Al-Qaeda and the Islamic State:
A comparative study of the jihadi narratives

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Abstract

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This paper explores the major points of contrast between Al-Qaeda and the Islamic State as one of movement versus state. Presenting the former as a revolutionary movement and the later as a state-building entity, I contend that despite their jihadi nature, both groups adopt different narratives and strategies. Following a comparative approach, I illustrate that the identity of Al-Qaeda as a revolutionary social movement and the Islamic State as a modern state entity in addition to the social backgrounds of their members presented them as two separate entities with institutional differences, structure, ideology and strategy. The movement versus state tension I present is not a new one that is exclusive to Islamist groups only, but rather one that was witnessed by groups like the Bolsheviks and Mensheviks of Russia as well as the Zionists of Europe and Palestine. I argue that this divergence between Al-Qaeda and the Islamic state, demonstrates jihadi ideology to be heterogeneous and decentralize.

1. Introduction

The [Islamic] State is not an affiliate of Al-Qaeda, and it never was…. For it is not possible for an Emirate or a state to pledge an allegiance to a movement.[1]

Abu Muhammad Al-Adnani

Former spokesman of the Islamic State

American officials and policy makers[2] tend to conceive Al-Qaeda and the Islamic State (IS)[3] as being a part of a homogenous terrorist organization with unified goals and strategies, in part because of their violent nature and the fact that one grew out of the other. But a closer examination reveals otherwise. Rather than presenting them as two jihadi[4] twins, this paper presents the two terrorist organizations as rivals in competition to lead the global jihadi movement with different institutions and strategies. Adopting a movement versus state comparison, I claim that, despite once collaborating together and sharing the ultimate goal of reestablishing the Islamic caliphate, Al-Qaeda and IS are fundamentally distinct movements that split to become staunch rivals, if not enemies.

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[1] Abu Muhammad Al-Adnani, former spokesman of the Islamic State, in a recorded message for the current leader of Al-Qaeda, Ayman Al-Zawahiri in May 11, 2014.

Abu Muhammad Al-Adnani, "Ozran Amir Al-Qaeda," Mu'assasat Al-Furqan, from internet Archive, May 11, 2015 https://archive.org/details/kalimah_201405 (accessed March 10, 2016)

[2] On Tuesday September 30, 2014, Rear Admiral John F. Kirby, the Pentagon press secretary, indicated that the U.S. military does not distinguish between ISIS and Al-Qaeda and its affiliates like Jabhat al-Nusra. He stated"They can claim they've got differences with this or that group all they want, but we very much view them as one and the same."

Spencer Ackerman , "Obama maintains Al-Qaida and Isis are 'one and the same' despite evidence of schism," *The Guardian*, October. 2, 2014, http://www.theguardian.com/world/2014/oct/02/isis-al-qaida-obama-administration-argument-same-strikes-break (accessed April 14, 2016).

[3] The Islamic State is also known as the Islamic State in Iraq and Syria (ISIS), but since the members call themselves the Islamic State, I will use this expression throughout the paper, as well as its abbreviation IS instead of ISIS.

[4] The term Jihadi is a modern concept linked with the rise of Islamist militant movements in the 19th and 20th centuries. The term is the English translation of the Arabic word Mujahid. Although the term has multiple meanings, it has been used for the past hundred years in a narrow sense to mean any person who believes that "armed confrontation with political rivals is a theologically legitimate and instrumentally efficient method for socio-political change."

See Omar Ashour, "Post-Jihadism: Libya and the Global Transformations of Armed Islamist Movements," *Terrorism and Political Violence* 23, No. 3 (2011): 379.

Whereas Al-Qaeda presents itself as a militant jihadi movement with a claimed defensive agenda, IS portrays itself as a state that aims to expand and govern a utopian dynasty.

By analyzing these contrasting narratives, I will explain the major distinction between the two as one of movement versus state. Instead of approaching this topic by focusing on social movement or state building theories to prove the distinction, I will adopt a comparative approach that explores and unravels major points of contrast between the two rivals. I will show that due to their institutional differences, structure, ideology, strategy, and the social background of their members, Al-Qaeda and IS cannot be regarded as variants of the same ideology. Instead, they are two different entities with two different goals.

How and when can a caliphal project be declared and re-implemented? Is it adopted in its historical and theoretical sense or is it an equivalent to a modern state? Who is the real enemy? How can they be approached? And is this movement versus state tension exclusive to groups of Islamic background and belief? These are questions whose answers I will provide in order to arrive at a closer understanding of the complex relationship between Al-Qaeda and IS. I argue that Al-Qaeda is a movement that basically seeks to transform the Muslim society from within through conviction—a policy that they believe would eventually lead to the formation of an ideal Islamic state. On the other hand, I contend that IS functions as an actual modern state that does not aim to transform the Muslim society, but rather employs instruments of a state to establish an Islamic society, whether or not its subjects are convinced by it.

Comparing their actions, statements, and official magazines, I adopt a comparative example to illuminate the movement versus state paradigm using the

Mensheviks and the Bolsheviks in regards to their position on establishing a communist society or state in one country. Like socialism, I ask whether an Islamic Caliphate can only come out of a society that is truly Islamic, or if the state may be used as an instrument to transform society into the desired model. Accordingly, I link Al-Qaeda to Leon Trotsky and European Social democracy, for they both insist on the importance of an ideological movement in order to implement change. By contrast, I link IS to Vladimir Lenin since they both believe in the importance of the state as a tool of ideological change. Finally, I will present how each group adopts different Islamic narratives to legalize their hideous practices. By linking both groups to the life of the Prophet Muhammad, where there is a conventional notion of a Meccan period and a Medinan period, I will explain that one group is adopting the Meccan phase of the Prophet's life and the other the Medinan phase. I am not claiming that these two groups represent the actual practices and policies of Prophet Muhammad, but that they clearly employ contrasting narratives to serve their own distinct needs.

By adopting this movement versus state approach, I aim to conclude that the competition between Al-Qaeda and IS as two jihadi rivals attests to their divergent nature and to the diversity of global jihadi ideologies. Despite their common violent approach, these two groups adopt different narratives that demonstrate jihadi ideology's heterogeneous and decentralized nature.

2. Movement versus State

Following the September 11th attacks in the United States in 2001, American media outlets and political analysts represented Al-Qaeda as a centralized hierarchal institution.[5] According to this portrayal, it functions in a well-organized manner through a classical pyramid-style paradigm that aims to impose a global Islamic rule through violence and coercion. But this was never the case. Unlike IS, Al-Qaeda has always been a decentralized "network, like a … movement, coalescing together for a … demonstration on a certain Sunday."[6] It has neither possessed fixed boundaries nor fixed members who represent it. In fact, it has always been a borderless international organization that functions in a network-like paradigm aiming to attract the public to their non-materialistic ideology. This decentralized and strategic nature of Al-Qaeda gave it the traits of a global movement that "fits the broad sociological concept of a new social movement,"[7] which according to Charles Tilly,[8] "evinces [a] minimal degree of organization."[9]

Al-Qaeda meets in many respects the general sociological aspects of a new social movement that acts loosely and internationally.[10] Defined as "networks of informal interactions, between a plurality of individuals, groups or associations, engaged in a

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[5] Robert J. Jackson, *Global Politics in the 21st Century* (Cambridge, United Kingdom: Cambridge University Press, 2013), 346.

[6] Sageman quoted in Marlena Telvick,"Al Qaeda Today: The New Face of the Global Jihad," *Frontline*, January 25, 2005, http://www.pbs.org/wgbh/pages/frontline/shows/front/etc/today.html (accessed March 15, 2016)

[7] Philip W. Sutton and Stephen Vertigans, "Islamic "New Social Movements"? Radical Islam, Al-Qa'ida and Social Movement Theory," *Mobilization: An International Journal* 11, no.1 (2006):101.

