

THE HISTORICAL MEETING WITH AYATULLAH AL-UZMA SAYYID 'ALI AS-SISTANI

As reported by
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On September 3, 1998

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الحمد لله رب العالمين، والصلاة والسلام على محمد وآله الطاهرين

وقل رب أدخلني مدخل صدق وأخرجني مخرج صدق واجعل لي من لدنك سلطانا نصيرا.

وقل جاء الحق وزهق الباطل ^ع إن الباطل كان زهوقا

(سوره ٧١ الاية ٨٠-٨١)

I stand tonight in front of you to talk about my trip to Najaf along with Dr. Abdul Aziz Sachedina. During the last four months I had maintained silence on this issue except to say that I needed time for preparation before undertaking this historical journey.

Tonight I would like to break my silence and make a statement on the controversy before I describe the historical meeting with the Ayatullah al-Uzma Sayyid as-Sistani and what transpired therein.

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The Controversy Surrounding Dr. Sachedina

Those who have been around from the early days of this

community in Toronto, tell me that the controversy surrounding Dr. Sachedina has been there from the very beginning of this centre's opening. Sometimes the controversy would be suppressed; and sometimes it would erupt and come up again. The recent controversy started around the article of Dr. Sachedina in the *Bio-Ethics Encyclopedia*. This started in Rajab of last year, about ten months ago.

I have been living in Toronto for the last seven years; and I had decided not to enter into the controversy surrounding Dr. Sachedina **simply because** whenever someone criticized his book or statements, it was immediately given a political context. And some people are very good at contextualizing issues. All criticism was cut short by saying that this is a World Federation conspiracy. (This was, by the way, the main reason behind my hesitation in participating in the Open Forum.) The other common and handy response was the accusation that he is being quoted "out of context."

Having joined the Jamaat two years ago, my responsibilities changed. If a controversy surrounding a religious issue starts affecting everyone, then I have to make a statement. When I first read the article in the *Bio-Ethics Encyclopedia*, I didn't give it much of a thought. **Not because** I thought that it was all right, **but** I assumed that probably Dr. Sachedina was writing from the majority Sunni perspective. Then two brothers from the U.K., Muhsin Jaffer and Murtaza Lakha, wrote questions on that article to Dr. Sachedina. In the response to their questions, to my surprise, Dr. Sachedina insisted upon the correctness of his view to the extent of saying that Ghadir was also an implicit designation and that is why 'Ali did not use it as an argument for his caliphate. By that time, the issue had become talk of the town.

It was this response of Dr. Sachedina to the questions that

prompted me to break my silence. And, therefore, on the eves of 19th and 21st of Ramadhan last year, I discussed the issue thoroughly in an attempt to put to rest any doubts that might have arisen in minds of the youths about caliphate of Imam 'Ali not being explicitly and clearly declared by the Prophet (s.a.w.).

I am saying this because I have been questioned about the wisdom of talking on the issue of explicit vis-a-vis implicit caliphate in Ramadhan before calling up Dr. Sachedina and asking for clarification. **Well, I discussed only after** reading his response to questions sent from U.K. The questions had already been asked, there was no need for me to phone Dr. Saheb before discussing the issue. More so, when the article is already published and is in the public domain.

The recent controversy coincided with the invitation that had been extended by the West centre of our Jamaat to Dr. Sachedina for this year's Muharram. The President, Br. Nazir Gulamhussein, came to see me in the month of Dhil Qa'da and talked about exploring the possibility of approaching the Marja' to solve this problem.

I had not yet made up my mind about approaching the Marja', when on 10th of Dhil Hijja, the day of 'Idul Adha, the President informed me that Dr. Sachedina has sent an e-mail saying that he is ready to go to Najaf even today. So now I was faced with two things: (1) the President, on behalf of the Jamaat, strongly inclined on the approach to the Marja'; and (2) Dr. Sachedina's challenge to go to Najaf. Moreover, the President also assured me that the supporters of Dr. Sachedina agree with this approach and are willing to accept the consequences. I must also point out that unrelated to the Toronto Jamaat's view, the supporters of Dr. Sachedina in Africa as well as North America were also insisting upon the approach of the Marja'.

Under such circumstances, I had no choice but to accept the idea of going to Najaf in spite of all the hesitations I had for personal and other reasons. **However**, what nobody, nobody at all, realized was that going to the Marja' is like taking the case to the Supreme Court of Canada. The Marja' is the final authority during the ghaybat of Imam Zamana (a.s.). And that is why I said that I would go **but only** after preparation, and that would not be possible until after the Arbaeen. I also insisted that I will not only take this one paragraph of the Encyclopedia on implicit caliphate but all the controversial writings and statements of Dr. Sachedina — otherwise, I strongly believed that, we might have to go to Najaf more than one time!

