

Politics, Protest and Piety in Qajar Iran

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Politics, Protest and Piety in Qajar Iran: Exploring the reasons for the participation of the ‘ulama in the Constitutional Revolution of 1905–1911

Introduction: Intersecting of Islam and Modernity

Intersecting of Islam and Modernity¹

Events of September 11th, the U.S.–led invasion of Afghanistan (2001) and of Iraq (2003), Israeli invasion of Lebanon (2006), Iran– Hamas– Hezbollah connection, fundamentalism, war on terrorism, and oil politics along with “bringing” democracy to the Middle East have flooded headlines in recent years. While at the same time mainstream discourses regurgitate a supposed inability of Islam to adapt to modernity; and use inconsistent entities like Western ideals against realities in the Muslim world to justify their arguments. Authors like Bernard Lewis, Irshad Manji, Salman Rushdie, Asra Nomani and Samuel Huntington come to mind. Essentialism and anachronism attribute failures to the Islamic faith rather than long standing social, historical and economic causes for problems within current political systems throughout the Muslim world.²

Meanwhile Islamic Revivalism in the Middle East and the world over has piqued interests of historians, political scientists and sociologists. The rise of Islamic–oriented political parties in Turkey, Egypt, Palestine, Iraq and Iran has surprised many in the West. The question arises as to why Islam continues to be an influential factor in many parts of the world today. And has not, like Christianity and Judaism, undergone serious doctrinal evolution bringing it into the 21st century. Rather what is missing here is questioning of how religion itself is defined.

The universalistic assumption of religion being limited to merely a privatized abstraction is what is problematic here.³

Islam has played an important role in social, historical, legal, economic, domestic, political and sociological dimensions of the human experience in the Middle East and still does today.⁴ Similarly the comparison of the schism between Protestantism and Catholicism directly applied to differences of Sunnism and Shia'ism is also disproportionate since there was no schism in Islam.⁵ Shia'ism is just one of the expressions of Islamic orthodoxy as is Sunnism and Sufism.

Though much attention is given to Iran as naturally inclined to Shia Islam, this is in fact not historically true.⁶ After the Arab conquests under the Umayyads, either through marriage or client–patron relationships the Persian tribes became Muslim. It was not until Shah Isma'il in 1501 C.E. that the Safavid dynasty imposed Shia Islam as the state religion. It was not until the mid– to late–17th century that most of Iran became Shia. By the late 19th century and 20th century, Shia Islam had taken an activist role, as this paper will explore.⁷

At the turn of the twentieth century Turkey, Egypt, India (to some extent) and Iran experienced a popular urge for constitutionalism. From the Iranian perspective this meant establishing a constitution—an order of law that everyone from royalty to the common people were considered accountable to equally, and a parliament which would reserve certain powers from the monarch impeding his absolute grip on the nation.⁸

A number of discontented groups came together in what was the Constitutional Revolution of 1905 to 1911. This paper will explore why and for what reasons the 'ulama⁹ (religious establishment) took part in the movement; and the term 'ulama may include supporters like theology students, mullahs, mujtahids, ayatollahs and their assistants.

Their reasons include their intimate links with the merchants, interconnectedness with the people, anti–absolutism, implications of the constitution with shari'ah laws, and how Islamic principles justified the 'ulama's involvement in the movement. Participating 'ulama include those from Iran, Sayyid¹⁰ Muhammad Tabatabai and Sayyid Abdullah Behbahani. Tabatabai is known as being open–minded and familiar with Western philosophers. Behbahani was known for promoting his own personal agenda. The 'ulama from Ottoman Iraq were a force from the outside of Iran who are Mirza¹¹ Husayn Tehrani, Mirza Muhammad Kazim Khurasani, Shaykh Mazandarani instigated the Tobacco Protest of 1891–1892 and are collectively addressed in this paper. Sayyid Hasan ibn Taqi (Taqizadeh) obtained his education from a madrasa and the leader of the First and Second Majlis.¹² Taqizadeh had close ties with the merchant class. Finally, Shaykh Fazlallah Nuri was in support of the monarchy.

The Continuum of the Constitutional Revolution: Tobacco Protest (1891–1892), the Bastis (refugees) and the Constitution

“...The blood of Naser al–Din Shah is the price paid for the successive triumphs of English and Russian diplomacy in Persia”

–Edward G. Browne, *The Persian Revolution*, 1909. 13

Under Naser al-Din, excessive concession granting caused resentment. The British and Russians controlled commodities including tea, tobacco, railway systems, mining, canals and many industries.¹⁴ Open revolt broke out in 1891 he gave an Englishman, Major G. F. Talbot, a 50-year monopoly over the distribution and exportation of tobacco in exchange for very little in return.¹⁵ As living conditions worsened for the poor, the ‘ulama turned against the shah, publicly declaring their disapproval. A fatwa¹⁶ from Mirza Hasan Shirazi in Ottoman Iraq forbade the use of tobacco in all forms until the shah withdrew from the concession.

Though smoking was a compulsive habit of many Persians, the fatwa had a far-reaching impact. From the remotest villages to the women’s quarter in the palace, the fatwa took effect almost overnight.¹⁷ The power of the ‘ulama to move the masses in what was known as the Tobacco Protest of 1891–1892 was a dress rehearsal for what was later to come.

There were two obvious sides in the Constitutional Revolution of 1905–1911: one in favor of constitutionalist goals and other opposed. Royalists were those that served in the Qajar court or benefited from the current system; they resisted change in any form because it would threaten their status and power in society. The Qajar family, the shah’s nobles and viziers (advisors) of the court, and the British and Russians that were infiltrating Iran, are part of this group. Secularists wanted a constitution free from all religious influence, but used religious rhetoric to attract average Iranians to their cause. Mirza Malkum Khan is a representative example of a secularist constitutionalist.¹⁸ Mirza Jahangir Khan, founder of the newspaper *Sur-I-Israfil*, held radical secularist views, many suspected of being Babis like many other editors of newspapers of the time.¹⁹ Aside from the two obvious groups, the ‘ulama who took part in the Constitutional Revolution were a diverse group of thinkers.²⁰

Governors in cities all over Iran publicly humiliated merchants based on accusations of price gouging. Such was the case in 1905 when Muzaffer al-Din Shah had announced another trip to Europe, and the Belgian customhouse officials whose arrogance already tyrannized the Persians enough, decided to impose new tariffs. The Qajar shahs’ wealth came directly from taxing the Persian people, government functionaries would extract these taxes from peasants and laborers and merchants by crack of the whip. The Qajars spent this revenue in frivolity, paying for multiple trips to Europe, building new palaces, adding jewels to the Qajar crown and so on.²¹ The Shah’s excessive opulence, and the Belgian officials’ cruelty and exploitation culminated into widespread protest.

In Mashhad, people had taken refuge, in the holy shrine of Imam Reza²² in an act of civil disobedience. When the governor ordered his soldiers to fire at the bastis²³ in the holy shrine, they became enraged. In Kerman, the governor ordered a public beating of the main mujtahid of the town. The same happened in Qazwin in addition to merchants bastinadoed for supposedly raising the price of sugar.²⁴ Soon after these events, many merchants among others took sanctuary in the Royal Mosque in Isfahan, where ‘ulama such as the renowned scholars Tabatabai and Behbahani joined them.²⁵

The Imam Juma and his men were ordered by the shah to expel the bastis (refugees) from the Royal Mosque. The bastis then migrated from Isfahan to another holy shrine of Shah 'Abdul 'Azim²⁶ where they took refuge again for six weeks. Many more students and 'ulama, such as Nuri joined the older bastis and at this point Behbahani and Tabatabai had formed an alliance between themselves as well as with the merchants who had taken refuge. They would leave on the condition that a Parliament and an Adalet-khana, (House of Justice) be created; the Qajar government promised the bastis this with no intention of fulfilling these promises.²⁷

When they realized the Qajars were not going to grant a Majlis and House of Justice, people became anxious and riots broke out. Bazaars closed, the bastis went to Masjid-i-Juma for refuge. After a violent confrontation between Mirza Ali Asghar Khan²⁸ troops and some bastis, this killed two sayyids, the riots died down and the 'ulama were told to return to Qum. Not long after, the bastis which included merchants, some 'ulama that had refused to leave and other people took refuge in the British Legation. Their numbers grew rapidly from 858 to 5,000 in only three days. From there the bastis pressured Muzaffer al-Din Shah to grant their demands: invite the 'ulama to return from Qum; dismiss the infamous governor of Tehran for his increasingly oppressive measures; and thus, enforce a code of laws consistent with the shari'ah, and a national assembly that represented them.

When the number grew to 14,000 within a month, Muzaffer al-Din decided to grant all demands. In 1906, Muzaffer al-Din Shah signed the constitution (including a parliament and house of justice). Later on his brother, Mohammad Ali Shah deposed him in 1908, and under his rule, he arrested many constitutionalist leaders and ordered the Cossack Brigades, to destroy the parliament.²⁹

Consequently, the bastis quitted the Legation. It was to the benefit of the 'ulama to support the merchants in their demands for removing the despotism of the Qajar state. The Qajars allowed Western³⁰ infiltration of their economy via granting of concessions, administration of customhouses, collection of taxes and tariffs, and so on.³¹ This situation hurt domestic enterprises and made the bazaaris uncertain of their future.