[8] He was an American sociologist, political scientist, and historian who wrote on movements, states and the relationship between politics and society.

[9] Charles Tilly, *From Mobilization to Revolution*. (Nueva York, Random. House-McGraw-Hill Publishing Co./Reading (Mass.), Addison Wesley Pub- lishing Co.1978), 42.

[10] Sutton and Vertigans, "Islamic "New Social Movements"? Radical Islam, Al-Qa'ida and Social Movement Theory," Mobilization: An International Journal, 101.

political or cultural conflict, on the basis of a shared collective identity,"[11] a social movement fits Al-Qaeda's profile as an international decentralized entity. Like a movement, Al-Qaeda functions through a structure of various informal self-governed networks and cells that aim to mobilize middle-class people who share a specific conviction to endorse a certain ideology. Rather than being institutionally coherent, Al-Qaeda functions as a loosely structured movement of various franchises guided by charismatic individuals locally and internationally. This loosely structured entity, which according to Robert Ash-Garner and Mayer Zald "requires minimum levels of initial commitment – a pledge of support without specific duties," [12] greatly affects the group's policies and strategies giving it the full traits and aspects of a movement.

Unlike Al-Qaeda's nature as a movement, IS has proven itself as a state building entity that operates its own institutions, issues its own jurisdictions and has a sense of legitimacy and territoriality. Considering it a growing terrorist threat, no modern state considers IS a legitimate state in the way it represents itself. Yet, with its advanced military powers, infrastructure, pyramid-style governance, and developed state institutions like taxations, hospitals, and police, IS has proven to be a standing state rather than a revolutionary movement like Al-Qaeda. The distinction between a revolutionary movement and an actual state might seem an obvious point, but Tilly presents the opposite. According to Tilly, "banditry, piracy, gangland rivalry, policing, and war

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[11] Mario Diani, "The Concept of Social Movement," *The Sociological Review* 40, no. 1 (1992): 13.

[12] Mayer N Zald and Roberta Ash Garner. "Social Movement Organizations: Growth, Decay and Change," in *Social Movements in an Organizational Society: Collected Essays*, ed. Mayer N. Zald and John D. McCarthy (New Brunswick, NJ: Transaction Books, 1987/1966), 121-141.

making all belong on the same continuum." [13] In other words, there is no clear demarcation between IS's banditry and any modern state's policing and war making. According to Tilly, they all belong to the same line, and since IS is made up of "relatively centralized, differentiated organizations the officials of which more or less successfully claim control over the chief concentrated means of violence within a population inhabiting a large, contiguous territory," [14] I argue that it fits the definition of a state rather than a movement.

Moreover, IS meets the legal bases of state recognition found in the Montevideo Convention of 1933. According to the Convention "The state as a person of international law should possess the following qualifications: a) a permanent population; b) a defined territory; c) government; and d) capacity to enter into relations with the other states." [15] IS not only controls people residing in territories seized in Iraq and Syria, it also issued official Islamic State documents and passports to 11,000 citizens, and therefore meets the permanent population requirement from the Montevideo Convention. [16] The group also meets the requirements of a defined territory and government since it controls territories in Iraq and Syria. These territories extend from the Syrian-Turkish border, to include its capital of Raqqa, in northern Syria, Mosul, Tikrit, Falluja, until the farming towns south

[13] Charles Tilly, "War Making and State Making as Organized Crime," in *Bringing the State Back In*, ed. Peter B. Evans et al. (Cambridge: Cambridge University Press, 1985), 170.
[14] Ibid.
[15] Council on Foreign Relations, "Montevideo Convention on the Rights and Duties of States, Montevideo," December 20, 1933 http://www.cfr.org/sovereignty/montevideo-convention-rights-duties-states/p15897# (accessed April 20, 2016)
[16] John Hall, "Anything to declare? ISIS launches passport holders for the international terrorist as part of its campaign of 'psychological warfare," *Daily ail*, August 12, 2014, http://www.dailymail.co.uk/news/article-2722637/Anything-declare-ISIS-launches-passport-holders-international-terrorist.html (accessed March 10, 2016)

of Baghdad.[17] The territory that IS controls is roughly equal to one third of both Iraq and Syria, a territory it subdivides into different provinces to facilitate the process of governance.[18] Thus, IS not only controls its own territory, but also has a governmental and administrative system that allows it to function like any other modern state as stipulated in the Montevideo Convention.[19] Moreover, despite the lack of any international recognition, IS still meets the fourth and last regulation of the convention, for it has the ability to communicate with and delivers messages to other states through social-media platforms, even if those states refuse to respond.[20] Accordingly, IS, unlike Al-Qaeda can be deemed as a functioning state with administrative and military powers like any modern state today, a feature that affects the group's strategies, policies, and goals.

Thus, instead of being variants of the same ideology, I present Al-Qaeda and IS as two separate entities that are clearly distinguished from each other, one as a movement and the other as a state. To further explain this distinction, I will demonstrate how both groups adopt different institutional structures, strategic approaches, and ideologies. I argue that these factors, in addition to the different backgrounds and experiences of the members of each group, attest to their divergence as a movement and a state.

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[17] Katy Gilsinan, "The Many Ways to Map the Islamic 'State." *The Atlantic*, Auugust 27, 2014, http://www.theatlantic.com/international/archive/2014/08/the-many-ways-to-map-the-islamic-state/379196/ (accessed March 10, 2016)

[18] Bardia Rahmani, and Andrea Tanco,"ISIS's Growing Caliphate: Profiles of Affiliates," *Wilson Center*, https://www.wilsoncenter.org/article/isiss-growing-caliphate-profiles-affiliates (accessed March 10, 2016)

[19] Audery K. Cronin, "ISIS is not a terrorist group," *Foreign Affairs*, https://www.foreignaffairs.com/articles/middle-east/isis-not-terrorist-group (accessed March 14, 2016)

[20] Human rights in Ireland, "ISIS, the Caliphate and new states." http://humanrights.ie/international-lawinternational-human-rights/isis-the-caliphate-and-new-states/ (accessed March 10, 2016)

3. The Caliphate

You should ask them to avoid insisting on the formation of an Islamic State for the time being …. Declaring an Islamic state before exhausting the global disbelief resembles putting the cart before a horse.[21]

Usama Bin laden
Founder and former Leader of Al-Qaeda

People tried secular forms of government: republic, Baathist, Safavids …It pained you. Now is time for an Islamic state.[22]

Abu Bakr al Baghdadi
Leader of the Islamic state

One fundamental difference between Al-Qaeda and IS is their ultimate aim as two rival jihadi groups who both seek to pose themselves as vanguards of global jihad. Their movement versus state nature fundamentally affects their position on various issues, such as the establishment of an Islamic caliphate. In this part, I will talk about the nature of Al-Qaeda and IS as a movement versus state by focusing on their claims of establishing the claimed Islamic caliphate and the different approaches they adopt to establish their visions. Despite Al-Qaeda's reputation as the main jihadi organization, it projects itself as a militant Islamist movement that aims to rid the Muslim countries of Western infidels[23] and their allies. IS on the other hand, presents itself as a state and a government that seeks

