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Female *Marāji'*: Rethinking the Concept of *Shī'i* Religious Authority

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ABSTRACT: *Marāji' al-Taqlīd*, the highest-ranking religious authorities whose jurisprudential edicts serve as a guide for their followers, relates to one of the main concepts underpinning the practice of Islamic law for Twelver *Uṣūlī Shī'a* Muslims. Coupled with their adherence to twelve divinely-appointed successors to the Prophet *Muḥammad*, i.e. the *Ahl al-Bayt*, the *Marji'* holds the highest position of Islamic authority during the absence, or occultation, of the twelfth and final *Imām*, *al-Mahdī*. Despite *Shī'i* women advancing in Islamic scholarship and spiritual leadership, the position of *Marji'īyya* continues to be exclusively held by men. Rethinking the concept of *Shī'i* religious authority, this study explores the possibility of female *Marāji'* in light of traditional and contemporary challenges, including cultural, social and societal. This leads to analysis on the impact of traditional and perceived gender roles for Muslim men and women, and how such arguments have been used to prevent women from the role of *Marji'*. The final section explores the *Marji'īyya* itself and attempts to locate potential female *Marāji'* within this long-standing, traditional and conservative institution. Although challenges remain for women becoming *Marāji'*, the study concludes with alternative avenues and modern advancements which facilitate female religious authorities and leaders.

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The *Marji'yya*, which evolved into a transnational, centralised institution from the 19th century,¹ relates to the *Muqallid* (follower) referring to a qualified *Mujtahid* (learned counsel) in matters of Islamic law. This *Mujtahid* who is emulated by the *Shī'ī* laity must attain *Ijāza al-Ijtihād*, that is, the licensed ability to derive religious law from the primary sources, namely the Holy *Qur'ān* and *Ḥadīth*. Described as intellectual exertion,² *Ijtihād* is based on the *Uṣūl al-Fiqh* (Islamic legal theory) which aims to enable the *Mujtahid* to strive towards understanding the *Sharī'ah* (divine Islamic law).

In a *Ḥadīth* attributed to *Imām Ja'far al-Ṣādiq*, the sixth *Imām* in Twelver Shiism, he states that among the conditions of becoming a *Mujtahid* is: “the public’s acknowledgement of their being righteous people,” with no explicit demarcation of gender.³ Contemporary jurist, Milani⁴ also notes, “those *Mujtahids* whom others acknowledge are best equipped to undertake *Ijtihād* receive the greatest following,” and thus serve as *Marāji'*.⁵ In practice, however, the *Marji'yya* has remained within the confines of male leadership, with the majority of leading and prominent *Marāji'*⁶ stipulating that a *Marji'* must be a man. Grand *Āyatullāh Sayyid 'Alī al-Sīstānī*, for example, who is described as “*Marji' al-A'lā*” (the highest, or most followed *Marji'* today), maintains that the *Marji'* must be “male, *Shī'ī Ithnā 'Asharī*,⁷ adult, sane, of legitimate birth, living and just.”⁸ Notably, *Sīstānī's* concise treatise of Islamic law does not include a reason for the male-only condition, which may continue to inspire

¹ Zain Al Husain Moloobhoy and Amina Inloes, “Marja' iyya in the Digital Era: Renegotiating the Relationship between Marja' and Muqallid in the Era of the Democratization of Knowledge,” *Journal of the Contemporary Study of Islam* 2, no. 1 (2021): 25.

² Fadhel Milani, *Thirty Principles of Islamic Jurisprudence* (London: Islam in English Press, 2007), 1.

³ *Ibid.*, 2.

⁴ Ayatullah Sayyid Fadhel Hosseini Milani serves as the Dean of the International University of Islamic Studies and the head of Islamic Law and Jurisprudence at the Islamic College.

⁵ Milani, *Thirty Principles of Islamic Jurisprudence*, 1-2.

⁶ Examples include Ayatullah al-Sistani, Ayatullah al-Khamenei, Ayatullah Bashir al-Najafi, Ayatullah al-Modaressi and Ayatullah Makarem al-Shirazi.

⁷ Known as Twelver *Shī'ī* or *Imamiyyah Shī'ī*, who belong to the largest branch of *Shī'ī* Muslims. Following the Prophet Muhammad, these *Shī'ī* adhere to twelve divinely appointed successors from whom they take the Prophet's teachings from.

⁸ Ali Al-Sistani, “Taqlid: Following a Mujtahid in ‘Islamic Laws,” *The Office of Al-Sistani* (n.d.). <https://www.sistani.org/english/book/48/2116/>.

growing demand for more “intellectual transparency,”⁹ in addition to further exploration on the *Ikhtilāf* (difference of opinion) that exists among traditional and reformist scholars alike on whether the *marāji* must be male.¹⁰

This paper begins by addressing the implications of *Marji'īyya* being a two-way relationship between the *Marji'* and *Muqallid*, and the *Marji'* and a given society or community. Thereafter, it explores different reasons and barriers preventing women from becoming *Marāji'*, provided the other necessary conditions of the role are met. This is followed by analyses of perceived gender roles for Muslim men and women, and how this continues to prevent women from entering the *Marji'īyya*. Increasingly today, such arguments include the socio-political consequences of Western colonialism and resistance to it by reinforcing traditional gender roles. The final section examines whether female *Marāji'* would have an impact on the system of *Marji'īyya*, particularly in terms of affecting cultural, social, and societal changes. This includes both implications of female conformity and challenge within *Marji'īyya*, navigating the *Marji'īyya* as a female *marja'*, and dealing with internal (within the *Marji'īyya*) and external challenges. Scholars including Amina Inloes have explored arguments regarding the intellect and competence of women, including responding to *Hādīth* and classical references which appear to belittle women and their ability to lead.¹¹ However, there remains a lack of study on female *Marāji'*, and a need to explore this topic in contemporary contexts. This study will shed light on different challenges surrounding female *Marāji'* and open up new studies on this and related topics.

