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The Committee of Union and Progress and the Iraqi Shiites

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ABSTRACT

This article analyses the relationship between the Committee of Union and Progress (CUP) and the Shiite subjects of Ottoman Iraq in the late nineteenth and early twentieth centuries. Drawing on a wide range of archival sources, it examines the various contexts in which the CUP attempted to integrate Iraq's Shiite population into the state apparatus – for example, by authorizing and supporting the establishment of modern Shiite schools or by employing Shiite scholars at the Ottoman courts. The Shiites themselves navigated administrative contexts, regularly petitioning the Ottoman authorities to fight for their rights under the recently restored constitution of 1908, thus exercising agency as Shiite subjects of the empire. In dealing with Iraq's Shiite population, the CUP government in Istanbul had to negotiate continuity and change in its policies towards them from earlier practices under the rule of Abdulhamid II (r. 1876–1909). New policies and administrative practices towards Iraq's Shiite population also had to be negotiated with local political intermediaries – creating a complex political constellation in which the equally complex relationship between the CUP and the Iraqi Shiites would unfold.

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Introduction

The revolutionary Committee of Union and Progress (CUP) succeeded in opposing the long rule of Sultan Abdulhamid II (r. 1876–1909). In 1908, they dethroned the sultan and reinstated the Constitution, which had first been introduced in 1876 and suspended by the sultan himself just two years later. In Iraq, as in many other provinces, in the aftermath of the Constitutional Revolution, also known as the Young Turk Revolution, new laws enacted by the new government brought freedom of publication, freedom to form political associations and greater opportunities for education.[1] Various ethnic and sectarian groups were quick to form associations,[2] which were typically not welcomed by local governments, whose warnings to the central administration in Istanbul were to no avail.

The CUP was keen to extend these freedoms and instructed the local authorities not to interfere in the establishment of such associations, since this freedom was guaranteed by the Constitution.[3] Similarly, in the shrine cities of Iraq, such as Karbala, Najaf and

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[1]Nakash, *Shi'is*, 50–5.
[2]Tripp, *History of Iraq*, 22.
[3]Hut, 'II. Meşrutiyet'in İlanı', 116–7.

Kazimiya, there was a proliferation of newspapers, magazines and books, and the inhabitants of these cities could now read journals from Iran, Egypt, India and other provinces of the empire. Yitzhak Nakash notes: 'It was estimated in 1911 that fifty to one hundred newspapers and journals arrived in Najaf every week and were distributed to various libraries in Iraq.'[4] A new public space was emerging and one of its immediate results was a growing awareness of regional and international political affairs. Shiite clerics (*mujtahid*s) and ordinary people from various ethnic and sectarian backgrounds became increasingly involved in wider social and political issues.

Overall, the Constitutional Revolution of 1908 in the Ottoman Empire was received as a glimmer of hope by the peoples of Ottoman Iraq, as well as in the other provinces of the empire. Although the first few weeks of the CUP's takeover in Baghdad were turbulent, partly because of conflicts within the committee itself, the situation was later settled[5] and, by August 1908, the CUP had taken over local government in Baghdad.[6]

This article analyses the relationship between the CUP and the Shiite population in Iraq. Using a wide range of sources, it sets out the CUP's perceptions and policies towards Iraq's Shiite population and uncovers the voices of the Iraqi Shiites themselves, especially when they petitioned the government. Iraqi Shiites demonstrated their awareness of their own constitutional rights by explicitly referring to the Constitution when they made their demands. It is in this context that the article further analyses the continuities and changes brought about by the restoration of the Ottoman Constitution in 1908 and how this affected the relationship between the CUP government and the Iraqi Shiites.

The CUP government, the 1908 Constitution, and the Iraqi Shiites

The constitutional revolutions in Iran and the Ottoman Empire increased the involvement of Shiite *mujtahid*s in government affairs and strengthened their positions as leaders of their communities and opposition movements. Freedom of publication enabled them to reach a much wider audience than before.[7] In a new, increasingly interconnected public space and with the use of the printing press, some Shiite scholars took the opportunity to openly discuss the ideas of modernist Islamist thinkers inside and outside the *madrasa*s.

The restoration of the Constitution in the Ottoman Empire in 1908 also spread optimism to the Iranian government. In December 1908, the Ottoman central government received a letter from the Iranian consulate in Istanbul expressing its satisfaction with

[4]Nakash, *Shi'is*, 53. Yitzhak Nakash notes that 'among the magazines that circulated were *al-Manar*, *al-Muqattam*, *al-Muqtataf*, *al-Hilal*, *al-Muqtabas*, and *al-Habl al-Matin*, *Al-ʿIlm*, as the first Shii Arabic magazine to be published in Iraq, received the blessing of the important *mujtahid* Shaykh al-Shariʿa Isfahani'. According to Davut Hut, although many of them were short-lived, 69 newspapers and 17 journals were published between 1908 and 1914 in the three Iraqi provinces of Baghdad, Basra and Mosul. Hut, 'II. Meşrutiyet'in İlanı', 133.

[5]BNA (British National Archives), FO (Foreign Office) 195/2275, No: 848/93, Baghdad (14 September 1908).

[6]BNA, FO 195/2275, No: 796/87, Baghdad (31 August 1908).

[7]To give an example, Davudzade Haj Suleiman Efendi, a tradesman in Baghdad, applied to the Ottoman local government to open a printing house. He was 42 years old, had no criminal record, and knew the legal requirements. To receive the authorization to open his printing house, Suleiman Efendi submitted the bond and the bill (*beyannāme ve taʿahhüd senedi*) and gave assurances that he would abide by the laws regulating the press. In his letter, he was promising what was required and expected for founding a publishing house and wrote, 'this bond acknowledges and undertakes that in the "Jaʿfariyya Publishing House" I will not publish books, pamphlets, etc. adverse to the state and society or to morals and ethics as well as things forbidden by law.' BOA, DH.MKT 2909/98, 8.Ş.1327 (25 August 1909).

recent developments. In the letter, the Iranian government offered its cooperation in permanently overcoming the antagonism between Shiite and Sunni Muslims, thus uniting the two Muslim countries (*her iki memleket-i İslāmiyye*) in brotherhood. The Iranian government promised more than a mere exchange of goodwill and suggested that the Ottomans should send a government official to Tehran and another to Najaf in order to negotiate the terms of cooperation with the Iranian *ʿulamāʾ*. In response, the Ottoman government agreed on the need to resolve age-old disputes and establish peace and unity among Muslims. However, although the Iranian efforts were appreciated, the CUP government was reluctant to take further steps, preferring to 'wait and see' whether the Iranian government would continue with this policy.[8]

In fact, the constitutional revolutions in Iran (1907) and the Ottoman Empire (1908) divided Shiite *mujtahid*s into two groups. Particularly in the shrine cities of Iraq, religious circles were divided into pro- and anti-constitutionalists. The faction of *mujtahid*s who supported the constitutional regime was called *al-mashrūṭa* (the constitutionalists) and those who rejected it were called *al-mustabidda* (the anti-constitutionalists defending monarchical autocracies).[9] British government officials believed that CUP officials were encouraging Iranian *mujtahid*s in Iraq to take an aggressive stance to prevent a Russian advance into Iran by sending telegrams to the Ottoman sultan and the Iranian shah.[10] There was also cooperation between Iranian constitutionalists and the Young Turks, who supported the revolutionaries in Iran.[11]

Many of the Shiite *ʿulamāʾ* who supported the Constitution in Iran were also supportive of the Ottoman constitutional movement.[12] Some Shiite *mujtahid*s, especially younger ones such as Muhammad Rida al-Shabibi, who was a regular member of the CUP and Ali al-Mazanderani, who was a keen supporter of the idea of Islamic unity (*ittiḥād-i islām*) during the CUP period, supported the constitutionalist movements in both countries.[13] The major motive for the involvement of Shiite *mujtahid*s in political affairs was twofold: a shared concern for the future of the Muslim community in the wake of expanding Western imperialism, and for progress through a modern conception of the state.