The 'ulama, known for dislike of foreign interference in Persia, received their living allowances from the bazaar and so the alliance between the two groups was natural. The 'ulama were held the esteemed position of intermediary between various groups, this key standing created cohesion in social and political life of the cities and the countryside. Other groups did not have the same education, aptitude, influence, or associations.³² Taqizadeh is an example of both ecclesiastical and bazaari background and Tabatabai's son was married into a mercantile family.³³ For these reasons, the 'ulama had an integral role in coordinating revolts against the government.³⁴

Historical Background: Rise of the Qajars to the dawn of the Constitutional Revolution

The Qajars were a Turkic tribe that migrated to Persia from Central Asia in the 14th and rose politically at the beginning of the 16th century. Part of an alliance of Turkic and Shia tribes, called the Qizilbash (Red Heads), they helped the Safavids establish an Iranian empire, spanning from 1501 to 1722, when the Safavids crumbled under an Afghan invasion. Bakhtiyaris, Afshars, Zands, Qajars, Turkomans, and Kurds among other tribes wrestled for territory and invasions by the Russians and Ottomans did not improve the situation.³⁵

Eventually Aqa Muhammad Qajar declared himself shah in 1796 and ruled like a tribal chieftain. Early on, the Qajars established their throne and significantly lessened tribal warfare. Aqa Muhammad's successors, Fath 'Ali Shah (1797), Muhammad Shah (1834–1848) and Naser al-Din Shah (1848–1896) tried to capture the old glory of past shahs by adopting ancient imperial traditions.³⁶ They created a royal treasury, mint, armory, and storehouses.

Nevertheless, the Qajars failed at establishing an enduring statewide bureaucracy as had previous Persian³⁷ shahs.³⁸ As a result, local communities maintained their own administrative autonomy.³⁹ Qajar relatives filled government posts and hired more employees than needed for each governmental position. Similar to the Ottoman Empire, chief governorships were auctioned to the highest bidder and usually these positions were filled by Qajar relatives.⁴⁰ Nepotism, autocracy, oppression and inefficiency plagued the Qajar dynasty but they managed to maintain their throne by taking advantage of quarrelling groups and withdrawing when faced with growing resistance.⁴¹

From the 1870s to the 1890s, globalization of Iran's economy caused the decline of some domestic industries and the expansion and export of others like carpets and tobacco. As a result, a commercial and financial middle-class and a new industrial working class appeared.⁴² Meanwhile, economic life improved but failed to keep up with the growth in population, which resulted in relative deprivation, though conditions of the wealthy improved this was not true for the general public. This, and absolute deprivation in the political sphere led to widespread social unrest. In an era when telegrams, roads and postal service maintained contacts with other communities, accompanied by economic improvement and political awareness, the situation became ripe for revolution.⁴³

Historiography

Exceedingly scarce has been written on the participation of the 'ulama in the Constitutional Movement in Persia. They are woven into the story with passing comments on how unusual it is for religious leaders to take part in a modernizing movement. There is information about them but scattered in most books. It is near impossible to find a book written by any of the 'ulama during the Constitutional Movement; much of what we know we derive from eye-witness accounts of those that knew them or newspapers that

quoted them. Edward Granville Browne's writings on the subject, the most famous one being *The Persian Revolution 1905–1911*.

He quotes from other primary sources and includes interviews with political figures, newspaper articles and translations of letters he sent and received.⁴⁴ Historians have always referred back to Browne's *Revolution*.

Abdul-Hadi Hairi's "Why Did the 'Ulama Participate in the Constitutional Revolution of 1905–1909?" was the only source that directly addressed the topic of exploring their motivations. Other books focus on the movement itself and weave 'ulama into the overall picture based on the assumption they were all the same. Hairi provides a fresh new perspective. He dedicates entire sections to important individuals from Iran (Tabatabai and Behbahani) and Iraq (Khurasani, Mazandarani). Hairi stands out for his work because he does not look at the 'ulama as a homogeneous group with the same outlook on the movement; and introduces the students and assistants of the 'ulama as a new, subversive element. Meir Litvak in his book, *Shi'i scholars of Nineteenth-century Iraq: The 'ulama of Najaf and Karbala*' (Cambridge: Cambridge University Press, 1998) explains the significance of the Iraqi 'ulama in the Constitutional Revolution.

Hamid Algar, Nikki Keddie, Vanessa Martin, Mangol Bayat, Said Amir Arjomand and Ervand Abrahamian and have all written in great detail about the Constitutionalist Movement and those works have made a substantial impact on how this period of modern Iranian history is seen today. Their books contain considerable sections on the 'ulama; however, they are treated as a group and not as individuals. Algar puts forth the argument that the 'ulama and the Qajar state have seldom been in agreement with one another.

The 'ulama and state battled for power and influence, the latter holding symbolic power and the former, influence among the people. He asserts they were the natural leaders of the people and the push for a constitution was their claim for legitimacy against the state, foreign intrusion and coercion. Keddie draws many conclusions on how the Tobacco Protests (1891–1892) were significant to the Constitutional Movement. Like Algar, she looks at social aspects and agrees that the 'ulama had an integral role in the Movement. Keddie agrees with Algar's view of the 'ulama as popular leaders. Her focus is 'ulama–state relations, 'ulama's relations amongst themselves and how the Tobacco Protest ignited the Movement.⁴⁵

Like Algar and Keddie, Martin is interested in the interactions of the 'ulama and the state. Martin argues that the 'ulama's connection with the people was highly significant in gaining momentum for the Constitutional Revolution and that the 'ulama were important patrons more than the Qajar shahs as this paper will later elaborate.⁴⁶

Bayat on the other hand, treats the 'ulama as a distinct professional class. This view completely deviates from the authors aforementioned. But at the same time they used Islamic doctrines, such as *ijtihad*⁴⁷ to further their influence in the movement. Bayat demarcates their sociopolitical agency; confining them to

operate solely within a religious discourse and thus cutting them off from having any political or popular support; she writes along a European secular–liberal model of modernity.

Many authors agree European ideas such as rationalism, nationalism, progress, reform, parliamentary system and democracy were imported and absorbed by a small number of intellectuals. Anglo–Russian rivalry over Iran sparked political activity among the ‘ulama and consequently, the unifying of the people as a nation. Incorporating Iran into the international economic system is of significance: the fact that Constitutionalists wanted to expel foreigners from positions such as tax collecting and running state finances failed because even after granting the Constitution the Second Majlis hired the American financial advisor, Morgan Shuster.⁴⁸ Indeed the movement did indigenously grow out of conditions within Persia as Ali Gheissari, Vali Nasr and Reza M. Ghods all elaborate in their books. As this paper will explore, modernism and religiosity worked in unexpected and interesting ways.

Exploring Possible Reasons for the Participation of the ‘Ulama in the Constitutional Revolution of 1905

As previously mentioned, a small group of intellectuals promoted the idea of constitutionalism in their writings, but because literacy in Iran was uncommon at the time, these ideas remained on paper. As Gheissari and Nasr explain, the ‘ulama’s position as intermediaries cannot be emphasized enough since they provided cohesion different groups.

Sociological and ideological reasons drew the ‘ulama to participate in the Constitutional Revolution. First, the financial support of the merchants was significant in allying with the ‘ulama and utilizing them as a vehicle for change; owing their loyalty to those that gave the ‘ulama their allowances. Second, the ‘ulama, which provided guidance to people of all classes, from peasants to bazaaris (merchants) were important patrons. Even Muzaffer al–Din Shah requested advice from his favorite ‘alim from time to time.⁴⁹

Third, the ‘ulama thought that anything to replace the autocratic, oppressive shah would do and that opposition took the form of constitutionalism. Fourth, advanced religious education gave the ‘ulama the tools to justify their positions.⁵⁰ The last reason for the ‘ulama participating in the Constitutional Revolution was because constitutionalism would have made it easier to implement the shari’ah.

Friendly Bazaars and Financial Freedom from the Qajars

Merchants include artisans, craftsmen, tradesmen, masons and others in similar enterprises. The ‘ulama and merchants were more intimately linked than either group was to the common people. Due to the ‘ulama’s elevated position in society a number of merchant families married into the religious establishment. According to Ghods, the merchants political crutch and shield were the ‘ulama, and the ‘ulama relied on the merchants economically.⁵¹ Articulating their grievances to them, they had found a

legitimizing voice, and an avenue under which they could rally their cause.

For the most part, the 'ulama were beyond the bounds of governmental control. Imam Juma in Tehran's main mosque is a famous example of a Qajar-elected member of the 'ulama. The Qajars would appoint members of the 'ulama for establishing legitimacy symbolically. 'Ulama from Qajar patronage received their salaries from the state treasury which came directly from taxation or foreign 'gifts'. Majority of the 'ulama were independent of royal support, receiving their salaries from zakat, khums and or sadaqa (general charity).