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[21] Privat letter sent from Bin Laden in July 2010 to two of his followers who went by the names Haj Othman and Sheikh Mahomud. The letter was sent in regards to the situation in Yemen and included Bin Laden's orders to his followers in Yemen.
Office of the Director of National Intelligence,
http://www.dni.gov/files/documents/ubl/english/Letter%20Addressed%20to%20Atiyah.pdf
(accessed February 20, 2016)
[22] Document issued by ISIS in June 2014 entitled the "Madina Document". It was issued to set rules in Nineveh, a city located in northern Iraq.
Aaron Y. Zelin, "New statement from the Islamic State of Iraq and al-Shām: Charter of the City," Jihadology, June 12,2014, http://jihadology.net/2014/06/12/new-statement-from-the-islamic-state-of-iraq-and-al-sham-charter-of-the-city/ (accessed February 20, 2016)
[23] It is the English translation for the Arabic word *kafir* (Arabic pl. kuffar). According to Hans Wehr, a Kafir is identified as an "unbeliever, infidel, atheist.." see Hans Wehr, Dictionary of Modern Written Arabic (Beirut: Librarie du Liban, 1974). 833. Although the majority of Muslim scholars don not categorize Christians and Jews as Kuffar, but rather refer to them as Ahl-Alkitab (people of the Book), modern Islamist Militant movements use this term to refer to any non-Muslim, including Christians and Jews.

to rule the world through a utopian paradigm that can compete against and eliminate the modern western state-model.[24] Despite disparities in their ideological, political, and practical approaches, both groups adopt the fundamental goal of restoring the Islamic caliphate, which collapsed in 1924.[25] Yet, the very notion of an Islamic caliphate, and the means whereby it should be established, are a matter of divergence between the two groups due to their competing nature.

As a movement, Al-Qaeda desires an Islamic caliphate that is based on a pan-Islamic paradigm, which includes Africa, the Middle East, southern Europe and parts of Asia. They are not aiming for a global empire that rules the world but rather one that

> liberate[s] all occupied Muslim lands and reject[s] each and every international treaty, agreement, and resolution which gives the infidels the right to seize Muslim lands, such as Israel's seizure of Palestine, Russia's seizure of Chechnya and the Muslim Caucasus, India's seizure of Kashmir, Spain's seizure of Ceuta and Melilla, and China's seizure of East Turkestan.[26]

Yet, the question of how and when to restore this seventh-century institution of caliphate is never clearly presented in the literature of Al-Qaeda. In other words, Al-Qaeda's vision towards establishing the promised caliphate is a vague one that theoretically exists but lacks an outline for its actual implementation.

Despite its prevalence in the group's literature, the caliphate is only considered a long-term goal by Al-Qaeda and its leaders. It has never been a priority subject to direct attention and immediate implementation. Rather, it is a suspended goal that must be

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[24] Naureen Chowdhury Fink and Benjamin Sugg, "A Tale of Two Jihads: Comparing the Al-Qaeda and ISIS Narratives," IPI Global Observatory, February 9, 2015, http://theglobalobservatory.org/2015/02/jihad-al-qaeda-isis-counternarrative/ (accessed February 22, 2016)

[25] M F Elshayyal, *Towards a Civic Democratic Islamic Discourse II: Islam, State & Citizenship*, (Amman: Al-Quds Center for Political Studies, 2010).

[26] Ayman Al-Zawahiri, "Watiqat Nosrat Al-Islam," https://azelin.files.wordpress.com/2012/11/dr-ayman-al-e1ba93awc481hirc4ab-22the-treatise-of-supporting-islam22.pdf (accessed February 20, 2016)

avoided for the time being. For Al-Qaeda, purifying the Muslim countries of Western influence and forcing the West to cease its support for tyrannical Muslim rulers is the first priority. Thus, Bin Laden encouraged his followers not to hasten in establishing an Islamic state, stressing "the importance of time in establishing" the state. [27] Bin laden believed that declaring an Islamic state in an environment where the U.S. and its allies had the ability to intervene in its territories represented a plan doomed to fail, similar to the Islamic Emirate under the Taliban.

The approach adopted by Al-Qaeda towards the caliphal project can be better understood through Eric Van Ree's[28] "theory of restoration of capitalism," which he links to Leon Trotsky's position on establishing socialism in an isolated Russia.[29] In Ree's analysis, Trotsky believed that "Russian Socialism would be lost if the revolution elsewhere in Europe failed to break out;" a process that Ree describes as "the theory of restoration." [30] According to this theory, in a country where socio-economic circumstances were not ripe for socialism "the proletariat would come into conflict with the peasantry," in which situation "the socialist side would lose the conflict" and "restoration of capitalism would be the result."[31]

It can be understood from Bin Laden's and Al-Zawahiri's letters to their followers that both feared that a quick declaration of an Islamic state or caliphate might result in a similar situation of restoration and undermine their jihadi project. Like Trotsky, who

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[27] Office of the Director of National Intelligence, http://www.dni.gov/files/documents/ubl/english/Letter%20Addressed%20to%20Atiyah.pdf (accessed February 20, 2016)

[28] He is a lecturer at the Institute for East European Studies at the University of Amsterdam. He focuses on the history of communism.

[29] Erik Van Ree, "Socialism in One Country: A Reassessment," *Studies in East European Thought* 50 (1998) 77-117.

[30] Ibid.

[31] Ibid.

regarded the peasantry's resistance to socialism as a problem, the leaders of Al-Qaeda considered opposition from the West and its Muslim allies as an obstacle preventing the establishment of the caliphate. The problem would not be solved unless Al-Qaeda's international project of purification was implemented. Only after its completion could they begin to consider the instigation of an Islamic caliphate. Bin laden said in a letter to two of his commanders in Yemen, "We should be aware that planning for the establishment of the state begins with exhausting the main influential power that enforced the siege on the Hamas government, and that overthrew the Islamic Emirate in Afghanistan and Iraq despite the fact this power was depleted."[32] Accordingly, the efforts of America and its allies to destroy the newly fledged Islamic state in Afghanistan were the main reason that made Bin Laden adopt a view similar to Trotsky's on Socialism in isolated Russia. He believed that a global jihadi power with a decentralized nature rather than that of an isolated group was necessary for establishing a caliphate. In linking Al-Qaeda to Trotsky and the Bolsheviks, I am not stating that Al-Qaeda is afraid of the peasantry or the middle class; their fear stems from another force of a different category, based on a different analytical framework.

Thus, the decentralized nature of Al-Qaeda as a cluster movement affected its position towards an Islamic caliphate, making it less interested in gaining territories or controlling specific lands. Bin Laden clearly understood that the U.S. is usually capable of managing conflicts with fixed enemies, who are known and whose members and whereabouts are public knowledge. On the contrary, the U.S. would suffer if it engages in

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[32] Office of the Director of National Intelligence,
http://www.dni.gov/files/documents/ubl/english/Letter%20Addressed%20to%20Atiyah.pdf
(accessed February 20, 2016)

an open-ended conflict where the enemy is neither identified nor confined to a bounded territory. Bin Laden was convinced that declaring an Islamic political entity—one which rules delimited geographical territories and aims to expand them—risks the safety of the organization as a whole. This makes Al-Qaeda a fixed target that can be defeated by the U.S. and its allies if they concentrate their efforts upon it. Thus, until the U.S. and its allies are weakened, a decentralized organization is a better option than the caliphal project for Al-Qaeda. The revealed documents of Bin Laden prove that the group has always been a loose movement with no specific paradigm or blueprint for its followers. It was never proven that the central headquarters of the movement produced any form of document and distributed it for action to one of its franchises.[33] It was rather a decentralized and intangible entity whose members can be described as jihadis without borders, as they are not confined to a specific territory or polity, but were rather part of a global borderless movement.

Unlike Al-Qaeda, IS has fixed borders and a precise vision for the revival of the Islamic caliphate. Although they seek to restore the traditional caliphate that ruled Muslim lands in Africa, the Middle East, southern Europe and parts of Asia, IS has a global view of the caliphate rather than a pan-Islamic one. For IS, the Islamic caliphate is a global Islamic empire that would rule the world from the west to the east; its leader is not just the Commander of the Faithful,[34] but in fact a global Caliph and the successor of the Prophet of Islam. Rather than presenting itself as an Islamist militant movement that battles the West like Al-Qaeda, IS declared itself a solid-bounded nation state that desires

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[33] Michael W. S. Ryan, *Decoding Al-Qaeda's Strategy; the Deep Battle against America*. (New York: Columbia University Press, 2013). 12.

