has been pointed out by Muqtada al-Sadr, who claims to be of pure Arab origin.

But al-Sistani moved to Najaf in the 1950s to study with another Iranian, Ayatollah al-Khoe'i, who died in 1992 and who al-Sistani succeeded as the religious authority. Shortly after the fall of Baghdad last year, al-Sistani issued a number of statements—not fatwas, because then they would be binding—that he would stay out of politics.

There are a number of reasons for why he made this statement. The first is that, with the fall of Saddam, there was a political and ideological vacuum in Iraq for the Shi'a. It was either going to be Sistani or Muqtada al-Sadr, who were going to fill that vacuum. Furthermore, the Shi'a of

Iraq expected of their senior religious authorities, mujtahids, to ensure a dominant political role for them in the new Iraq.

After more than 80-years of the Shi'a being a political minority, in spite of being the numerical majority, the history of the Shi'i Imam is that of an underdog and it is up to Sistani to right the wrongs of Shi'i history in Iraq. This is generally the consensus among most of the Shi'ites. They depend on him for that. So it is important to keep in mind the underlying historical reasons why Sistani has become so directly involved in the political process.

In the 1920s, the Shi'a of Iraq led an uprising, perhaps the most popular one in Iraqi history, against the British, in the hope that they would be the majority in the new government. The British made certain promises, but reneged on them and put in place a Sunni monarchy. And so the Shi'is were effectively shut out of the government, with some exceptions, mainly in the Parliament, until the coup d'état of 1958, which brought in to power Abdel-Karim Qassim.

Qassim embodied hope for most of Iraq. And this was mainly because his father was a Sunni. His mother was half Shi'ite, half Kurdish. So everybody was hopeful. And in fact, Qassim appointed, in addition to many Shi'ite, many Kurds to the new government. And he seemed very sympathetic to the communist party, which was mostly made up of Shi'ites and Iraqi Jews.

However, Qassim's rule came to an end in 1963, with a Ba'athist coup, which brought the Arif brothers to power, both of whom were Sunni generals. And their policy was to exclude the Shi'i from political power and to only appoint Sunnis to the highest positions in government.

The policy of excluding the Shi'ia and the Kurds continued through the next coup in 1968, which brought Ahmed Hasan al-Bakr to power, and he appointed Saddam Hussein as vice president. The last coup destroyed any hope that the Shi'ia may have for political representation in any future government.

It is these historical factors, including the earlier Ottoman policy to marginalize the Shi'ia, which underlie much of the anxiety of the Shi'a today in Iraq, and which are pushing al-Sistani to center stage to assert that the constitution require direct elections for any future body.

I'll just make some general concluding remarks. Al-Sistani has said that his ideas about democracy come from handbooks on democracy and do not come from any religious tradition. And he understands very well the idea of majority rule. But part of the problem, I think, is there's very little understanding among the Shi'ite in Iraq of minority rights. And this is going to be one concern that will play itself out in the drafting of the new constitution when the Kurds, and perhaps now the Sunnis, who are the political minority, will want to assert themselves.

I see that the quietest traditions in many ways will accommodate some form of democracy in Iraq, where the clerics will go back to religious centers and be engaged in teaching and learning. And I think Sistani has played a moderating role in general, in keeping the Shi'ites from rising up or from joining Muqtada al-Sadr.

So, I would say that the quietest tradition will accommodate democracy in Iraq, and I don't think it will be radicalized as it did in Iran in the '70s.

I think I'll stop there. Thank you.

MR. WEINBERGER: Now, we'll have some comments by Shaykh Kabbani.

SHAYKH KABBANI: *As-salamu alaykum*. Peace be upon you.

I'm not an orthodox Muslim, so don't be afraid. I'm more open and liberal on everything, but not on myself. On myself, I do my obligations as a Muslim.

I have been asked to comment on the speech that we just heard. It was very nice speech. I don't know what to comment on it. But, I would like to say that, as it is mentioned and as Professor al-Rahim mentioned in his speech, Islam is not as been told. Islam is a situation that mixed or merged politics and religion. Islam is more religion by itself and politics is being given to the politicians.