Zakat, being one of the major pillars of Islam, requires Muslims with financial means to give a certain percentage of their wealth to the poor. It is a mandatory tax of 2.5% of all earnings and is exempt if one has a hardship or if one is a dependent.⁵² Similar to zakat, khums developed in early history of Islam and based on a principle that one-fifth of any acquired luxuries are due to the Prophet and in the Shia community, is for the support of sayyids, usually poorer ones.⁵³ Khums paid by merchants, artisans and others in the bazaar gave the 'ulama in Iran a large degree independence from the state and freedom to establish networks among the poor, bazaaris and ordinary people.

These networks were the avenue of powerful patronage that increased the number of their allies; the religious establishment used these funds to live by and for spiritual institutions such as madrassas, mosques, or seminaries, and is part of the awqaf. Awqaf is the plural of waqf, which defined in The Oxford Encyclopedia of Islam as a "holding and preservation of a certain property for the confined benefit of... certain philanthropy with the intention of prohibiting any use or disposition of the property outside of the special purpose... [It is] an idea that is practiced all over the world."⁵⁴ The alliance between the two was natural. The 'ulama depended on the merchants for their livelihood and in turn, the merchants needed the 'ulama to strengthen their cause.

Populist Patronage: Advocates for the People

While it is no surprise that the constitutionalist 'ulama supported the merchants, they were also concerned about the general welfare of the people. Because they were also Qajar subjects, their interests and the people's interests were not at odds with one another. They saw themselves as being one with the people and, similarly sharing their experiences. They were an influential social class who were familiar with the people because they emerged from the people. And without the coordination with 'ulama the Iranians could not have defeated the Tobacco monopoly or have gotten the constitution.⁵⁵

Provincial governors were known to be forcefully cruel in collecting taxes. Tabatabai in one of his letters to Muzaffer al-Din Shah writes, "Last year when the Quchani tribe didn't have the [means to pay] tax[s] for their wheat crops, they sold their daughters to the Turkoman [tribe] and the Russians."⁵⁶ In his second letter, he says that government officials beat, killed, and raped people's of their entire livelihood. Basically, "what the Qajar state has is the wealth of the powerless."⁵⁷ This negligence and exploitation led to agitation among the masses that began to hate the dynasty.⁵⁸

Being oppressed by the shah, his government and violated by foreign aggressors and they sought to keep the integrity of the Persian nation intact.⁵⁹ In a letter to the Ottoman Sultan, the Najaf 'ulama write that the "people applied to us asking for our intercession" because they believed "that the shari'ah should be obeyed and the word of its people ought to be listened to."⁶⁰ Considering in the 20th century Persia had not adopted a standardized public educational system, the 'ulama were the collective few among the people that were literate, educated and liaisons to the government.

The Iranian people appealed to them because they are "servants of the sublime religious law sheltered by the protections of [another] Government."⁶¹ Taqizadeh said the "people considered the 'ulama as representatives of public opinion" and that they in return were supported the people "against tyranny and the unchecked oppression of the government."⁶² They were an "inviolable authority" who could defend them against the government and the 'ulama in turn worked with the people to reach their own goals.⁶³

An example of this is when the unconventional member of the 'ulama, Shaykh Fazlallah Nuri and his fellow anticonstitutionalists set up tents in heart of Tehran, Tupkhaneh Square to protest the constitution and establishing of parliament. They wanted to institutionalize the "religion of the prophet" which they assumed was opposed to a constitution. When the commotion ended, Taqizadeh delivered a victory speech to thousands of supporters that flooded the streets:⁶⁴

"We [religious leaders] had, and still have, complete confidence in the people... The people... had not one by one this strength [would fall] under the yoke of tyranny and despotism. [Nevertheless], from the time that they gave each other the hand and united, they have seized their rights; and we hope that this unity may last until the coming of the Twelfth Imam (may God hasten his glad advent!)... The anjumans were the cause of the victory. They had drawn the people together and united them in one common cause, and had organized their strength to such an extent that in the day of trail tyranny found, to its, surprise, a united front against it."⁶⁵

Constitutionalism in Iran started out with a few intellectuals that wanted to see their country change. 'Ulama such as Tabatabai and Taqizadeh were catalysts in transitioning from views held by discontented elite into a mass movement.⁶⁶ Nuri known for his oratory skills started out on the side of the constitutionalists but personal conflicts with Behbahani led him to turn against the movement and side with the monarchy.⁶⁷

The synthesis of religious support and modern ideology is an important aspect of the Iranian political experience—, which makes it entirely different from the Western European experience, which became strictly secular, in other words there was a division between church and state.⁶⁸ However, it was in the best interest of the religious establishment to stay alongside the people since disagreeing with "popular feeling would seriously damage" their standing and both groups were "compelled to seek each other's support."⁶⁹ In a time when religion saturated every aspect of life, from intellectual to economic, turning to the 'ulama was a clever choice. They had privileged access to education, and for this reason, the people turned to them to represent the collective national conscience.⁷⁰ 'Ulama such as Tabatabai,

Mazandarani, Taqizadeh and Tehrani with their wisdom and guidance led the Iranians out of their misery.⁷¹

Any Political Form is Better than Autocracy

The Qajar state was manifestation of the shah's temperament making the government unstable.⁷² The reign of Muzaffer al-Din Shah was known as the Greater Autocracy and his brother, Mohammad Ali Shah's rule, the Lesser Autocracy.⁷³ While the Qajar shahs' influence was recognized, it remained symbolic and held inadequate force over Iran.⁷⁴ Furthermore, the Qajar dynasty being autocratic and oppressive throughout their rule did not have a standing army, no concrete bureaucracy and held minimal control over their provinces. In fact, amazingly, they held very little power outside of Tehran. Excessive taxation and keeping groups quarrelling amongst one another kept their grasp over the Persian people.⁷⁵

However, the arrival of Westerners on the Iranian landscape introduced a new dilemma: British and Russian economic infiltration, use of foreign goods, higher taxes, and generous concessions to foreigners represented the Qajar's subservience to foreigners who sold Iran at the expense of the Iranians. Furthermore, absolute deprivation in the political sphere, meaning there was no medium to channel these grievances and create institutional change. Absolutism prevailed because there was no written code of laws that would limit a monarch's despotism.

The 'ulama were not against the monarchy or its absolutism as long as the shah protected the people, the territory and the faith—all of which were equated with the Iranian-Shia realm. Nevertheless, the shah failed at fulfilling his duties; therefore it was the 'ulama's personal, national and especially religious responsibility to fight against injustice and give voice to the people.⁷⁶

This is seen in Tabatabai's letters to the Shah, Taqizadeh's and Nuri's writings. Indeed religious responsibility may have been the single most important factor in compelling the 'ulama to take action.⁷⁷ The belief in jihad⁷⁸ propelled one to struggle against injustice especially if one had more knowledge than another did. Religious devotion obligated them to alleviate tyranny and oppression and regardless of personal motives, they allied with the constitutionalist movement because they were unhappy with government misconduct.⁷⁹ While it seems contradictory to popular belief that the 'ulama of all people joined and promoted constitutionalism, a Western political innovation and, like most things Western were usually contradictory to their line of thought; this was true for some 'ulama more than others.⁸⁰

Convoluting Thinking: Are the Constitution and Shari'ah the same?

At first glance, it would seem that Tabatabai, Behbahani, Taqizadeh, Tehrani, Mazandarani, Khurasani and Nuri would be against a modernizing secular movement and only join it because the shari'ah and

constitution was the same. Shari'ah combines the Qur'an and Hadith to form *usul-ud-din*, are the foundational beliefs or the roots of religion and *furoo'-ud-din* are the laws of the shari'ah or branches of religion.⁸¹ The shari'ah dealt with matters generally of a personal nature.

There are four categories: self-evident acts, laws whose purposes are explained in Qur'an and Hadith, laws whose purpose have not been explained in Qur'an and Hadith but human knowledge has provided explanation, and laws without explanations in Qur'an and Hadith and human knowledge has not been able to provide reasoning.⁸² It encompasses and delineates one's relationship with God for instance in events such as birth, death, marriage, and certain daily routines are all matters of shari'ah.

The constitution dealt with matters of public law such as the responsibilities of the state, rights of the citizen, the relationship between the citizens and the state and so forth. The temporal world being separate and incompatible with the spiritual realm is an idea that developed in Western Europe. The religious scholars in Iran did not believe in this separation. From the perspective of the 'ulama, authority was either temporal or religious, and existed side by side, and during the Qajar period, this idea had solidified.⁸³ Therefore, the 'ulama had accepted that it was essential for the state to preserve Islam and protect Muslims from degradation.

