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MUTUALITY AND IMMEDIACY BETWEEN
MARJA^ʿ AND MUQALLID: EVIDENCE FROM
MALE IN VITRO FERTILIZATION PATIENTS
IN SHI^ʿI LEBANON

Abstract

This article concerns the dominant institution of religious authority within modern Usuli Twelver Shiʿi Islam: the *marjaʿiyya*. The most senior clerics serve as “sources of emulation” (*marājiʿ al-taqlīd*), informing the moral conduct of their lay “imitators” (*muqallidūn*). Despite the importance of this relationship, academic writing on what we call its “affective” qualities, especially from lay perspectives, is limited. We provide ethnographic data from anthropological research into Islamic medical ethics in Lebanon. Interviews in 2003 with infertile Shiʿi patients who were considering controversial assisted reproductive technologies revealed rare insights into which authorities they followed and in what numbers and how this relationship was experienced and drawn upon by those in need. We compare the very different relationships inspired by the two authorities most cited in our study: the late Beirut-based Ayatollah Fadlallah; and the Iranian Ayatollah Khaminaʿi, Hizbullah’s patron. From his local base, Fadlallah offered a vivid and responsive persona of a qualitatively distinct type.

Within modern Usuli Twelver Shiʿi Islam, the *marjaʿ* (pl. *marājiʿ*) *al-taqlīd*, or “source of emulation,” represents the pinnacle of mundane religious authority. According to the normative model, when unsure of the religiously sanctioned course of action in a given situation, lay people should turn for guidance to the clerical elite. Those grand ayatollahs who win popular acclaim as such sources thus potentially wield great influence, even beyond what liberal secular thought delimits as the religious domain. Famously, Ayatollah al-Mirza al-Shirazi’s fatwa banning the consumption of tobacco in 1891 brought an end to the shah of Iran’s grant of a tobacco concession to the British. More recently, Ayatollah ʿAli al-Sistani’s insistence on the holding of general elections in Iraq in 2003 forced a change in the policy of the U.S.-led occupation.¹ The followers or “imitators” *muqallidūn* (sing. *muqallid*) of a *marjaʿ* can number in the millions, and the religious

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dues they pay to him, his representatives, or charitable projects undertaken in his name may total billions of dollars.²

The institution of the *marjaʿiyya* (i.e., the *marjaʿ*-ship) would thus seem of crucial importance to understanding contemporary Shiʿi contexts and has correspondingly attracted much excellent scholarly commentary.³ The relationship between *marjaʿ* and *muqallid*, however, is, on most readings, a personal one: a private triangle of believer, *marjaʿ*, and God rather than a matter of public allegiance. Information as to the affective qualities of this bond, especially from the perspective of the lay followers themselves, has thus not, by and large, become part of the historical record. Even such basic information as estimates of the relative numbers of the various *marājiʿ*'s followers has proved frustratingly elusive.⁴

This article seeks to contribute to our understanding of this relationship through detailed ethnographic data concerning one specific subject: debates over the use of assisted reproductive technologies (ARTs), in particular in vitro fertilization (IVF), among Shiʿi Muslims in Lebanon in the early 2000s. The two authors undertook independent anthropological research projects on assisted conception in Lebanon at this time: Inhorn, a medical anthropologist building on a career-long engagement with issues of gender and infertility in the Middle East, carried out a major clinic-based ethnographic study of IVF and allied techniques involving extensive interviews with patients and practitioners in Beirut in 2003⁵; Clarke, a social anthropologist interested in religious discourse, undertook research in Lebanon on the Islamic legal debates around reproductive technology through fieldwork in 2003 and 2004 not only focusing on religious specialists but also including medical practitioners.⁶ The latter has since (2007–2008) carried out further research on shariʿa discourse in Lebanon that included fieldwork in the offices of various *marājiʿ*. Many of the hundreds of mainly male patients interviewed for the medical anthropological project were Shiʿi Muslims engaging with the complex ethical and religious issues posed by such procedures. From this sample we gain uncommon insights into how salient the *marjaʿ*/*muqallid* relationship was to these Shiʿi Muslim men, which *marājiʿ* they followed and in what relative numbers, how they perceived and related to their chosen *marjaʿ*, and how their preoccupations were reflected in the *marjaʿ*'s rulings. The clinical setting provided an opportunity for the controlled gathering of comparable data that is, to our knowledge, unparalleled.

Perhaps surprisingly given the prominence of the *marjaʿiyya* in discussions of contemporary Shiʿi Islam, only a very limited proportion (about 20%) of the Shiʿi Muslims consulted stated that they followed a *marjaʿ*.⁷ Those mainly working-class men who did so were about equally split between Ayatollah ʿAli al-Khaminaʿi, Supreme Leader of the Islamic Republic of Iran and closely associated in Lebanon with the Iranian-backed Hizbullah, and Lebanon's own Ayatollah Muhammad Husayn Fadlallah, who died on 4 July 2010. Our study thus has much to tell us about the ways in which these figures were perceived and hence the dynamics of the *marjaʿiyya* in Lebanon at the time, which may in turn inform debates as to where it might go in the future. No other *marājiʿ* were mentioned, in itself significant as both al-Khaminaʿi and Fadlallah can be regarded as nontraditional figures, as will be explained. Further, our evidence supports the arguments of other scholars who challenge a *marjaʿ*-centered vision of the *marjaʿ*/*muqallid* relationship and indeed of modern Usuli Twelver Shiʿi Islam.⁸ The interviews on which we draw represent a rare opportunity to hear the voices of

the *muqallidūn* themselves. While formally the *marja'* speaks with binding authority on matters of which the *muqallid* is ignorant, in reality lay followers felt very free to comment on, critique, and even reject their chosen *marja'*'s opinions. Moreover, as we will see, the formulation of clerical opinion regarding assisted conception was clearly driven, and to some extent determined, by lay desires. And both clerical opinion and lay choices were limited by the "common sense" of public opinion.

This triangle of *marja'*, *muqallid*, and social convention has to be carefully managed by both *marja'* and *muqallid*. "Religious authority" was not here a power to command from above but rather the capacity to serve as an ethical resource for those in need, as the title implies: again, a *marja'* is a "source," here of authoritative religious opinion. Also, the quality of the relationship varied noticeably between the followers of the two *marāji'*. It would thus be wrong to see all *marja'/muqallid* relationships as of the same type. Fadlallah's enthusiasts were closely involved, both imaginatively and actually, with their chosen authority, whereas al-Khamina'i's were not. This would most obviously seem a result of Fadlallah's immediate local presence. Despite much scholarly interest in the *marja' iyya* as a transnational institution and in the possibilities of contemporary communications technologies in transforming its "politics of immediation," local presence and solidarity remain powerful factors, productive of distinctive relationships.⁹ Nevertheless, in this light, the distant al-Khamina'i's near parity with Fadlallah in mere numerical terms is also striking.

We acknowledge that these are particular cases. Medical ethics is a specific domain where religious and medical authority compete and overlap, politics are implicit rather than explicit, and issues of "modernity" are foregrounded. Fertility, sexuality, and reproduction are especially sensitive matters. But these considerations, we argue, make such cases more, rather than less, telling. As Lara Deeb has eloquently described, claims to technological modernity have been central to the successful construction of an Islamic public sphere and political project among Lebanon's Shi'i population, as driven by Fadlallah and Hizbullah among other actors.¹⁰ Contested and sensitive ethical dilemmas surely bring the role of religious authority into sharper focus than might otherwise be the case. Nevertheless, we do not claim that our cases here provide a comprehensive or general account of the *marja'/muqallid* relationship. We begin by considering their geographic and historical specificity.