Since I agreed to take the case to Najaf, I was not willing to make the decision whether Dr. Sachedina should be given mimbar for Muharram or not. For this I was harshly criticized from both sides: Sachedina's supporters were saying "If Maulana can criticize Aziz in majlis, why can't he go now? What preparations he needs to do?" while his opponents were saying, "You have disappointed us." Some of Sachedina's opponents even indirectly suggested that probably I was worried about my employment with the jamaat, and that I shouldn't worry because Allāh is the Provider! For both groups, I can only pray that may Allāh forgive them for what they said out of ignorance!

Nobody realized the extent of work that was involved. When the work of compilation and translation was completed in the last week of July 1998, the huge binder emerged. The binder consisted of five parts:

1. Views & Ideas of Dr. Sachedina Farsi & English
Direct quotations from his own words taken from the sources in parts 2-5.
2. Islamic Messianism Farsi translation
First two chapters complete; and excerpts from the rest of the book.

3. Imamate & Khilafat Farsi & English
 Consisted of the paragraph from the *Bio-Ehics Encyclopedia*, and the gradual responses of Dr. Sachedian to the controversy that followed; ending with the amendments that he has sent to the publishers for the next edition.
4. Religious Pluralism Farsi & English
 (The idea that more than one religion can guarantee salvation in the hereafter).
5. Fiqh & Fuqahā. Farsi & English
 Some of Dr. Sachedina's views on fiqhi and shar'ī issues.

I gave two copies of this binder to the Jamaat: one to be sent to Dr. Sachedina so he knows what we are presenting to Ayatullah Sistani; and the other to be sent to Ayatullah Sistani.

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The Journey to Najaf

I left on 16th from Toronto to London. From London, Dr. Sachedina, his son Ali Reza and myself took British Airways to Amman.

On 17th, Monday evening, we left Amman in a GMC jeep, and after 17 hours we reached Baghdad! From there, we went to Najaf, reaching at 5 p.m. on Tuesday, the 18th.

On 19th August, I phoned Ayatullah Sistani's office to see whether or not the binder had reached them. That binder also contained a covering letter from the Toronto Jamaat signed by Br. Nazir Gulamhussein. Upon hearing that no such binder had reached, I informed Agha's son, Sayyid Muhammad Reza, that I had my own copy which I could bring over for Agha to study before he accepted us in his audience. (Fearing that the binder might be taken away by the Iraqis at the Iraqi border, I had taken all precaution. I had

photocopied the entire binder in a reduced form, and had it bound like a small booklet. That I placed between the Qurʾān and the Mafātih in my briefcase. But al-hamdu lil-lāh, nothing was taken from us at the Iraqi customs.)

Hujjatul Islam Sayyid Muhammad Reza asked me to come with the file and also explain the purpose of the visit. I took the binder¹ and, relying on memory, conveyed the message which was there in Br. Nazir Gulamhussein's letter. Al-hamdu lillah, Agha agreed to meet with us the next day 20th August at 9 am.

I would like to inform the community about the meeting so that you may understand the background in which the Ayatullah's letter was issued, and also because I have been hearing, since I returned to Toronto, many rumours about what happened at the meeting.

The First Meeting: 20th August 1998

As soon as we sat down, Ayatullah Sistani (hereinafter referred to as Agha) began his talk addressing Dr. Sachedina directly. After listening for a few minutes, I realized that Agha had begun by referring to a letter Dr. Sachedina had sent to him earlier on this issue.

Agha began by saying that he would like to make some **opening remarks**:

First of all, he, unlike other personalities, is not easily influenced by anyone praising him or saying that, "I am your muqallid."

1 Did I deliver "package of letters" along with the binder? Absolutely not. I had gone alone and I only took the binder and had no letter, whatsoever, from anyone for Ayatullāh Sistani or his son. I didn't know that some people have 'ilmu '1-ghayb to know what I had in my plastic bag without being with me at that time! This story has been fabricated probably to counter what I have mentioned about Dr. Sachedina having sent a letter to the Ayatullāh.

Then Agha talked at length about his **own academic background**. I sensed that he wanted to let us know that his opinion is based on full awareness of the issues, and that one should not assume that since he is in Najaf, he is unaware of what is happening around the world. He talked about his studies in Mashad, in Qum, and then in Najaf. He was aware of the intellectual trends during the time when colonial and imperial powers had control of the region [during WWII]. He was also familiar with the activities and strategies of the Christian missionaries, and also with the trends of thought that amalgamated ideas from Islam and communism. He was also aware of the programs of Orientalists in their study of Islam and the Muslims.