Husayn al-Naʾini, a prominent *mujtahid* from Najaf and a Shiite jurist who supported the Iranian constitution, published *Tanbīh al-umma wa-tanzīh al-milla* (The Awakening of the Islamic Nation and the Purification of the Islamic Faith) around 1909. Al-Naʾini's book addressed the Shiite *mujtahid*s and provided a political perspective on designing a prospective Islamic government. He delineated the conditions of 'resistance to a ruler and their own representation in state affairs without impairing the Sharia'.[14]

In the same year, another prominent Shiite *mujtahid*, Muhammad Husayn Kashif al-Ghita, published *Al-dīn wa-al-Islām aw al-daʿwā al-Islāmiyya* (Religion and Islam or the Islamic Call). Kashif al-Ghita drew attention to the European threat to Islam

[8]BOA, MV. 123/39, 24.Z.1326 (17 January 1909).
[9]Abidor, 'Amili Perspectives', 120.
[10]BNA, FO 195/2309, No: 748/82, Baghdad (12 July 1909).
[11]BNA, FO 195/2308, No: 191/15, Baghdad (22 February 1909). In particular, Hamdi Bey and Süreyya Bey, two representatives of the Young Turks, visited Baghdad. Hamdi Bey was in close contact with the president of the Persian Liberal Committee, which was formed in Najaf and received the open sympathy of Süreyya Bey.
[12]Ende, 'Iraq in World War I', 65–8.
[13]Hut, 'II. Meşrutiyet'in İlanı', 133–4.
[14]Nakash, *Shi'is*, 50–1.

and promoted the idea of purifying religion from superstition to bring about an Islamic renewal. He called on all Muslims to protect their countries, nations and the entire Muslim community.[15] Like Na'ini and al-Ghita, al-Mazanderani and al-Khorasani supported constitutional regimes that aimed to protect religion and the supremacy of Islamic law.

However, the Shiite *mujtahid*s were quite divided among themselves about their position on the Constitution. Powerful *mujtahid*s such as Muhammad Kazim al-Yazdi were not only on bad terms with the Ottoman government, but also opposed the pro-constitutionalist Iranian *mujtahid*s. Following the CUP takeover in 1908, the CUP threatened al-Yazdi with banishment. It was not only the CUP leaders who were worried about the anti-constitutionalist *mujtahid*s. Sheikh Husayn, a radical pro-constitutionalist and director of the *Najaf* newspaper, wrote a letter to someone in his circle in Bushehr, Iran, saying that the establishment of the constitutional regime in Iran might be possible by eliminating some *mujtahid*s at the hands of a few faithful believers (*fedā'ī*). However, this letter was seized, photographed and sent to Kazim al-Khorasani, who appealed to the local Ottoman government in Najaf, upon which Sheikh Husayn was taken into custody by the Ottoman authorities.[16] Yet, this does not necessarily mean that all *mujtahid*s shared the ideal of 'modern' government.[17]

Not everything went well in the following years in Iraq. In contrast to the positive developments, the centralizing and Turkifying tendencies of the CUP government in the years that ensued fostered Arab nationalist sentiments. Non-Turkish populations became discontented due to the imposition of a uniform administration, which led to rebellions in the provinces.[18] Demands for provincial autonomy were rejected but decentralist tendencies were increasingly articulated, for example in Basra, where the constitutional regime failed to bring order and security.[19] On the contrary, the situation deteriorated. Prominent Iraqis, tribal leaders and sheikhs did not welcome the CUP's rule. Their privileges, acquired during the reign of Abdulhamid II, were in danger. These groups would form the local opposition to the CUP,[20] which pursued a policy of Turkification that undermined Arab sentiment in Iraq.[21]

A new political party, the Liberal Unionist Party (*Ḥürriyet ve İ'tilāf Fırḳası*), was formed in opposition to the CUP. It had a multi-ethnic origin, bringing together people from religious and landed backgrounds, and opposed the CUP by promoting a more decentralized government and rights for ethnic minorities. Further attempts at centralization by the CUP gave further impetus to the opposition and new organizations emerged in Baghdad to act as a forum for political debate and as opposition hubs: the National Scientific Club and the Baghdad branch of *al-'Ahd* (Covenant). The former was founded in 1912 by young intellectuals, some of whom had studied in the imperial

[15]Ibid., 54.
[16]BOA, DH.MUİ 129/31, 11.N.1328 (16 September 1910).
[17]*Mujtahid*s were also part of a complex patronage system, which was needed to maintain educational activities, and there had always been close ties between financiers and *mujtahid*s. In Iran, pro-constitutionalist *mujtahid*s worked in collaboration with their financiers, the bazaar owners, and securing their own economic interests was a major issue. Litvak, 'Finances of the 'Ulamā'', 61–6; Nakash, *Shi'is*, 51.
[18]Somel, *Modernization of Public Education*, 277.
[19]Tripp, *History of Iraq*, 24.
[20]Hut, 'II. Meşrutiyet'in İlanı', 123–36.
[21]Fattah and Caso, *Brief History of Iraq*, 156.

capital Istanbul. This association aimed, among other things, to promote Arab culture and literature and brought together Sunni and Shiite intellectuals.[22]

Shiite schools and the CUP government

Education and religious propaganda had long been the two main tools used by both Sunnis and Shiites to shape the population in Iraq, and they were used in tandem to influence the people.[23] At the end of the nineteenth century, there was only one Shiite school in Baghdad, run by a Shiite theologian, Sheikh Shukur. The Ottoman government did not recognize the school, and its students were not exempted from conscription. However, thanks to Sheikh Shukur's connections with the local Sunni *ʿulamāʾ*, the students were able to avoid military service by being officially registered as students of a Sunni *madrasa*. Between 1909 and 1913, Sheikh Shukur's Shiite school received 250 francs a year from the French government.[24]

After the establishment of the constitutional regime in 1908, new public schools for boys were opened in Baghdad, Kazimiyya, Najaf and Hilla. In Najaf, two schools, *al-Madrasa al-ʿAlawiyya* and *al-Madrasa al-Murtadawiyya*, were opened, supported by the *fatwā*s of the aforementioned Kazim al-Khorasani. The schools were to some extent a departure from the classical *madrasa* curriculum and, as a distinctive feature, French and English were taught in addition to mathematics.[25]

Formerly, a similar initiative to open a modern Shiite school in Baghdad had come jointly from Ali Bazirgan, an educated Sunni, and Jaʿfar Abu Timman, a wealthy Shiite merchant from Baghdad. The Shiite *mujtahid*, Muhammad Said al-Habbubi, who believed in the need for modern education, issued the *fatwā* authorizing its opening, which took place in December 1908, only months after the declaration of the Constitution, and in perfect harmony with the spirit of the new era. The school was named, though with some difficulty, *Mekteb-i Terakkī-i Cāferī-i Osmānī* (School of Ottoman-Jafari Progress).[26] Arabic, French, Persian, Turkish and mathematics were taught. In its first year, 176 students were enrolled and the number later rose to more than 300, including Shiite and Sunni Muslims as well as Christians. Funding came from Shiite merchants in Kazimiyya and Baghdad. A major expectation was that the school would educate and train Shiite boys to later serve in the bureaucracy.[27]

According to official sources, the school was based on non-sectarian principles. Courses in the curriculum were considered appropriate by officials, except for the course on doctrine (*ʿaqāʾid*), which was based on Twelver Shiism. Local government officials in Baghdad, under the lingering influence of the Hamidian era, were reluctant to recognize the school officially, claiming that it contradicted the policy to prevent the spread of Shiism. The local government recommended Sunni participation in the