SHI'Ī RELIGIOUS AUTHORITY IN LEBANON

The latter half of the 20th century saw a dramatic transformation of the Twelver Shi'i communities of Lebanon, from a largely rural peasantry to a largely urban proletariat centered on the suburbs of Beirut and to a great degree organized under confessional political and paramilitary movements. Amal emerged in the 1970s under the initial leadership of Imam Musa al-Sadr and endures; the 1980s saw the rise of the now dominant, Iranian-backed Hizbullah. A large influx of capital from abroad, both from the Iranian revolutionary state and from private fortunes made in West Africa and the Gulf, led to a boom in charitable educational and medical institutions, including religious seminaries and publishing houses. Public piety and religiosity have become important markers of "the Shi'a," at the expense of earlier tendencies toward secular and left-wing movements, which nevertheless retain a constituency. The politically engaged, "Islamist"

brand of Shi'i Islam exemplified by Hizbullah is, however, contested by many within the clerical community. And Hizbullah's close ties to Iran have contributed to a nationalist critique of its local hegemony.¹¹

Debates over the *marja'iyya* in Lebanon have reflected these wider politics.¹² Ayatollah Abu al-Qasim al-Khu'i of Najaf gained wide backing in the 1970s as the leading figure of the age. But the success of the Islamic Revolution in Iran brought a new personality to public light: Ayatollah Ruhollah Khomeini became a popular *marja'* in the 1980s for those excited by his political achievements, and his publicly and politically engaged *marja'iyya* became a new template for the institution.¹³ The deaths of Khomeini in 1989 and al-Khu'i in 1992 created a vacuum in the *marja'iyya*, especially in revolutionary Iran. Khomeini had combined the roles of *marja'* and "guardian jurist" (*al-walī al-faqīh*), or clerical political ruler, the latter his own controversial introduction. But his successor as Supreme Leader, 'Ali al-Khamina'i, was of relatively junior rank in the religious hierarchy. Even though Khomeini had ruled that the Supreme Leader need not be a *marja'*, it was clearly felt in ruling circles that the leader of the Islamic Republic would have to hold the highest title to religious as well as political authority. Al-Khamina'i was thus maneuvered into a line of succession where, on the death of the very elderly Ayatollah Araki in 1994, he could be announced as a *marja'*. The state resources al-Khamina'i has at his disposal have allowed him to establish new forms of hegemony, more or less coercive, and deeply controversial, within and without the seminaries.¹⁴ His scholarly right to the claim remains disputed; within Iran and in clerical circles beyond Iran he is not of special prominence as an expert scholar of religious law despite his political supremacy.¹⁵ In Lebanon, however, as our study suggests, al-Khamina'i has enjoyed a popular following as a *marja'*, as heir to the tremendous prestige of Khomeini's revolution and as the foremost patron of Hizbullah.¹⁶ It is not that one has to take al-Khamina'i as *marja'* to affiliate oneself with Hizbullah nor that all members or supporters do. Rather, that is the exemplary position, and there is, one suspects, considerable pressure to conform to it.

The space created by the deaths of Khomeini and al-Khu'i also allowed Fadlallah to claim the *marja'iyya* for himself in the mid-1990s.¹⁷ While from a distinguished southern Lebanese family, Fadlallah was born (in 1935) and brought up in Najaf, Iraq, where he received a classical seminary education under such luminaries as al-Khu'i. But he also moved in more radical circles and was close to Ayatollah Muhammad Baqir al-Sadr, the brilliant scholar and intellectual founder of the Iraqi Islamist Da'wa party. After moving to Lebanon in 1966 at the invitation of a local religious consciousness-raising organization (Jam'iyyat Usrat al-Ta'akhi), he gained a grassroots following in the suburbs of Beirut that would become integral to the creation of the new, more radical class of pious Shi'i activists that flocked to the emergent Hizbullah in the 1980s. But despite his close ties to the organization and his support for the Iranian Islamic Republic that backed it, Fadlallah maintained his autonomy, building up his own independent institutional base. Although in some senses sympathetic to Khomeini's interpretation of "the guardianship of the jurist" (*wilāyat al-faqīh*) that gave the clerical class the right to political rule, he allowed the possibility of a plurality of clerical guardians for different localities, rather than a single ruler over all, and in later years seems to have distanced himself from the theory still further.¹⁸ And while he thought Khomeini's *marja'iyya* exemplary in its political consciousness and open engagement with the global issues

of the age—in contrast to the “traditional” (*taqlīdī*) vision, more confined to points of Shiʿi religious law and seminary politics¹⁹—Fadlallah was not prepared to acknowledge al-Khaminaʿi as heir to that mantle.

Instead, he allowed his own supporters to put him forward as *marjaʿ*, giving him a platform to promote an explicitly “contemporary” (*muʿāṣir*) brand of Islamic law with an often controversial focus on women’s rights and a keen interest in scientific advance.²⁰ His vision of an “open” (*munfatih*) *marjaʿiyya* entailed a commitment to dialogue with “the Other” (*al-ākhar*), whether that be Christian, Sunni Muslim, or secular Western.²¹ According to Fadlallah himself, his independent *marjaʿiyya* was the cause of the rift that opened between him and Hizbullah, along with its Iranian backers, in the 1990s—only healed through the solidarity of the 2006 war with Israel—as well as the often vicious attacks that were made on his religious credentials as a scholar, as a Shiʿi, and even as a Muslim, from quarters of the clerical establishment.²² Neither al-Khaminaʿi nor Hasan Nasrallah, secretary general of Hizbullah, acknowledged Fadlallah’s standing as a *marjaʿ* in their telegrams of respect on his death, although they did pay tribute to his revolutionary credentials as “great warrior scholar” (*al-ʿālim al-mujāhid al-kabīr*).²³

Both Fadlallah and al-Khaminaʿi thus were and are controversial *marājiʿ* in their own different ways, as well as rivals who competed in representing a “modernist,” “Islamist” vision of Shiʿi Islam that has proved the dominant form in Lebanon in recent times.²⁴ To some, however, especially those more closely associated with Hizbullah’s rival Amal, this vision is anathema. For them, the mainstream choice would now be Ayatollah ʿAli al-Sistani, who has won widespread acceptance as the successor to al-Khuʿi as the leading scholar of the Najaf school.²⁵ Under the repression of Saddam Husayn’s regime, al-Sistani was reclusive and elusive. Deeb, who carried out extended fieldwork in Beirut’s Shiʿi suburbs from 1999 to 2001, reports that most of her pious Shiʿi acquaintances followed either Fadlallah or al-Khaminaʿi, with only a few choosing al-Sistani and some continuing to follow Khomeini or al-Khuʿi after their deaths.²⁶ Despite al-Sistani’s clerical seniority, in the context of our 2003 study it seems he was relatively unknown in lay circles in Lebanon, at least among those attending the fertility clinics of our study.²⁷ His name was not mentioned. But subsequent to the U.S.-led invasion of Iraq in 2003 he gained a global profile as a man of substance prepared to intervene politically when he deemed it necessary, despite his opposition to Khomeinist clerical rule, and he has since emerged as the *marjaʿ* of choice for perhaps the majority of Shiʿa worldwide.²⁸ In 2006, Augustus Richard Norton, while noting the difficulties and basing his estimate on informal interviews and discussion, found that al-Sistani was the most popular *marjaʿ* in Lebanon, followed by at least 60 percent, with the rest following Fadlallah, and very few following al-Khaminaʿi.²⁹ The dramatic transformation in al-Sistani’s public profile is, we assume, the decisive factor here, although Deeb’s and Norton’s informants may well be drawn from different sections of the community and their impressions not strictly comparable.