A Two-Way Relationship

In addition to the necessary qualifications, competency, and official recognition by Islamic jurists, *Marji'īyya* is a two-way relationship

⁹ Moloobhoy and Inloes, “Marja'īyya in the Digital Era,” 41.

¹⁰ For example, see: “Ayatollah Ishaq Fayyadh and the Role of Women in Society,” Iqra Online, 2018. <http://iqraonline.net/ayatollah-ishag-fayyadh-and-the-role-of-women-in-society/>; and Liyakatali Takim, *Shi'ism Revisited: Ijtihad and Reformation in Contemporary Times* (Oxford University Press, 2022), 43.

¹¹ SICM Mahfil Ali, “Amina Inloes: Women are Deficient in Intellect,” *You Tube*, September 27, 2015, <https://www.youtube.com/watch?v=ci0ZhDf0r3g> (01:20:41).

underpinned by public acknowledgement, approval and following. In other words, *Marāji'* are only regarded as such because enough members of the *Shī'ī* faith, in any given context, acknowledge them in this regard, and a lack of public recognition would deem an individual unsuitable for the role of *Marji'*. Given this foundation, in practice, personal and communal biases and preferences—be it social, societal, or political—may continue to perpetuate the trend of male *Marāji'*. If an individual or group holds discriminatory views—towards women, ethnic minorities, or disabled people for example—potential *marāji'* who fall within these categories face further barriers. Furthermore, societal inequalities which lead to particular individuals and groups being disadvantaged can play out in the *Marji'īyya* system (i.e. top down) or *Taqīd*, (i.e. bottom up). Insofar as women fulfil the necessary conditions, further questions for study include: would female *Marāji'* be accepted and empowered within the *Marji'īyya* system? To what extent would a woman be able to navigate the system? How successful would a woman be in enacting change and challenging the status quo, in a system that continues to be dominated by men?

Notably, there is *Ikhtilāf* (difference of opinion) among classical and contemporary, traditional and reformist scholars alike, on whether a *Marji'* must be a man. Prominent jurists, albeit the minority, including Grand *Āyatullāh Shaykh Ishāq al-Fayyāḍ*, a traditionalist scholar from the Islamic Seminary of Najaf, disagree that a *Marji'* must be a man:

The majority of jurists have taken the view that it is not allowed for a lady to be a source of authority in jurisprudence; however, what is more apparent, in my opinion, is that it is allowed with the condition that they fulfil the relevant criteria for issuing edicts and emulation.¹²

The late Grand *Āyatullāh Sayyid Muḥammad Ḥusayn Faḍlallāh*, who is considered as a reformist scholar amongst seminary circles, also argues that the only requirement for being a *Marji'* or religious authority, should be based on '*Aql* (reason), and reason does not discriminate between men and women. "It is not prohibited for a woman to become a *Marji'* in

¹² "Ayatullah Ishaq al-Fayyad and the Role of Women in Society," Iqra Online.

questions of jurisprudence if she possesses the required acumen, skills and moral probity.”¹³ *Faḍlallāh* maintains that the traditional requirement that a *Marjī'* must be a male is due to the patriarchal society of the past and because of inherited social customs. This relates to previous points on *Marjī'īyya* being a two-way relationship underpinned by public approval in a given society. That the majority of prominent jurists maintain that a *Marjī'* must be male, could reflect one or more of the following: (1) a personal judgement or bias based on their own interpretation of primary sources: the *Qur'ān* and *Ḥadīth*; (2) the influences of their family, community and society in which they were raised in; and (3) an interpretation which maintains that men are more likely to receive a greater following compared to their female counterparts, hence their rationale in stipulating that a *Marjī'* must be male.

Following said *Ikhtilāf* on this issue, other progressive discussions are being had between Islamic jurists on the practice of *Taqīd*. Grand *Āyatullāh Sayyid Muḥammad Taqī al-Mudarrisī*, for example, whilst stipulating that a *Marjī'* must be a man, holds a view which stands in contrast to the mainstream position held by other *Marāji'*. He believes that *A'lamīyyah*: following the “most-learned jurist,” is not necessary, but rather the *Muqallid* may refer to any Islamic jurist whose piety and knowledge is trusted.¹⁴ Furthermore, *al-Mudarrisī* permits the practice of *Tab'īd* (apportioned emulation): religious authority held or shared by multiple individuals, which means the *Muqallid* may determine who and which rulings to follow based on personal investigation, rather than exclusively following the rulings of just one *Marjī'*, which is the mainstream view. It is important to reiterate that *al-Mudarrisī* maintains that a *Marjī'* must be male, however, the practice of *Tab'īd* does indicate modern progression of long-held scholarly positions, as well as the potentially evolutionary nature of the *Marjī'īyya* system.

¹³ Takim, *Shi'ism Revisited*, 43.

¹⁴ Ayatullah Muhammad Taqi al-Modarresi, *The Laws of Islam* (Middleton Grange, Australia: Enlight Press, 2016), 51.