His study was not only limited to Shi'a fiqh; he was fully acquainted with the fiqh of Sunni madhahib also and specially referred to the book *al-Umm* of ash-Shafi'i. Agha also mentioned that he has studied philosophy and 'irfan under recognized masters.

Thirdly, Agha said that he keeps himself up-to-date on the affairs of the Shi'as and Muslims all around the world. Reports are sent to him regularly from different parts: India, Pakistan, Europe, etc.

Agha talked on these issues for about 40 to 45 minutes.

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Then Agha came specifically to the purpose of our visit. Referring to **the binder** that contained the views and ideas of Dr. Sachedina, **Agha asked me whether or not Dr. Sachedina had seen it?** I replied that yes this was given to him more than two weeks ago. Dr. Sachedina concurred to my answer.

Agha then asked Dr. Sachedina: **“Are these your words and statements? Is there any thing added into this?”** Dr. Sachedina answered: “Yes; these are my statements; however, I do not agree with the conclusions derived from them.”

I had provided the originals of all his writings along with the translations; and also had the audiocassettes of his lectures and a cassette player with me at that meeting. But after Dr. Sachedina's answer in which he did not contest the authenticity of the statements attributed to him, there was no need to bring all those sources out.

Ayatullah Sistani's Assessment of Sachedina's Views:

After this, Agha, addressing Dr. Sachedina said that, "I would like you to **clearly understand what I am saying**. I am not of the nature to assassinate anyone's character or destroy one's dignity. What I intend to say is not to destroy your personality. What you have written to me, I take your good intentions at face value; and do not want to judge you."

"Having read through this file (and you should know that I have gone through it), it seems that you have not adequately studied the Qur'an and the sunnah." Agha referred to the example of the verse "*inna d-dina 'indallāhi l-Islam* — verily the religion in sight of Allāh is Islam" where Dr. Sachedina had said that "al-Islam" in this verse is with small "i" not with a capital "I." (He means "islam" the religion of God from Adam to Muhammad, and not "Islam" the religion that started in seventh century of the Common Era). Agha said that if you had looked at it from Arabic grammatical point of view, you would not have made this mistake. Al-Islam means the Islam as brought and taught by Prophet Muhammad (s.a.w).

Then Agha expressed his opinion about Dr. Sachedina's ideas in general. He described Dr.'s ideas and views as immature (*na pukhte* ناپخته) and unrefined (*nudj na shude* نضج نشده). Agha used these terms to describe Dr. Sachedina's ideas quite a few times during this meeting. It is important to remember that these are not remarks by an ordinary imam of a masjid or a mulla, it is the evaluation by the Marja', the highest religious authority in our community.

The Advice of Ayatullah Sistani

Having said that he does not want to get into the debate and prove the errors in the views of Dr. Sachedina, Agha finally came to the **main suggestion**. He said to Dr. Sachedina “My advice to you, a brotherly advice, not an order as a Marja’-e taqlid, is that you yourself should freeze (*tajmid*) your views and not express your opinions (*ibda’-e ra’iy*). Rather you should translate the works of our ‘ulamā’ like Ayatullah al-Khu’i, ‘Allāma Tabātabā’i, and some works of Agha-e Mutahhari. Even in translations, refrain from expressing your opinions.”

Agha then talked about the “freezing of ideas” and “not expressing one’s opinions.” He said that what I am asking of you is not an easy thing to do, in doing so one has to kill his ego. “One of my philosophy teachers used to say that a person’s ideas are more dearer to him than his own children.” But it is not necessary to express your opinions.

Agha gave his **own example**. He said that before the demise of Ayatullah al-Khu’i he was not known except to the circle of the learned scholars. He used to give lectures to a limited circle of students, and had advised them against publishing or distributing his views during the life time of Ayatullah al-Khu’i. He has written fifteen volumes on Usûlu ’l-Fiqh (the Principles of Jurisprudence or the Methodology of Ijtihad) as compared to Ayatullah al-Khu’i’s five volumes; but, till this day, they remain unpublished. And there are many views which are different from that of Ayatullah al-Khu’i.² “If I had died before Ayatullah al-Khu’i, then none would have become familiar with my views.”

Then Agha gave the example of another mujtahid of the past: Agha

² This is the only context in which the Ayatullah talked about differences between his and the late Ayatullah Khu’i’s views. The issue of Sachedina having a different opinion from Ayatullah Khu’i on the latter’s alleged position on slavery was never mentioned at all in both the meetings.