On this assumption, they told the faithful to abide by its rule.⁸⁴ Since the Safavid dynasty's zealous promotion of Shia'ism in Iran, the 'ulama had initially supported monarchical absolutism but later turned against it adopting a quietist position.⁸⁵ They assumed that any reigning dynasty in Iran would be the protector of the people and the faith. By the reign of the Qajar shah, Naser al-Din (1848–1896) they realized how untrue this assumption was.⁸⁶ Strikingly, political involvement of the 'ulama to gain lasting control in the Constitutional Revolution (1905–1911) does not appear to have been even part of why they did join the movement.⁸⁷ The bulk of most education in those days was exclusively religious and because of this, most of the 'ulama were unaware of the restrictive implications of monarchy, absolutism and autocracy.⁸⁸

Furthermore, those 'ulama that did see the shari'ah in the constitution did not necessarily outline details as to how both would work. In an article, Ayatollah Mazandarani quoted (Habl al-Matin, October 3, 1910) as one constitutionalist 'alim from Ottoman Iraq, said to a merchant, "We participated in the movement to protect the territory of Islam and to remove aggression and tyranny, and to apply religious laws." Mazandarani, Tehrani, Khurasani, Behbahani, Tabatabai and Taqizadeh all agreed with the view that the constitution and the shari'ah were not the same.⁸⁹

Eliminating oppression, humiliation, degradation, absolutism and tyranny was the main objective and the application of the shari'ah was seen as an avenue to fulfill this objective, as was the constitution. However, granting of the constitution did not necessarily equate with the shari'ah itself, but rather made it easier to facilitate the implementation of the shari'ah.⁹⁰

Since tyranny in Iran took an anti-Islamic color—public beatings of merchants and religious leaders

based on false evidence, killing and whipping of innocent people by governors' army and tax-collectors, unreasonably high taxes on harvest crops, unnecessary domestic tariffs, and other injustices—constitutionalism was natural stance against this tyranny as was the shari'ah.

The fact that some of 'ulama did not see the shari'ah as a threat to having a constitution is worth mentioning because support of the shari'ah was used to highlight the monarchy's moral deviations (i.e. injustice), and to make the monarch accountable for their actions. A strictly secular constitution would not have allowed exiling of government opponents solely based on irreligiosity.⁹¹ Along this line of thought, the shari'ah was not seen in contradiction with social dissent, political reform and public law.

Instead, it was to have coexisted with the new constitution.⁹² For example when the parliament opened in October 1906, Tabatabai and Behbahani attended consistently. They were not elected but attended as leaders of the nation, often intersecting sessions to offer their views equally important were other moderate religious leaders from other parts of the country that spoke in parliament. Even at the culmination of the movement, records fail to reveal the 'ulama holding a common agenda; they voiced views of their contacts and did not initiate policies. Despite traditional treatment of the 'ulama in historiography as uniform group, this is strikingly far from the truth. In fact, they often kept the movement alive defending against conservative royalists and mediating between the people and the government.⁹³

Islamic Ideology backing Constitutionalism

As Shaykh Muhammad Isma'il Garavi Mallahati, one of the assistants of the well-known Iraqi 'ulama writes that during this time of the ghaybat there can only be three types of government. The first preferred is the rule of the Imam, but this is not possible. The second is absolute monarchy and the third, limited and constitutional government. He concludes that any rational person would pick the third kind because it "ends oppressive rule over people" and "protects the territory of Islam [equated with Iran] against infidels [referring to the British, Russians and Ottomans]."⁹⁴ The 'ulama of Iran and Iraq knew that the shari'ah could not be entirely be carried out, the absence of the Imam meant constitutionalism was the best option available, the Prophetic tradition of consultation supported their cause.

The 'ulama of Iraq and Iran throughout the movement never failed to recognize that religion and government should work together in harmony and always addressed the shah in respectful terms regardless of motives.⁹⁵ Most of the 'ulama agreed that the full implementation of the shari'ah and a truly just government was not possible at during the time of ghaybat (spiritual occultation) of the Imam Mehdi. Islamic eschatology says that a messiah will come during the last days on earth, prior to the Day of Judgment.

He will fight against evil on earth, freeing the oppressed and redeeming those that believe in God. In Islam, this messiah is the last of the line of the Twelve Imams (in Shia Islam) known as the Mehdi.⁹⁶ In addition, believed by Muslims (both Shia and Sunni alike), to be in the state of spiritual occultation until his reappearance, which is unknown but will be in the End of Time. They all held the belief that during

the time of the ghaybat the political aspect of the shari'ah could not be fulfilled but that the constitution should try to abide by it as much as possible.⁹⁷

When Amir Bahadur, a military leader from the Bakhtiyari tribe active during the movement asked Tabatabai why the 'ulama supported a cause against their own interests. Tabatabai replied, the Prophet had enjoined in consultation and hence establishing a parliament would institutionalize a long-held tradition. Bahadur agreed but pressed further as to why the 'ulama agreed to it, Tabatabai replied that religion could be used as a pretext to exile government opponents while a strictly secular constitution would not allow such tactics.⁹⁸

The tradition of taqlid gave the 'ulama another advantage over the Qajars. When a person who is not an expert in legal matters, is required by Shia Islam to follow the advice of an expert who is, a mujtahid⁹⁹ this process is called taqlid.¹⁰⁰ As mentioned before, advanced education gave them considerable advantage over most people. However, even with this education they did not have the skills to have changed totally, since they were unfamiliar with the ingredients that made up political life and did not help their understanding of problems from Western impact on the region.¹⁰¹

Who were the participating 'Ulama?

“One remarkable feature of this revolution here... is that the [‘ulama] have found themselves on the side of progress and freedom. This... is almost unexampled in the world’s history.”

—Edward G. Browne, *Persian Revolution*, 1909. ¹⁰²

A powerful group emerged in the 19th century that escaped class distinction. They were not part of civil service, military activity or commercial enterprises and received their education in a madrasa.¹⁰³ Much of what we know about the 'ulama during the Constitutional Revolution come from limited number of primary sources and those are often very difficult to access. Very few religious scholars actually wrote anything themselves. The higher-ranking 'ulama like ayatollahs¹⁰⁴ and mujtahids¹⁰⁵ had their own staff of students and assistants working under them and would transcribe for them. During the Tobacco Concessions of 1891–1892, chances are they had a student or assistant write the telegrams and another person send it.¹⁰⁶ By far, there exists no conclusive study on the background of the proconstitutionalist 'ulama.¹⁰⁷

Sayyid Muhammad Tabatabai

“Coming from the cry from the heart of the nation... Do not hold captive the needs of 30 million people for despotism of one person.”

—Tabatabai in a letter to Muzaffer al-Din Shah.¹⁰⁸

Sayyid Muhammad Tabatabai (1841–1914) came from a long line of religious scholars.¹⁰⁹ Out of all the

'ulama mentioned in this paper, he has produced the most writings and had by far, the most influence. He succeeded his father in office attaining the rank of a mujtahid and went to the shrine cities for his education. Without family connections and financial assistance it was extremely difficult to rise to the rank of a mujtahid during the Constitutional Revolution much the same today.¹¹⁰

His father, Sayyid Sadiq Tabatabai had ties with the secular nationalists, Mirza Malkum Khan and Shaikh Hadi Najmabadi. Sadiq Tabatabai was even part of Mirza Malkum Khan's Faramushkhana, or 'House of Oblivion,' a forward-thinking, secular and nationalist school of thinkers who held goals of completely modernizing Iran following a Western secular political model, in particular, European freemasonry. He was the only member of the 'ulama to join Malkum Khan's school.¹¹¹

Coming from a background of innovative thinking, Muhammad Tabatabai was truly a unique member of the 'ulama. He arrived in Tehran in 1894 with the intent to establish a national assembly and constitution after lengthy discussions with his students about it.¹¹² Records show that very little of his personal reasons came in the way of constitutionalist goals.¹¹³

According to first hand accounts of an aspiring seminary student, Muhammad Nazim al-Islam Kermani, he wished to learn more about European knowledge unlike other 'ulama that strongly rejected anything foreign, especially Western.¹¹⁴ Though he was not a politician but knew that constitutional government provided "security and prosperity" for the people, and knew very well that establishing a courthouse and a national assembly would curb the powers of the religious establishment.¹¹⁵

Shia scholars over the 8th and 9th centuries developed the idea that all governments are illegitimate and inherently corrupt unless the Imam of the Age ruled.¹¹⁶ Since this situation was not possible, Tabatabai turned to Western political thought for a solution in default of the ideal.¹¹⁷ He believed that education awakened one from ignorance, made one realize nationality, nationhood and what is required of citizens – everything Iran was in dire need of.¹¹⁸

He was eagerly working towards a broader goal of nationalism and constitutionalism. Tabatabai's vision combined Western political thought with Islamic ideals without seeing one in contradiction with the other. The former served to fulfill concrete goals such as restricting the monarch's power, elections, parliamentary system of governance, anjumans (political parties), and the rise of national consciousness interlinked with the nation's sovereignty.

The latter served ideological goals of social justice, reminder of the higher authority of God, the infallibility of the Imams, the transmitted knowledge of 'ulama but at the same time, imperfection of humankind. He believed that nationalism, as in the unifying of the Iranian nation as Iranians, could be achieved though studying the sciences, law, mathematics and foreign languages.