[34] A title reserved for Muslim rulers that ruled Islamic empires, still used today to refer to some Muslim leaders like the King of Morocco.

to erase the borders of Sykes-Picot agreement of 1916 "and redraw the world upon the clear path of prophetic Caliphate."[35] Its aim is to advance and "to take control of the ground that it had and more,"[36] adopting a state-building policy that provides citizenship for those recognizing its legitimacy and living within its territory,[37] for it "does not recognize synthetic borders, nor any citizenship besides Islam."[38]

Therefore, whereas Al-Qaeda adopts a dispersed and asymmetric war against the U.S. and its allies as a global movement in order to exhaust them and purify the Muslim countries from any Western influence before adopting an actual caliphal plan, IS is inclined towards the opposite. For IS, the caliphate can only be established through control over specific territories that would ultimately expand to include all Muslim countries and later the entire world.[39] For IS, founding an Islamic caliphate will never occur by merely "leaving the matter out for grabs so that any hypocrite can stretch out his arm and reach for the leadership of the nation, only to destroy it,"[40] but rather through actual engagement with the enemy and through practical actions. For that reason, they ignored the vague vision of Al-Qaeda and adopted a centralized, territorial plan that would lead to a viable state connecting their legitimacy to the territories they control.[41]

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[35] Abu Muhammad Al-Adnani, *"Walyomakenana lahum dinahum Al-lazi ertada lahum,"* Mu'assasat Al-Furqan, from internet Archive, April 3, 2014, Audio, https://archive.org/details/al_adnani2 (accessed April 25, 2016)

[36] Abu Bakr Al-Baghdadi, *"Wa ya'ba Allah illa an yutemma nurah,"* Mu'assasat Al-Furqan, from internet Archive, Audio, July 21, 2012, https://archive.org/details/Allah_Motm_Norh (accessed April 25, 2016)

[37] *"Kasr Al-Hudud,"* Mu'assasat Al-I'tisam, from internet Archive, August 24, 2014, Audio, https://archive.org/details/kaser-al70odud (accessed April 25, 2016)

[38] Bāghdādī, "Wa-ya'bā 'llāh illā an yutimm nūrahu,"

[39] Adil Rasheed, *ISIS: Race to Armageddon*, (India: Vj Books, 2015), 66

[40] Ibid.

[41] Ibid.

Accordingly, they cannot be regarded as anything but a growing state with territorial boundaries.

Just like Al-Qaeda, IS's approach towards a caliphate can be better understood through Russia's socialist movements, specifically through Ree's "Theory of Incomplete Socialism,"[42] which is identifiable with Vladimir Lenin. In contrast to Trotsky, who believed that "Russian Socialism would be lost if the revolution elsewhere in Europe failed to break out," Lenin—according to this theory—believes that

> the victory of socialism initially in some or even in one, separately taken, capitalist country is possible. After having expropriated the capitalists and having organized the socialist production at home, the victorious proletariat of this country would stand opposed to the remaining capitalist world.[43]

Accordingly, Lenin opposes Trotsky about the impossibility of establishing socialism in an isolated state without international aid from neighboring countries, believing that "socialism cannot win simultaneously in all countries" but would start gradually in one or two countries. Although this might not be a complete socialism according to Lenin, it will ultimately lead to a confrontation with imperialism, which will eventually end in socialism's favor.[44] In other words, Lenin believes that the success of socialism in an isolated country was not a problem that was dependent on other international powers, but was in fact a possibility that could be implemented through organizing a social economy within national walls. This would eventually result in the effective ability of that isolated social power to defend itself militarily.

This "Theory of Incomplete Socialism" can help us understand IS's caliphal approach and predict its policy in that respect, in contrast to Al-Qaeda. Like Lenin, IS is

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[42] Ree, "Socialism," *Studies in East European Thought*, 89.
[43] Ibid
[44] Ibid.

not in favor of waiting for an international revolution to implement or declare its caliphal project as Al-Qaeda did. In fact, its official statements and correspondence indicate that it favors immediate action allowing it to form its own proto-state and organize itself within its national territory. Declaring itself as an organized state will thus require it to form an army that can help defend it militarily and help expand its empire efficiently. Only in this way, IS believes, can the dream of an Islamic caliphate be initiated and expanded globally, leading to a confrontation with the powers of disbelief at Dabiq,[45] where an epic final clash will take place and result in an ultimate expansion of the caliphate and the declaration of the Islamic apocalypse.

Accordingly, the difference between Al-Qaeda and IS regarding the formation of an Islamic caliphate is a recreation of the problems of the socialist and communist movements in the early twentieth century. With Al-Qaeda resembling Trotsky and IS resembling Lenin, the two rivals differ about the modality of forming an Islamic caliphate. They differ in whether the process should be postponed until the worldwide support of Muslims within countries free of Western influence can be obtained, or whether they should implement the project immediately with any possible means, ultimately defeating opponents and declaring the completion of an empire. Both socialists and Islamist Jihadis believed that they would rule the world, but in terms of Al-Qaeda and Trotsky, they believed that they would do so as movement that would work within society to induce change. They would recruit more and more people and convince them to support their cause, which would lead to the Islamic caliphate in the fullness of time. This is in contrast to IS and Lenin, who both believed in enforcing their rule through the

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[45] It is a town in northern Syria after which IS named its recruiting magazine.

seizure of territories, the use of violence to subjugate their populations, and the formation of a state, which would later expand outward.

I am not claiming that Islam and communism are the same by linking the two jihadi groups to the Bolsheviks and the Mensheviks. But I use this analogy to bring attention to the fact that there is an inherent tension between social movements and state building on the local and international scale that has existed for more than 150 years. In other words, all movements or states that sought a global revolution like Al-Qaeda, the Bolsheviks, IS, the Mensheviks, faced similar questions: Can a revolution start in one place? Or does it require the mobilization of mass support everywhere? It is not mere accident that both Al-Qaeda and IS happen to resemble the Bolsheviks and Mensheviks in their approaches. In fact, this tension is present in other known movements, like Zionism for example.[46] History proves that just like the Bolsheviks and Mensheviks, as well as Al-Qaeda and IS, Zionism witnessed a movement versus state conflict, which can be demonstrated through political Zionism and labor Zionism. Although they both agreed with respect to the establishment of an Israelis state, political Zionism and labor Zionism differed in terms of methodology.