[22]Tripp, *History of Iraq*, 26–7.
[23]Fortna, *Imperial Classroom*, 62–6.
[24]Herzog, *Osmanische Herrschaft*, 561–4. Other schools, that received funding from the French government were as follows: two Carmelite boys' schools in Baghdad and Basra, two Dominicans girls' schools in Baghdad and Basra, one Syrian-Catholic boys' school in Baghdad, one Chaldean boys' school in Baghdad, and one Armenian-Gregorian boys' school in Baghdad. Shaykh Shukur's school was called a reform school and offered French classes.
[25]Nakash, *Shiʿis*, 52–3.
[26]*Mekteb-i Teraqqī-yi Caʿferī-yi ʿOs̲mānī* is the Ottoman version.
[27]Nakash, *Shiʿis*, 52–3; Herzog, *Osmanische Herrschaft*, 564.

initiative and suggested that the name of the school be changed from *Mekteb-i Terakkī-i Cāferī-i Osmānī* to *Mekteb-i Osmānī* (Ottoman School), thereby eliminating the term *jaʿferī*, which refers to the Twelver-Shiite school of law. The local government's recommendation was rejected by the school's founders, apparently out of deference to the *mujtahid*s. The official excuse for the local government's opposition to licensing the school was that its director did not have a diploma because he was not a graduate of a school and only had a certificate (*icâzetnâme*) from the *jaʿfarī madhhab* (the Jafari sect). As a result, the school was not able to obtain a licence from the Ministry of Education.[28]

However, this fear represented a policy practice inherited from the Hamidian era. In a departure from this educational practice, Ottoman officials under the CUP did not always oppose Shiite schools and there is evidence that some Shiite schools were even supported by the state: In April 1914, when the local government in Baghdad requested financial support for the *İttiḥād ve Teraḳḳī Mektebi* (School of Unity and Progress), the governor (*vālī*) added the name of a *Jaʿfarī* school and requested a fixed monthly subsidy from the annual budget for both schools.[29]

Further evidence of Ottoman interest in the establishment of Shiite schools has been published by Christoph Herzog: he reports a conversation between the Ottoman *vālī* of Baghdad and Ali Bazirgan, the educated Sunni who was one of the initiators of the Shiite school. The *vālī* asked him why he wanted to open a Shiite school when there were state schools in Baghdad. Bazirgan told the *vālī* that *Jaʿfarī* (i.e. Shiite) students did not attend government schools, as the Ottoman officials knew. Bazirgan believed that, if the school taught Turkish along with other languages, it would eventually contribute to the integration of Shiites into the state system.[30] He thus identified the main problem of Ottoman state schools in Iraq. In 1912, the provincial governors of Baghdad and Basra claimed that the overwhelming majority of the population was Shiite and families were unwilling to send their children to the state schools because they provided an education with courses on the Sunni interpretation of Islam. In search of a middle ground, the local governors of the CUP era suggested that a catechism acceptable to Shiites should be added to the curriculum.[31]

Local government demands continued along the same lines in the following years. The difficulties faced by the Iranian government in early 1914 had drawn some Shiite families living in the border areas to the Ottoman side and these families were also reluctant to send their children to the Sunni Ottoman schools. The *vālī* of Baghdad offered to amend the relevant articles of the Law of Public Education (*Maʿārif-i Umūmiyye Niẓāmnāmesi*) concerning the appointment of primary and secondary school teachers.

It seems that, for a few years, the *vālī* allowed the appointment of Shiite teachers. It was believed that this policy helped to increase the number of students attending the public primary and secondary schools in Najaf, which were in a desperate situation and had previously been attended only by the children of state officials. The *vālī* noted that there were private Shiite schools in Baghdad that were called Jafarī School (*Cāferī Mektebi*) and in Najaf, called after the *ʿAlawiyya* and *Murtadawiyya* factions, that offered various courses, including a number of foreign languages. The *vālī* warned that, if the necessary measures

[28]BOA, MF.MKT 1103/69, 7.S.1327 (28 February 1909).
[29]BOA, DH.İD 190/33, 27.Ca.1332 (24 April 1914).
[30]Herzog, *Osmanische Herrschaft*, 564
[31]Ibid.

were not taken immediately, the number of private Shiite schools able to employ the graduates of these private schools would increase and eventually influence government policy. The appointment of Shiite teachers to the Ottoman schools in Baghdad, however, would not only prevent this, but would also, it was argued, contribute to Muslim unity.[32]

Thus, under the CUP administration, Iraq's Shiite population could and did find opportunities to establish schools, especially in the early years – but not without the government's vigilant eye on the possible consequences of the Shiite schooling initiative in the immediate aftermath of the transition to the constitutional era. This vigilance was inherited from the Hamidian era, which witnessed a systematic policy of preventing the spread of Shiism. Nevertheless, it appears that the CUP administration gradually moved away from the old policy by supporting Shiite education in order to integrate Iraqi Shiites into the broader population. How this process unfolded in other, related contexts is the subject of the following pages.

Education and the persistence of the bureaucratic repertoire

Educational policy was a political necessity for spreading the Turkish language among non-Turkish populations and the Sunni interpretation of Islam among non-Sunni Muslim populations in the late Ottoman Empire. When the political interests of the empire were at stake, especially concerning Christian missionary activities among non-Muslim and non-Sunni Muslim populations, the state hastily took measures to prevent possible conversions and thus a possible loss of loyalty to the state.[33]

Prior to the rule of the CUP, the Ottoman government made use of two interrelated instruments to secure the loyalty of its Shiite subjects: first, sending Sunni *ʿulamāʾ* into the cities and tribes, and second, expanding public education and opening state schools. Itinerant *ʿulamāʾ* and mobile schools were also seen as crucial tools for penetrating Iraq's tribal structures[34] and, in addition, the Ottoman government supported the dervish lodges that existed and operated in Najaf and Karbala, which belonged to the Sunni Nakshibendi order.[35]

Under the CUP government, local administrations, maintaining the old bureaucratic attitude, kept submitting requests for funding for the dervish lodges. In August 1912, for example, the Baghdad provincial government wrote to the Ministry of the Interior about the need to support Sheyh Muhammad Hamid Ömeri and Sayyid Monla Hasan Efendi, both of whom lived in a village on the Ottoman-Iranian border. Sheyh Hamid Ömeri was the head of the dervish lodge in the village, while Hasan Efendi was a teacher, probably at the adjacent *madrasa*. The official correspondence notes the usefulness of the dervish lodge and the *madrasa* in countering the spread of Shiism, and also demonstrates the political-cum-religious importance of maintaining these two institutions. Although not entirely clear, the document gives the impression that the demand came from Sheyh Hamid Ömeri and Molla Hasan Efendi themselves. The payment was in the form of a salary, not a lump sum. However, the Ministry of Endowments (*Evḳāf Neẓāreti*) declared

[32]BOA, DH.İD 190/28, 2.Ca.1332 (28 March 1914).
[33]Somel, *Modernization of Public Education*, 274.
[34]Deringil, 'Struggle against Shi'ism'.
[35]BOA, MF.MKT 1050/7, 24.Ra.1326 (25 April 1908).

that it was unable to finance these two individuals but gave them a special allowance from the budget of the Office of the Şeyhülislâm (*Meşîhat*).[36]

In fact, as early as 1907, Ottoman officials in Istanbul had admitted that sending Sunni *ʿulamāʾ* to the region was not effective. Instead, they argued, financial support and political emphasis should have been given to public education that would 'enlighten' and 'protect' people from superstitious beliefs such as Shiism.[37] Therefore, on 18 September 1909, the CUP government cut funding for sending *ʿulamāʾ* to Iraq to spread the Sunni creed. The funds earmarked for this purpose were transferred to the local government *madrasa*s in Iraq so that they could expand science and education (*ʿulūm ve maʿārif*) and strengthen the Sunni creed. The decision was taken by the Council of Ministers (*Meclis-i Vükelā*) and sent to the Office of the Şeyhülislām and the provinces of Baghdad and Basra.