He regretted the fact that the 'ulama did not know these subjects because if they had, they would have understood "the real meaning of monarchy."¹¹⁹ Furthermore, he was much more progressive than his colleagues but this does not make him an all-out secularist. For example, he opposed the long-standing

Persian tradition of monarchies, promoted the people choosing their monarch, wanted the all people to be treated with justice and wanted Islamic law to work “side by side” with constitutional government.¹²⁰ His ally, on the other hand had different goals in mind.

Sayyid Abdullah Behbahani¹²¹

“The Clerical Party was led by... Sayyid ‘Abdu’llah [Behbahani] and Sayyid Muhammad Tabataba’i... [A] popular movement in which the Clergy played so prominent a part... could hardly fail to deprive them at least of their influence and power”

—Edward G. Browne, *Persian Revolution*, 1906.¹²¹

From a family of religious scholars established in Tehran, Sayyid ‘Abdullah Behbahani¹²² played an important role alongside Tabatabai in the movement from the start until the granting of the constitution.¹²³ He and Tabatabai were key players in taking sanctuary in Shah ‘Abdul Azim’s shrine and it was from this event that their alliance was formed.¹²⁴ A substantial number of merchants rallied around him to protest ceasing of custom reforms and increased taxation.¹²⁵

It was Behbahani’s links with the bazaar and cooperation with British officials that he often represented. Behbahani was more susceptible to bribery and conspiracy than other ‘ulama—he was known for receiving monetary gifts from British in return for his loyalty.¹²⁶ His relentless ambition for power overshadowed Tabatabai, and his sincerity to the cause was less visible than Tabatabai’s.¹²⁷

Upon granting of the constitution and Majlis, Tabatabai and Behbahani attended parliamentary sessions and were treated as though they were part of the assembly. One example is when Taqizadeh, the Azerbaijan deputy informed him of two sections to be added in the Constitution, administration of justice and the penal code, that were to be reviewed so that one is different from the other. He plainly refused to distinguish the two. The parliament were suppose to review the sections but Behbahani insisted that the ‘ulama examine them.

His argument was that the parliament had no right to restrict the shari’ah because it was not subject to limitations and the implementation of the shari’ah had to be carried out by the judiciary.¹²⁸ As this paper will later elaborate, not all ‘ulama held this view. Clearly, Behbahani stayed in the movement because of the power and prestige that it brought him.¹²⁹

Though he did not agree with the Majlis’s functions and saw himself more qualified as a mujtahid to assume a legitimatizing position. On the other hand, he was not in a position to oppose the Majlis given his investment in it and in return, how far the movement had advanced him.¹³⁰ To illustrate, he and Tabatabai attended parliamentary sessions and the deputies would wait for his signal to begin.

His politics led one unconventional member of the ‘ulama, Shaykh Fazlallah Nuri to the royalist camp.

According to Bayat, he had carried the past rivalry from the madrasa¹³¹ to the parliament and caused Iran much grief.¹³² Religious scholars from the outside dealt with different aspects of the movement.

‘Ulama from Ottoman Iraq

“The people applied to us asking for our intercession because they supposed that the [shari’ah] was to be obeyed and the word of its people ought to be listened to.”

—Iraqi Mujtahids to Haji ‘Ali Pasha, First Chamberlain of Sultan Abdul Hamid, 1908. 133

Very little attention has been given to individual ‘ulama, as we know, as is the case with the Iraqi ‘ulama. They were ethnically Persian, but were educated in the shrine cities of Najaf, Samarra and Kerbala in Iraq. During this time, Iraq was ruled by the Ottoman Empire under Sultan Abdul Hamid who had a Pan-Islamic aspiration that aligned according to denomination.¹³⁴ Unlike Tabatabai, Behbahani, Nuri and to a lesser extent Taqizadeh, the Iraqi ‘ulama had a more transnational outlook. Hairi and Litvak are the only historians to have shed light on how the Iraqi ‘ulama contributed to the Constitutional Revolution (1905–1911).

Hairi’s article focuses on ayatollahs¹³⁵ Tehrani and Khurasani and Shaykh Mazandarani though there were other lower-ranking ‘ulama, students and assistants that were part of this subgroup. The Tobacco Protest (1891–1892) began when a telegram from an Iraqi mujtahid was sent to Iran.¹³⁶ From then onwards, their opinions were the “word of command,” the main force behind the movement.¹³⁷

The leader of the First and Second Majlis, Taqizadeh said (Habl al-Matin, October 3, 1910), “The Shah wants to [continue] his tyrannical rule even at the price of granting [Azerbaijan] to Russia. The only solution to this problem is that the [Iraqi] ‘ulama, should move to Iran to oppose the Shah” (emphasis mine). Undoubtedly, their impact resonated with Iranians and the movement.

Through the 19th century, the Iraqi ‘ulama including their assistants, Shaykh Mallahati and Mirza Muhammad Husayn Naini did not see the Ottomans as their leaders.¹³⁸ Rather they rejected political legitimacy of any ruling class but this did not mean that they were unwilling to act as mediators between locals and the Ottomans. By the 20th century when political activism became more important in judging the status of the ‘ulama, and as Westerners pierced Iran, they set aside sectarian differences and their dismissive attitude towards the Ottoman sultan.¹³⁹

It is apparent that the higher goal of constitutionalism motivated them to set aside dissimilarities as seen in a letter to the Sultan, “We suppliants of high Government and beseechers of the Sultan’s compassion after fulfilling our duties of prayer and expressing the praises due by us.”¹⁴⁰ They describe how the Iranian people appealed to them to persuade the Mohammad Ali Shah to adhere to his promises and to stop “disturbances between the Government and the subjects which resulted in fear and dispersion.”¹⁴¹

The Constitutional Revolution in Iran started in 1905 and the constitutionalist revolution of 1908 in the

Ottoman Empire amplified Tehrani, Khurasani, Mazandarani, Na'ini and Mallahati politically. They contributed to the output of new ideas and were absorbed by its' influx, changing the way people traditionally did taqlid (followed advice of the 'ulama) according to location. According to Litvak, their key location in Iraq between Qajar Iran and Ottoman Turkey meant they confronted challenges that are more difficult than the 'ulama from Iran.¹⁴² Certainly, their motives for participating in the movement were sincere.

Madrassa-educated, Azerbaijani Leader of the First and Second Majlis: Taqizadeh

"Iran is alive, and I do not believe that she is destined to die. However hopeless the situation may seem..."

—Taqizadeh, after defeating Nuri's anticonstitutionalist protest outside the First Majlis.¹⁴³

Taqizadeh (1878–1970) was an influential politician under the reign of Mohammad Ali Shah, in the second phase of the Constitutional Revolution known as the Lesser Autocracy and is known as a modern Iranian nationalist.¹⁴⁴ His father was a member of the 'ulama, and following in his father's footsteps he initially took the same route and earned the rank of a mullah. He came from a different background than the other members of the 'ulama, having a mercantile and religious background.¹⁴⁵

He received his education from a religious seminary since in those days learned and scholarly people usually did but also was familiar with the other subjects such as religious and cultural calendars, German philosophy and the French language.¹⁴⁶ He grew up in Tabriz¹⁴⁷ where the heir to the Qajar throne lived. Incompetence of the Qajars along with a thriving Westernized intellectual community in the Azerbaijan province influenced him to join politics.¹⁴⁸

During the Constitutional Revolution, it was one of the few cities in Iran open to novel ideas since it was the gateway into Iran from the Caucasus. The most progressive, famous diplomats came this province providing intellectual fuel for the movement, and like Taqizadeh were known for their revolutionary spirit.¹⁴⁹ He believed that Iran needed to become European in order to progress, but later toned down this view.¹⁵⁰

He moved to Tehran where he proved to be a talented and powerful figure being elected twice as the Leader of the Majlis.¹⁵¹ The merchants of Tabriz who backed him were convinced that with his knowledge of constitutionalism and parliamentary form he could single-handedly take down the Qajar dynasty. Since the 'ulama were sympathetic to the people, he realized how important they were in making constitutionalism work in Iran.¹⁵² Nevertheless, being part of the 'ulama did not stop him from criticizing other members.¹⁵³ This was the case when Shaykh Fazlallah Nuri and anticonstitutionalists protested erecting of the parliament.

After they lost, Taqizadeh addressed the large crowd of people, “Fanaticism is dead in Persia. The reactionary mullas, with Shaykh Fazlu’llah at their head, raised the cry of ‘Babism,’ ‘Islam in danger,’ ‘Infidels,’ etc. etc., but their appeals to the popular fanaticism fell on deaf ears.”¹⁵⁴ Taqizadeh was not the only one to have discord with Nuri.

Shaykh Fazlallah Nuri

“[On the] topic of seditious ideas, and... duty of defending [faith] against them... in the time of the Prophet, the duty of regulating... affairs of the community (umur-i ‘amma) was in [the hands of one person].”