Mirza-e Shirazi. The masjid where he used to lead the prayers, a mulla used to read every day a few masa'il between the two namaz for the audience. However, the masa'il he was reading were not according to the fatwa of Mirza-e Shirazi but according to Ayatullah Yazdi. Some of the Mirza's followers suggested that this is an insult to you therefore you should not sit and listen to this. But the Mirza refused to give in to his ego, and continued to sit through the recitations of the masa'il based on Yazdi's fatwas.

Agha said that one of the problems of Shi'a community is that every one [Tom, Dick and Harry] thinks he has the right to express an opinion on Islam. Look at the Catholic church; in spite of all the differences among themselves, the official opinion is only that of the Pope. Look at the Salafi (the Wahhabis; but I call them Salafis because they prefer that name for themselves), it is only Bin Baz who gives the official opinion. But among the Shi'as, everyone thinks he has the right to express his 'expert' opinion. In our tradition, before a person gives his own opinion, it is customary to show it to two mujtahids; and once they approve the process used to reach the conclusion, then one expresses that opinion publicly.

Agha then came to the suggestion: **“It is my brotherly advice to you that you give me a written commitment that after talking to me you will not express your personal opinions on Islam in speech as well as in writing in all media of communication.”**

Dr. Sachedina's Defence (i)

During his talks, Agha had repeatedly mentioned **two examples** from the writings of Dr. Sachedina: on the issue of religious pluralism, and on the issue of two women witnesses being equal to one male witness.

Dr. Sachedina protested that this example of two women witnesses

has been taken **out of context**; and that he was presenting it to counter the Western propaganda that Islam treats women as inferior to men; and that he wanted to show that one woman, Hakima Khatun, can be a sufficient witness.

I gestured with my hand to respond to this “out of context” defense; I wanted to bring up the actual text of his speech which is absolutely devoid of such a context which Dr. Sachedina gave in the meeting. However, **Agha** himself responded to Dr. Sachedina’s protest. Agha said that **I accept that your intentions were good; but the way you have said it, there is more harm in it than benefit. To quote Agha’s words exactly, “You wanted to fix the eyebrow, but ended up poking the eye!”** You leave an impression in the mind of people that the belief in Mahdi and his existence is based on one woman’s testimony. In the same sources that you have used, *al-Ghayba* of Tusi that I have also read, there are many other cases of witnesses who had seen the Imam. Uthman al-‘Umari, during the life time of Imam Hasan al-‘Askari, came with fifty Shi‘as to the Imam, and they were shown the infant Imam al-Mahdi.

Back to the Advice

Agha again got back to **his advice** to Dr. Sachedina. He said that it is my brotherly advice to you that you yourself write the commitment; I do not want to condemn your personality. **Dr. Sachedina** asked whether such a commitment would solve the problem. I responded by saying that such a commitment would solve the problem provided it is in written form and is also attested by Agha himself. At that moment, I took out the copy of Toronto Jamaat’s letter (which I had fortunately got from Dr. Sachedina the night before) and gave it to Agha. After reading the letter, Agha said that in order to put an end to disunity, you yourself write the commitment that I am asking for; and then there will be no need for me to even answer this letter.

Dr. Sachedina responded by saying that this might not solve the problem; they would like to declare me as kafir and munafiq; that is how they have banned me in Africa; and even they want the same thing!

Dr. Sachedina's Defence (ii)

Dr. Sachedina said that there was **no need to translate the book on Messianism**. He took out three books and placed in front of us: (1) Messianism; (2) Iftikhar-zadeh's Farsi translation of Dr. Liyakatali Takim's MA thesis comparing the views of Sachedina and Jassim Hussain; and (3) his own English translation of Ibrahim Amini's book on Imam Mahdi. Then pointing to the binder, Sachedina said, "What was the need of translating this book of eighteen years ago [referring to Messianism] because it had already been criticized in Qum [referring to the extensive notes of Iftikhar-zadeh in the translation of Dr. Takim's thesis], and it had already been corrected through his translation of Ibrahim Amini's book."³

3 Ayatullah Amini has an excellent book for the general readership on the Twelfth Imam entitled as *Dādgustar-e Jahān* which was translated by Dr. Sachedina as *al-Imam al-Mahdi: the Just Ruler of Humanity*. Has the translation of Ayatullah Amini's book by Dr. Sachedina really corrected the errors in the latter's *Messianism*? I do not think so for the following reasons: First of all, not all the issues discussed in *Messianism* have been touched upon in Amini's book. A comparison of the issues discussed in that book with the ideas of Sachedina presented earlier in this publication will prove this fact.