Several scholars have explored the potential dynamism of the *Marji'yya* system alongside social, scientific, and technological changes.¹⁵ These include *Tab'īd* and its implications; the growth of digital technologies and the democratisation of knowledge; and the evolving relationship between the *Marji' and Muqallid*; all of which are heightened by challenges posed by the *Shī'ī* diaspora. To this, philosopher and Muslim critical rationalist, Ali Paya, proposes some benefits of compartmentalising *Ijtihād*, whereby Islamic jurists from different backgrounds and contexts would specialise in a particular sub-field that deals “with a specific range of highly specialised issues.”¹⁶ He argues that “if the ‘technology’ of *Fiqh* (*jurisprudence*) does not adapt, it will be in danger of becoming obsolete.”¹⁷ These contemporary demands present both challenges and opportunities for potential female *Marāji'*, and religious authority and leadership generally.

Another reason that women are excluded from the *Marji'yya* system, is that the role of *Marji'* is often intertwined with social, political, and economic functions. Examples include managing *Khums* (religious tax levied on *Shī'a* Muslims), which includes overseeing financial investments in projects that serve the community and society, and acting as the *representative* of Islam, and by extension the *Imām*, on a global stage (e.g., political). The power, influence and sensitivity that inherently exist within the social and political dynamics of *Marji'yya*, thus remain with men. Notwithstanding studies challenging women's perceived lack of intellect and competence within Islam,¹⁸ the exclusion of female *Marāji'* disrupts tradition. The idea that a woman may be emulated by thousands, if not millions of people, challenges the established system and could be viewed as problematic for the interests of many. The *Marji'yya* system—for social, economic, or political reasons—may also only permit discourse on the reformation of laws in the context of certain ideological parameters.

¹⁵ Moloobhoy and Inloes, “Marja' iyya in the Digital Era;” Liyakat Takim, “The Marja' iyya and the Juristic Challenges of the Diaspora,” *Australian Journal of Islamic Studies* 2, no. 3 (2017): 40-54.

¹⁶ Ali Paya, *Islam, Modernity and the New Millennium* (London: Routledge, 2018), 97.

¹⁷ *Ibid.*

¹⁸ Amina Inloes, “Was Imam Ali a Misogynist? The Portrayal of Women in Nahj al-Balaghah and Kitab Sulaym ibn Qays,” *Journal of Shi'a Islamic Studies* 8, no. 3 (Summer 2015): 325-365.

The Role of Women

Women have, and continue, to play a crucial role in the understanding and elucidation of Islam and Islamic laws. This is particularly evident in female transmitters of *Ḥadīth*, or as Moloobhoy and Inloes explain as being the “era of transmitters of traditions” and the initial era of the *Marjaʿiyya*.¹⁹ Professor of Quran and Hadith sciences, Nahleh Naeeni,²⁰ for example, records 210 *Shīʿī* female transmitters of *Ḥadīth*, including *Fāṭima al-Zahrāʾ*, the daughter of the Prophet, *Khadīja bint Khuwaylid*, the wife of the Prophet, and *Umm Salamah*, a later wife of the Prophet, whom served as guardians and authorities of religious knowledge from the Prophet and *Imāms* of *Ahl al-Bayt*. In their transmission of Islamic laws and the words of the Prophet and *Imāms*, these women served as essential conduits between religious authority and the laity. This involved acting as a source of reference, particularly in the absence of a religious authority,²¹ and teaching other women Islamic laws and rituals.²² Some women such as *Ummu-Aslam*, are referred to as being among “those who were entrusted with the secrets of Imamate,”²³ and others including *Umm Ayman*²⁴ and *Ummu-Saʿīd al-Aḥmasīyyah*²⁵ are described as being among those who will arise to help *Imām al-Mahdī*. Naeeni adds that “many people have tried to hide the truth, not wanting the capabilities and intellectual power of women to be disclosed.”²⁶

That influential female figures worked alongside male religious authorities, is also evident in recent times, as demonstrated in the life of martyr, *Āmina Ḥaydar al-Ṣadr*, otherwise known as *Bint al-Hudā* (the

¹⁹ Moloobhoy and Inloes, “Marjaʿiyya in the Digital Era,” 25.

²⁰ Nahleh Naeeni, *Shīʿah Women Transmitters of Hadith: A Collection of the Women who have Transmitted Traditions*, trans. Gail D. Babst (Qum: Ansariyan Publications, 2011).

²¹ For example, see “Sawsan, the Mother of Imam al-Askari” in Naeeni, *Shīʿah Women Transmitters of Hadith*, 240-241.

²² Bint Wathila ibn al-Aqsa, for example, is said to have participated in “classes of jurisprudence, religious principles, and traditions of Mirza Muhammad al-Hindi, and taught these to other women,” and Fatimah al-Amili Al-Jazni’s father is said to have encouraged other women to refer and follow her in Islamic laws. See: Naeeni, *Shīʿah Women Transmitters of Hadith*, 141 and 279.

²³ *Ibid.*, 59.

²⁴ *Ibid.*, 68.

²⁵ *Ibid.*, 89.

²⁶ *Ibid.*, 4.

daughter of guidance).²⁷ *Bint al-Hudā* was a social, political and religious force, who worked alongside, and was funded by, religious authorities to establish Islamic schools, publish tens of books, and use the media to advance Islamic awareness. Batool Subeiti, a UK-based political analyst and activist, explores her influence further:

Even though woman within scholarly families had a limited role within the religious institutions and generally in wider society at that time, *Shahīda Bint al-Hudā* was a special case in that she was able to work effectively with the ‘*Ulamā*’ (scholars). She played a significant role in strengthening the relationship between the religious authority and women, where she was a link in the transfer of concerns and aspirations, as well as their demands to the religious authority.²⁸

Subeiti asserts further that *Bint al-Hudā* “found the media field, then undertaken by clergymen and Islamic writers in need of an Islamic female pen...for a man is not like a woman in his knowledge of woman’s conditions, concerns and thoughts.”²⁹ *Al-Huda’s* revolution would thus serve as a challenge to the political authority of her time (the Iraqi Ba’ath regime, 1968 to 2003), and it was facilitated by several male religious authorities, including her brother, Grand *Āyatullāh Sayyid Muḥammad Bāqir al-Ṣadr*. This demonstrates female religious authorities, whether facilitated or challenged by their male counterparts, can indeed issue religious edicts, messages, and views through a variety of means, which may or may not be via the *Marji’īyya*.