And this is what we see through long periods of history: that the people who came to rule the Muslim world were not really very religious. And as [Professor al-Rahim] mentioned, the Shi'a, —the majority among them—were quiet, and not fighting violent. We can see also this in the Sunni way— that they were quiet and not fighting, because the Twelve Imams of the Shi'a Muslims, and the Ja'far, especially the Ja'far As-Sadiq, are also accepted in the Sunni tradition as teachers of Islam.

One of the main teachers of the Sunni tradition, Imam Abu Hanifa—a man who came in 95 AH, which is around 700 current era—said that if not for the two years that I spent with Ja'far As-Sadiq, the Seventh Imam of the Shi'a tradition, I would have lost all my school of thought—all my experiences and teachings. If I didn't spend two years with Ja'far As-Sadiq, I would not know anything from religion because Ja'far As-Sadiq taught me the ritual aspect of Islam. So I was not only taking the form of Islam, but also I am learning the spiritual aspect of Islam.

So here we see that democracy is built in Islam. And I cannot say, like other people say that there is the divine law and there is the human law. But, the divine law is not considered as not apart from the human law. It is human law. When the Prophet—*sallallahu alayhi wassalam*—passed away, and they had to decide who was going to be his successor, it was the first time democracy was experienced in Islam.

And there were three different competing parties: al-Muhajiroun, those who migrated from Mecca to Medina; Al-Asyr, those who supported the people—when they arrived to Medina, they supported them; and Ahlul-Bayt, the family of the Prophet. So three different parties were trying to implement a democracy 1,400 years ago.

So Islam, from its beginning, was a democracy: These parties competed through tribal voting and tribal discussions and tribal meetings, until they all agreed, through their counsels, just like a

Parliament counsel, in order to come to name a successor to the Prophet. And Abu Bakr al-Siddiq was nominated and he was elected..

So this shows that in Islam there is a democracy, and that democracy is moving forward for the best of the Ummah. After the four Imams—Abu-Bakr al-Siddiq, Umar Ibn al-Khattab, Uthman Ibn Affan, and Ali Ibn Abi Talib, who is the final one from the family of the Prophet—these four Imams, after them, we were combining politics and religion, the ones that they came after them, they were not so religious. And that's why we see it shifted completely—separation of religion and separation of state.

So we see that at that time, religion is being gone from the mind of the politicians. So, it shows that that separation was slowly, slowly moving away from being religious. And that's why we see today that the Shi'ia tradition and the Sunni tradition, it's not only the Shi'ia that they are quiet, but the Sunni are quiet. You don't find any Sunni fighting. The majority are not fighting.

Only the smallest group of jihadists are fighting and trying to push their ideas and their opinions in order to make an Islamic State. Similarly, not all the Shi'ia are fighting. Only the minority of Shi'ia are fighting in order to make an Islamic state for themselves.

So, as to the problem now in Iraq, is it because—are they fighting for religious reasons, or are they fighting for political reasons? I don't think they are fighting for religious issues. They are using the religion in order to implement a political cause—and that's what's happening in Fallujah.

In Fallujah, when the Sunni people—especially the Arab Sunni—found they were not represented in a government body, they began to fight. And the jihadists entered in order to implement that fighting against the coalition forces.

Similarly, as [Professor al-Rahim] said, Muqtada al-Sadr wants a political position, and he began to use the religion in order to fight. But the mistake is that, when the United States decided to attack—to fight in Iraq and to remove Saddam Hussein—the Muslim population began to love Saddam Hussein. Before, they were against him.

[When the Muslim peoples saw the United States] was coming and helping to remove Saddam Hussein, [they responded] emotionally—they flipped—and in the mind of people, this [became] a war against Islam. So everyone began to support Saddam Hussein, and most of the Arab countries supported Saddam Hussein at that time.

Similarly today, there is a problem being created in the governing body [of Iraq] that we don't have any representation of these different people, that they've been assigned on the governing body. Now when America began to fight them—and that's why I consider it was a mistake, that America began to fight the Fallujah people and Muqtada al-Sadr, because they are trying to use that as a weapon against the West, to make America—to be in a bad situation. And that's why they are using the religion and the emotion of people now against the American invasion in Iraq and they want America to be out.