Secondly, *Messianism* was published by a university press and has found its place among university libraries, whereas the translation of Amini's book was published privately in Toronto and distributed mainly among the Khoja community. Its second print in Qum by a close friend of Ayatullah Amini (of course, without the translator's preface in which he has defended *Messianism*) has seen wider circulation but that also is limited to the Shi'a readership. In other words, *Messianism* is still standing alone in university libraries without the translation of Amini's book—the "error" is still there without its intended "antidote"!

Agha responded by saying that what I have seen in this binder are also statements that you have made this very year; I have looked at the dates very carefully!⁴ Then Agha again brought up the issue of the written commitment.

While waiting for the paper to write the draft of the commitment, I took the opportunity to state to Dr. Sachedina in presence of Agha that I have nothing personally against him. I only have problems with his views and writings. It is not personal. And when he says that Messianism is a book written eighteen-years-ago and that it has been corrected by his translation of Ibrahim Amini's book, one should remember that in the preface of Amini's book, he has defended his eighteen years old book! Upon this, Dr. Sachedina responded by saying that what I have said in the preface is that the conclusion of both the books is same.

Agha said that he is well aware of what Dr. Sachedina has written in the translator's preface defending his own book but he does not want to get into arguments and counter-arguments.

Draft of the Commitment

Finally Dr. Sachedina came about to write the commitment. He was asked to propose a draft and I was also asked to do the same. Agha Sayyid Muhammad Reza looked at both proposed drafts and then came up with a third one: **"After talking to Ayatullah Sistani, I give commitment that from this day I will refrain from lecturing and expressing opinions on Islamic beliefs and fiqh problems."**

⁴ Did Ayatullah Sistani degrade Ayatullah Amini's book and did he disrespectfully mention Ayatullah Lutfullah Safi while responding to Sachedina? Ayatullah did not degrade Amini's book nor did he talk about the letter written by Ayatullah Safi. Actually, Ayatullah Sistani never mentioned Ayatullah Safi's name. It is indeed a sorrowful situation to see Dr. Sachedina trying to play one Marja' against the other high ranking scholars of Qum! But Allah is the best of planners.

The **understanding of Dr. Sachedina** was that this commitment only applies to the Khoja community or at most to the Shi'a people. But upon further discussion, **Agha made it quite clear that he wanted a total commitment covering Khoja and non-Khoja Shi'as, Sunnis, Christians and Jews also. Agha wanted Dr. Sachedina to commit that he will not express his opinions on Islamic issues totally and completely, not even to a non-Muslim audience! In the views of Ayatullah Sistani, the problem was not the audience but the person speaking to them.**

Dr. Sachedina talked about his job at the university and his involvement with the Sunni community. Agha said that we do not want you to abandon us and go to the Sunnis! No, you have also written things that Sunnis don't agree with. **Then Agha said that the only exception to the comprehensive commitment that he wants from Dr. Sachedina would be the task of teaching at the university.** When Dr. Sachedina insisted that part of the university activity is writing and publishing articles, Agha refused to exempt that and referred to the example of articles that Dr. Sachedina has written on religious pluralism in the Journal of Christian-Muslim Relations. Agha said that I do not agree that you go about expressing your views that all Abrahamic religions are equally valid.

Sachedina's Refusal

Finally, **Dr. Sachedina** asked for **tasbih** and saw **istakhara**, and then refused to sign a comprehensive commitment (with exception of teaching at the university) that Agha was asking from him. Dr. Sachedina asked for one night's time to work over an agreement that can be practical for him also. He said that he would also discuss this with me and come up with a mutually acceptable agreement. Agha reminded him that the wordings should also be acceptable to him.

The Second Meeting: 21st August 1998

Basis for Refusal by Sachedina

The meeting began at 9 a.m. with me informing Agha that Dr. Sachedina could not come up with the wordings that would be workable for him in light of his job at the university. Dr. Sachedina himself then explained his problem with the complete and comprehensive commitment of refraining from expressing his opinions on Islam.

Agha obviously felt disappointed and said that we have already exempted the issue of teaching at the university. It seems that you have not given any value to my advice. You saw istakhara and then refused to give the written commitment. I am surprised at your attitude.

Dr. Sachedina insisted on the issue of writing articles for academic journals. He talked about the pressures he faced being a Muslim and a Shi'a in the academic world. He said, “ask him [referring to me] who has also studied at a western university.” Agha refused to exempt that by saying that I don't want you to go around airing your views about pluralism and even tolerance for idol-worshipping [referring to the example of a man sitting in front of Krishna that the Dr. had given in one of his lectures]. As for the pressure, of course, you will then have to say that they like!