Following this decision, the *vālī* of Baghdad informed the Ministry of the Interior in November 1909 that there were capable *ʿulamāʾ* and scholars in Samarra who were fulfilling their responsibilities, educating nearly a hundred students and providing a counterbalance to the Shiite *ʿulamāʾ*. Therefore, the *vālī* proposed that the payments should continue in Samarra and also to the other *ʿulamāʾ* and scholars who were currently teaching students. Meanwhile, two scholars at the *madrasa* in Samarra sent a petition from Baghdad soliciting the reinstatement of their salaries, emphasizing that they were different from the itinerant *ʿulamāʾ* and that in fact they were teaching regularly in a *madrasa.* The local government supported their cause, reminding the central government of the risk that cutting salaries would lead to the closure of these *madrasa*s and the dispersal of students educated in line with Sunni morals and beliefs, leading to the further spread of Shiism. The Baghdad provincial council claimed that this policy was necessary because it was compatible with the social and religious structure of Iraq, and that although these scholars were not doing a perfect job, they were serving a useful purpose.[38]

It seems that the CUP government did not want to continue the policies of the previous period. The itinerant Sunni *ʿulamāʾ*, financed and motivated by the state, were not successful and were not helping to spread the Sunni creed, which concomitantly meant the spead of the state's political authority, so the government decided to change the old policy from an interpersonal to a formal basis, with the aim of gradually dismantling the institutionalized traditional-patrimonial modus operandi that had been the dominant paradigm of the Hamidian period. Sultan Abdulhamid II had a similar faith in institutions and his reign was marked by a proliferation of bureaucracy and schooling initiatives. However, the nature of the authority he established required close interpersonal ties within an institutionalized framework.[39]

[36]BOA, DH.İA 33/39, 29.Ş.1330 (13 August 1912).
[37]BOA, MF.MKT. 1050/7, 24.Ra.1326 (25 April 1908).
[38]BOA, DH.MUİ 14-2/3, 5.S.1328 (16 February 1910).
[39]Nadir Özbek has studied the subject of paternalism in the Ottoman Empire in the late nineteenth and early twentieth centuries. He explains the formation of the social state between 1800 and 1914, and monarchical reflections of the welfare policies during the time of Sultan Abdulhamid II, and then investigates the fate of paternalistic institutions and civil associations as well as voluntary paternalistic activities during the CUP period. Özbek emphasizes the continuity between the Hamidian and CUP periods and claims that the image of 'benevolent father' represented in the personality of Sultan Abdulhamid II was dominant in the former period while, in the latter, philanthropic institutions acquired a more formal bureaucratic image and shifted from a sultan-centric to a nationalist and patriotic discourse. Özbek, *Osmanlı imparatorluğu'nda sosyal devlet*.

There were negotiations between the central and local governments. In response to the central government's insistence on implementing the policy through institutionalized structures, the provincial governments demanded the continuation of the old system of distributing salaries to the *ʿulamāʾ*. The objections of the provincial governments in Baghdad and Basra were mainly based on the fact that students were being trained and it would be inappropriate and unfair to abandon the policy abruptly. The local administrations were also convinced that the non-institutionalized and personal proselytizing activities of the Shiite *ʿulamāʾ* could only be countered by a similar method. The attitude of the Baghdad and Basra provincial governments could be described as conservative, preferring the existing policy to an unknown, new one. Both were in the opinion that there was no point in abandoning the policy altogether, since there were cases, such as Samarra, where the policy was said to have been successful.

The reason for the central government's intention to change the previous policy was most likely a combination of both the recurring complaints about the inefficiency of the *ʿulamāʾ* and scholars and the central government's belief in the huge potential of public education. However, it is interesting to note that the central government does not appear to have communicated with the provincial governments to seek their advice before introducing the policy. The provincial governments were simply informed about the new policy and instructed to implement it.

It would be misleading to think that the CUP government completely abandoned the Hamidian policy of promoting Sunni education to curb the spread of Shiism. The CUP's attitude to Shiite-Sunni marriages is another example. The ban on marriages between Iranian men and Ottoman women was part of the earlier Hamidian policy and aimed at preventing the spread of Shiism. It remained in force until the abolition of the Caliphate in 1924, but the approach of the Hamidian and CUP governments and their reasons for maintaining the law were different. In the Hamidian era, there were both religious and governmental concerns but, for the CUP, governmental concerns seem to have outweighed religious factors. In this atmosphere, they discussed the possibility of abolishing the law banning Shiite-Sunni marriages at a much earlier date.[40]

There are many possible explanations for the persistence of the policies and discourses of the Hamidian era. One factor could be that local officials were accustomed to the demands and expectations of the central government, and their resistance contributed to the tension in translating the central government's new ideas into local practice. In March 1910, for example, one Ebu al-Hadi, most probably an Ottoman subject from Basra, sent his observations to the central administration in Istanbul on his return from Hilla, Najaf, Karbala and Muntafik. He pointed to the lack of Sunni *madrasa*s and mentioned the enthusiasm of the Shiite *ʿulamāʾ*, who seemed to him to be acting like British and American missionaries. He then drew attention to the constant Iranian threat.[41] The reasons cited by Ebu al-Hadi were typical and widespread in other contexts of time and space, and were also invoked in relation to other segments of the population who might be perceived as heretics in future years. As late as 1920, for example, the mufti of Keban in the province of Mamuretülaziz noted that 70 out of 90 villages were composed of *rāfiḍīs* (most probably refering to Alevis) and that

[40]Kern, 'Prohibition of Sunni-Shi'i Marriages', 175–82.
[41]BOA, MF.MKT 1149/8, 18.S.1328 (1 March 1910).

there were only eight mosques in which the imams and teachers were of the same denomination. The muftī would suggest the appointment of itinerant preachers to show the heretics the true path, hoping that in 40 or 50 years' time their beliefs would be completely corrected. Haydarizade Ibrahim Efendi, who was *şeyhülislām* (*şeykh-al-islām)* at the time, confirmed what the muftī had said and argued that schools should be opened with the help of local people to teach Muslim children religious and other sciences and itinerant preachers should also be sent there.[42]

Therefore, both old and new methods coexisted under the CUP government, creating multi-layered bureaucratic patterns. The bureaucratic repertoire formed during the Hamidian period was adapted to new contexts and incorporated the new perspectives and agendas of CUP officials. In fact, the CUP's approach to Iraq's Shiite population was born within the existing Hamidian bureaucracy, which became an inescapable part of it. The collection of funeral taxes is another example that can help to further understand this issue of continuity and change in dealing with the Shiite population in Iraq.

Grievances concerning burial taxes

For centuries, the Shiite holy shrines in Iraq (also known as *ʿatābāt*) were the most preferred burial places for Shiite Muslims who hoped to gain the mercy of the Imams on the Day of Resurrection. It was a well-established tradition dating back to early Islamic history that certain members of the Prophet Muhammad's family were buried there, most notably the Prophet's cousin, son-in-law and the first Imam according to Shiite belief, ʿAli ibn Abu Talib. The practice of burying corpses in the cemeteries of the holy shrines, Najaf being the holiest, took on massive proportions during the Savafid period from the early sixteenth century onwards and the transportation of corpses was also encouraged by the Shiite *ʿulamāʾ*. The Ottoman government imposed taxes on corpses, whether they came from abroad or were of local origin. In the meantime, modern sanitary regulations aimed at preventing epidemics introduced restrictions on the transportation of corpses, which proved difficult to enforce.[43]

After the establishment of the constitutional regime, a petition was sent to the central government in Istanbul in August 1909 on behalf of the local Shiite population of Baghdad. The petition, which carried 550 signatures, demanded the abolition of the taxes levied on the transportation and burial of corpses in the *ʿatābāt*. In an apologetic tone, the petitioners referred to the Constitution and the justice and equality it formally promised. They claimed that the collection of these taxes for burials in the cemeteries of Karbala, Najaf and Kazimiyya was not in accordance with the principle of equality (*musāvāt*) and they also appealed to Islamic law, stressing the need to respect this religious practice. In addition, they drew attention to an apparent inconsistency in the fact that no taxes, whether called funeral taxes or quarantine taxes, were levied on burials in the Muslim cemetery in Azamiyya or a nearby non-Muslim cemetery in the same locality. The petitioners therefore demanded justice and equality (*ʿadālet ve müsāvāt*).[44]

[42]BOA, DH.İUM 19-11/1/10, 19.5.1338 (9 February 1920).
[43]Nakash, *Shi'is*, 184–92.
[44]BOA, ŞD 2787/50, 15.B.1327 (2 August 1909).