ASSISTED REPRODUCTION

The announcement of the birth of the world’s first “test-tube baby” in Britain in 1978 inaugurated a new era in human reproduction. Many forms of chronic infertility could now be overcome through IVF, where sperm and eggs are united under laboratory conditions

and the fertilized embryos transferred to a woman's uterus. These technologies have rapidly been globalized and have found a lively market in the Middle East. Clinics offering IVF and related technologies can be found across the region, from the oil-rich states of Saudi Arabia and the Gulf to less well-off Morocco, Sudan, and Egypt. The ethical controversies that accompany them have largely been seen in Middle Eastern contexts, including Lebanon, as a "religious" matter. While Christian, especially Catholic, opinion has been skeptical toward such artificial interventions in human reproduction, Islamic scholars have generally argued that Islam embraces scientific and medical advances, IVF included. Some aspects of such procedures warrant care, such as uncovering the private parts before an unrelated medical practitioner or masturbation to provide a sperm sample. But the debate turns chiefly on the morality of involving parties other than a husband and wife: in crude terms, do donor sperm and egg procedures and surrogacy arrangements in some sense resemble "adultery" (*zinā*), and to whom should parentage be awarded, donor or recipient? What role might polygyny, permitted under Islamic precepts, play? Would a procedure involving a man's sperm to fertilize the egg of one of his wives, and the transfer of the resulting embryo to the womb of another wife, be lawful? The possibility of temporary marriage under Shi'i precepts adds a further dimension: the man could marry an egg donor, for instance, for the duration of the procedure alone—say, twenty-four to forty-eight hours.³⁰

While Sunni scholars have most often ruled out procedures involving third parties, the Shi'i *marāji'* have proved more willing to admit them. Most important for our purposes, Ayatollah al-Khamina'i has gained a measure of notoriety by allowing all of them: the use of donor eggs, with or without the use of a legitimating marriage, temporary or otherwise, with the egg donor; surrogacy arrangements; and, most controversially and unusually of all, the use of donor sperm, by artificial insemination as well as IVF.³¹ His opinions in this regard stand at the outer limits of Islamic legal opinion. Fadlallah, for instance, is more conservative, as we will see. In al-Khamina'i's opinion, kinship relations (*nasab*) are to follow genetic lines, which complicates the use of donor procedures: the donor of sperm or egg will be considered the father or mother. It is worth noting that even in the Islamic Republic, where these opinions have proved influential in practice, there is no law allowing the use of donor sperm despite its permission by the Supreme Leader, although there is a law permitting embryo donation.³²

Lebanon was a relative latecomer to the Middle Eastern IVF scene. But by the early 21st century it was home to a relatively large number of clinics for its size (fifteen or more for a population of around four million) claiming to offer the most advanced ARTs. That includes the controversial donor technologies. The use of donor sperm is less important nowadays due to the advent of ICSI (intracytoplasmic sperm injection), a variant of IVF in which just one sperm is sufficient to fertilize an egg under laboratory conditions, proving a solution to all but the most intractable of male infertility cases, albeit an expensive and physically grueling one for both husband and wife. Donor eggs are more commonly used, donated by other couples in egg-sharing arrangements, close relatives such as sisters and cousins, or anonymous donors. Surrogacy arrangements do very occasionally take place but are not a matter for public advertisement. ARTs in general, and especially the more controversial varieties, are rather the subject of intense confidentiality. Doctors, largely free within Lebanon's highly privatized medical sector to decide which services to offer, generally perceive ethical decisions as their

patients' responsibility, although may themselves choose not to provide certain services on ethical grounds. For such moral guidance, pious patients must turn to their religious authorities. Given the controversy over donor procedures, some highly placed medical figures with offices of public and professional responsibility have tried to introduce regulations banning them but to date without success.³³

THE STUDY

Our interviews with patients were carried out by Inhorn in two clinical settings in Beirut: one a major university teaching hospital catering to a religiously mixed population; the other a private clinic, part of a transnational operation headed by a notable Lebanese practitioner and catering primarily, although not exclusively, to Shiʿi Lebanese patients. In the course of research oriented toward the experiences of Middle Eastern men undergoing infertility treatment, 220 Lebanese, Syrian, and Lebanese-Palestinian men were recruited for interview, mostly in Arabic.³⁴ Of the patients, the largest group (seventy-six men, or 35% of the total) identified themselves as Shiʿi. The majority (forty-five) of these men were working class, making well under U.S. \$1,000 per month,³⁵ and included policemen, army personnel, drivers, mechanics, electricians, and factory and other workers. Ten could be classed as affluent, all emigrants living and working in Africa or South America, mostly English speakers and with no stated interest in following a *marjaʿ*. Twenty-one were middle class, either professionals (engineers, architects, dentists, computer specialists, and managers) or business owners, making between \$1,000 and \$3,000 per month. Of the seventy-six men self-identified as Shiʿi, many claimed that they were “not that religious,” did not “care about religion,” did not follow a *marjaʿ* (six explicitly made this point), or were anticlerical (one explicitly and vehemently so). Some representative comments in this regard were: “I’m open-minded,” “I’m a modern man,” and “I’m a scientist.” Conversely, one was a shaykh. An additional nine men were “Shiʿi by birth” but objected to providing a sectarian label, either because they were self-proclaimed atheist communists (including one who stated that he was “born Muslim”) or because they were politically opposed to sectarian division in the country.

Of the seventy-six men, thirty-one (40%) spoke at some length, in the course of wider-ranging interviews about infertility and ARTs, about their religious convictions, their attitudes toward gamete donation, and the *marjaʿ* they followed, if they did.³⁶ Eight, all Hizbullah sympathizers, were for al-Khaminaʿi, with two of these stating they had switched from al-Khuʿi when he died. Nine were explicitly for Fadlallah, although one of these, a university employee, described himself as “not that religious, basically” and may be better regarded as an enthusiast than a *muqallid*. None spoke of al-Sistani or any other *marjaʿ*, although it is important to reiterate that these interviews were conducted between January and August 2003, before al-Sistani’s rise in profile. While the remaining fourteen did not explicitly state that they followed a *marjaʿ*, they held views with regard to ARTs closer to the mainstream position of Fadlallah than to al-Khaminaʿi’s more radical stance. As we will see, even al-Khaminaʿi’s stated followers did not all agree with his opinions in this regard. Perhaps the most striking finding here is the relatively small number of men (women might well return a different verdict) who expressed a commitment to a *marjaʿ*: seventeen out of seventy-six (22%) or out

of eighty-five (20%) if we include those who rejected the label of Shi‘i altogether (and 21%, and 19%, respectively, if one excludes the university employee). Further, those seventeen represent only about half (55%) of those Shi‘a who were explicitly religiously committed. There remains the possibility that more of the men followed these or other authorities but did not volunteer that information.³⁷ The near parity of the numbers who followed Fadlallah and al-Khamina‘i is also interesting. This would seem to reflect the success of Iranian outreach in challenging Fadlallah’s considerable home advantage as much as a triumph for Fadlallah’s marginal *marja‘iyya*. Class distinctions were also salient. Working-class men were more likely to state that they followed a *marja‘* than middle-class or affluent men. All of those following al-Khamina‘i were working class, with an average monthly income of just over \$500. Those stating their preference for Fadlallah were a mixture of middle- and working-class men, with the latter forming the majority, and had an average income of over \$1,000. They included, for example, a policeman, a construction contractor, two electricians, a shopkeeper, and a teacher. While the sample is relatively small, Fadlallah’s relative success in appealing to the middle class is nevertheless noteworthy.

CHARACTERIZATIONS OF THE *MARĀJI‘*

A number of the interviewees talked at some length about the religious ethics of the medical procedures they were contemplating and the religious authorities to whom they turned for guidance. Those patients who identified Fadlallah as their *marja‘* tended to be ardent in their support for him. Fadlallah was praised for being “modern” (often in English even in the course of interviews in Arabic) and “contemporary” (*mu‘āṣir*) and for approaching new issues, technologies, and social phenomena with an “open mind.” These were, incidentally, the same terms used by those who denied any special religious commitment to self-characterize their own position. As Karim,³⁸ a staff member at a Beirut university and fluent English speaker whose wife was infertile and who characterized himself as “not that religious,” said: “He [Fadlallah] can talk to an atheist or a nonatheist and both will feel comfortable . . . Fadlallah is one of those leaders who gives us an opportunity to make a step forward. He is very open in those general things, not just religious ceremonies.” Fadlallah’s explicitly committed *muqallidūn* spoke in similar terms, citing his scholarly acumen, of which they had no doubt. Asked whom he followed, Hasan, a thirty-three-year-old sweet-shop worker, replied: “Sayyid Muhammad Husayn Fadlallah. He’s the most important in Lebanon. He is so open to *ijtihād*.³⁹ He is open-minded.” And as ‘Ali, a carpenter, explained: “If we look to religion, to Sayyid Fadlallah, he contributes to our advancement, to improving our lives. He uses *ijtihād* because things are changing. We cannot stay at the same point in time.”