Ayatullah's Attempt to Advise Sachedina Further

Realizing that we are not going to get a written commitment from Dr. Sachedina, I said to Agha that in this case **I would need a written response** from you to the letter of the Jamaat.

Again Agha tried to advise Dr. Sachedina. He asked how much

he is **paid** by the university. On being told that he gets X number of dollars annually, Agha suggested that Dr. Sachedina leave the university job and that Agha will pay half his annual salary. **For the other half, Agha suggested that Dr. Sachedina should live a more humble life like that of himself. He said you must have heard about our Imams.** Then Agha rolled up his qaba's sleeves and showed us the sleeve of his shirt which had holes in it! He said even "the house that we are sitting in is not mine; and that it has been four months that I have been unable to go for ziyarat of Karbala. So leave the university, I will pay half of your salary, and bring yourself to my humble standard of living!"⁵

[This is a Marja' through whose accounts hundreds of thousands of dollars pass but he does not use it on his own person. He lives a very simple life. I thank Allāh, subhanahu wa ta'ala, for getting an opportunity to see a Marja' who reminds us of the lives of our Imams (a.s.).]

Sachedina Brings Up 'Freedom of Expression'

Dr. Sachedina still refused to give the commitment that Agha wanted **and talked about the freedom of thought and expression and that eventually he was answerable to God for his statements.** He also said that if I give such a commitment then I would not even be able to attend the workshop in Iran next week to which Iran's Foreign Ministry has invited me. Six other Christian and Jewish scholars [from USA] have been invited to attend the workshop on "civil society in Islam." I am the only Muslim scholar.

⁵ Ayatullah Sistani tried his utmost so that the situation does not lead to him writing a letter against Dr. Sachedina; therefore, he goes out of his way to advise Sachedina to give the commitment. Since the main excuse presented by Sachedina for not giving the commitment was his university job, the Ayatullah even offered to pay half of his salary. Sachedina presents this as follows: "It was obvious to me that I was a considerable threat to the religious establishment of the Ayatullah to offer me such a generous pension." What a show of arrogance! Now he claims to have the ability to read the minds of other people and that also explicitly!

Agha responded by saying that this commitment does not prevent you from attending that workshop because it deals with Islamic civilization [which is a historical issue]. When Mr. Khatimi [the Iranian president] talks about “civil society,” I know that he is referring to relationships between peoples, not religions. You can describe history and quote the historical issues related to civilization of the Muslims. I only want you to refrain from expressing your personal views on purely Islamic issues.

And as far as the issue of being invited by Iran is concerned, that is not that important! Even if ten Irans invite you, so what?!⁶ **You have not heeded to my advice; and it seems what you have written to me [in your letter] that “I am your muqallid” was just *tahsrifāti* (formal, insincere statement).** You have been overcome with personal desires and the fame that you get by expressing these views. It is hard for you to leave these things aside.

Dr. Sachedina’s Defence (iii)

At this point, Dr. Sachedina objected to the presentations made by us. He said that “academic criticism has some principles: **alongside the negative points, one must also present the positive points.** This binder has nothing but negative points about me. I gave twelve lectures, but excerpts have been selected from here and there only from three lectures! Yes, I have done *khata-e ijthadi*; but I have not misled people. I do not know of anyone who has become Christian or Jew because of me.”

Agha himself responded to this objection by saying that in case of a hearing or judicial proceedings only the negative parts are brought up. Look at the example of the American President who is being investigated for illicit relations with a woman: in that case only his

⁶ This is not a criticism of Iran or its president, as Sachedina wants us to believe. It is the Ayatullah’s response to the attempt of Sachedina to impress the Ayatullah by saying that Iran has invited him.

illicit relations is discussed and not his positive works! If a politician gives a talk or many talks, and then makes only one remark against the most sacred principles of the West (let us say, democracy), then only that one remark will come under scrutiny. If he said other good things, those good things will not justify or nullify the mistake in that one remark.

Farewell & the Letter of Ayatullah Sistani

At this point, Sayyid Muhammad Reza said that if no written commitment is coming from Dr. Sachedina then we should not waste Agha's time. He had already given us two hours yesterday. At this stage, I again asked for the written response to Jamaat's letter.

I was asked till when would I be in Najaf. When I said that we are scheduled to leave in two hours time, I was asked to come at 11 to receive Agha's answer.

Dr. Sachedina and his son left Agha's home, while I stayed behind. In less than half an hour the letter was ready:

In the name of the Almighty.