The demand was discussed at the Health Affairs Council (*Meclis-i Umūr-i Ṣıḥḥiyye*) and the result was then sent to the Grand Vizierate (*Ṣadāret*). It confirmed that the government would collect taxes on the corpses transported from Iran to the holy shrine cities of Iraq although Shiite subjects who were permanent residents of the Ottoman Empire were normally exempt from the tax. The Council argued that, because it was so difficult to identify the origin of the corpses, causing great difficulties for government officials, local Shiites would also be ordered to pay the tax. However, much earlier in July 1880, a method had been devised to distinguish foreign corpses from local ones. Subjects of the Ottoman Empire were instructed to obtain certificates from nearby quarantine houses or local authorities for a modest fee, the rates of which were set by law. Corpses without certificates would automatically be considered foreign. The Health Affairs Council finally decided to remind local government officials of this regulation.[45]

In August 1909, another petition on the same subject pointed out that these burial taxes were not levied on any community in the Ottoman Empire apart from the Ottoman Shiites, stating that the continued collection of the tax was considered unlawful. The petitioners drew particular attention to the article on equality in the Ottoman Constitution of 1908.[46] However, the local government in Baghdad objected to any regulation that would result in a loss of revenue, telling the petitioners that the revenue from burial taxes partly belonged to the Ministry of Endowments. Acceptance and approval of this request would result in the loss of this revenue, which would end various charitable activities. Ferik Mehmed Şevket, the *vālī* of Baghdad, suggested the reconsideration of any regulation concerning burial taxes.[47]

On 15 December 1909, the Ministry of Finance had drawn attention to the fact that the followers of other denominations buried their corpses where they lived, while Shiites insisted on transporting them to the *ʿatābāt*. It was an extraordinary situation that had created its own market. The Ministry argued that, if the Shiites did not transport their corpses but buried them where they lived, the principle of equality would apply and no extra taxes would be charged. If Shiites, residing outside the *ʿatābāt* (whether Ottoman subjects or foreigners) continued to transport their corpses, they would be liable to pay these taxes. The conclusion was that the revenue from the burial tax was also part of the budget of the Ministry of Public Health and it was impossible to abolish it.[48]

Transportation of moist corpses (*yaş cenāze*) in Iraq had been considered a hygiene problem since the time of Midhat Paşa, who raised the issue with Naser ad-Din Shah (r. 1848–1896) during the Shah's visit to Iraq. The Shah's promise that only dry corpses that had been buried for at least a full year would be transported to Iraq failed to stop the corpse traffic and corpses, whether dry or moist, continued to be brought into Iraq, whether legally or illegally. The Ottoman government developed a system for identifying moist corpses in order to restrict their transportation, but it proved ineffective.[49]

The Iraqi Shiite community considered the transportation of corpses religious requirement (*ḍarūriyyāt-ı medhhebiyye*) and therefore repeatedly petitioned for it. In June 1914, they demanded the repeal of the second article of a temporary law on

[45]Ibid.
[46]BOA, DH.MKT 2784/71, 12.Ra.1327 (4 April 1909).
[47]BOA, DH.MKT 2835/45, 18.Ca.1327 (7 June 1909).
[48]BOA, DH.MUİ 48/58, 11.M.1328 (23 January 1910).
[49]Nakash, *Shi'is*, 197–8.

burials, which had been implemented in August 1913 and published in the official newspaper, *Taḳvīm-i Vekāyi*, and which forbade the transportation of moist corpses to the *ʿatābāt*.

Arguing that the ban was a violation of quarantine regulations, the petitioners said: 'This issue must not denature "our religious freedoms" (*hürriyet-i medhhebiyyemiz*) guaranteed by the Constitution.' Notable among the signatories was (Şükrü) Shukur Bey, the wealthy Sunni merchant of Baghdad mentioned earlier as the initiator of the School of Ottoman Jafari Progress. In the following two months, the number of petitioners increased. The new law was said to have impinged on the sectarian beliefs and religious practices of Shiite Muslims. Shukur Bey wrote in another telegram that a positive response to the demands to lift the ban 'on the religious rite of the Jafari community (*Millet-i Caʿferiyye*), who have been perpetually loyal to the state (*ebediyyen sādık*), would further increase their loyalty'. Similarly, Hadim al-Sharia Mazharzâde Muhammad Husayn claimed that this ban was a severe blow to the Jafari creed and that its abolition would help to eradicate centuries-old sectarian prejudices. The Ministry of the Interior concluded, not on religious but on hygienic grounds, that the corpses of those who had recently died near the *ʿatābāt* could be buried there. However, corpses that could not be transported within the specified time could not be brought to the *ʿatābāt* until three years had elapsed, as required by the quarantine regulations.[50]

Some petitioners made a distinction between the past and the present, referring to the old regime and the constitutional government. The abolition of funeral taxes would ensure the protection of the rights of the Muslim community (*millet-i Aḥmediyye*), which included Shiite and Sunni Muslims as equal subjects under the Ottoman Constitution. In fact, the distinction between the past and the present and the reference to the term *millet-i Aḥmediyye* were part of a discursive strategy to strengthen the petition. The petitioners deliberately referred to the principles promised by the constitutional regime and emphasized how the new period was to be different from the period of autocracy, specifically mentioning the term *istibdād* (autocracy).[51]

The law concerning the burial of corpses applied only to ordinary subjects. In contrast, the Shiite *mujtahid*s were always treated differently with regard to burial in the *ʿatabāt*. During the reign of Sultan Abdulhamid II, the request of the Iranian government to bury the great Iranian *mujtahid* of the *ʿatābāt*, Sharbiyani, in the portico of the holy shrine in Najaf was granted with due respect.[52] Burial in such places was a great privilege, reserved only for important *mujtahid*s.[53] The attitude of the CUP government was no different. Haj Hammami, an Iranian *mujtahid*, died in the Iranian city of Rast. His relatives requested permission through the Ottoman consulate in Tehran to bury him in the *ʿatābāt*, stating that the deceased *mujtahid* had devoted his life to the affairs of the Ottoman subjects.[54] His corpse was brought to the *ʿatābāt* with the express permission of the Ottoman government in February 1909.[55]

[50]BOA, DH.ID 203/2, 12.B.1332 (7 June 1914).
[51]BOA, DH.MUİ 48/58 11.M.1328 (23 January 1910).
[52]BOA, İ.HR. 393/11, 20.L.1322 (28 December 1904).
[53]Nakash, *Shi'is*,189.
[54]BOA, İ.HR 417/11 3.S.1327 (24 February 1909).
[55]BOA, DH.MKT 2752/92, 7.S.1327 (28 February 1909).

The burial taxes levied on Shiite Muslims were ironically part of the financial resources used to pay for Sunni *ʿulamāʾ* to be sent to Iraq to counter the spread of Shiism. The local administration seemed much more insistent than the central government on maintaining these taxes due to fiscal needs and financial constraints. It also appears that the Shiite population in Baghdad adapted to the constitutional regime and sought to benefit from its advantages. Iraqi Shiites' ability to communicate with the local and central governments visibly increased during the constitutional period. As stated in various examples above, they expressed their demands for justice and equality by referring to the Constitution. Phrases such as 'this is against the laws', 'the law stipulates that' or 'is it compatible with the laws' were often used in their petitions.

Very similar to the Iraqi Shiites, although the Syrian Nusayri Muslims did not on the whole embrace Christian missionary teaching and proselytizing, the Nusayri *fallaḥīn* in Latakia, for instance, were able to assert 'their liberty' by again referring to the Constitution to send their children to American Protestant missionary schools in early 1909, when Ottoman local officials, now under the CUP government, tried to prevent them from attending.[56] Thus, the Constitution had clearly increased the bargaining power of many non-Sunni Muslim communities and ordinary people.