To return to the less religiously committed Karim:

I’m reading only Fadlallah. He’s the only religious person I read, because I usually like more open-minded people. Although the media talk a different story, I read many things and I like Fadlallah because he is very open. I’m a man of music, I sing in Arabic, which some say is forbidden in Islam. But I know that Sayyid Fadlallah listens to music, for example, Fayruz, and he knows a lot of poems . . . He’s the least conservative of the ones who understand *fiqh*. But, religiously, he’s strict. He’s abiding by the Qur’an and hadith and what the Prophet said . . . People who are not

Hizbullah men hold him in high respect because he's a very good thinker . . . Sayyid Fadlallah, if he was given a new opportunity, he would have created a new culture where [a rational approach to religion] would have flourished.

Although the Western media were happy to dub Fadlallah Hizbullah's "spiritual guide," such comments as Karim's confirm the independent nature of his following. They also undermine too cynical an evaluation of his avowed "openness." Such avowals clearly resonated with his enthusiasts. Consonant with this notion that Fadlallah might represent "a new culture," religiously committed but "open-minded," his followers and supporters often conformed to Lebanese and Western liberal expectations of what that might imply. In the IVF clinics, "Hizbullah men" stood out by contrast, usually the only ones to sport beards (as a sign of piety) and unwilling to shake the female anthropologist's hand, sometimes also asking for a male research assistant to be present at the interview. These men's wives were invariably carefully veiled, sometimes wearing full black chadors. By contrast, the anthropologist's impression was that Fadlallah's supporters were more likely to shake her hand (as Hasan did, for example), and not all of their wives were veiled or at least not in as "strict" a fashion. That is not to say that Fadallah advocated less strict veiling. He did not.⁴⁰ But it would seem plausible that those who saw themselves as "open-minded" in these and other respects would be more likely to see in him their preferred *marjaʿ*.

Those who stipulated al-Khaminaʿi as their *marjaʿ* were far less forthcoming about the qualities of their chosen authority. Perhaps the most expansive comment in this regard was made by Husayn, a police officer from the Hizbullah stronghold of Baalbek. He explained his choice thus: "I follow al-Khaminaʿi more than Fadlallah. Actually, we follow Sayyid al-Khuʿi, but he's dead. So, in the new things—and we always have new things—we have to go to Sayyid ʿAli for scientific things." Despite the informality of Husayn's "Sayyid ʿAli," it would seem that al-Khaminaʿi's organization had not succeeded in projecting a distinctive and attractive image of him in the way that Fadallah's clearly had. It may be that it has made no comparable attempt to do so, although images of al-Khaminaʿi are a significant presence in the public spaces of Beirut's predominantly Shiʿi southern suburbs. The common factor uniting al-Khaminaʿi's *muqallidūn* was rather their affiliation to Hizbullah, whose charismatic leader Sayyid Hasan Nasrallah does have a very potent public persona but is not a *marjaʿ*, although he is a representative (*wakīl*) of al-Khaminaʿi. The disparity between perceptions of Fadlallah and al-Khaminaʿi would most readily be explained by al-Khaminaʿi's relative remoteness, wholly occupied as a central political figure in distant Iran, as against Fadlallah's immediate presence in his own base of Beirut.

Localism, and indeed nationalism, were important themes of these conversations. Karim tied his enthusiasm for Fadlallah to his own love of music and the ayatollah's corresponding reported enjoyment of it. Fadlallah's qualified permission of music, even when sung by women, is indeed one of his trademark "open-minded" rulings.⁴¹ But Karim also claimed in particular that Fadlallah listened to Fayruz, Lebanon's most famous artiste and indeed a quintessentially Lebanese one—a national icon.⁴² Fadlallah's Lebanese identity and location were strongly stressed by his enthusiasts, who thought the "majority" of Lebanese Shiʿa considered him their "own Lebanese" *marjaʿ*, although Hasan was also keen to point to his global reach: "He's not only important in Lebanon.

He is followed by others in the Arab world and even in Detroit, Michigan!” Karim alluded to the differences between Fadlallah and Hizbullah and its Iranian backers over clerical rule that we touched on earlier:

[P]eople here in Lebanon who like Iran don’t like Fadlallah, because he said, “Religious leadership should be regional.” For example, leaders in Iran won’t understand Lebanon, so they cannot make fatwas for Lebanon. The leader needs to live here and know Lebanese society. This made the rift, because Hizbullah are supported by Iran. But we are Lebanese! We are not part of another country.

OPINIONS ON ASSISTED REPRODUCTION

To his enthusiasts, Fadlallah’s opinions were thus more in harmony with local needs, and this extended to his rulings on assisted reproduction. As Hasan explained:

As far as I know, there are two Lebanese versions of Shi’i Islam. And they have different shaykhs. But the one I’m following is Lebanese [i.e., Fadlallah]. Another one who is followed is in Iran [i.e. al-Khamina’i]. I know that the shaykh in Iran said that you can take eggs, take sperm from outside. But I don’t follow him. He said, in his opinion, in his fatwa in Iran, that it was allowed to do sperm and egg donation. This is due to the war in Iran, which left millions of people dead, with lots of widows. In Islam, the shaykhs give fatwas to help people. This Iranian shaykh, he thinks it is good, it will help these widows to have their own children. But, in Lebanon, it’s a different story. In Islam, for every problem, there is a solution. Maybe in Lebanon, it is not allowed today, but they will allow it in years to come.

Hasan was very clear on this point, because he had asked Fadlallah himself in person.

My wife, she was asked by the doctor if she would be willing to donate her eggs. But I asked the sayyid—I asked him *directly*—and he said, “No.” And she didn’t have any extra eggs anyway. There will be something wrong if she donates and another person will receive her eggs and the baby will be half from my wife. This is a “relations problem.” This is a “mixture of relations” when a baby is half from another person. And another thing he [Fadlallah] said was if a boy is born from an egg donor, it is *ḥarām* [forbidden] for that boy to be “shown” [i.e., naked] to the [infertile] wife, because actually, he is not her boy 100 percent. It is everyone according to his own religion, and so if his religion allows him, he will do it, and he will not be punished. But, at the end, God will punish those who will do this and don’t have good faith. If you have good faith, you wouldn’t do that which is not allowed to you in your religion.

We note in passing that Hasan is clearly committed to the *marja’iyya* model albeit while maintaining the importance of individual responsibility. Different visions of right religion are possible, and given the context here, that implies the varying positions of different *marāji’*. However, a cynical exploitation of that plurality will be recognized as such by God and punished. Hasan sought Fadlallah’s advice “directly,” in person at his mosque in fact. As he later explained, “Every day, after prayer, you can go and talk to him, and every Tuesday, he holds a meeting where you can write a question and he will answer.”

Hasan’s understanding is that for his wife to donate her eggs to others is forbidden, because a resulting child will be “half hers.” In terms of the legal debates, this is not quite exact. Debates over the permissibility of such procedures turn rather on the legality of fertilizing an egg with the sperm of a man to whom the egg provider is not married, which Fadlallah rules out.⁴³ And in published works Fadlallah has ruled that the child

would in fact be entirely (on the mother's side) that of Hasan's wife, as the originator of the egg.⁴⁴ Some authorities do enjoin that both women be considered the mother for caution's sake, and it is also suggested by some, including Fadlallah, that the woman carrying the child, the recipient of the egg, is akin to the "milk mother" who suckles a child and thereby acquires a kinship-like relation to it, albeit not that of filiation proper (*nasab*). In any case, if she suckled the child once delivered, as she most likely would, then such a relation would obtain and the problem of veiling would not arise.⁴⁵ But these legal niceties are here subsumed in a more commonsensical understanding of the potential problems and a clear "no" that satisfies Hasan while not necessarily doing justice to the full range of permutations.

This may be Hasan's imperfect understanding. But it could well be the result of a personal consultation. A mufti's advice is always in a sense individual, as each case is individual, even if his rulings are formally generalizable and phrased in general terms; he should couch his guidance in terms appropriate to his particular audience. In this respect it is worth noting again that Fadlallah, despite his stature, was accessible in a way that al-Khamina'i cannot be, especially to his followers in Lebanon. Both have websites,⁴⁶ and Fadlallah also controlled a radio station and a fledgling satellite television station (albeit hardly a competitor to Hizbullah's mighty al-Manar). But for these mainly working-class men, personal access remained preferred.