—Shaykh Fazlallah Nuri, 1893¹⁵⁵

Nuri was one member of the ‘ulama who had attained a high level of learning.¹⁵⁶ He started out proconstitutionalist but clashes with Behbahani led him to become the conservative royalist camp.¹⁵⁷ An inspired follower of Sayyid Jamal al-Din al-Afghani, his eccentric views earned him his fanatical reputation. Al-Afghani, a problematic figure, is known as one of the founders of Pan-Islamic movement.¹⁵⁸ Proposed by some to be one of the instigators of constitutionalism in Persia, he used the name of Islam as a mask to further his own agenda. ¹⁵⁹ Which Nuri also did. Quickly he started propagating his own ideas of religion, which can be alternatively called blasphemy. He gained a considerable number of followers including Mirza Muhammad Reza Kermani the assassin of Naser al-Din Shah, and Shaykh Fazlallah Nuri.¹⁶⁰

Nuri was on the side of the royalists because he saw himself superior to Tabatabai and Behbahani and maybe even jealous of them.¹⁶¹ He was an opportunist who twisted religion into a political game. He supported the monarchy and its’ absolutism equating it with the time of the Prophet when “affairs of the community” were in the “hands of one person.” And this method guarded and preserved religion and “the world of worshippers so that the roots of Islam may be protected in absence of the Imam.” ¹⁶² His schemes were a thin veneer of false devotion under agnosticism. His contemporaries accused him of lacking faith because his duplicity of character.¹⁶³ He had created such annoyance that the mild-mannered Tabatabai gave him an ultimatum to behave or he, and his supporters, would be kicked out of Tehran. On the other hand, Taqizadeh found him to be a dangerous traditionalist that used mudslinging to alienate constitutionalist ‘ulama-leaders.¹⁶⁴

Defining Categories: Democracy and Constitutionalism

The political ideology of constitutionalism during the early 1900s differs from that of democracy. If one defines, democracy as having a constitution that ensures universal suffrage, then, according to this definition not all constitutionalist ‘ulama believed in democracy. Tabatabai and Taqizadeh did but Behbahani and Nuri most likely joined to further their own prestige. The Iraqi ‘ulama aligned with the movement because they were a discriminated minority in rival empire. Iranian constitutionalists did

believe in justice, stability and security for their nation. However, democracy would have been a far too radical and unrealistic political agenda for turn-of-the-century Iran due to high levels of social stratification based on urban/rural divide, ethnicity, tribal affiliation, and gender.¹⁶⁵ The ‘ulama, whether they supported the Constitutional Revolution or not, were one group that varied in their views; and because they belonged to the same social class did not mean they all were uniform in their views.¹⁶⁶ The ‘ulama did not agree with government policy of favoring European nations and at the same time advocated political reform along European lines without being fully aware of what it entailed.

Conclusion: Implications of the Revolution

The Islamic economic institution of zakat, khums and general charity provided by merchants to the ‘ulama gave them a great degree of independence. As seen with Tabatabai, Behbahani and Taqizadeh. Their genuine empathy for the people and the spiritual patronage the ‘ulama provided them put them in a key position to be representatives of popular opinion. The Iraqi ‘ulama (Tehrani, Khurasani, Mazandarani, Naini, Mallahati) are good examples of this. The ‘ulama loathed absolutism and wanted to limit it via constitutionalism as seen in Naini and Mallahati’s writings. Islamic knowledge supported their views for or against constitutionalism.

The emergence of Iranian nationalism during the Constitutional Revolution (1905–1911) and the key involvement of the ‘ulama and especially Tabatabai’s ideas challenge Benedict Anderson’s story of nationalism as written in *Imagined Communities*.¹⁶⁷ Anderson illustrates how past communities identified themselves along religious/spiritual beliefs as embedded in what he calls “messianic” time, an abstraction from major events derived from Holy Scripture. On the other hand, secular time dealt with the present and had a clear-cut beginning, middle and end. Moreover, the switch to secular time that was influential in the rise of nationalism and the nation-state and explosion of print media testifies to this fact. Iranian nationalism during the Constitutional Revolution (1905–1911), incorporated both a religious (messianic) and a secular concept of time.

The Constitutional Revolution (1905–1911) did not break religion from politics and very little attention has been given to the implications of this aspect. This is significant because it was the first of its kind in the Muslim world: an indigenous, modern, religiously supported, political reform movement that changed subjects into citizens and demanded responsible and representative government was revolutionary for its’ time.¹⁶⁸ This idea eventually became a distinguishing feature of the Iranian concept of democracy—and became an example for the Middle East as we see today.¹⁶⁹ Political Islam, Westernization and economic improvement cannot fully explain why a society felt alienated from its’ government. In the same light, internal development of any nation cannot solely be measured by its’ GNP (gross national product), GDP (gross national product) and per capita income, productivity and consumption. Numbers cannot give voice to the social, moral and spiritual needs of a polity.¹⁷⁰

Furthermore, the inward dimensions of religion are tangible; it manifest themselves in concrete social,

political and historical ways. 171 Mainstream discourses operate on the assumption that Islam is in contrast with Western derivatives. Moreover, re-examining how and by whom, religion is defined, can reveal new perspectives that the American media have failed to provide – only reductionism. 172

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 2. Talal Asad. *Genealogies of Religion: Discipline and Reasons for Power in Christianity and Islam*. (London: John Hopkins University Press: 1993), 27; Ali Gheissari and Vali Nasr. *Democracy in Iran: History and the Quest for Liberty*. (New York: Oxford University Press: 2006), 10.
 3. Immanuel M. Wallerstein. "Eurocentrism and its Avatars: The Dilemmas of Social Science." (Articles by Immanuel M. Wallerstein) <http://www.binghamton.edu/fbc/iweuroc.html> [4] (Accessed March 24, 2006).
 4. Talal. *Genealogies of Religion*. (London: John Hopkins Univ. Press: 1993), 27.
 5. Hamid Algar, personal communication, 23 January 2007.
 6. What is often neglected are the Shia communities outside of Iran i.e. Afghanistan, Azerbaijan, Iraq, India, Indonesia, Pakistan, Philippines, Lebanon, Syria, among others are vibrant with their own local histories.
 7. Hamid Algar, personal communication, 20 April 2007.
 8. Aqa Mirza Sayyid Muhammad. Faiza & Behnaz Raufi (transl.). *Yadash-hai Muntasher—e—Nashda Inqilab o—Mashruti e—Iran*. (Unpublished Memories of Revolution of Constitution of Iran). (Tehran: Nashr' Abi Publishers: 1382 A.H./1962 C.E.), 21, 23, 25.
 9. 'Ulama should not be conflated with the term "priesthood" which connotes an entirely different history referring to the development of Christianity and implies sacredness of authority, a concept that is refuted by Islam. Therefore, the meaning of ulama are uniquely and entirely Islamic as well as the place they hold in Muslim societies, and do not have a direct synonyms in the English language or in Christian societies. Hamid Algar. *Religion and State in Iran 1785–1906: The Role of the 'Ulama in the Qajar Period*. (Los Angeles: University of California Press: 1969).
 10. Sayyid is an honorific title that signifies a person is descendent of Prophet Muhammad through his daughter, Fatima. For women an "–a" is added at the end, for example sayyida. Variant spellings include Sayyed, Sayid, Syed, Sayed, Seyed, etc.
 11. Mirza is an old title assumed by men of letters.
 12. Madrassas were seminaries where religious studies formed the bulk of the curriculum. Vanessa Martin. *Mysticism and Dissent: Socioreligious Thought in Qajar Iran*. (New York: Syracuse University Press: 1982); 24, 187, 190–92.
 13. Edward. *Persian*, 97.
 14. William L. Cleveland. *A History of the Modern Middle East*. (US: Westview Press: 2001), 115.
 15. Ibid.
 16. Hamid. *Religion and State in Iran*. (Los Angeles: Univ. of California Press: 1969), 262.
 17. Taj. Anna and Amin (transl.). *Crowning Anguish* (Washington DC: Mage Publishers: 1993), 70, 73.
 18. See Hamid Algar. *Mirza Malkum Khan: A Study in Iranian Modernism*. (University of California Press: 1973).
 19. These two categories do not encompass all views of the Constitutional Revolution.
 20. Nikkie R. Keddie. "Religion and Irreligion in Early Iranian Nationalism, *Comparative Studies in Society and History*, Vol. 4, No. 3. (1962) 274.