Shaykh Akram Nadwī in his renowned work *Al-Muḥaddithāt* highlights further the vital role and benefits of female religious authorities by recounting the lives of thousands of female scholars who received and

²⁷ Shaheeda Amina Haider al-Sadr (famously known as Bint al-Huda—the daughter of guidance) was born in Kadhimiya, Iraq in 1937. She was the sister of Ayatullah Shaheed Muhammad Baqir al-Sadr, the leader of the Islamic Da’wah Party in al-Kadhimiya, Iraq. Both were executed by in 1980 by the regime of Saddam Hussein. See: Batool Subeiti, “Who was Shaheeda Bint Al-Huda?” *The Muslim Vibe*, April 20, 2019, <https://themuuslimvibe.com/faith-islam/who-was-shaheeda-bint-al-huda>.

²⁸ Ibid.

²⁹ Ibid.

“exercised the same authority by virtue of reasoning with the same methods from the same sources as the men.”³⁰ As a *Muḥaddith*, the woman is both a witness and testimony, indicating her capability and equality with men in religious-spiritual essence. Moreover, the renowned scholar, *Mīrza Afandī* in his *Riyāḍ al-‘Ulamā’*, records over fifteen biographies of Shī‘ī female *Mujtahids* who taught and influenced both men and women. These women wrote books on a wide range of topics from *Fiqh* (jurisprudence), *‘Ilm al-Rijal* (biographical evaluation) and *Tafsir* (*Qur’ānic* exegesis) and, according to the author, were referred to as sources of emulation by both men and women.³¹ Given modern developments surrounding gender and access, it is argued, perhaps ironically, that the development of *Marji‘īyya* from the 19th century onwards brought with it the exclusion of female *Marāji‘*. Prior to that time, women enjoyed a more equal authoritative status, including in their emulation by the masses.

The exclusion of women from the *Marji‘īyya* often includes social, cultural, economic, and political reasons. To this, Ali Paya highlights that all observations and conjectures are “theory-laden”, that is, nobody is completely free of preconceptions. He further states that a “*Faqīh’s* socio-economic background and his intellectual and cultural upbringing, as well as the milieu in which he operates, also influences his proposed solutions.”³² Thus, given there is no *Qur’ān* verse or *Ḥadīth* that explicitly excludes female *Marāji‘*, the prohibition of such could be based on social norms, patriarchal views which seep into religious realms, and perceptions of the respective roles of men and women. French philosopher Michèle Le Doeuff explores the marginalisation of women from the epistemes and processes of knowledge creation and dissemination.³³ In Muslim contexts, this is demonstrated by male-authored literature in which discussion of women’s roles tend to gravitate around *Hijāb*, women’s religious practice

³⁰ Akram Nadwi, *Al-Muḥaddithat, The Women Scholars in Islam* (London/Oxford: Interface Publications, 2007), 14, <http://www.islamicstudies.info/literature/almuhaddithat.pdf>.

³¹ Mirza ‘Abd Allah Afandī, *Riyāḍ al-‘ulamā’ wa ḥiyāḍ al-fuḍalā’* (Qum: Mu‘assisat al-Tarikh al-‘Arabi, n.d.).

³² Paya, *Islam, Modernity and the New Millennium*, 93.

³³ Michèle Le Doeuff, *The Sex of Knowing*, trans. Kathryn Hammer and Lorraine Code (London: Routledge, 1998).

(as opposed to authority) and motherhood. A lack of female scholarship and religious authorities coupled with cultural predilections and androcentric readings of the *Qur'ān* and *Ḥadīth*, may therefore contribute to the perpetuation of beliefs and practices which disadvantage women, particularly in becoming *Marājī'*. This raises more questions around the lack of representation and understanding of women's issues among the *Marjī'īyya*.

As noted, the traditional and perceived roles of Muslim women is an indicator for the absence of female *Marājī'*. Given that the *Marjī'īyya* is a hugely demanding role which requires immense dedication, sacrifice, and study, one argument put forth against female *Marājī'* is conflicts with the demands of motherhood and domesticity. This relates to one of the rationales of following a *Marjī'* in the first place; that is, the alternative would be to practice *iḥtiyāt* (precaution) with regard to Islamic laws, or become a *Mujtahid* yourself, which is not practical and suitable for everyone. Aside from the huge responsibility of being a *Marjī'* and considering female gender roles in relation to being a wife and mother, the World Federation,³⁴ after elucidating the necessity of the *Marjī'īyya*, notes that (male) *Marājī'* also need to spend time with their wives and families. Thus, it is argued that both men and women alike can fulfil both duties, that is *Marjī'īyya* and other roles. Moreover, some of what is emphasised about being a wife and mother in *Islām* appears to have been developed over time, varying from culture to culture. This is evident given details of such roles are largely absent in the *Qur'ān* and *Ḥadīth*, instead motherhood is solely referenced in terms of showing them kindness and gratitude.³⁵ Similarly, whilst several *Ḥadīth* in *Shī'ī* collections, such as *Uṣūl al-Kāfī*, emphasise the divine reward for women who serve their husbands, it does not include details of what this entails or potential conflicts, not least women's contribution and advancement in the public realm including the *Marjī'īyya*.