Respected Mr Nazir Gulamhussein, President of the Khoja Shia Ithna-Asheri Jamaat of Toronto, Canada.

With conveyance of salaam and wishing *tawfiq* for yourself and the other brothers and sisters in *imān* in Toronto, and with thanks for the endeavours of the Respected Hujjatul Islam Aqa-e Sayyid Muhammad Rizvi (may his blessings continue), I wish to convey [the following]:

I have looked at the presentation of the writings and statements of Dr. Abdul Aziz Sachedina that was sent [to me].

Whereas his views on issues presented are based on incorrect understandings, and are incompatible with religious and academic standards, and cause confusion in minds of the Mu'mineen, all the brothers and sisters in *imān* (may Allāh help them in [gaining] His pleasure) are enjoined to refrain from inviting him for lecturing at religious gatherings, and not to approach him for seeking answers to questions pertaining to beliefs.

And Allāh is the Guide to the right path.

‘Ali al-Husayni as-Sistani [signed & sealed]
28 Rabi ath-Thani 1419 [21 August 1998]

A Word on the Verdict

The verdict of Ayatullah Sistani is very clear. However, I know that since yesterday attempts have been underway to water down its implication. Questions have been asked about the origin of the word “enjoined.” For those who understand, the Farsi word is “*tawsiyya*.” I have an English-Farsi dictionary right here. Open the word “enjoin” and you will see that one of the equivalents of that word in Farsi is “*tawsiyya*.”⁷ So no one can claim that the translation is incorrect.

<p>۱. امر کردن، دستور دادن / ۱۷ <i>enjoin</i> /in'jɔyn/</p> <p>۲. منع کردن، غدغن کردن ۳. توصیه کردن، سفارش کردن ۴. تحمیل کردن</p>

There is also a good precedence in using the word “enjoin” for “*tawsiyya*.” Pick the Qur’ān, and look for the translation of those verses where Allāh says “*wa was-sayna ’l insān* — We did *tawsiyya* to mankind.” *Wassayna* is a verb from *tawsiyya*. You will see that translators use the word “enjoined” or “charged” for *wassayna*.

7 See Mohammad Reza Bateni & Fatemeh Azamehr, *Farhang Moaser English-Persian Dictionary* (Tehran: Farhang Moaser, 1996) p. 302. It was first published in 1993.

Some “experts” would like to see a milder choice of word like “recommendation.” I just have two things to say: (1) first of all, even if you choose “recommend” instead of “enjoin,” see whose recommendation it is—a Marja’ taqlid, the supreme leader of the Shi’a during the time of ghaybat. Do you think you are going to reject the recommendation of a person of that status? (2) Secondly, you like to contextualize everything; why don’t you look at the context of the letter? Look at the wordings before that: “Whereas his views on issues presented are based on incorrect understandings, and are incompatible with religious and academic standards...” This is very clear, very explicit. This is the evaluation of Dr. Sachedina’s controversial writings by the highest religious authority of the Shi’a world. And in that context, the selection of the word “enjoin” is most appropriate.

In the context of the last controversy, it is “an explicit directive in writing.” I hope those who were insisting in Africa and North America that let the Marja’ make the final decision will stand true to their word and obey the verdict of the Marja’ Ayatullah al-Uzma Sayyid ‘Ali al-Husayni as-Sistani.

Let me state clearly that the directive of the Ayatullah is for all the brothers and sisters in imān: “Whereas... all the brothers and sisters in imān... are enjoined...” It is not limited to Toronto. It would be absurd to think that the Ayatullah would forbid the Mu’mineen in Toronto to approach Dr. Sachedina for answers to questions on beliefs but allow others to do so!

Our community has great potentials and abilities; such controversies have always diverted us from positive action. Instead of using our time and energy in propagating Islam and defending ourselves against the enemies of the Ahlul Bayt (a s), we have had to divert our time and energy to deal with problems within. Let us close this chapter of the history of Toronto Jamaat, and move

forward with unity based on total commitment to the Shi'a Ithnā-ʿAshari faith and on total loyalty to the Ahlul Bayt (a.s). Personalities will come and go; let us not allow our faith to be affected by personalities.

What is important is our faith, and not this world and its material and social status. Allāh says in the Qurʿān that the torrent carries along swelling foam: “As for the foam, it passes away uselessly, and as for (the water) which profits men, it remains in the earth.” (13:17) Situations like the one we have been through are just foams that come from time to time, your faith and wilaya is what remains and benefits you in the end.

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Questions About the Report

1. Dr. Sachedina has written that the Ayatullah stated that “he was not in a position to comment on the contents of the binder. Such matters were not within the **jurisdiction** of his authority as the Marja.”