21. *Ibid.*, 183–84, 188.
22. Imam Ali Reza, or Rida' (765–818 CE) is the eighth Imam in the line of Twelve Imams. His mausoleum is in Mashhad, Iran and a site of pilgrimage for Twelver Shias. See Yousuf N. Lalljee. *Know Your Islam*. (New York: Tahrike Tarsile: 1993), 123.
23. Basti refers to people who took refuge in a sanctuary as a sign of protest. They would protect themselves from harm in a holy place on the assumption that government officials would respect such a place.
24. Edward. *Persian Revolution*. (Cambridge: Cambridge University: 1910), 111–12.
25. *Ibid.*, 122–23.
26. Located in Rayy is a historic city on the southern outskirts of Tehran. *Ibid.*; “The Causes of Constitutional Revolution in Iran.” *International Journal of Middle Eastern Studies* 10 (1979), 405.
27. Edward. *Persian*, 121.
28. Later he became the prime minister under Mohammad Ali Shah.
29. The Cossack Brigades were the Iranian mercenaries hired by the Qajars, trained by the Russians and led by Colonel Liakoff; Edward. *Persian Revolution*, 112–117.
30. Western is used as an umbrella term; Western means specifically the British, Russians and Belgians.
31. Iran was never actually colonized; the British, Russians and Belgians did infiltrate the Iranian economy and sought to overtake Iran piecemeal. They controlled certain territories—Russia in the north, Britain in the south until World War I—but as did Qajar princes, provincial governors, tribal chieftains, lutis (street gangs), landlords and the like.
32. Vanessa Martin. *The Qajar Pact: Bargaining, Protest and the State in 19th-Century Persia*. (London: I.B. Tauris: 2005), 18; Sayyid Muhammad. Faiza and Behnaz (transl.). “Unpublished Memories,” 21–23.
33. Reza M. Ghods. *Iran in the Twentieth Century*. (London: Adamantine Press: 1989), 35.
34. Sepher H. Joussefi “Seyyed Hasan Taqizadeh: A Political Biography in Context of Iranian Modernization.” Master’s Thesis. (Netherlands: Utrecht University: 1998), 29.
35. Ervand Abrahamian. *Iran Between Two Revolutions*. (New Jersey: Princeton University Press: 1982), 36–37; Ali and Vali. *Democracy in Iran*, xi.
36. Nikkie R. Keddie. *Qajar Iran and the Rise of Reza Khan 1796–1925*. (California: Mazda Publishers: 1999), 19; Ervand. *Ibid.*, 37–38.
37. Persian is the ethnicity of people from Iran.
38. Ervand. *Two Revolutions*. (New Jersey: Princeton Univ. Press: 1982), 39.
39. *Ibid.*
40. *Ibid.*, 41; Said Amir Arjomand. *The Turban for the Crown*. (New York: Oxford University Press: 1988), 36.
41. Said. *Turban for Crown*, 34. Leslie Peirce, personal communication, 25 October 2005.
42. *Ibid.*
43. *Ibid.*, 73; Nikkie. *Religion and Rebellion in Iran: The Tobacco Protest of 1891–1892*, (London: Frank Cass: 1966) 35.
44. Reza. *Twentieth Century*, 27; Edward. *Persian*, 24, 54; Nikki. *Religion and*, 69, 94, 96.
45. Hasan–i–Shirazi and Husayn Ashtiyani; Telegrams sent Feb. 2, 1892 and Feb. 5, 1892; Nikkie. *Religion and Rebellion*, 145–147.
46. Vanessa. *Islam and Modernism*, 35.
47. When a qualified jurist, mujtahid, exerts his intellectual faculties to find a solution in law. From *Oxford Encyclopedia*, under *Ijtihad*. Wael B. Hallaq and John L. Espito (ed.). (NY: Oxford Univ. Press: 1995), 179.
48. Bayat devotes much of her book *Iran’s First Revolution* to this aspect. Vanessa. *Islam and Modernism*, 36.
49. Taj. *Crowning Anguish*, 236.
50. The ‘ulama from Iran were educated at Qum and the ones from Iraq were educated in seminaries located in the shrine cities of Najaf, Samarra and Kerbala collectively called the Atabek.
51. Reza. *Twentieth Century*. (London: Adamantine Press: 1989), 16.
52. Abdallah Al–Sheikh; John L. Espito (ed.), *Oxford Encyclopedia of Islam*. Article under *Zakat*.
53. Hamid Algar, personal communication, 27 February 2007.
54. Awqaf were often schools, madrassas, cemeteries, mosques, and other public institutions.

55. Edward. *Persian Revolution*, 147.
56. Sayyid Muhammad. *Unpublished Memories*, 21.
57. *Ibid.*, 23, 25.
58. Shaykh Muhammad Nazim al-Islam Kermani. *Awakening of Iranians*, (Tehran: Ibn Sina: 1979), 245.
59. Nikkie R. Keddie. "The Iranian Power Structure and Social Change 1800–1969: An Overview." *International Journal of Middle Eastern Studies* 2 (1971), 5.
60. (Foreign Office Papers) F.O. 416/37, Najaf Mujtahids to Haji 'Ali Pasha. Constantinople, Sept. 16, 1908, no. 548 (548).
61. *Ibid.*
62. Sayyid Hasan Taqi-Zadah. *Tarikh-i Inqilab-i Iran*. (Tehran: Yaghma: 1961); Abdul-Hadi, "'Ulama Participate,'" 148.
63. *Ibid.*
64. Sepher. "Seyyed Hasan Taqizadeh." (Netherlands: Utrecht University: 1998), 33.
65. Emphasis mine, Edward. *Persian*, 167–68.
66. Sayyid Muhammad. *Unpublished Memories*, 21, 23, 25; F.O. 416/37, Najaf Mujtahids to Haji 'Ali Pasha; Islam Kazimiyyah, "Yaddashtha-yi Sayyid Muhammad Tabataba'i", (Memories of Sayyid Muhammad Tabataba'i). *Rahnama-yi Kitab XIV* (1971): 473.
67. Bayat. *First Revolution*, 147.
68. Ali and Vali, *Democracy in Iran*, 26–27.
69. Edward. *Persian*, 147.
70. *Ibid.*, 123; F.O. 416/37, Najaf Mujtahids to Haji 'Ali Pasha; Sayyid Muhammad. *Unpublished Memories*, 21, 23, 25; and Vanessa. *Mysticism and Dissent*. (New York: Syracuse University Press: 2005), 25.
71. Edward. *Persian*, 57.
72. Reza. *Twentieth Century*, 1–3.
73. Ali and Vali. *Democracy in Iran*, 32–33.
74. Nikkie. "Iranian Power Structure," 3–4.
75. *Ibid.*
76. Shaykh Muhammad Isma'il Garavi Mallahati. *The Night Tied*. (Bushahr, Iran: Muzaffari: 1909), 2–3; and Abdul-Hadi, "'Ulama Participate...'", 152–53.
77. Abdul-Hadi, "'Ulama Participate...'", 152–53
78. Jihad means struggle, there is jihad al-akbar and jihad al-asghar. Jihad al-akbar is the 'bigger jihad' that is often referred to the struggle against one's own lower self (i.e. arrogance, lust, power, etc.) which is an obligation upon all Muslims. But Jihad al-asghar, the 'lesser jihad,' deals usually with defensive holy war and only required for Muslim men.
79. Muhammad Mahallati. *Wujub al-Mashrutah*, 2–3.
80. *Ibid.*, 128.
81. To illustrate, a tree can symbolize din (religion) is the entire tree, both roots and branches together. The roots are *usul* and the branches are the *furoo'*. The fundamentals are belief in one, indivisible God, prophethood (and Prophet Muhammad as the last in the line of prophets), and the Day of Judgment, in Twelver Shias this includes Imamate, the spiritual heirs of and political successors to the Prophet. A Muslim is expected to first ponder and understand what the *usul-ud-din* are and after conviction expected to obey the *furoo'-ud-din* without doubts. From Sayyid Muhammad Rizvi. "Tendency of Rationalizing the Laws of the Shari'ah" (Al-Islam Ahlul Bayt Digital Islamic Library Project), <http://al-islam.org/short/shariah.html> [5] (accessed April 15, 2007).
82. *Ibid.*
83. Mangol Bayat. *Iran's First Revolution: Shi'ism and the Constitutional Revolution of 1905–1909*. (New York: Oxford University Press: 1991), 5.
84. *Ibid.*, 255.
85. Hamid Algar, personal communication, 20 April 2007.
86. Taj. *Crowning Anguish*, 188, 210–212.
87. Hamid. *Religion and State*, 259–260.
88. Nazim al-Islam. *Awakening*, 377; Vanessa. *Mysticism and Dissent*, 25.