³⁴ "Marja'iyah: The Shī'ī Religious Authority," The World Federation of KSIMC, n.d.a, <https://www.world-federation.org/steps/steps-series-2-marjaiyyah-shii-religious-authority-part-1-text>.

³⁵ See for example, Qur'an 17:23-24; 29:8 and 46:15.

To this, Subeiti, in exploring the life of *Bint al-Hudā*, challenges perceived *traditional* gender roles and explains how *al-Hudā* broke through these stereotypes and limitations:

From the onset, *Shahīda Bint al-Hudā* managed to break through the stereotypes and barriers at a sensitive period of history, a time where the Iraqi field was dominated by two trends: the trend in degradation of moral values, and a traditional conventional 'Islamic' trend that demanded women sit at home, preventing them from communicating with men in society. In the middle of these two trends, she demanded Muslim women be able to rise and assume their responsibility in shifting away from these models that exist in society, empowering women with a major rather than a marginal role to play...It was her strong, deep-rooted knowledge of the *Qur'ān* that framed her understanding of the role of a woman within society, whereby she notably used the *Qur'ān* in support for female empowerment and defining a woman's rights and responsibilities.³⁶

Further to resisting barriers, *Al-Hudā's* story serves as an example in encouraging female advancement within Islamic scholarship, authority, and leadership generally. Similarly, Sariya Cheruvallil-Contractor, in her anthropological study of 52 Muslim women in Britain, revealed how many of women actually used motherhood to challenge patriarchy and "thus 'reclaim their faith' as articulated in foundational Islamic texts."³⁷ The desire to "reclaim their faith" relates to the Islamic concept of *Iṣlāḥ*, which means to bring back or 'reform' to its original state. Cheruvallil-Contractor also found that many women had moved on from cultural expectations and readings of motherhood present in earlier generations. Furthermore, despite several *Ḥadīth* highlighting the divine rewards of breast-feeding which may easily preoccupy much of the mother's time, many *Shī'ī* scholars

³⁶ Subeiti, "Who was Shaheeda Bint Al-Huda?"

³⁷ Sariya Cheruvallil-Contractor, "Motherhood as Constructed by Us: Muslim Women's Negotiations from a Space that is Their Own," *Religion and Gender* 6, no. 2 (2016): 9 <http://dx.doi.org/10.18352/rq.10126>.

do not consider it a religious duty.³⁸ The *Imāms* of *Ahl al-Bayt*, for example, employed wetnurses and servants to manage the childrearing and housework, and the Prophet himself had a wetnurse. Such examples oppose traditional views of motherhood and its related duties which impede women from pursuing certain public roles including becoming a *marja'*. Additionally, what is emphasised today about male and female roles, both outside and within Islamic paradigms, could be a response to the Victorian era in which such gender roles were clearly delineated.³⁹ Kathryn Hughes notes that women in the Victorian era remained at home to oversee the household duties that were carried out by servants. This suggests perhaps that even if the *Imāms* had wetnurses, their wives were still responsible for overseeing such duties. As argued, however, the argument that a wife or mother, given her domestic duties, is incapable or ought to be discouraged from pursuing *Marji'īyya* is not a convincing argument.

Given *Islām* as a *way of life* for Muslims and the need to effectively apply Islamic rulings today, the *Marji'* plays an important social and public function. This includes leading, advising, and meeting with men and women alike. Men who disagree with the idea of a female *Marji'*, may therefore—consciously or unconsciously—create further barriers for female *Marāji'* such as discouraging other men from following her, working to reduce access and opportunities to enable female *Marji'* to thrive, and using the Islamic ruling of physical and social *Hijāb* to prevent men from meeting her and vice versa. Renowned *Shī'ī* jurist, Linked to the concept of *Hijāb*, Lady *Nusrat Amīn* (1886-1983), despite not wanting to exclude women from the public sphere completely, argues that public female judges could “lead to moral decay” due to their potential of attracting men.⁴⁰ However, this can be critiqued given the dynamism of the *Marji'īyya*, alongside the diverse range and extent of authority and leadership. *Āyatullāh al-Sīstānī*, for

³⁸ Ladan Rahbari, “Milk Kinship and the Maternal Body in Shi'a Islam,” *Open Theology* 6 (2020): 43.

³⁹ Kathryn Hughes, “Gender Roles in the 19th Century,” The British Library, May 15, 2014, <https://www.bl.uk/romantics-and-victorians/articles/gender-roles-in-the-19th-century>.

⁴⁰ Mirjam Künkler and Roja Fazaeli, “The Life of Two Mujtahidahs: Female Religious Authority in Twentieth Century Iran,” in *Women, Leadership and Mosques. Changes in Contemporary Islamic Authority*, ed. M. Bano and H. Kalmbach (Leiden and Boston: Brill, 2012), 138-139.

example, widely lauded for his popularity and influence within *Shīʿī* communities has, to date, never issued a public or recorded speech. Accordingly, a female *Marjīʿī*, who is either concerned or discouraged because of her *Hijāb* and wider public engagement, could easily follow *al-Sīstānī* in this regard. This might include appointing and delegating different public roles and responsibilities to local leaders and representatives which include both men and women. Furthermore, the *Hijāb* itself for Muslim women can enable them to better navigate in society given their adherence to a religious-social ruling and is therefore not a barrier in becoming a *Marjīʿī*. Renowned examples of religious figures fully observing the *Hijāb* whilst navigating in society include Lady *Fāṭima al-Zahrāʾ* and Lady *Zaynab al-Kubrā*, both of whom issued powerful speeches in front of men and women alike.⁴¹