This is not to imply that Hasan's engagement is a narrowly confined one. Far from it: he had also been reading about the subject.

I want to tell you something about cloning in Islam. If a man has no hope of having a child, it [cloning] is halal [licit] for Shi'a. It is not halal if the eggs are from outside [a donor] or if the sperm is from outside. I have read extra books from certain shaykhs in Lebanon, and this is what they say . . . For cloning, as long as there is no hope, and as long as the baby will be born without birth defects, then it's okay, for the service of humanity. It's halal . . . The sayyid [Fadlallah] had an interview in the newspaper saying if, for a medical reason, there is no other solution [to infertility], then [cloning] is okay.

This is a reading public, then, and one for whom media interventions have an impact.

Fadlallah's opinion allowing human cloning, which was indeed reported in the media,⁴⁷ is another of his flagship positions, emblematic of his "contemporaneity" and commonly stressed in interviews with members of his organization. When asked for an example of Fadlallah's special appeal, one shaykh working in his offices replied:

Cloning. I was [studying] in Qom when this issue first hit the news. I heard an interview with Sayyid Fadlallah—he talked about it in a scientific manner, explained how it worked—you take a cell, you empty it of its nucleus and so on. This was when some of the 'ulama' didn't even know the meaning of the word.⁴⁸

This is a competitive field. Shaykh Muhammad Tawfiq al-Muqdad, al-Khamina'i's "general jurisprudential representative" (*al-wakīl al-shar'ī al-‘āmm*) in Lebanon, explained with satisfaction in an interview at his office in Beirut that al-Khamina'i issued a similar ruling: "his fatwa on cloning [allowing it], that gave rise to an uproar."⁴⁹ Al-Khamina'i's contemporaneity is as much a part of his clerical persona (in Lebanon) as it is of Fadlallah's, and his ready permission of controversial infertility technologies might best

be seen in that context. But, in Lebanon at least, it was Fadallah who succeeded in claiming the talismanic issue of cloning as his own.

Fadallah's enthusiasts even claimed that it was he who had originally legitimized the use of any ARTs at all. Karim said, "In our religion, for Shi'a, [ARTs] are not a problem, because of Sayyid Fadlallah . . . Fadlallah said, 'This is not a problem.'" This was despite the fact that more influential authorities such as al-Khu'i and Khomeini had allowed IVF within limits years earlier.⁵⁰ What is even more striking is that Fadlallah, perceived by his supporters as so "open-minded," was at this point much more restrictive in his opinion regarding assisted reproduction than his rival al-Khamina'i, whose opinions facilitate the use of donor materials, thus removing the need to have recourse to what are still hypothetical possibilities such as cloning, as Shaykh al-Muqdad pointed out with much enthusiasm.

Thus, in an exact parallel of Hasan's dilemma, Husayn, the police officer from Baalbek, explained his and his wife's contrary decision to donate eggs:

Husayn: Of course, I asked the shaykh first.

Anthropologist: Which shaykh?

Husayn: Sayyid 'Ali al-Khamina'i.

Anthropologist: Directly?

Husayn: I asked at the office. They have an office in Beirut. And they said, "No problem if you and your wife are agreeing to it." Then there are no other religious problems . . . And so the day before yesterday, my wife was surprised by one of the doctors here. He met her and he told her she has thirty ovules [eggs]! And they asked us if we would give some to people who need them. I said, "No problem."

Here again the *marja'iyya* relation is clearly pertinent and serves to facilitate a procedure that may be of great benefit to others. Al-Khamina'i's permission, as mediated through the Beirut office, opened the way, and here without mention of the potential problems for relatedness sketched previously, although al-Khamina'i's published texts do state them.⁵¹ But again, it was Fadlallah who nevertheless monopolized the ascription of "open" contemporaneity, among this group of informants at least.

THE WEIGHT OF PUBLIC OPINION

Fadlallah's perceived unwillingness to allow donor procedures, if less obviously "open-minded," was nevertheless more in line with the patients' own commonsense understandings of the issue. Husayn's cheerful acceptance of his wife's egg donation was the exception rather than the rule. It is important to point out that third-party donation is often viewed as a practice of last resort among couples who are unable to procreate via any other means. Lebanese clinics that have set up gamete-donation programs report low rates of patient acceptance, with donor cycles representing less than 20 percent of all ART cycles. Sperm donation has faced the stiffest patient opposition. Indeed, in this study, half of those men who identified al-Khamina'i as their *marja'* disagreed with his position permitting the use of donor sperm. This included even men who were azoospermic (i.e., no sperm found in their ejaculate), for whom sperm donation remained their only viable option for procreation.

One of these men, Ahmad, an electrician, whose five semen analyses had failed to identify a single spermatozoon, had asked at al-Khamina'i's office in Beirut what he should do. As Ahmad explained,

They told me that if the [IVF] doctor is a woman, it is better. But if it is a man, you must know that he's honest. In the Islamic shari'a, it is allowed for a woman to have a male doctor, and it is allowed to bring another sperm from another man [for donation]. But if you do it, the wife has to make a marriage contract, because the child will go to her other husband [the sperm donor] for inheritance. Sayyid al-Khamina'i said this.

In fact, al-Khamina'i's position, in the terms of the Islamic legal debates, is still more radical. Although he, like Fadlallah, finds the genetic relation paramount in determining paternity, he does not therefore require a woman to marry a sperm donor. This would compel the wife to divorce her husband, marry the sperm donor, divorce him, and then remarry her original husband. This tortuous solution can be found in Islamic legal discussions and in practice,⁵² but al-Khamina'i's position means one can dispense with it: "there is no legal obstacle [*lā māni' shar'an*] to the fertilization of the woman with the sperm of a stranger [*rajul ajnabi*, i.e., a man other than her husband] in itself."⁵³

Nevertheless, Ahmad had a better understanding of the consequent relations that would be formed than Husayn had. Asked if he would contemplate using donor sperm, Ahmad replied:

No! I don't feel it's logical. There's not even a one percent chance that I will do this. Religiously, it's okay in the shari'a, but I thought about it, and I said, "No, absolutely not." . . . My wife, she didn't accept this either, even though she knows it's in the shari'a. It is difficult. For the woman, it is not difficult to take another one's egg like it is for the man [to take another man's sperm].⁵⁴ If you get a child and it's a girl, when she's fifteen, sixteen or seventeen, she's not like your daughter. How will you behave with her? In religion, you could marry her . . . I'd prefer not to have a child than to have a child and always think about this.

Ahmad thus implicitly criticized the position of his avowed *marja'*, Ayatollah al-Khamina'i, as "illogical," even if, for him, it defined this procedure as "okay in the shari'a." Indeed, he joked, he was using his own *ijtihad* here. Ahmad was not alone in reaching this conclusion. The vast majority of Lebanese men interviewed, including "Hizbullah men," rejected sperm donation out of hand for such reasons. Given the widespread resistance to the practice, it remains uncommon in Lebanon, occurring under conditions of extreme secrecy.