Presented by Theodor Herzl, political Zionism was a Zionist mass-movement centered in Europe. As a movement, it believed that the only way the impoverished Jews of Eastern Europe can be saved from the threat posed by European anti-Semitism, was through the establishment of a Jewish state of their own. Herzl's belief in the importance of establishing a Jewish state was not because Jews would choose to migrate to it once it

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[46] Like the Bolsheviks and Mensheviks, I am not claiming that Zionism, Al-Qaeda and IS are the same. I am arguing that they share the same movement vs. state tension that all local and international movements witnessed.

is established—he never believed that would happen. In fact, up until 1925 more Jews went to the U.S every year than lived in Palestine—but because anti-Semitism "is a national question, which can only be solved by making it a political-world question to be discussed and settled by the civilized nations of the world in council."[47] In other words, Herzl believed that the formation of a national Jewish state would eliminate the roots causing anti-Semitism. Yet, like Al-Qaeda and Trotsky, political Zionism as an interactional and international movement didn't call for the immediate establishment of a state directly. Instead, Herzl believed that efforts should be directed towards "grand diplomacy" before pursuing the formation of a state.[48]

According to Herzl, gaining a charter and support from international powers on behalf of the Jewish state was the first step to form the desired state. Herzl feared that without international support efforts towards establishing a Jewish state would be unprotected and undermined by resistance the state building project would face from the residents of the lands they sought to control. Thus, like Al-Qaeda and Trotsky, who both had fears they had to overcome before establishing their state, Herzl's fear of resistance from the Palestinians prevented him from establishing a Jewish state immediately. Herzl believed that the practical Zionist strategy—which would be later known as labor Zionism—of an immediate state building through gradual immigration and "infiltration was pointless unless it is based" on a "guaranteed sovereignty."[49] As a man with legal

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[47] Theodor Herzl, *The Jewish State*, trans. and ed. Jacob M. Alkow (New York: Dover, 1988), 75.
[48] Mitchell Cohen, Zion and State: Nation, Class, and the Shaping of Modern Israel (New York: Columbia University Press, 1992), 69.
[49] Ibid.

training, Herzl rejected the formation of a Jewish state before it was legally and internationally recognized that it belonged to the Jews.[50]

Labor Zionism on the other hand was in favor of an immediate formation of a state, just like IS and Lenin. Coming from Eastern Europe and affected by Russian socialism, labor Zionists were inclined towards a state building process by moving to Palestine and forming institutions that would form the core of their desired state. Presented through David Ben-Gurion, labor Zionism believed that a Jewish state could not be established by merely appealing to the international community or by securing the desired state through public law.[51] Instead, they believed that their state could only be established through the working class Jews already settled in Palestine. In other words the working class would establish an independent Jewish society on the land of Palestine and thus announce the declaration of the Jewish state.[52]

Like Lenin and IS, Labor Zionism sought to establish their state through controlling their own territory and establishing independent institutions of their own to regulate and organize their society.[53] Thus, they formed institutions like the Histadrut,[54] the Kibbutz,[55] and the Haganah.[56] These institutions represented the core of the Jewish state. The Kibbutz secured the agricultural territories of the state, the Histadrut created an urban economy that provided jobs for members of society, and the Haganah was the Jewish state's military institution. Just like IS and Lenin, labor Zionism subordinated

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[50] Ibid.

[51] Joel S. Migdal, Strong Societies and Weak States: State-society Relations and State Capabilities in the Third World (Princeton, NJ: Princeton University Press, 1988), 162.

[52] Ibid.

[53] Ibid.

[54] It was created as a trade union that organizes the economic activities of Jewish labors.

[55] It was a Jewish rural community that was traditionally based on agriculture.

[56] It was an underground Zionist military organization, which became the core of the Israel Defense Forces (IDF)

their armed group to their political goal striving to stand as the only armed power with control. In other words, since labor Zionism was aiming for a state building process, it believed that there should be no multiple armed groups within Palestine, but rather only one that is strictly subordinate to the political decision makers, a matter that Lenin and IS strived to ensure. Lenin and IS share with Ben-Gurion and labor Zionism the belief that, when their state is established and they are in control, there should be only one armed organization in the territory that answers to the political leadership.

Accordingly, if we were to draw on the same history we will find the same argument of movement versus state within the Zionist debate between political Zionism and labor Zionism, just like it arose between the Bolsheviks and Mensheviks and between Al-Qaeda and IS. The current institutional tension between Al-Qaeda and IS is not a tension that is specifically rooted within Islam, but one that is instead inherent in the tension between movement versus state and local versus international. It is not exclusive to Islamist militant groups only, as such tensions were also present within Socialism and Zionism.

This movement versus state tension between Al-Qaeda and IS influenced each group's vision towards the restoration of the caliphal project. The approach adopted by both groups towards the institution of the caliphate attests to the nature of the latter as a growing state with administrative, economic, and social responsibilities, rather than an insurgent movement that functions in the shadows like Al-Qaeda. It is important to note that although many academics and researches do recognize and identify IS as a functioning state with its own set of institutions, few seem concerned with the nature or the type of state pursued by the group. The aims IS seeks to accomplish through state-

formation, and whether or not its approach towards the Islamic caliphate resembles that of classical Islam, are matters that neither political analysts nor academic scholars have yet addressed intensively.

Therefore, I believe that the claims about whether Al-Qaeda and IS are Islamic or not are not very important in our discourse. What is important is the nature of laws they adopt and their approach to them. Based on the movement versus state theory this paper adopts, IS as a state has formal laws—irrespective of whether they are Islamic or not—and Al-Qaeda, as a movement, does not. In the following paragraphs I will explain which particular laws IS as a state-building entity is interested in and how it approaches them, in order to understand the type of state we are facing.

In their article " Caliphate of Law," Andrew F. March and Mara Revkin describe IS as a state-building entity that is Islamic because it uses Islamic law "to establish a social contract with the Muslim population it aspires to govern.[57] They further explain that IS is "concern[ed] for establishing a law-based political order" based on the classical Islamic theory of statecraft, known as *Siyasa Shar'iyya*.[58] Yet, neither the actual laws implemented by the state nor its approach to *Siyasa Shar'iyya* were ever discussed or explained. The meaning and nature of the term "Islamic law" itself was taken for granted

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[57] March, f. Andrew and Mara Revkin. "Calipahte of Law: ISIS's ground rules," *Foreign Affairs*, April 15, 2015, https://www.foreignaffairs.com/articles/syria/2015-04-15/caliphate-law (accessed April, 10, 2016)

[58] It is a form of political rule based on the rulings of *shari'ah*. It developed as a tool of reconciliation between the criminal procedures of fourteenth-century Mamluk Egypt and Syria adopted by the administrative courts, on the one hand, and *fiqh* norms on the other. See Jeroen Duindam et al. (eds.), Law and Empire: Ideas, Practices, Actors (Leiden and Boston, MA, 2013) 105. *Siyasa Shar'iyya* mainly dealt with public matters, criminal laws, and aspects of public morality. It represented the discretionary power of the ruler to enforce a qadi's (judge) judgment and to supplement the religious law with administrative regulations that mostly pertained to the regime's machinery of governance.
See Wael b. Hallaq, *An introduction to Islamic law (*New York: Cambridge University Press, 2009), 74.

as the divine and absolute laws of Islam, ignoring its complexity as a translated term,[59] thus preventing us from having a clear insight about the type of state and institution for which IS kills and rapes.

Instead of accepting the unexamined claim that IS is forming a traditional Islamic state based on Islamic law (whatever we take the word to mean), I argue in the following paragraphs that IS is building a particular and unprecedented form of state. It does so through establishing specific laws and institutions, which aim to fulfill the mythologized gang life its members yearn for as criminals. In an article entitled "The Revival of Slavery Before the Hour," IS argues in its English-language magazine Dabiq "that enslaving the families of the *kuffar*—the infidels—and taking their women as concubines is a firmly established aspect of the *sharia*, or Islamic law."[60] Before delving into the nature of IS's Islamic law-based state, I find it necessary to untangle and clarify the ambiguity and complexity that surrounds the term Islamic law itself. Understanding what that term really means in Islamic scholarship and comparing it to IS's usage will help us to understand the nature of the group and their approach to law.