The road fees

Road fees, first introduced during the Tanzimat era to provide a source of funding to repair old roads and build new ones, were levied equally on all Ottoman subjects and foreigners.[57] The collection of road fees (*tarīḳ bedelāt-ı naḳdiyyesi*)[58] from Iranian students in the *madrasa*s of Karbala, Najaf and Samarra caused a minor controversy in February 1912, mainly between the Ottoman local and central governments. The Iranian students demanded that they be exempted from road fees. This seemed reasonable to the central government in Istanbul, since Iranian students were on an equal footing with Ottoman *madrasa* students in terms of liability. However, the extension of this provision to other nationalities had the potential to cause political difficulties.

Cemal Bey, the *vālī* of Baghdad since June 1910, argued that this exemption should only be granted to students of the *madrasa*s recognized by the Ottoman administration. The central government asked for further information to understand the reasoning behind this proposal and reminded him that any permanent student of the *madrasa*, including Iranians, would normally be entitled to this exemption. In reply, Cemal Bey referred to the influence of the Shiite *mujtahid*s on the population and argued that it would be wise to favour Ottoman students over Iranians. This policy, he suggested,

[56] Alkan, *Non-Sunni Muslims*, 123–32.

[57] Gönüllü, 'Road Tax ', 291. Ali Riza Gönüllü gives further information in his article about the road fees and writes that the first legal regulation was issued in 1866 and exempted civil servants, imams, lay clergy of various religious communities and *madrasa* teachers from paying road fees. Three years later, in August 1869, the exemption included soldiers and gendarmerie. In the Circular dated 30 March 1909, new provisions were introduced regarding the persons exempted from road fees. According to this circular, those exempted were as follows: imams, school teachers, priests and rabbis of various denominations who were actually on duty, persons with physical disabilities and those who were mentally unstable (*mecnūn*), regular soldiers under arms and gendarmerie soldiers, *madrasa* residents, *madrasa* students and *ʿulamāʾ*.

[58] Asım, 'Yollarımız naṣıl inşā olunuyor'; idem, 'Tarīḳ-i bedelāt'.

would contribute to the competitiveness of the Ottoman *madrasa*s, which were clearly inferior in number and quality to the Shiite *madrasa*s in the province.

The central government discussed the issue at the Council of Ministers in September 1912 and agreed to amend the regulation so that the Iranian students would have to pay the fees. The Iranian students in Karbala objected, sent several petitions to the government and appealed to the Iranian Consulate in Baghdad. Surprisingly, the local government asked for the exact opposite of what had been requested before. They now argued that students with British or Russian citizenship were exempt from the road fee and so restricting it to Iranian students would be unfair and could cause unrest. In February 1913, the local government requested that Iranian students be exempted from paying the fee. Meanwhile, the Iranian government intervened and issued a statement. The Ottoman central government reconsidered the regulation and ordered in March 1913 that the rule should apply to Iranian students only, exempting the Iranian *ʿulamāʾ* from paying the fee. However, not all the Iranian *ʿulamāʾ* were given this privilege as it was limited to reputed Iranian Shiite *mujtahid*s.

The provincial government in Baghdad insisted on exempting Iranian students or at least on postponing the application of the rule to a later date. The Interior Ministry asked Zeki Paşa, the former *vālī* of Baghdad,[59] to explain the full extent of his reservations. In July 1913, the pasha listed the aforementioned reasons and claimed that this policy was narrow-minded and incapable of influencing the reality on the ground. On the contrary, it could create resentment among the people. The Shiite *madrasa*s were so well organized and financed that the Sunni Ottoman *madrasa*s had no chance of competing with them. As a consequence, the central government reformulated the regulation and decided to extend the scope of the exemption to Iranian students enrolled in Ottoman *madrasa*s. The central government hoped that this would make the Ottoman schools and *madrasa*s financially more attractive.

Hüseyin Celal Bey, the *vālī* of Baghdad,[60] wrote in September 1913 that the expansion of education in the region was of fundamental importance. He ironically claimed that people were so ignorant that they believed the Tigris and Euphrates were two rivers in the heavens. Only the expansion of education (*tamīm-i maʿārif*) could enlighten them and teach them that the Tigris and Euphrates were not in the heavens but on earth, originating from the Erzurum and Bitlis areas. Celal Bey went on to point out that the enforcement of the road fees would arouse the anger of Iranian students against the Ottoman government. These students were the future *mujtahid*s and influential people in their community. Instead of alienating them, the government should have tried to please them. In the end, the Ministry of the Interior found the argument reasonable and sent the matter to the Council of Ministers. The decision to end the collection of road fees from Iranian students was taken on 18 December 1913, but this did not last long. By early 1914, all permanent students (*medrese-neşīn*), including Ottomans and Iranians, were subject to the road fee but the Shiite *mujtahid*s were still exempt.[61]

The cases of the burial tax and the road fee illustrate the communication and negotiation between the local and central governments on the implementation of certain

[59]Zeki Paşa took over the position from Cemal Bey on 13 November 1912 and held it until 12 May 1913.
[60]Hüseyin Celal Bey served as the *vālī* of Baghdad from 22 June 1913 to 27 November1913.
[61]BOA, DH.İD 179/4, 29.Ca.1332 (26 April 1914).

policies. The latter example also shows that the local government was confused as to whether to adopt a lenient or a conservative approach towards Shiite Iranian students. What distinguished the Iranian Shiite students from the Ottoman Shiite subjects was that the latter often referred to the Ottoman Constitution. [62]

World War I and the Ottoman Shiites

The First World War served both to exacerbate and to diminish the old concerns. On 12 November 1914, the Ottoman Ministry of the Interior asked the governor of Baghdad to send the *jihād fatwā*s issued by the Iraqi Shiite *mujtahids* to the Iranian shah and to Iranian ministers, deputies, tribal leaders, politicians and dignitaries. The *fatwā*s called for participation in *jihād*, as the First World War was framed in this context, and those who rejected it were declared infidels. Government officials in Khanaqin, Karbala, Najaf, Samarra and al-ʿAzamiyya were advised to maintain friendly relations with the *vālī* of Posht-e Kuh as well as with Iranian pilgrims. If the neighbouring Iranian tribes showed good will towards the Ottoman governors, they should also be treated cordially.[63]

On 17 December 1914, the Ottoman Ministry of the Interior sent an encrypted telegram to the province of Baghdad asking whether the following *mujtahid*s had also issued *jihād fatwā*s: Sayyid Sadr al-Isfahani and Husayn Mazanderani of Karbala, Sheikh al-Sharia al-Isfahani of Najaf and Mirza Ibrahim Shirazi of Samarra. The central government asked for more information and for the names of the *mujtahid*s who had signed the *fatwā*s, and also asked for copies. The lieutenant governor of Baghdad replied to the telegram the same day, writing that there were the signatures of Sayyid Ismail Sadr al-Isfahani, Husayn Mazanderani and Sheikh al-Sharia al-Isfahani from Najaf, but no such signature for Mirza Ibrahim Shirazi. The *mujtahid*s signed the *fatwā*s with the following names: al-Raji Ismail Sadreddin,[64] Muhammad Husayn al-Hairi al-Mazanderani, and al-Hatiʿi al-Jani Shaykh al-Sharia al-Isfahani.[65] The central government's request for clarification was based on the fact that there were *mujtahid*s with similar names and epithets.

On 12 December 1914, Asım Bey, the Ottoman ambassador in Tehran, suggested that the *mujtahids* of Najd be put to work sending encrypted and plaintext telegrams to the shah, deputies, ministers, notables, tribal chiefs and *ʿulamāʾ* in Iran.[66] In fact, the Ottoman authorities were in close contact with Shiite *mujtahid*s during the early stages of the war, asking them to intervene on behalf of the government on certain issues, to persuade other *mujtahid*s to enter into negotiations with the tribes, and to prepare to defend the frontiers against the infidels.[67]

[62]It is interesting to note that, when the provincial administration demanded the opposite of what it had previously requested, both the central and local governments asked for a reason for the change, and it is not clear whether the change in local policy was due to the change of *vālī*. In a short period between February 1912 and April 1914, there were three *vālī*s and one interim *vālī*: Cemal Bey, Mehmet Zeki Paşa, Hüseyin Celal Bey and Ömer Lütfi Bey, who served as the interim *vālī* for one month from 22 May to 22 June 1913. Herzog, *Osmanische Herrschaft*, 704–5.