The impact of Western colonialism, the resistance to *Westoxification*⁴² and contemporary societal influences such as feminism and secular-liberalism, are further arguments in the reinforcement of perceived gender roles among Muslims in the modern age—a discussion related to socio-political contexts. The views of renowned female jurist, Lady *Amīn*, in her book: *Ways of Happiness: Suggestions for Faithful Sisters*, for example, appears to be a direct reaction to her socio-political context, having experienced the veiling ban in Iran and the modernisation project of the *Pahlavi* regime. Highlighting Muslim women’s domestic responsibilities, *Amīn* advises women on observing the *Hijāb* and against being “European-like.”⁴³ Thus the resistance to perceived European or Western influences may continue to inhibit women from entering certain social and public leadership roles such as the *Marjīʿīyya*. Anne Price reveals further that “nations with recent colonial history” held “less egalitarian” views on gender,⁴⁴ highlighting the negative impact of colonialism on Muslim societies, particularly with regard to gender roles. Further research may

⁴¹ See for example: “The Sermon of Fadak” Al-Islam.org, n.d.b, <https://www.al-islam.org/sermon-fadak-tahir-ridha-jaffer/sermon-fadak>. Accessed March 2021.

⁴² John L. Esposito, ed., “Westoxification,” in *The Oxford Dictionary of Islam*, Oxford Islamic Studies Online, n.d, <http://www.oxfordislamicstudies.com/article/opr/t125/e2501>.

⁴³ Nuṣrat Amīn, “Ways of Happiness: Suggestions for Faithful Sisters,” Ask Din. 2011, <http://bit.ly/2rEgBRG> (In Farsi).

⁴⁴ Anne M. Price, “Colonial History, Muslim Presence, and Gender Equity Ideology: A Cross-National Analysis,” *International Journal of Sociology* 38, no. 1 (2008): 81-103.

shed light on the extent of influence of western projects and ideologies on Muslim societies and systems.

Exploration of male and female roles leads to a discussion on *Ḥadīth* which suggest that the *Mujtahid* is the *heir* or *successor* of the Prophet and, by extension, the *representative* of the Hidden Twelfth *Imām*.⁴⁵ Given the Prophets and Twelve *Imāms* were men, it has been argued that male *Marāji'* aligns with the *spirit of Islām*, the continuity of spiritual tradition, and their capability of leading both men and women in the public realm. However, there is notable evidence in the *Qur'ān* and *Ḥadīth* of women who played a foundational role in the advancement of Islam and Islamic knowledge, alongside their male counterparts. In exploring five foundational women in the *Qur'ān*, Mahjabeen Dhala asserts that “women have a rightful stake in the interpretation of the *Qur'ān* and... *Ḥadīth* in order to claim the protection of their interests in the process of deriving religious law.”⁴⁶ To this point, the *Qur'ān* also highlights that men and women are equal in spiritual and ontological status.⁴⁷ This is exemplified by female personalities such as *Āsīya*, the wife of the Pharaoh, and Mary, the mother of Jesus, who are both described in the *Qur'ān* as examples for men and women alike.⁴⁸ Examining male and female spiritual and religious status, it is worth noting that there are unknown Prophets from among the 124,000 Prophets in *Islām*, leading to debates on whether there could be female Prophets. Similarly, important figures in Islamic history whose Prophethood has been debated include *Maryam* or Mary, the mother of Jesus, *Luqmān* and *Khiḍr*, among others. Several scholars have also written on “female prophet-like figures” in Abrahamic tradition⁴⁹ though in

⁴⁵ Milani, *Thirty Principles of Islamic Jurisprudence*, 5. Similarly, there are Sunni and Shī'ī hadith that describe the *ulamā'* (*scholars*) as the “heir of the Prophets.”

⁴⁶ Mahjabeen Dhala, “Five Foundational Women in the Qur'an: Rereading their Stories from a Shia Female Perspective,” *Berkeley Journal of Religion and Theology* 5, no. 2 (2019): 3-26.

⁴⁷ For example, see Qur'an 33:35.

⁴⁸ Qur'an 66:11-12. The Arabic grammar of “those who believed” indicates reference to men and women alike.

⁴⁹ Lester L. Grabbe, “‘Her Outdoors’: An Anthropological Perspective on Female Prophets and Prophecy,” in *Prophets Male and Female: Gender and Prophecy in the Hebrew Bible, the Eastern Mediterranean, and the Ancient Near East*, eds. Jonathan Stökl and Corrine L. Carvalho (Atlanta: Society of Biblical Literature, 2013), 11-26.

mainstream Islamic discourse there remains little to no weight regarding this matter.

The *Marji'* representing the Twelfth *Imām* during his occultation, along with informal references as being the “father of the *Shī'ī* community,” is akin to Catholic priests who are referred to as Father. Thus, in both *Shī'ī* and Catholic traditions, the role of *Father* signifies authority and leadership. Challenging the idea that only male priests remain faithful to the way of Christ and the practice of his Apostles, Cheryl Haskins explores “gender bias in the Roman Catholic Church,” and notes that male religious authority is based on “centuries of tradition.” Beyond this, like the *Imām*, some *Marāji'* hold political, social, and economic authority. An evident example of this is the current *Wilāyat al-Faqīh* (Governance of the Jurist) system based in Iran, where Grand *Āyatullāh Sayyid 'Alī al-Ḥusaynī al-Khāmene'ī*, who is both *Marji'* and political leader. However, this does not and will not negate the existence of the existing male, and therefore potential female, *Marāji'* who focus on serving a religious and spiritual function. Female *Marāji'*, akin to quietest male *Marāji'*, could both serve a juristic function, while referring followers to another leading figure of the *Shī'ī* community for geopolitical direction, such as the *Walī al-Faqīh*. With that said, contemporary developments inspire a need for female religious authorities and leaders including *Marāji'* to be publicly and politically active. Future studies could explore the difference between religious authority and political leadership within the *Marji'īyya*.