Of the 220 men interviewed for this study, only one had actually undertaken sperm donation (although two others, both Christian, had agreed to it to address their azoospermia). Muhammad, a poor carpenter from South Lebanon, had suffered from persistent azoospermia throughout his ten-year marriage. When a Christian doctor broached the subject of sperm donation with him, he and his wife had gone directly to their local shaykh, a follower of al-Khamina'i. The shaykh indicated al-Khamina'i's approval of the practice and showed them the actual fatwa. This had encouraged the couple, who saw it as their only way to make a baby. They returned to the clinic, where Muhammad's wife was prepared for the donor-ICSI procedure. On the day of the donor-sperm collection, Muhammad agreed to be interviewed by the anthropologist, and upon reading and signing the human subjects consent form, the first words out of Muhammad's mouth

were “the sperm are not from me.” He then became taciturn, answering most questions with the briefest of responses, but made it clear that he had sold his land to go through with the \$2,000 donor–ICSI cycle, he had no idea who the sperm donor was, and he and his wife had vowed to keep this a secret, including from their families, for the rest of their lives.⁵⁵

ISLAMIC LEGAL CHANGE

Public opinion and social convention thus weigh very heavily in these ethical decisions. But while donor sperm procedures remained beyond the pale for most, 2003 saw a shift in the way that donor egg procedures were regarded, a shift that was reflected in the reports of Islamic legal opinions circulating in the clinics. As we have seen, received wisdom had it that Ayatollah Fadlallah did not permit the donation or use of donor eggs. This was not mere conservatism. Fadlallah was explicitly praised by his followers for his informed, technocratic approach. As Hasan put it, “He’s an expert in everything: medicine, politics. You can talk to him on every subject. All ambassadors go and speak directly to him.” Karim similarly noted with approval: “His way of thinking is very good. For example, if he wants to make a fatwa for infertile women, he will find doctors at American University Hospital and ask them exactly what happens to women’s bodies.” And that is precisely what Fadlallah did, according to a prominent medical specialist:

Fadlallah is a friend, he calls and asks questions. Once he rang about the woman’s orgasm. A woman who had lost her husband and didn’t want to commit adultery had asked if masturbation renders the fast void, like for men. That is, does it produce *janāba* [major ritual pollution]—women have this in menstruation, but what about vaginal sexual secretion? I told him no, it’s like sweating, a transudate, it has no gamete.⁵⁶

This doctor was one of those highly placed medical figures with offices of public and professional responsibility who had tried to introduce regulation of ARTs in Lebanon, including a ban on the controversial donor procedures. He was most resistant, in an interview in 2004, to the suggestion that authorities such as al-Khamina’i, and still less Fadlallah, might oppose such a ban: “I am almost his advisor, so I know.”

An American University of Beirut report of 2000 found that Fadlallah, like most other *marāji’*, did not agree with al-Khamina’i that it is legitimate to use donor sperm. Furthermore, Fadlallah prohibited the use of donor eggs.⁵⁷ But in late spring 2003, patients at the private clinic started to say that he had “approved” their “requests” to make use of donor eggs, which was confirmed when staff at the clinic called Fadlallah’s offices. Moreover, they began receiving written verification of Fadlallah’s new position. For example, a Shi’i Lebanese woman living in the United States had e-mailed Fadlallah’s website asking whether she could use donor eggs. She was concerned that she would be unable to determine if the egg donor was married. If not, she questioned whether her husband should contract a temporary marriage with the egg donor. The response from Fadlallah’s Beirut office read that she must be sure prior to taking the eggs that the donor was without husband and without sexual partner and that there must be a marriage contract with the donor. Otherwise the procedure would not be acceptable. The (Shi’i) physicians at the Beirut clinic understood this to mean that a written marriage contract would be required more generally for followers of Fadlallah. Sometimes such

temporary marriages by written contract were in fact orchestrated, even with American egg donors occasionally flown in from the United States (who did not object to signing such documents in Arabic although perhaps without full understanding of their content or meaning).⁵⁸

Fadlallah's new position was not necessarily widely known. Two Shi'i shaykhs interviewed during the clinical study insisted that Fadlallah did not approve of egg donation. But such positions can be found in published sources attributed to Fadlallah dating to approximately this period or shortly thereafter.⁵⁹ With regard to clinical practice, this seems to be the moment of emergence for this opinion of Fadlallah's, at least in part driven by popular demand, and followed by something of a lag in its diffusion to the wider community. The new position did lead to an increased uptake of donor-egg procedures within the clinic, even if at this point with the rather cumbersome enactment of a signed marriage contract by those followers of Fadlallah who were concerned with enacting his opinion correctly.

This sort of relative receptivity and sensitivity toward people's real-life problems, even if via the mediation of a dedicated office staff, was central to Fadlallah's vision of the *marja'*—"at once teacher and pupil"⁶⁰—and highly valorized by his staff. "If you just sit somewhere and people send you questions, then you answer from a theoretical perspective. But someone who is among the people answers practically," as one staff member put it.⁶¹ The enthusiasts of al-Khamina'i, and indeed other *marāji'*, would no doubt concur. Al-Khamina'i is nominally open to dialogue. Shaykh al-Muqdad reported that he had translated into Arabic a work in Farsi documenting sessions where al-Khamina'i replied to Iranian doctors' ethical questions, though the draft was lost in the wreckage of Shaykh Muqdad's office after the Israeli bombardment of Beirut in 2006. But while representatives such as Shaykh al-Muqdad are on hand in Lebanon, they are themselves at a remove from the *marja'*'s offices in Iran, which are in any case presumably heavily preoccupied with other issues. While some clerical informants suggested that al-Khamina'i might in fact have qualified his controversial statements about ARTs in light of the critical reception they encountered, Shaykh al-Muqdad, and the published sources available in Lebanon, maintained the previous line. These relatively attenuated relations of communication between *marja'*, representative, and *muqallid* could hardly match those possible for Fadlallah's local and less preoccupied *marja'iyya*.

CONCLUSION

Our study provides a number of insights into the *marja'iyya*. The *marja'iyya* was not of explicit concern for the majority of Shi'i Muslim men consulted. Those who were avowedly committed to a *marja'* were mainly working class. In the Lebanese context of the time, only the publicly and politically engaged *marāji'* Fadlallah and al-Khamina'i were mentioned. A diachronic perspective comparing a number of synchronic views such as ours would be needed to draw more substantial conclusions regarding the relative popularity of different *marāji'*. That would include in particular al-Sistani, whose prestige in clerical circles did not, it would seem, immediately translate into a global presence. We would welcome such efforts and hope that our paper inspires similar studies.

We have paid particular attention to what we call the affective qualities of the bond between *marja'* and *muqallid*. A comparison of our data concerning Fadlallah and al-Khamina'i shows that relations with a local authority were qualitatively very different from those with one based elsewhere. Fadlallah's enthusiasts had a much clearer and stronger notion of and commitment to what Fadlallah represented to them. His "openness" and his Lebanese-ness were especially stressed. Further, Fadlallah, or at least his offices, was able to respond to his followers' needs and wishes relatively immediately. There was a dynamism and mutuality to the relationship between the two parties that would be difficult for other, more distant *maraji'* to emulate, at least to the same degree. That in turn seems to have lent greater credence to Fadlallah's claims to be a distinctively "contemporary" *marja'*.

This enables us to conclude with some tentative comments with regard to the situation subsequent to Fadlallah's death. For those Lebanese Shi'i Muslims consulted here who supported Fadlallah, only a locally based and engaged figure with a similarly open stance would seem able to replace him as a *marja'* of the same kind. Neither al-Sistani nor al-Khamina'i would be able to match that relationship. Given the absence, at the time of this writing, of an immediate successor within Fadlallah's Beirut school who could claim the *marja'iyya* for himself,⁶² it is conceivable that either al-Sistani or al-Khamina'i, or indeed another figure, might nominally be adopted as some or all of this constituency's *marja'*. But this commitment would not be of the same type. It would thus seem, on the basis of our data, that the *marja'iyya* would thereby become of less immediate relevance to a still greater number of Shi'i Muslims in Lebanon than already apparent from our figures from 2003. Locally based clerics of a similar outlook, even if at this point short of the scholarly credentials required to be plausibly claimed as *marja'*, would perhaps be better placed to command a genuine popular following.

NOTES

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¹See, for example, Nikki Keddie, *Religion and Rebellion in Iran: The Iranian Tobacco Protest of 1891–1892* (London: Cass, 1966); and Juan R. I. Cole, *The Ayatollahs and Democracy in Iraq*, ISIM Paper 7 (Amsterdam: Amsterdam University Press, 2006).

²See, for example, Mehdi Khalaji, *The Last Marja': Sistani and the End of Traditional Religious Authority in Shiism*, Policy Focus 59 (Washington, D.C.: Washington Institute for Near East Policy, 2006), 6, 9–10, 25, 27, 30–31. In the overwhelming majority of opinion, we should say, a *marja'* can only be male. Ayatollah Fadlallah differs: see Siham Hamiyah, *al-Mar'a fi al-Fikr al-Falsafi al-Ijtima'i al-Islami: Dirasa fi Fikr al-Sayyid Muhammad Husayn Fadl Allah* (Beirut: Dar al-Malak, 2004), 121.