[63]BOA, DH.ŞFR 46/303, 23.Z.1332 (12 November 1914).

[64]Muhammad Hasan Muhsin, the British Vice-Consul at Karbala, distinguished Sadruddin from other *mujtahid*s of Karbala in terms of his noteworthy political ability. BNA, FO 195/2163, No: 274/22 (1904).

[65]BOA, DH.MKT 2752/92, 7.S.1327 (28 February 1909). This document, which is from a later date, was probably put into the folio of earlier date by mistake.

[66]BOA, DH.EUM 7.Şb 2/45, 25.M.1333 (12 December 1914).

[67]BOA. DH.ŞFR 454/118, 9 Kanun-ı Evvel 1330 (22 February 1915).

On 22 December 1914, the Ottoman lieutenant governor of Baghdad sent Sayyid Muhammad Ali Bahr al-ʿUlum to the *vālī* of Luristan in Iran mainly to negotiate with him and give him some religious advice. The main purpose was to win him over to the Ottoman side. Bahr al-ʿUlum also wrote a letter to the Shiite *ʿulamāʾ* and *mujtahid*s in Kazimiyya on behalf of the Ottoman government. With the letter, he conveyed the guarantee of the Ottoman government to protect their men and property and to maintain peace in the region. The lieutenant governor promised to defend the Ottoman borders against the attacks of the infidels as well as those of Mubarak al-Sabah and the ruler of Muhammara.[68]

At the beginning of the war, the Iranian Consul in Baghdad warned Iranian *mujtahid*s residing in Iraq not to support the Ottoman Empire, claiming that the Russian government had promised to hand over the Iraqi region to Iran and expecting that the Ottomans would soon have to leave the region. The central government in Istanbul ordered the Ottoman Consulate in Tehran to persuade the Iranian government to remove the consul from office.[69] The Ottoman Ministry of Interior insisted on this demand and eventually succeeded – at least, the Iranian government promised to appoint another consul in Baghdad.[70]

About a month later, Asım Bey, the Ottoman Ambassador to Tehran, informed the Ottoman Foreign Ministry that the Iranian government claimed that the *fatwā*s issued by the Iranian *mujtahid*s residing in *ʿatābāt* were unfounded and advised that they be ignored. It was said that the Iranian government was using the *ʿulamāʾ* to spread this rumour with the intention of protecting the Iranian people from the possible effects of the *jihād fatwā*s. Asım Bey requested the *fatwā*s, which bear the stamps of Kazim al-Yazdi, Ismail Sadr al-Isfahani and Muhammad Taqi al-Shirazi and a special officer was to bring them via Kermanshah as quickly as possible.[71]

Pragmatism for survival in wartime conditions led to attempts by some Ottoman bureaucrats to recognize Shiism as a legitimate branch of Islam. These attempts were not based on religious tolerance, but on an approach that placed the survival of the state above all else. The central government in Istanbul received policy proposals from its own bureaucrats that encouraged the government to recognize Shiism, whether *de facto* or *de jure*. In this context, Süleyman Şefik, the Ottoman *vālī* of Basra, proposed the appointment of Shiite *ʿulamāʾ* to the Ottoman courts in Basra in April 1914. He argued that there was no longer any need to fear the spread of Shiism in Iraq because Iran had lost its political and military power. Moreover, ensuring internal unity was of paramount importance for the survival of the state. The *vālī* then provided information about the malfunctioning and corrupt Ottoman courts, which the people did not trust or respect and from which they consequently stayed away. Unclear methods, lack of qualified men and other similar shortcomings were among the major deficiencies of the Ottoman court system in Basra. When the appointees to the religious courts were Sunni Muslims, the locals did not turn to them, preferring the *mujtahid*s,[72] and this

[68]BOA, DH.İD 6. Şube 2/30, 4.S.1333 (22 December 1914).
[69]BOA, HR.SYS. 2167/28, 28.Z.1332 (17 November 1914).
[70]BOA, HR.SYS. 2167/30, 29.Z.1332 (18 November 1914).
[71]BOA, HR.SYS 2338/42, (29 December 1914).
[72]There could be reasons other than sectarian discrimination for this, such as the differences between the inheritance laws in the two groups.

further weakened the authority of the government. The British courts worked and the Iranian courts were corrupt but quick. Süleyman Şefik proposed the formation of a committee responsible for selecting and appointing the Shiite *ʿulamāʾ* to the Ottoman courts, hoping that this would attract the Shiite *mujtahid*s, who had enormous influence over the local population.[73]

In December 1915, Fevzi, the Ottoman military attaché, and Asım Bey, the Ottoman Ambassador in Tehran, tried to persuade the Ministry of War to take active steps to draw Iran into the war. Fevzi and Asım Bey pointed to the large Shiite population living in the Ottoman Empire, Iran, Afghanistan and Turkestan and insisted that the differences between Shiite and Sunni Islam should be resolved. They then forwarded the opinions of the Iranian *ʿulamāʾ* to the Ministry. It was reported that the *ʿulamāʾ* blamed the political-religious confrontations between the Ottoman and Iranian governments in the past and were convinced that the people should follow the most powerful Muslim ruler as caliph, the head of the Muslim *ummah*. They were said to have promised to read the *khuṭbe* (sermons) in the name of the Ottoman Sultan and to be willing to be his servants. Their only demand was the appointment of a Shiite *mujtahid* from Iraq as the Jafari mufti of the Hejaz, which would indicate recognition of Shiism as a legitimate *medhheb* (school of law) of Islam. They argued that the Shiite sect did not contain anything against the Qur'an or the Prophet. Then, as a sign of their obedience, they promised to collect millions in donations and to unite all Shiite Muslims under the flag of the caliph and join the *jihād* without hesitation.[74]

This did not mean that the *fatwā*s issued by Shiite *mujtahids* in Iraq in late 1914 had no effect. They helped to mobilize large numbers of people. But the proposal of Fevzi Bey and Asım Bey emphasized, on the one hand, the need to find lasting solutions to the problem of sectarian differences and, on the other, aimed to encourage Iranians to join the *jihād* on the side of the Ottoman Empire through Iranian *mujtahid*s.

Asım Bey and the military attaché Fevzi agreed with the Iranian *ʿulamāʾ* and urged the appointment of a Shiite *muftī* to the Hejaz, specifically suggesting the greatest *ʿulamāʾ* in Najaf for the position. The Ottoman Ministry of Foreign Affairs quickly replied to the letter, first admonishing Asım Bey that it was a purely political matter and concerned not the Ministry of War but the Ministry of Foreign Affairs. He was told he should from then on address the right office. The reply was brief: if a *khuṭbe* was read in Iran in the name of the Ottoman Caliph-Sultan, then a Shiite *muftī* could be appointed to Mecca. Moreover, the consent of the leading Iranian *ʿulamāʾ* would not suffice; an official declaration by the Iranian government was required.[75] Asım Bey and the military attaché Fevzi were aware of the age-old sectarian antagonism and the government's policy. They pointed out that even if Shiism was wrong, this cooperation would enable the Shiites to correct their beliefs within the Muslim community. In the difficult conditions of war, sectarian issues must have been considered of secondary importance.