Now, as for Sistani: He is a quiet person, yes, everyone knows that al-Sistani likes to solve things according to the moderate way and the peaceful way. And there was a president a long time ago in the Seljuki Dynasty, when they wanted to reach Persia—the Muslims wanted to reach Persia and they were working with the Seljuki regime in Egypt, where they made peace with the Christian and Jews at that time, so that they will help them to reach Persia.

And today, we see that, as [Professor al-Rahim] said, that Sistani is trying to make that peace. And he called it (inaudible). Whatever the needs for peace to afford quietness and not to establish something. Sistani is a very wise person; He is trying to work [things] out with the West in order to get a peaceful era and a peaceful democracy.

And that's why I think that Islam never was against any democratic situation. And that's why Zayed Namer, when we talk about changing law—the *divine law*—in the time of Prophet (inaudible), he was telling that you have—if someone steals something, you have to cut his hand. And people in the West today, they speak about this issue too much. And they say in the Muslim world they cut the hands off people and they are barbarians.

In the time of Prophet, [the punishment] was not cutting [off the] hand; they used to kill the person and his family. So the Prophet, in order to reduce that and show it in a more easy way, he said if a burglar steals something, you cut his hand. But before you cut his hand, you have to check why he has stolen something. If it is for hunger, you relieve him. You don't take him and cut his hand. But if he is stealing and sucking the wealth of people, then that person really deserves to have his hand cut.

And in the time of Zayed Namr, which is a divine law, that is a divine law. In the time of Amar Nohatab, he stopped that law. He stopped that law for one year at that time because he saw that people—there is a drought and people need to eat and drink. And [for one year], he [made it so that] no one has a right to cut a hand off a burglar until he would appear in front of a court and be asked.

So, [how can] Zayed Namr or Amar Nohatab, who is not a prophet, stop a divine law? Today, when we are living in a different and modern lifestyle we cannot change something that can suit the way that we are living, but keep it in the framework of the Islamic tradition. ???

And I would like to comment on [something said] earlier today, when [it was] said that Islam cannot live long because it is a religion of a kind [that mixes] politics and religion together. I would like to say that Islam can live long and will live until the end of the day, because it is a religion that mixed between Christianity and Judaism.

The first person—if you go back to history and study who made the first interfaith dialogue between religions—it was Prophet Mohammad, *sallallahu alayhi wassalam*. When he was the age of 25 and was taking the trade of his wife, Hadassah, to Syria and trading between Syria and Yemen, he was sitting—if you read the history—he was sitting with the Jews, learning from them, speaking with them, dialoguing with them. And when he went to Syria, he used to sit with the Christians, study with them, speaking with them, dialoguing with them. And this is a fact—no one knows it except [those who] are really involved in the Islamic tradition.

So the Prophet based his message, wrapping together Christianity and wrapping together Judaism, in order—he brought the discipline of Moses, and he brought the spirituality of Jesus. So, it is a combination of these two religions that [comprise] Islamic tradition.

[So] if Judaism and Christianity will ever live and will live to the end of the day, Islam will live to the end of the day. And Islam asks us not to be interfering in [war]. You can be part of debating, but you cannot be a part of fighting.

And that's why Ayed Nohata (sp), was the Fourth Caliph of the Prophet, when he was fighting with Aisha sp?, the wife of Prophet [inaudible], at one period of time they were fighting together. And as soon as Moawia (sp) raised the holy Qur'an on the arrows and the swords, Ayed stopped, because I cannot fight when the religion is there. So they stopped all the kind of fighting and that fighting ended up in Moawia taking the power and Ayed Nohata sits back.

That's why you see in Islam—always you can see that there are times and periods that Muslims sit back—those who are peaceful and moderate, they sit back. And the minority who are Islamists or jihadists, you will find them instigating because they are minorities and they want power—they are instigating the fire under the ashes.

May God bless you and this is my comment on the speech today.

MR. WEINBERGER: I know that there are already some questions, but I think it would be perhaps good for us to take just a very brief break, so that you can get a drink or whatever. Just be back in 10-15 minutes please.