Unlike what IS incorrectly mentions in their official magazine, and what accounts like March and Revkin's take for granted, Islamic law is not necessarily the equivalent of the Arabic word *shari'ah*. In fact, the term Islamic Law has a dual identity that has to be carefully understood in order to comprehend its nature and to grasp its meaning. Rather than being the product of a single source and the English equivalent of the Arabic word s*hari'ah*, Islamic law can be understood to mean two separately distinguished terms,

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[59] Islamic law is used by IS and analysts to refer to the Arabic term *shari'ah*.
[60] "The revival of slavery: Before the hour," *Dabiq*, September, 2014, https://media.clarionproject.org/files/islamic-state/islamic-state-isis-magazine-Issue-4-the-failed-crusade.pdf (accessed April 20, 2016)

namely s*hari'ah* and *fiqh*. In other words, Islamic law is understood to originate "in two major sources: divine revelation (*wahy*) and human reason (*aql*)."[61] With these sources, Islamic law is regarded as a concept of dual identity, one that is referred to as *shari'ah* and the other as *fiqh*, two concepts that many fail to distinguish and are often used interchangeably, sometimes out of mere ignorance, and many times due to personal goals and aims, as is the case with IS.

Over the past few centuries, the incorrect understanding of what precisely Islamic law means has led many to use both *shari'ah* and *fiqh* interchangeably, elevating them both to a scared and unquestioned position which allows some people to manipulate religion and misguide the public. Failure to distinguish between the two concepts as separate and independent institutions with different ranks and status led to a wide range of debates and confusion, and recently the inability to understand the nature of IS's state and its claimed Islamic laws. Throughout time, Islamic religious and academic scholars have clearly distinguished between both *shari'ah* and *fiqh*, clarifying their varied natures and characteristics that hold each one of them as unique and different from the other.[62]

Contrary to what is widely perceived by large numbers of Muslims and non-Muslims, *shari'ah* is not just a mere collection of orders and prohibitions, nor just a code of criminal law that established certain punishments for certain crimes. Its sweep is in fact much broader and deeper.[63] Known literally as "a well trodden path", *shari'ah* is simply defined as the totality of God's commands to mankind, or as Muhammad Hashim

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[61] Mohammad Hashim Kamali, "Law and Society: The Interplay of Revelation and Reason in the Shariah," in the Oxford History of Islam, ed. John L. Esposito, (Oxford: Oxford University Press,1989), 107

[62] Mohammad Hashim Kamali, *Shari'a law: an introduction (*Oxford, UK: oneworld, 2008),14.

[63] Wael B. Hallaq, "What Is Shari'a?" in *Yearbook of Islamic and Middle Eastern Law*, 2005-2006, Leiden: Brill Academic Publishers 12 (2007): 156.

Kamali,[64] defines it, the "commands, prohibitions, guidance and principles that God has addressed to mankind pertaining to their conduct in this world and salvation in the next".[65] Accordingly, *shari'ah* is a divine concept that encompasses the totality of a person's life, embodying the sublime and general principles and guidelines of faith, such as monotheism, prayer, fasting, alms giving, justice, mercy and others. It further informs a Muslim's moral thoughts and personal ethics. *Shari'ah* is thus of a general and divine nature that transcends time and place; it is not open to any change or human intervention and is transmitted by God through scriptural sources.[66]

Fiqh, while often erroneously used as a synonym for *shari'ah*, especially by IS, is by contrast of a changing and evolving nature due to the human element that produces it.[67] *Fiqh*, which literally means "understanding", technically refers to the human understanding of *shari'ah* and the knowledge of its practical rules that are derived from the detailed evidence found in its sources.[68] In other words, *fiqh* is a product of human reasoning and understanding. Unlike the divine nature of *shari'ah*, *fiqh* is a product of an imperfect human effort and fallible judgment that attempts to understand the divine texts and apply the broad principles of *shari'ah* to the more detailed and specific conditions manifested in individual conduct, based on time and context.[69]

Maintaining such distinction between both *shari'ah* and *fiqh* is of a great importance, as it highlights and stresses on the forgotten human nature of *fiqh* as an

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[64] An Afghan Islamic scholar and former professor of law at the International Islamic University of Malaysia and is the founding CEO and chairman of the International Institute of Advanced Islamic Studies of Malaysia.

[65] Kamali, *Shari'a law: an introduction,* 14.

[66] The scriptural sources of Islam according to Sunni Muslims are the Qur'an and the prophetic traditions of Muhammad.

[67] Ibid., 16.

[68] Ibid., 41.

[69] Hallaq, *"What Is Shari'a?",* 168.

evolving man-made product, "a rational endeavor and a product largely of speculative reasoning which does not command the same authority as that of the *shari'ah*."[70] Any combination between both terms as a single concept will necessarily alter the nature of *fiqh* into a sacred and solid institution. If applied literally like *shari'ah*, this will result in the stagnation and torpidity of Islam and its true spirit, as witnessed today through IS and their laws.[71] Equating the two concepts would introduce new rules and teachings to Islam that are not original, as well as prohibiting and ordering that which God never decreed. This crucial discrepancy between *shari'ah* and *fiqh* establishes the flexible and evolving nature of the latter, which alters with the change of time, place and context, a fact that IS contradicts and most of its analysts ignore. Thus it is crucial for analysts and policy makers to first understand the complex nature of the term Islamic law or the nature of an Islamic law-based state in order to understand the nature of IS's state and their goals.

In fact, there are even historical cases where it is clear that the concept of Islamic law is neither a translation of *shari'ah* nor *fiqh* as it is widely used, but rather a totally new concept. In her book *The Politics of Islamic Law*, Iza Hussin[72] provides a different definition and understanding of the concept Islamic law. In Malay for example, Hussin explains that, as a concept, Islamic law came into existence in the nineteenth century as a compromise between the Muslim Malay elites and British colonialists. Accordingly, Hussin demonstrates that in this context Islamic law has nothing to do with *shari'ah* or *fiqh* but is rather a totally modern construct. In other words, it is a result of an amalgam that was politically required and desirable for both sides. This accounts adds to the

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[70] Kamali, *Shari'a law*, 41.
[71] Rudolph Peters, "From Jurists' Law to Statute Law or What Happens When the Shari'a is codified." *Mediterranean Politics*. London: Frank Cass 7 (2002): 86.
[72] She is a lecturer in Asian politics at University of Cambridge. She focuses on Islam and Muslim politics, law and society and religion and politics

complexity of the term Islamic law, encouraging us to go beyond the literal meaning the concept seems to deliver.

In the case of IS, although it presents itself as a self-proclaimed Islamic state that has laws and institutions which it claims to be Islamic, a close analysis of its laws makes it clear that it invents its own concept of Islamic laws. IS uses man-made *fiqh* rather than the divine *shari'ah* laws when referring to Islamic law, and deceivingly referring to it as *shari'ah* laws in order to grant itself religious legitimacy and block any form of public Muslim opposition. It is selectively choosing specific laws of *fiqh*, issued by a specific human being, based on a specific human reasoning, at a specific historical period and cultural context. It selectively picks from the one thousand year old heritage of changeable and sometimes contradictory *Fiqh* specific laws to implement, in particular issues like slavery, money accumulation, and killing. But why these laws in particular? Why is it implementing specific *fiqh* laws produced in tenth-century Arabia rather than *fiqh* laws of the modern twenty-first century? Why are its laws on slavery, for example, limited to buying and selling, never mentioning manumission as referred to by the Qur'an and practiced by Prophet Muhammad? Why are IS's laws of slavery limited to women, and why did it never include laws for male slaves? Exploring the nature of laws issued by IS provides us with a deep insight into the major characteristics and nature of the declared state, its aims, and its people.

As will be discussed later in the paper, IS members are mostly young dispossessed people with criminal pasts as gang members. Their nature as lower class thugs and criminals influenced their priorities in terms of establishing state institutions and issuing laws. This nature explains the extensive spotlight and justifications they give

to *fiqh* rules pertaining to sex-slavery, and killing. As ex-convicts and gang members, having an unlimited number of slaves, accumulating money by force, and killing those who oppose them would all be attractive prospects for which IS members would strive to justify by religious means. Thus, it would be better for them to choose from the controversial diverse laws of *fiqh* what suits their sexual desires rather than being forced to follow the unquestioned laws of *shari'ah*.