³For a full list of references see Linda Walbridge, ed., *The Most Learned of the Shi'a: The Institution of the Marja' al-Taqlid* (Oxford: Oxford University Press, 2001).

⁴Khalaji, *The Last Marja'*, 6–7.

⁵See, for example, Marcia C. Inhorn, *Quest for Conception: Gender, Infertility, and Egyptian Medical Traditions* (Philadelphia, Pa.: University of Pennsylvania Press, 1994); idem, *Infertility and Patriarchy: The Cultural Politics of Gender and Family Life in Egypt* (Philadelphia, Pa.: University of Pennsylvania Press, 1996); idem, *Local Babies, Global Science: Gender, Religion, and In Vitro Fertilization in Egypt* (New York: Routledge, 2003); idem, “Middle Eastern Masculinities in the Age of New Reproductive Technologies: Male Infertility and Stigma in Egypt and Lebanon,” *Medical Anthropology Quarterly* 18 (2004): 162–82; and idem, “‘He won’t be my son’: Middle Eastern Muslim Men’s Discourses of Adoption and Gamete Donation,” *Medical Anthropology Quarterly* 20 (2006): 94–120.

⁶Morgan Clarke, *Islam and New Kinship: Reproductive Technology and the Shariah in Lebanon* (New York: Berghahn Books, 2009).

⁷As the interviewer’s interest was in the use of ARTs, the patients’ allegiance to one marjaʿ or another was not the subject of direct questioning at the outset. It rapidly and spontaneously emerged, however, in the course of conversations about donor-gamete procedures. Patients noted the differences in opinion on the topic between the marājiʿ, and some volunteered the identity of their chosen marjaʿ and the importance of that relationship. The interviewer subsequently broached the topic directly in the course of such conversations. Although the marjaʿiyya was not the subject of the interviews per se, it thus seems reasonable to suggest that where a patient was committed to a marjaʿ that commitment would have emerged in the course of his interview.

⁸Walbridge (*The Most Learned*, 233, 244) talks of “a mutual relationship,” “interdependence,” and “a grassroots institution.” Amanat deems the marjaʿ “the willing dependent of the muqallid.” Abbas Amanat, “In Between the Madrasa and the Marketplace: The Designation of Clerical Leadership in Modern Shiʿism,” in *Authority and Political Culture in Shiʿism*, ed. Said Arjomand (New York: State University of New York Press, 1988), 101. For Lebanon, see Rula Abisaab, “Lebanese Shiʿites and the Marjaʿiyya: Polemic in the Late Twentieth Century,” *British Journal of Middle Eastern Studies* 36 (2009): 217–18 et passim.

⁹Laurence Louër, *Transnational Shia Politics: Religious and Political Networks in the Gulf* (London: Hurst, 2008); Morgan Clarke, “Neo-calligraphy: Religious Authority and Media Technology in Contemporary Shiite Islam,” *Comparative Studies in Society and History* 52 (2010): 351–83. We owe the phrase “politics of immediation” to Lori Allen, “Martyr Bodies in the Media: Human Rights, Aesthetics, and the Politics of Immediation in the Palestinian Intifada,” *American Ethnologist* 36 (2009): 161–80.

¹⁰Lara Deeb, *An Enchanted Modern: Gender and Public Piety in Shiʿi Lebanon* (Princeton, N.J.: Princeton University Press, 2006).

¹¹See, for example, Fuad Ajami, *The Vanished Imam: Musa al-Sadr and the Shia of Lebanon* (London: I. B. Tauris, 1986); Augustus Richard Norton, *Amal and the Shiʿa: Struggle for the Soul of Lebanon* (Austin, Tex.: University of Texas Press, 1987); idem, *Hezbollah: A Short History* (Princeton, N.J.: Princeton University Press, 2007); and Roschanack Shaery-Eisenlohr, *Shiʿite Lebanon: Transnational Religion and the Making of National Identities* (New York: Columbia University Press, 2008).

¹²Abisaab, “Lebanese Shiʿites.”

¹³Shaery-Eisenlohr, *Shiʿite Lebanon*, 97–98; Salim al-Hasani, *al-Maʿalim al-Jadida li-l-Marjaʿiyya al-Shiʿiyya: Dirasa wa-Hiwar maʿa Ayat Allah al-Sayyid Muhammad Husayn Fadl Allah* (Beirut: Dar al-Malak, 1994), 38–45 et passim. Fadlallah claimed in the early 1990s that many Lebanese Shiʿi Islamists found little problem in following both al-Khuʿi and Khomeini simultaneously: *ibid.*, 139. See also Abisaab, “Lebanese Shiʿites,” 234.

¹⁴Khalaji, *The Last Marja*, 22–24, 27–31; Ali Ansari, “Iran Under Ahmadinejad: Populism and Its Malcontents,” *International Affairs* 84 (2008): 686–87, 689–94. Saïd Arjomand, *After Khomeini: Iran Under His Successors* (New York: Oxford University Press, 2009), 190–91, talks of al-Khaminaʿi’s “fragile personal rule over an inharmonious amalgam of clerical conciliarism and brute post-revolutionary military-intelligence domination.” For the opinion of a prominent Iranian dissident, see Akbar Ganji, “The Latter-Day Sultan: Power and Politics in Iran,” *Foreign Affairs* 87 (2008): 45–66.

¹⁵See also Olivier Roy, “The Crisis of Religious Legitimacy in Iran,” *Middle East Journal* 53 (1999): 201–16; and Walbridge, *The Most Learned*, 234–37.

¹⁶Shaery-Eisenlohr, *Shiʿite Lebanon*, 144.

¹⁷For Fadallah’s biography see Jamal Sankari, *Fadlallah: The Making of a Radical Shiʿite Leader* (London: Saqi, 2005). For a more detailed examination of the distinctive and contested nature of his marjaʿiyya see Morgan Clarke, “Marjaʿiyyat Beirut: Contemporaneity and Tradition in the Hawja of Ayatollah Muhammad

Husayn Fadlallah,” in *Religious Authority in Shi‘ite Islam: Knowledge and Authority in the Hawza*, ed. Robert Glave (forthcoming).

¹⁸Muhammad Husayn Fadlallah, *Fiqh al-Shari‘a*, vol. 1 (of 3) (Beirut: Dar al-Malak, 2002–2003), 17–19; idem, *al-Masa‘il al-Fiqhiyya*, vol. 1 (of 2) (Beirut: Dar al-Malak, 2005), 26; idem, *al-Masa‘il al-Fiqhiyya Tibqan li-Fatawa al-Marja‘ al-Dini Samaha Ayat Allah al-‘Uzma al-Sayyid Muhammad Husayn Fadl Allah: al-‘Ibadat*, new ed. (Beirut: Dar al-Malak, 2009), 32, 36. Interview with Shaykh Husayn al-Khishn, Beirut, 4 February 2008.

¹⁹Al-Hasani, *al-Ma‘alim*, 80–81, 87–89, 122–23.

²⁰Clarke, “*Marja‘iyyat Beirut*”; Talib Aziz, “Fadlallah and the Remaking of the Marja‘iya,” in *The Most Learned of the Shi‘a: The Institution of the Marja‘ al-Taqlid*, ed. Linda Walbridge (Oxford: Oxford University Press, 2001), 205–15.

²¹Al-Hasani, *al-Ma‘alim*, 71–73 et passim; Mona Sukkariyya, ‘*An Sanawat wa-Mawaqif wa-Shakhsiiyyat: Hakadha Tahaddath . . . Hakadha Qal* (Beirut: Dar al-Nahar, 2007), 35–68. See also the tribute to Fadlallah made by British ambassador to Lebanon, Frances Guy, on her weblog after his death (7 July 2010), withdrawn after pressure from the Foreign and Commonwealth Office but still posted on Fadlallah’s website: http://english.bayynat.org.lb/news/Tribute_07072010.htm (accessed 28 August 2010).