Ayatullah Sistani never made the statement that “he was not in a position to comment on the contents of the binder.” This is contradicted by the examples that the Ayatullah has quoted from the binder in his talks—these examples are not only in my report; even Dr. Sachedina has quoted examples in his own statement. Moreover, Sachedina himself writes at one point that, “It was noticeable that the Ayatollah had examined the binder prepared and had read the letter prepared by me explaining the academic study of religion.”

Secondly, in his letter, the Ayatullah states that, “I have looked at the presentation of the writings and statements of Dr. Abdul Aziz Sachedina that was sent [to me]. Whereas his views on

issues presented are based on incorrect understandings, and are incompatible with religious and academic standards...” Is this not a comment on the contents of the binder?

As for the issue of such matters not being within the jurisdiction at a Marja‘, this is also a fabrication. How could have the Ayatullah said this and then proceed on to give his assessment of Sachedina’s views as “immature and unrefined, and not based on the Qur‘ān and sunnah”? If he had said that it was not within his jurisdiction, then he would not have written in his verdict that, “...all the brothers and sisters in imān... are enjoined to refrain from inviting him for lecturing at religious gatherings, and not approach him for seeking answers to questions pertaining to beliefs.”

Finally, and most importantly, it was Sachedina himself who challenged the Jamaat to go to the Marja‘ for the resolution to this problem. If it was not within the jurisdiction of the Marja‘ to decide on this matter, then why initiate the journey in the first place? He himself writes that “I went with full confidence in the integrity of the religious institution of the marja‘iyya, and with the hope of seeing that justice will be done in keeping with Islam’s absolute commitment to that moral principle.”

After the first meeting, when I asked Sachedina about the letter he had written to the Ayatullah, he said, “I had written asking him to either re-instate me fully or make me *mamnu‘u ‘l-mimbar* (barred from the mimbar).” After submitting such a request to the Marja‘, I am really surprised at the question of jurisdiction being raised now about the Ayatullah’s verdict. But again I should not be surprised because it is quite common to see a person questioning the integrity of the judge when the judgement is not in his favour.

2. It has been said that the Ayatullah never once mentioned the issue of *wilayat* of Imam ‘Ali (a.s.).

Firstly, the Ayatullah had made it clear in the very beginning that he was not going to engage in *ibtāl* (proving wrong) of each item in the binder. If Sachedina thought that an ‘ālim of the level of Marja’ would sit down with him and item by item discuss the issues in the binder, then he has grossly over-estimated himself!

Secondly, when the Ayatullah found serious problems in Sachedina’s views on religious pluralism that deals with the fundamentals of our faith, then there was no need to proceed further in discussion to the issue of imamate and wilāyat because these issues are secondary to nubuwat of Prophet Muhammad (s.a.w.) and the universality of Islam. And on the issue of pluralism, the Ayatullah commented many times. He especially commented on Sachedina’s tolerance for idol-worshippers. (See the beginning part of “Views & Ideas”.)

3. Dr. Sachedina has said that the Ayatullah had received a request from Iran to evaluate another scholar’s work (which in Sachedina’s assumption referred to **Dr. Soroush**) but he had refused to give his opinion. And, therefore, Sachedina has concluded that, “The Ayatollah’s judgement, even in form of ‘recommendation’ could not be merely based on my ‘incorrect’ interpretations. There had to be more to this than what appeared on the surface.”

Firstly, comparing the present controversy to the case of Soroush (if the Ayatullah actually referred to him) is like comparing apples to oranges. How? In case of Dr. Sachedina, both parties (i.e., the Jamaat as well as Sachedina) agreed to go to the Marja’ and to accept his decision; both parties were familiar with the binder that was presented to the Marja’; and, most importantly, both parties were present in the meeting with the Marja’. In case of the other scholar, these important aspects were missing. So it was quite appropriate for the Ayatullah to refuse to make a decision in that case but agree to make a decision in the present case.

Secondly, the letter of the Jamaat, the content of which I verbally conveyed when I took the binder to the Ayatullah's house and a copy of which was given to him in the first meeting, clearly emphasized to the Marja' that only his decision would be able to prevent the disunity in the Jamaat. This was the main reason for which the Ayatullah felt necessary to intervene and provide his guidance.

Finally, the Ayatullah's refusal to comment or intervene on other issues has no bearing, whatsoever, on the verdict he has issued on this case. It is like saying that since he has not declared any opinion on the issue of cloning, for example, therefore his fatwa on the issue taharat of Ahlul Kitab is not acceptable!