What the March and Revkin piece,[73] as well as other accounts like Graeme Wood's article "What ISIS really wants"[74] and Bernard Haykel's comments in the same article, do not mention when describing the Islamic state as an entity based on Islamic law is the *type* of Islamic laws IS implements and its approach to those laws. As mentioned earlier, these authors did not clarify that IS depends heavily upon outdated man-made laws chosen selectively rather than upon the fixed divine laws of *shari'ah*. I am not making this argument to state whether IS is Islamic or not Islamic as many do, for I believe that such a question has no practical bearings. In fact, proving whether IS is an Islamic force or not will never influence or change the way it or its supporters identify themselves. But what I am arguing is that closely inspecting the laws these terrorists issue within their claimed territory and distinguishing them among the various forms of Islamic law will help us understand the nature and aims of such a growing force, thus giving us a better insight into how to combat them.

In order to demonstrate this argument, I will explore IS's laws on slavery as an example. After issuing laws that allow the capture of female infidels as concubines, IS

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[73] Andrew and Revkin. "Calipahte of Law: ISIS's ground rules."
[74] Graeme Wood, "What ISIS Really Wants," *The Atlantic*, March 2015, http://www.theatlantic.com/magazine/archive/2015/03/what-isis-really-wants/384980/ (accessed January 15, 2016)

referred to the Yazidis as "a pagan minority" of "devil worshipers," referring to its captives as slaves and explaining how they should be divided and distributed among its leaders and members.[75] Yet, its justification for such claim does not include any Qur'anic verse or a sound prophetic tradition[76] that gives its opinion *shari'ah*-based support. Instead, IS's members only back their lustful positions by opinions of claimed "*shari'ah* students in the Islamic State" and adopting outdated historical interpretations by medieval scholars. This approach supports the fact their notion of Islamic law is of a single identity, namely *fiqh*, rather than a dual one that includes *shari'ah*.[77] Moreover, these claims were later followed by a document issued by the state's theologians in an attempt to codify the sexual relations between its members and the captured female slaves, in other words a document briefing IS fighters on when it is allowed to rape captured Yazidi women. Yet, no laws or Islamic legal rulings were issued by the Islamic state or its theologians regarding the rules of enslaving men for example. In fact, all opposing males were to be killed under the law of IS and should not be enslaved.

Thus, for IS slavery was an institution solely for females, one which is different from that presented throughout Islamic history and in Islamic scholarship. Moreover, unlike slavery in classical Islamic scholarship, IS's slavery was confined and limited to

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[75] "The revival of slavery: Before the hour," Dabiq, 14.

[76] A prophetic tradition, also known as *Sunnah* or Hadith, refers to the authoritative example set by Prophet Muhammad and recorded in Hadith traditions including his words, actions, tacit approvals and personal characteristics. Many scholars regard these traditions as the most important source for interpreting and understanding *shari'ah*, supplementing the text of the Qur'an and explaining its ambiguous parts. But reference to such sources has been a problematic procedure ever since the pre-classical phase, due to the rising doubts about the actual authenticity of its text and the clarity of its meaning, an argument that continues until this day. Any tradition whose authenticity is established beyond doubt and meets the requirement set by scholars is called a Sahih Hadith (sound tradition).
See Daniel W. Brown, *Rethinking tradition in modern Islamic thought* (Cambridge, England; New York: Cambridge University Press, 1996)

[77] "The revival of slavery: Before the hour," *Dabiq*, 14.

sex slaves who can be bought and sold in public markets for the sake of sexual desire, ignoring the aspect of slave treatment and manumission which were established through classical Islamic rulings based on the Qur'an and the teachings of Prophet Muhammad. For the sake of this paper's argument I will briefly explain how slavery is approached by both the Qur'an and the teachings of Prophet Muhammad to better understand the laws IS adopt to formulate their state.

Although there are many verses in the Qur'an that attest to the existence of slavery in the early days of Islam, when they are read in context these verses provide a totally different meaning from those presented by IS. As Kecia Ali states, "in the milieu in which the Quran arose, there was a widespread practice of men having sexual relationships with un-free women, it was not a particular religious institution" but rather a cultural one that long existed before the coming of Prophet Muhammad. Instead of endorsing it, the Qur'an set out a system that regulates slavery and the treatment of slaves.[78] Unlike IS's codification of forced slave rape, the Qur'an sought to regulate relationships with female slaves by allowing a sexual relationship with a slave only through marriage, promising slaves their rights. It is said in the Qur'an: "And those of you who cannot afford to marry free, believing women, let him marry what your right hands possess [your slaves], namely, your believing handmaids. And Allah knows your faith best; you are all one from another; so marry them with the leave of their masters and give them their dowries according to what is fair, they being chaste, not committing fornication, nor taking secret paramours. (4:36) Referring to slaves as "those

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[78] Rukmini Callimachi, "ISIS Enshrines a Theology of Rape," *The New York Times*, August 13, 2015, http://www.nytimes.com/2015/08/14/world/middleeast/isis-enshrines-a-theology-of-rape.html (accessed May 28, 2016.)

whom your right hands possess", the Qur'an contradicts IS's rape of slaves by stipulating a slave's consent through marriage before any sexual relation.

The Qur'an further requests Muslims to be kind and compassionate to their slaves by saying "And worship Allah and associate naught with Him, and show kindness to parents, and to kindred, and orphans, and the needy, and to the neighbor that is a kinsman and the neighbor that is a stranger, and the companion by your side, and the wayfarer, and those whom your right hands possess (4:47) In addition to that, the Qur'an itself clearly encourages manumission of slaves as it says among many verses: "it is not righteousness that you turn your faces toward East or West; but it is righteousness . . . to spend of your substance . . . for the ransom of slaves" (2:177), a concept that is never mentioned in IS's literature. All revealed verses in the Qur'an concerning slavery were stressing on the necessity of the manumission of slaves rather than calling for their capture or allowing for the continuation of the institution of slavery.[79] Even manumission was not limited to preaching according to the Qur'an; in fact a permanent fund was allocated for it within the five pillars of Islam. The Qur'an states, "Zakah expenditures are only for the poor and for the needy …and for freeing captives [or slaves] (9:60).

Prophet Muhammad himself launched an anti-slavery attitude contradicting all IS's claims about slavery law. He freed all his slaves and even married one of them.[80] He said, "Whoever slaps his slave or beats him, his expiation is to liberate him."[81] In

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[79] See, for example, verses 4:25, 4:92, 5:89, 14:31, 24:33, 58:3, 90:1-12.

[80] Prophet Muhammad married Maria who was an Egyptian Coptic slave gifted to prophet him by the Byzantine ruler of Alexandria. Prophet Muhammad freed Maria, married her and had from her is son Ibrahim.
See Muhammad Ibn Ishaq, *Kitab al-seyar w al-maghazy*, ed. Suhail Zakkar (Beirut: Dar al-fikr, 1978) 270.

[81] Muslim ibn Al-Hajjaj, and Yahya ibn Sharaf Al-Nawawi, *Sahih Muslim bi Sharh al-Nawawi*, first edition (1930), 111:27.

addition, he said "Your slaves are your brothers and Allah has put them under your command. So whoever has a brother under his command should feed him of what he eats and dress him of what he wears. Do not ask them (slaves) to do things beyond their capacity (power) and if you do so, then help them."[82] Most of Prophet Muhammad's sayings concerning slaves referred to male slaves, which means that slavery was not confined to female slaves like IS believes. Moreover, His sayings clearly prohibits a simple slap of one's slave and orders that they be treated kindly, which refutes any of the claims made by IS about the justified theology of rape.