89. Mangol, *First Revolution*, 159.
90. *Ibid.*
91. Vanessa. *Islam and Modernism*, 100.
92. Ali and Vali. *Democracy in Iran*, 28.
93. Vanessa. *Islam and Modernism*, 103–104
94. *Ibid.*
95. Tabatabai, *Unpublished Memories*, 21, 25.
96. Imam Mahdi, sometimes spelled Mehdi is the last in the line of the Twelve Imams. Jesus will also reappear during the Last Days, since Muslims believe that he was never crucified but that God saved him and he is currently in the state of spiritual occultation as well. See Abdulaziz Sachedina. “The Imamate of the Hidden Imam,” and “The Return of the Mahdi” from *Islamic Messianism*. (Albany: State University of New York Press: 1981), 109–149, 150–179.
97. Shaykh Muhammad Isma’il Garavi Mallahati. *Al-La’ali al-Marbutah fi Wujub al-Mashrutah*. (The Night Tied in Requirement of the Constitution) (Bushahr, Iran: Muzaffari: 1909), 2–3; and Vanessa. *Islam and Modernism*, 100.
98. Vanessa. *Islam and Modernism*, 100.
99. When a qualified jurist, mujtahid, exerts his intellectual faculties to find a solution in law. From *Oxford Encyclopedia*, under *Ijtihad*. Wael B. Hallaq and John L. Espito (ed.). (NY: Oxford Univ. Press: 1995), 179.
100. Hamid. *Religion and State*, 259–260.
101. *Ibid.*
102. Ervand. *Revolution*, 123.
103. *Ibid.*
104. The highest ranking of the ‘ulama; “Ayatollah: Derived from ayah and Allah, meaning sign of God, is an honorific title with hierarchical value... with reference to [Qur’an (41:53)]” *Oxford Encyclopedia*. Jean Calmard and John Espito (ed.) (Oxford: Oxford University Press: 1995), 162.
105. Refer Footnote
106. Hamid Algar, personal communication, 17 March 2007.
107. Vanessa. *Mysticism and Dissent*, 184.
108. Sayyid Muhammad *Unpublished Memories*. (Tehran: Nashr’ Abi Publishers, 1382 A.H./1962 C.E.), 21–23.
109. Full name, Sayyid Muhammad ibn Sadiq al-Husseini Muhammad Tabatabai often in Middle Eastern cultures, the name of the father becomes incorporated into the child’s name, signified by ibn meaning ‘the son of’. Here ibn Sadiq al-Husseini is Muhammad Tabatabai’s father’s name.
110. Reza. *Twentieth Century*. (London: Adamantine Press: 1989), 27; Edward. *Persian Revolution*, 24, 54; Nikki. *Religion and Rebellion*, 69, 94, 96.
111. Hamid. *Religion and State*, 57–58; Ervand. *Two Revolutions*, 6.
112. *Islam Kazimiyyah*, “Memories” *Rahnama-yi Kitab XIV* (1971): 473.
113. Vanessa. *Islam and Modernism*, 13.
114. *Islam Kazimiyyah*, “Memories” *Rahnama-yi Kitab XIV* (1971): 473.
115. National assembly and parliament are synonyms; Vanessa. *Islam and Modernism*, 13.
116. Hamid Algar, personal communication, 15 March 2007; Reza. *Twentieth Century*, 37; Muhammad Isma’il. *The Night Tied*. (Bushahr, Iran: Muzaffari: 1909), 2–3.
117. Vanessa. *Islam and Modernism*, 30.
118. Nazim al-Islam. *Awakening*, 245.
119. *Ibid.*, 377.
120. *Ibid.*; Muhammad Nazim al-Islam Kermani. *Tarikh-i Bidari-yi Irani-yān*, (The Awakening of the Iranians) 2 vols. (Tehran: Ibn Sina: 1967), 1:100–16.
121. Edward. *Persian Revolution*, 147.
122. I was not able to find the dates of his death.
123. Mangol. *First Revolution*, 6.
124. *Ibid.*, 147; Vanessa. *Islam and Modernism*, 13, 70.

125. Vanessa. *Islam and Modernism*, 64.
126. Reza. *Twentieth Century*, 42–43.
127. *Ibid.*; Nazim al-Islam. *Awakening*, 1: 100–16.
128. By “judiciary” he is referring to the ‘ulama who were also skilled Islamic jurists. *Mangol. First Revolution*, 219.
129. *Mangol. First Revolution*, 147.
130. Abdul-Hadi. “‘Ulama Participate...?’” *Die Welt des Islams XVII*, (1976): # 1–4; Vanessa. *Islam and Modernism*, 111.
131. Madrasa is a religious school.
132. *Mangol. First Revolution*, 147.
133. F.O. 416/37, Najaf Mujtahids to Haji ‘Ali Pasha.
134. Meir Litvak. *Shi‘i scholars of Nineteenth-century Iraq: The ‘ulama of Najaf and Karbala’*. (Cambridge: University Press: 1998), 185.
135. The highest ranking of the ‘ulama; “Ayatollah: Derived from ayah and Allah, meaning sign of God, is an honorific title with hierarchical value... with reference to [Qur’an (41:53)]” *Oxford Encyclopedia*. Jean Calmard and John Espito (ed.) (Oxford: Oxford University Press: 1995), 162.
136. Hasan and Husayn, *Telegrams sent Feb. 2, 1892 and Feb. 5, 1892*; Nikkie. *Religion and Rebellion*, 145–147.
137. Edward. *Persian*, 51.
138. Mallahati (*The Night Tied in Requirement of the Constitution*) and Naini, (*The Awakening of the Iranians*) left behind first-hand accounts of the ‘ulama before and during the Constitutional Revolution (1905–1911).
139. *Ibid.*, 183, 185.
140. Emphasis mine, F.O. 416/37, Najaf Mujtahids to Haji ‘Ali Pasha.
141. *Ibid.*
142. *Ibid.*, 188.
143. Edward. *Persian*, 168.
144. Nikki R. Keddie, *Modern Iran: Roots and Results of Revolution*, (Yale University Press, New Haven, 2003), 181.
145. Reza. *Twentieth Century*, 35.
146. *Ibid.*, 5; Seyyed Hasan Taqizadeh, “Some Chronological Data Relating to the Sasanian Period”, Vol. 9, No. 1 (1937), “An Ancient Persian Practice Preserved by a Non-Iranian People” Vol. 9, No. 3 (1938), “Various Eras and Calendars used in the Countries of Islam” in *Bulletin of School of Oriental Studies, University of London*, Vol. 10, No. 1 (1939); and Seyyed, Iraj Afshar (ed.). *Nameh-haye Landan (The London Letters)*, letter no.9, 53–66.
147. A northwestern Iranian city in the province of Azerbaijan, south of Armenia and Russia that was important commercially and politically.
148. Sepher. “Seyyed Hasan Taqizadeh,” 11.
149. *Ibid.*, 29–30.
150. Nikki. *Modern Iran*. (Yale University Press, New Haven, 2003), 181.
151. Sepher. “Seyyed Hasan Taqizadeh,” 30.
152. Sayyid Hasan Taqi-Zadah. *Tarikh-i Inqilab-i Iran (History of the Revolution in Iran)*. (Tehran: Yaghma: 1961), 10; Hairi, “‘Ulama Participate,” 148.
153. *Ibid.*
154. Babism was a proto-form of Baha’ism. Hamid Algar, personal communication, 30 January 2007. Emphasis mine, Edward. *Persian*, 168.
155. Shaikh Fazlallah, *S’ual va Javab*. (Bombay, India: Publisher Unknown, 1893).
156. Edward. *Persian*, 242.
157. *Mangol. First Revolution*, 147.
158. The Pan-Islamic belief was popular during the 20th century, it sought to unify all Muslims under one territory (Qajar Iran and Ottoman Turkey) and one denomination (Muslim, not Shia or Sunni).
159. He visited European countries addressing his ideas of a Pan Islamic identity to crowds of people who rejected him repeatedly, eventually Sultan Abdul Hamid in Ottoman Turkey received him, impressed, he raised him to a high position of Shaykh al-Islam. Shaykh al-Islam was the highest office of ministry of religious affairs in the Ottoman Empire.

160. Afghani's promotion of conspiracy theories led to his exile from Asia Minor. He left for India, promoting anticolonial nationalist rhetoric (i.e. against materialism, colonialism, absolutist monarchy, etc.), and identified with other contemporary movements such as the 'Urabi Movement in Egypt (1882 onwards) and the Young Turks of Ottoman Turkey (1876–1900s). Ibid., 1–2, 6–11; and Abdul-Hadi. "Why did the 'Ulama Participate in the Persian Constitutional Revolution of 1905–1909?*" Die Welt des Islams XVII, 133.
161. Edward. Persian, 242.
162. Shaikh Fazlallah, S'ual va Javab. (Bombay, India: Publisher Unknown, 1893).
163. Vanessa. Mysticism and Dissent, 143–44. He was willing to receive money by selling off a vaqf (charitable institution), Hamid. Religion and State, 244–45.
164. Edward. Persian, 168
165. More information about feminism and minorities in 20th century Iran, see Janet Afary. Iranian Constitutional Revolution: Grassroots Democracy, Social Democracy and Feminism (Columbia University Press: 1996).
166. Shaikh Fazlallah, S'ual va Javab. (Bombay, India: Publisher Unknown, 1893); Sayyid Muhammad Unpublished Memories, 21–23. Abdul-Hadi. "Ulama Participate...", 127; Vanessa. Islam and Modernism, 64
167. Benedict Anderson. Imagined Communities: Reflections on the Origin and Spread of Nationalism, Revised Edition. (New York: Verso: 2006).
168. Ibid., 20.
169. Ali and Vali. Democracy in Iran, 30.
170. Nikkie. "Iranian Power Structure," 19–20; Tariq Ramadan. Said Amghar (transl.). "Islam, the West and the Challenges of Modernity." (Baltimore: The Islamic Foundation), 56.
171. Talal Asad. Genealogies of Religion: Discipline and Reasons for Power in Christianity and Islam. (London: John Hopkins University Press: 1993), 27; Ali Gheissari and Vali Nasr. Democracy in Iran: History and the Quest for Liberty. (New York: Oxford University Press: 2006), 10.
172. Ibid.

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