An article published in *Ḥarb Mecmūʿası* (Journal of War) in May 1917 even further illustrates the wartime psychology and the perspective of government officials in the context of war. The title of the article is 'Şehīd Kerendlileriñ khāk-i pāyine' (Dedicated to the Foot-dust

[73]BOA, DH.ŞFR 423/64, 27.Ma.1330 (9 April 1914).
[74]BOA, HR.SYS 2338/93, (21 November 1915).
[75]BOA, HR.SYS 2338/93, (21 November 1915).

of Martyred Kerendis). Kerend was a small town in the province of Kermanshah in Iran whose population was ethnically Kurdish and religiously Ali-Illahi (who stand for the belief that Ali is God).[76] The Kerendis were praised for serving the common interests of Islam (*menāfiʿ-i müştereke-i islāmiyye*): 'They fought shoulder to shoulder with their Ottoman brothers to destroy the enemy who was trying to hinder Islamic unity [*ittiḥād-i İslām*].' Addressing the Kerendis directly, the article says:

> You are now martyrs. You no longer need Iranian or Ottoman, Shiite or Sunni ʿ*ulamā*ʾ […]. You follow the Qur'an, and without any help you reached [the mercy of] Allah. Now you lie down and embrace your martyred Ottoman brothers. In the grave where you left your hearts, neither Sunni nor Shiite nor Ali-Illāhi, but only Muslims were buried.

The text then addresses Sunni, Shiite and Ali-Illāhi *hoca*s in an admonishing manner:

> Be silent Sunni, Shiite and Ali-Illāhi *hoca*s! The martyr speaks to the Prophet. Oh you who lead the Muslims in this world! Ask for mercy from these martyrs. They are holier than you and closer to Allah. Their souls embrace only the Qur'an, and with its power they fly to heaven. But your feet are still on the ground and your destiny is unknown and bound to the long interrogation that awaits you in your graves.[77]

The article in *Ḥarb Mecmūʿası* may have been war propaganda. Because the spiritual strength of the *jihād* was so highly valued, a pamphlet written by Bursalı Mehmed Tahir, a famous Ottoman writer and biographer in the late nineteenth and early twentieth centuries, was distributed free of charge during World War I to encourage the Ottoman soldiers to embrace the ideal of *jihād*.[78] This booklet, called *Menāḳıb-ı Ḥarb*, contained *jihād* literature written in the Ottoman period since the late fifteenth century. But it is also likely that the article in *Ḥarb Mecmūʿası* represents the changing attitudes towards groups previously considered 'heretical' during the war.[79]

One last and striking example in this regard is the case of Nazım Paşa, the *vālī* of Baghdad, who asked both the Sunni and Shiite religious authorities in Iraq in July 1910 the following questions, the answers to which were not hard to guess:

a) Whether the murders and robberies of travellers and others frequently committed by the tribes can be regarded as 'Ghazu' [meaning 'Holy War'] – an argument which has sometimes been made to excuse them; and
b) Whether the Turkish Government may justly punish the tribes for such acts and for rebellion.

Sunni scholars, including the *naqīb* and the mufti of Baghdad, answered the first question in the negative, and the second in the affirmative. The Shiite scholars consulted,

[76]Abdul-Hadi Hairi wrote that the sect or religion of Ali-Allahi (or *Ahl-i Haqq*) was formed during the second half of the fifteenth century when the Karakoyunlu (Black Sheep) rulers were in power. Hairi, *Shiism and Constitutionalism*, 66. Carl Ritter mentions a village within walking distance of Tehran, called Kebud, whose inhabitants adhered to the Ali-Illahi. Ritter, *Erdkunde von Asien*, 447.

[77]'Şehīt Kerendlileriñ', 304. 'Kerendis were the first conscripted soldiers in the new Iranian corps organized under the supervision of Ottoman military officers. They were sent to the war and fought very well.' *Ḥarb Mecmūʿası* was a journal published twice a month which provided information about the war.

[78]İmamoğlu, 'I. Dünya savaşı'na', 151–2.

[79]British officials noted in August 1908, 'The unity of Turkish subjects irrespective of religion is still being preached in Baghdad, lectures on the subject have been given in the coffee shops and also at a gathering held on the premises of the Chaldean Church.' BNA, FO 195/2275, No: 757/81, Baghdad (17 August 1908).

Sayyid Muhammad Ismail Sadr, Sayyid Muhammad Baqir al-Tabatabai and Shaykh Muhammad Mazanderani of Karbala, replied that 'murder and robbery are not *ghazā*, and that whoever can prevent such acts is obliged to do so.' Muhammad Qazvinizade also replied: 'If one Arab tribe commits aggression against another, it should be dealt with first by complaints, then by threats, and only as a last resort by force.' Muhammad Kazim al-Khorasani and Shaykh Abdullah Mazanderani gave the same answer to the first question, adding: 'The killing of Muslims by Muslims is a terrible crime.' It seems that the Ottoman authorities also consulted other *mujtahid*s, but only the opinions of the leading *mujtahid*s and Sunni scholars were published and distributed to all the tribal authorities in the province. The joint opinions of the Sunni and Shiite *'ulamā'* were accompanied by the letters of admonition and advice of the *vālī* Nazım Paşa.[80] The pasha's attempt was significant in that he consulted the Shiite *mujtahid*s not only for their political authority, but also for their religious authority in the political affairs of Iraq to subdue the tribes. Although the religious and political dimensions of the *mujtahid*s' power were essentially inseparable, it had long been Ottoman practice to focus only on the political dimension of their authority.

Conclusion

No doubt, the Young Turk Revolution was far from pursuing a systematic policy of 'Sunni Islamism'.[81] While ruptures between the CUP and the Hamidian governments are hard to ignore, there were also significant continuities that need to be highlighted. The CUP's central administration was unwilling or unable to denounce former customs and bureaucratic repertoires all at once. Despite a progressive and rather secularist political culture and practice, state officials did not adopt a broadly secularist or irreligious perspective on Shiism or the Iraqi Shiites.[82] On the contrary, the CUP was able to reinforce outward religiosity. In April 1911, for example, government officials in Basra were warned against ignoring religious ceremonies, especially Friday congregational prayers, and told that this could damage their reputation in the eyes of the people. The officials were reminded that they were representatives of the caliphate and had to respect Islamic traditions.[83]

Overall, the effect of the 1908 Constitution on Shiite subjects in Iraq, in contrast to Hamidian practices of containment, was to increasingly integrate them into state structures. Bureaucratic flexibility is evident in the post-Hamidian period among some government officials, who argued for the need to incorporate Shiites into the state mechanism by appointing Shiite teachers to the Sunni schools to attract Shiite students, appointing Shiite scholars to the Ottoman law courts, and finally, suggesting the recognition of Shiism as a legitimate branch of Islam, taking into account the wartime

[80]BNA, FO 195/2339, No: 285/12, Baghdad (29 July 1910). Summary of Events in Turkish Iraq during the Months of April and May 1910. The number of the confidential reports is given as 27,430.
[81]Somel, *Modernization of Public Education*, 229.
[82]When the Şeyhülislām was relieved of some of his temporary duties by the CUP government in 1916, chiefly transferring the management of the Sharia courts to the Ministry of Justice, some European contemporaries thought that such measures represented the resumption of the CUP's secularization programme from 1909. Cornwallis, *Arab Bulletin*, 102. For a more detailed account of the CUP's wartime reforms of the judiciary and reactions to these reforms, see Gürer, 'İttihat ve terakki'nin', 1194–200.
[83]Kurt, 'II. Meşrutiyet döneminde', 73.

conditions. These examples indicate that there was a noticeable dynamic in the government's view of religious and sectarian issues, alongside the old established policies. The CUP's more lenient perspective appears to have contributed to the expansion of the political role of Shiite *mujtahid*s by widening the scope of their interaction.

The Shiite subjects of Iraq often claimed and exercised their constitutional rights, using petitions as a means of expressing their grievances. This shows how such groups, often viewed as 'heretical', not only saw themselves as legitimate subjects of the Empire, but were actually recognized as such, as their demands were considered and responded to. This insight ultimately entails an analysis of the Ottoman state's engagement with non-Sunni Muslim subjects within specific temporal and spatial contexts. The findings of this article bear witness to the dynamics of the relationship between the central and local governments in dealing with Iraqi Shiites. It also shows how the Shiites themselves navigated administrative contexts, regularly petitioning the government and thus exercising agency as Shiite subjects of the late Ottoman Empire.

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