Navigating the *Marji'īyya*

The challenges surrounding the possibility of female *Marāji'* inspire discussion on how female *Marāji'* would navigate the *Marji'īyya* system. To what extent would the *Marji'īyya* system support female *marāji'* whose views do not conform? How much difference would a female *Marji'*, raised in a traditional, male-dominated system actually make? The lives and works of prominent female *mujtahids*, *Amīn* (1886-1983) and *Şifātī* (1948-) provide vital insights in this regard. *Şifātī*, for example, appears to support the idea of female religious authorities and suggests that the exclusion of women from public life “would contribute to the deterioration of

society.”⁵⁰ Contrastingly, as previously noted, whilst supporting female scholarship and inclusion in public life, *Amīn* appears more concerned with women’s domesticity and warding off “cultural and foreign imports,” indicating that much of her views were based on her given cultural and socio-political context.⁵¹ Holding religiously conservative views which conformed with many of her male counterparts, *Amīn* pioneered and excelled in *Shīʿī* scholarship. Alternatively, if these views were not in conformity, would *Amīn* have advanced in her position? To this, it is worth noting that some conservative views regarding gender roles and responsibilities may not be relevant in the contemporary age. Mere conformity to scholarly predecessors in certain matters may even stifle a new generation of scholars and a new wave of thinking that seeks to critically challenge conventional systems and thought, whilst keeping true to Islamic scripture and scholarly principles. Sheikh *Nami Farhat* advocates and echoes this view in arguing for the reformation of the *Marjīʿīyya* in his works and online lectures on “*Taqīd* in the *Ijtihad*.”⁵² This phrase refers to the *mujtahid* merely following the rulings of their predecessors and counterparts without their own critical and intellectual endeavour. His arguments suggest that some male *Marājiʿī*, historically and today, have merely maintained the views of their predecessors and counterparts in that *Marājiʿī* must be male.

Speaking on female authority and leadership, Zara Faris, who has debated extensively on issues of Islam and feminism, argues that Muslim communities and societies must seek to empower Islam as a set of values, rather than merely seeking to empower individuals based on their gender, be it a man or woman.⁵³ Relating his to male *Marājiʿī*, a male *mujtahid* or *Marjīʿī* may issue edicts which support and empower women,⁵⁴ while a future female *Marjīʿī* may perpetuate views which limit and disadvantage women, although both are subjective and what is empowering for some

⁵⁰ Künkler and Fazaeli, “The Life of Two Mujtahidahs,” 143-147.

⁵¹ *Ibid.*, 146-147.

⁵² Nami Farhat, “*Taqīd* in the *Ijtihad*,” *YouTube*, January 20, 2021, <https://www.youtube.com/watch?v=Cp85LxKGGto> (0:52).

⁵³ Muslim Debate Initiative, “Women & Leadership in Islam. Lecture by Zara Faris in New Zealand,” *YouTube*, March 23, 2015, <https://www.youtube.com/watch?v=fKG-iQ190v4> (1:08:22).

⁵⁴ For example, see: Subeiti, “Who was Shaheeda Bint Al-Huda.”

may not be empowering for others. This argument, however, suggests that it is not exclusively the gender of the *mujtahid* or *Marji'* that will lead to challenge and change, rather their views, values, and vision. The importance of empowering justice can be advanced further when women—for whatever reason—internalise or perpetuate misogyny and discrimination against other women. Based on this, it is proposed that empowering values of justice, equity, and reform within the *Marji'īyya* in general would yield better outcomes for all, including women. Additionally, women and men's equal ontological status and potential in reaching spiritual perfection in Islam, as discussed earlier, suggests that both women and men are duty-bound in serving God and the cause of Islam. Their respective social roles may differ but both are responsible in working for justice and protecting their community and society from injustice. In practice, this could lead to women supporting and following their male *Marji'*, or choosing to follow a male *Marji'* over a female *Marji'* because of their belief in him and his overall vision.

Beyond whether women *can* pursue *ijtihad* and other authoritative religious roles, it is worth exploring what female *Marāji'* might gain or lose from being a *Marji'*. The *Marāji'*, for example, often refer to female experts to advise them on certain matters. This demonstrates that women are still involved in higher authority and decision-making, including potentially the development and formulation of Islamic laws. Moreover, as previously argued, some contemporary Muslim thinkers argue that authority and leadership is a *burden* not a *privilege*, and therefore should not be sought.⁵⁵ However, this argument fails to consider the benefits and even necessity for capable and qualified individuals to come forward as authorities and leaders. This argument could also justify the social elite, or a particular group of people holding power, authority. This could lead social elitism, nepotism, corruption and oppression. Fazlur Rahman explores this further within an Islamic context on “who should interpret law” and how *fiqh* had been the “result of the work of private lawyers.”⁵⁶

⁵⁵ Muslim Debate Initiative, “Women & Leadership in Islam.”

⁵⁶ Fazlur Rahman, *Islam & Modernity: Transformation of an Intellectual Tradition* (The University of Chicago Press, 1982), 156.