²²Sukkariyya, ‘*An Sanawat*, 69, 169, 172, 196–97.

²³http://arabic.bayynat.org.lb/nachatat/barkeya_29.htm; http://arabic.bayynat.org.lb/nachatat/barkeya_30.htm (both accessed 15 July 2010).

²⁴Deeb, *Enchanted Modern*.

²⁵Shaery-Eisenlohr, *Shi‘ite Lebanon*, 108.

²⁶Deeb, *Enchanted Modern*, 71.

²⁷To forestall one possible explanation, while al-Sistani’s opinions on assisted reproduction were not widely known at the time of this research, they are not exceptionally restrictive by any means. See Clarke, *Islam*, 133–36.

²⁸Khalaji, *The Last Marja*, 3–7; Reidar Visser, *Sistani, the United States and Politics in Iraq: From Quietism to Macchiavellianism?* NUPI paper 700 (Oslo: Norwegian Institute of International Affairs, 2006).

²⁹Norton, *Hezbollah*, 151. Norton’s assertion that (in 2006) “most rank-and-file Hezbollah members emulate Iraq’s Ayatollah ‘Ali al-Sistani or Lebanon’s Ayatollah Fadlallah,” because “[t]he Iranian leader is simply not taken very seriously as a religious scholar,” seems tendentious (Norton, *Hezbollah*, 100–101). Our study suggests otherwise, for 2003 at least. To give an idea of the uncertainty here, Louër, *Transnational Shia Politics*, 205, by contrast reports in 2008 that “some say [al-Khamina’i] may be the most emulated *marja‘* in Lebanon.”

³⁰See, for example, Clarke, *Islam*; Inhorn, *Local Babies*; idem, “Making Muslim Babies: IVF and Gamete Donation in Sunni versus Shi‘a Islam,” *Culture, Medicine and Psychiatry* 30 (2006): 427–50; and Abdulaziz Sachedina, *Islamic Biomedical Ethics: Principles and Application* (New York: Oxford University Press, 2009), 101–24.

³¹‘Ali al-Khamina’i, *Ajwibat al-Istifta’at*, Part II (Beirut: al-Dar al-Islamiyya, 2006), 70; Morgan Clarke, “Children of the Revolution: Ayatollah Khamene’i’s ‘Liberal’ Views on *In Vitro* Fertilisation,” *British Journal of Middle Eastern Studies* 34 (2007): 287–303; Inhorn, “Making Muslim Babies,” 434–39.

³²M. J. Abbasi-Shavazi, M. C. Inhorn, H. B. Razeghi-Nasrabadi, and G. Toloo, “The ‘Iranian ART Revolution’: Infertility, Assisted Reproductive Technology, and Third-Party Donation in the Islamic Republic of Iran,” *Journal of Middle East Women’s Studies* 4 (2008): 1–28. On ARTs in Iran see also Soraya Tremayne, “Law, Ethics, and Donor Technologies in Shi‘a Iran,” in *Assisting Reproduction, Testing Genes: Global Encounters with New Biotechnologies*, ed. Daphna Birenbaum-Carmeli and Marcia C. Inhorn (New York: Berghahn Books, 2009); and Shirin Garmaroudi Naef, “Gestational Surrogacy in Iran: Uterine Kinship in Shia Thought and Practice,” in *Islam and Assisted Reproductive Technologies: Sunni and Shia Perspectives*, ed. Marcia C. Inhorn and Soraya Tremayne (New York: Berghahn Books, in press).

³³Clarke, *Islam*, 152–81; Inhorn, “Middle Eastern Masculinities”; idem, “‘He won’t be my son.’”

³⁴For more details see Inhorn, “Middle Eastern Masculinities,” 165–66; idem, “‘He won’t be my son,’” 100–102.

³⁵A cycle of IVF treatment cost on average around \$2,000 at this time but could be as much as \$5,000 depending on the clinic.

³⁶See previous note.

³⁷Again, the patients' allegiance to one or other *marja'* was not the central subject of the interviews but arose in the course of conversations about the religious permissibility of various procedures. It seems relatively unlikely, although hardly impossible, that the topic would not have been broached in some form in this context by those so committed.

³⁸All names are pseudonyms.

³⁹That is, working to derive the rulings of the religious law according to the standards of the school, the preserve of the clerical elite.

⁴⁰Fadlallah, *Fiqh*, 3:403.

⁴¹Fadlallah, *al-Masa'il*, 1:195–200, 2:340–45.

⁴²That seems unlikely to be the case, as Fadlallah stated that, despite his qualified permission of music, he did not have a “musical personality.” Sukariyya, *'An Sanawat*, 167.

⁴³Clarke, *Islam*, 126.

⁴⁴“[F]or us the origin of the relation of the child to its mother is its being from her egg, without there being a role for her nurture of it in her womb and its being delivered of her.” Fadlallah, *Fiqh*, 3:523.

⁴⁵Clarke, *Islam*, 121, 130–31; idem, “The Modernity of Milk Kinship,” *Social Anthropology* 15 (2007): 1–18.

⁴⁶www.bayynat.org.lb and www.leader.ir. Despite the resources lavished on these websites, they were rarely mentioned in the context of our study. Few of these mostly working-class men had any access to computers. One Sunni man did talk of checking websites in his attempt to justify his decision to use donor eggs. He lived in the United States and had returned to Lebanon to obtain Lebanese donor eggs. The only other mention was by some Shi'i immigrants in the United States who had sought Fadlallah's opinion via e-mail.

⁴⁷See, for example, Z. Ghusn, “al-Sayyid Muhammad Husayn Fadl Allah Yashrah Fatwa Tahlilihi li-l-Istinsakh,” *al-Safir*, 28 August 2001.

⁴⁸Interview with Shaykh 'Ali Halawi, Beirut, 25 June 2007.

⁴⁹Interview, Beirut, 5 April 2008.

⁵⁰Muhammad 'Ali al-Hajj and As'ad Jawad, *al-Masa'il al-Muntakhaba: al-'Ibadat wa-l-Mu'amalat: Tibqa Fatawa Ayat Allah al-'Uzma al-Sayyid Abu al-Qasim al-Khu'i wa-Ayat Allah al-'Uzma al-Sayyid 'Ali al-Husayni al-Sistani* (Beirut: Dar al-Safwa, 2007), 461; Ahmad Salamah, *Atfal al-Anabib: Bayn al-'Ilm wa-l-Shari'a* (Amman: al-Dar al-'Arabiyya li-l-'Ulum, 1998), 102.

⁵¹“[T]he child born in this way is related to the sperm and egg producers, and its relation to the owner of the womb is problematic, and [the husband and wife] must take care to exercise caution regarding the particular legal rulings of kinship [*nasab*].” al-Khamina'i, *Ajwibat*, 70.

⁵²Clarke, *Islam*, 126–27, 145n23; Tremayne, “Law, Ethics, and Donor Technologies.”

⁵³Al-Khamina'i, *Ajwibat*, 70.

⁵⁴Although similar problems do in fact arise, as Hasan pointed out (see previous).

⁵⁵Because sperm donation is anonymous in Lebanon, the couple had no information about the donor. The doctors did allow the couple to view the semen sample, taken directly from a medical student, and the wife said a prayer over the semen in a plastic cup.

⁵⁶Anonymous interviewee, Beirut, 2004. Fadlallah's resulting fatwa created considerable controversy. Aziz, “Fadlallah,” 210–11.

⁵⁷Ali Houjaij et al., *IVF in Lebanon: Assessment of Its Current Status* (Beirut: American University of Beirut, 2000), 8–9.

⁵⁸Inhorn, ““He won't be my son,”” 115–16.

⁵⁹Fadlallah, *Fiqh*, 3:523; idem, *al-Masa'il*, 1:273–74.

⁶⁰Al-Hasani, *al-Ma'alim*, 86. See also 71–72, 103–104.

⁶¹Interview with Shaykh 'Ali Halawi, Beirut, 25 June 2007.

⁶²Fadlallah's eldest son Sayyid 'Ali, who now heads the organization, is most likely not yet of sufficient clerical seniority.