Whilst it is beneficial to empower values of justice and reform within the *Marji'īyya*, it is worth considering the benefits and impact of female *Marāji'* in Muslim communities and societies. These benefits include female *Marāji'* serving as role models for other women as observed in the examples of *Amīn* and *Şifātī*; challenging negative assumptions and treatment of women within the *Marji'īyya*; and contributing towards dynamic discourses and tradition of *ijtihād*. Female *Marāji'* and their female representatives, could also better empathise with, and understand women including issues pertaining to women. Based on personal communication with a woman based in London, a male *Marji'* and his male representatives, may not be able to resonate or empathise with sensitive issue pertaining to women. In this case, the said woman, who chose to remain anonymous, was experiencing domestic abuse and the local male representative of her *Marji'* with whom she was liaising with, failed to provide appropriate support nor understand the extent of the issue. Whilst this failure could easily be based on other factors beyond the scope of this study, the anecdote itself relates to various cultural and societal problems and argues in favor of female authorities who may better understand the challenges facing women and provide appropriate support. This may also encourage more women to seek religious guidance and support on sensitive issues that they may not otherwise raise with a male *Marji'*. Diversifying future religious authority by providing opportunity for all regardless of other social and political identities, is also necessary. Given *Amīn* and *Şifātī's* cultural, socio-political, and socio-economic contexts, the importance of encouraging a diverse range of *home-grown* mujtahids, who understand the particular challenges of a given community and society, is also important. Paya, for example, asserts that like engineers, the *fuqahā'* are responsible for "practical problem-solving" thus they must understand and adapt theoretical rulings to particular contexts and "problem situations."⁵⁷

Despite the potential benefits of female *Marāji'*, the *Marji'īyya* continuing to be male-led and male-dominated may present challenges for female scholars and students of Islamic knowledge. Such challenges are

⁵⁷ Paya, *Islam, Modernity and the New Millennium*, 91.

exemplified in first-hand experiences and anecdotes of women who attend the *Ḥawzah ‘Ilmiyah* (traditional Islamic seminary).⁵⁸ An American Islamic scholar and academic, for example, describes her experience of *Ḥawzah*:

In my experience, women in the *Ḥawzah* are treated quite differently from men; when men are taught, they are spoken to as potential scholars, even if they are quite young and inexperienced, whereas when women are taught, there is the assumption of obedience and acceptance...⁵⁹

In examining this it is important to consider other factors that may have contributed to this experience such as the individual’s nationality, ethnicity and culture. However, this experience suggests that this given environment valued men over women as potential religious authorities. For some women, this may lead to internalisation of such views or a self-fulfilling prophecy. Future research may provide insight on whether *Ḥawzah*, and by extension the community and state, are providing the necessary access, space and opportunity for potential female religious authorities.

Revisiting the view of authority being a burden, one could question what *real* power in light of religious authority and leadership is. Describing the *Marāji’* as “representatives of conservative Islam”, Mehdi Khalaji explores the future of *Marji’iyya* and argues that the *Marāji’* have begun to “lose their monopoly over religious institutions.”⁶⁰ Accordingly, the *Marāji’* may find themselves competing with alternative forms of authority, leadership, influence and even other *Marāji’*. Similarly, Emad Hamdeh traces the decline of traditional Islamic education alongside the rising influence of the internet and the printing press. Taking a critical stance against online religious discourse and dissemination through the lens of traditionalist pedagogy, Hamdeh suggests that the internet and new media is reshaping scholarly authority while simultaneously prompting scholars

⁵⁸ The *Ḥawzah ‘Ilmiyah* in Qom, Iran and Najaf, Iraq are the preeminent seminaries of Shi’a Islam.

⁵⁹ Anonymous, personal communication, March 8, 2021.

⁶⁰ Mehdi Khalaji, “The Future of the Marjavia,” The Washington Institute for Near East Policy, April 3, 2012, <https://www.washingtoninstitute.org/policy-analysis/future-marjavia>.

themselves to adopt it.⁶¹ Thus from the perspective of female religious authority and leadership, there are alternative roles, spaces, and means outside of the *Marji'yya* system that women could choose to pursue in order to make an impact and influence their given community. From utilising the digital space, political activism, to other forms of public participation, these alternative avenues could be even more impactful for women than the *Marji'yya*—such phenomena which must be explored further.

Conclusion

This article has explored the traditional and contemporary challenges surrounding the possibility of female *Marāji'*, including religio-cultural and societal challenges. Exploring evidence from Islamic jurists and texts alongside the impact of traditional and perceived gender roles, this study has challenged the *a priori* assumption that women are inherently unsuitable for the role of *Marji' Taqlīd*. This was strengthened by discussing benefits of female *Marāji'* including challenging religious discourse that disadvantages women and being role models for current and future generations. Building on this, the paper explored whether having female *Marāji'* would be impactful on the system of *Marji'yya*, given the system's long-standing conservative tradition, and the required acceptance of the *Shī'ī laity*. Therefore, it was proposed that empowering ideas and values over individuals solely based on gender, is vital. Although prominent *Marāji'* such as *Sayyid 'Alī al-Ḥusaynī al-Khāmene'ī*, continue to have major influence on Shī'ī's worldwide including politically, there remains scope to challenge and reform the *Marji'yya* system itself. Such demand is heightened with the development of alternative forms of religious authority such as *Tab'īd* and alternative public leadership roles. Whilst the possibility of female *Marāji'* remains unclear, contemporary developments present both exciting challenges and opportunities for future female authorities and leaders.

⁶¹ Emad Hamdeh, "Shaykh Google as Ḥāfiẓ al-'Asr: The Internet, Traditional 'Ulamā', and Self Learning," *American Journal of Islam and Society*, 37, no. 1-2 (2020): 92, <https://doi.org/10.35632/ajis.v37i1-2.851>.

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