Of course, it cannot be denied that traditional interpretation of Islamic law and historical Muslim caliphates included laws pertaining slavery. But unlike IS, those laws were not only limited to the practice of sexual slavery and the killing of male captives, but were rather detailed laws that dealt at length with slavery, including its supplementary aspects like a slave's rights, instances of manumission, and even instances of inheritance. Imam Malik Ibn Anas, founder of Maliki school of thought said the following about the sexual treatment of one's slave:

> In our view the man who rapes a woman, regardless of whether she is a virgin or not, if she is a free woman he must pay a 'dowry' like that of her peers, and if she is a slave he must pay whatever has been detracted from her value. The punishment is to be carried out on the rapist and there is no punishment for the woman who has been raped, whatever the case.[83]

Furthermore, Imam Al Shaafi'i said: "If a man acquires by force a slave-girl, then has sexual intercourse with her after he acquires her by force, and if he is not excused by ignorance, then the slave-girl will be taken from him, he is required to pay the fine, and

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[82] Ahmad Ibn Hajar Al-'Asqalani, *Fath al-bari sharh Sahih al-Bukhari* (Dar Al-Rayan lil turath, 1986), 206.

[83] Malik Ibn Anas, *Al-Muwatta*, ed. Muhammad Fouad Abdul-baqi (Beirut: Dar Ihyaa al-Torath al-Araby, 1986), 2:734.

he will receive the punishment for illegal sexual intercourse."[84] In fact, Imam Al-Bayhaqi mentioned in his book *Al-Sunnan Al-Kubra*, that after conquering one of the territories, Dirar Ibn Al-Azwar, who led that Muslim expedition, was impressed with one of the captured girls and thus had intercourse with her. When this was reported to Omar Ibn Al-Khatab, he ordered that Dirar should be stoned to death as a result of his action.[85]

Moreover, Napoleon Bonaparte said in his records about conditions of slaves in Muslim countries, "The slave inherits his master's property and marries his daughter. The majority of the Pashas had been slaves. Many of the grand viziers, all the Mamelukes, Ali Ben Mourad Beg, had been slaves. They began their lives by performing the most menial services in the houses of their masters and were subsequently raised in status for their merit or by favor. In the West, on the contrary, the slave has always been below the position of the domestic servants; he occupies the lowest rung. The Romans emancipated their slaves, but the emancipated were never considered as equal to the freeborn. The ideas of the East and West are so different that it took a long time to make the Egyptians understand that all the army was not composed of slaves belonging to the Sultan al-Kabir."[86]

I am not attempting to present an apologetic defense of Islam, by providing this brief description about the status of slavery in the Qur'an and the teachings of Prophet Muhammad. Instead I am arguing that IS is singling out specific rules from the Islamic scriptural texts and *fiqh* rules claiming that they are reviving the abandoned Islamic laws

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[84] Muhammad Ibn Idris Al-Shafi'I, *Al Umm*, ed. Rif'at Fawzi Abdul-Muttalib (Mansoura:Dar al-wafaa, 2001), 3:253

[85] Ahmad ibn Al-Husayn Al-Bayhaqi, *Al-Sunan Al-Kubra*, ed. Muhammad Abdul-Qader Ataa (Dar Al-Kutub Al-Ilmiyah, 2003), 9:104

[86] Christian Cherfils, *Napoleon and Islam: From French and Arab Documents, ed*. Brigitte Bresson, trans. James Gibb-Stuart (Kuala Lumpur: Utusan Publications, 1999)

like slavery, a fact that reflects the group's distorted representation of Islamic teachings. Instead of applying the medieval classical Islamic laws pertaining to slavery and laws concerning other aspects of a Muslim's life collectively, IS chooses to selectively lift from among these laws to establish a specific form of state it desire and reflects its needs.[87] This is a state that would fulfill its members' sexual desires as young dispossessed ex-convicts, ignoring the socio-cultural circumstances in which the early laws of Islam were issued and applied, and in conflict with the documented actions of Prophet Muhammad himself. In other words, the way IS defines and uses Islamic law attests to the fact that it uses religion to achieve its goals rather than using it as a means for governance or regulating behavior.

To consolidate its claimed Islamic rule, IS uses its authority as a self-proclaimed Islamic caliphate to position itself as an authoritative entity that has the sole right and power to issue and implement specific medieval Islamic laws. This ignores the established Islamic consensus that there is no authoritative religious entity in Islam. Unlike the Vatican and its Catholic pope, Sunni Islam since the death of Prophet Muhammad has possessed neither a single religious authority that interprets faith, nor a clerical hierarchy that monopolizes the issuing of law. After Prophet Muhammad and until the tenth century, various groups of Muslims and communities of different cultures and generations differed in interpreting the *shari'ah*, which resulted in very rich, dynamic and creative interpretations of the Qur'an and the sound traditions of Prophet Muhammad, namely *fiqh*. Interpretations of texts varied from one place to another and from one generation to another based on the socio-economic and cultural context in

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[87] This process is called talfiq (piecing together), which means cobbling together different opinions from different scholars in order to meet one's desires and goals.

which the scriptural text was interpreted, a process that was called *Ijtihad* (independent

reasoning).[88]

Yet the diversity of interpretations produced by *Ijtihad* lasted for only

three hundred years, and ceased to exist by the tenth century with the formation of

Islamic legal schools and the alteration of the process of *Ijtihad* with *taqlid*.[89] This

phenomenon has been historically known as "closing the gate of *Ijtihad*." Although many

scholars like Mohammad Fadel[90] and Wael Hallaq[91] consistently emphasize that the door

of *Ijtihad* was never fully closed, this point marked the transition between the creativity

and diversity of Islamic legal interpretation in the first 300 years of Islamic history and its

stagnation in the following period.[92] It is from this contrast that IS adopts a dual stance to

serve its dark needs. On the one hand, the self-proclaimed Islamic State selectively picks

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[88] *Ijtihad* is a highly complex method of deriving *fiqh* (legal rules) through direct engagement Islamic scriptural texts (the Qur'an and the teachings of Prophet Muhammad) using specific methodology.
See Mohammad Hashim Kamali, *Principles of Islamic Jurisprudence* (Cambridge: Cambridge Islamic Texts Society ,1991), 315-338

[89] *Taqlid* is a form of precedential reasoning that drives laws or gives solutions to a new problem based on an opinion of a previous leading scholar of, instead of directly engaging with the scriptural texts and coming up with different interpretations as in classical *Ijtihad*.
See Kamali, *Principles of Islamic Jurisprudence,* Ibid. 15

[90] An Associate Professor and Toronto Research Chair for the Law and Economics of Islamic Law at the University of Toronto Faculty of Law.

[91] He is a Professor of Islamic law and Islamic intellectual history.

[92] The majority of the scholars of Sunni Islam considered that the application of *Ijtihad* was suspended with the formation of the Four Islamic Legal schools (*Madhhabs*), after which *Taqlid* gained a dominant position. This led to the closing of the door of *Ijtihad* and *Taqlid* was blamed for the stagnation that would follow, for it was defined as mere blind imitation. By contrast, in the last two decades different opinions like those of **Hallaq** emerged criticizing these claims. Emerging as the main opponent of the theory of closure, Hallaq argues that *Ijtihad* continued to be applied and never stopped, see Wael B. Hallaq, "Was the Gate of Ijtihad Closed?" International Journal of Middle East Sludies, 16 (1984): 3-41. Yet, Fadel adopted a third position arguing against both debates. Fadel argues that *Ijtihad* as a process of direct and un-mediated access to the revealed sources did generally stop, but a minor form of it continued in the form of *Taqlid*, which is not a radically new practice but instead a more restrained form that is performed within the established scholarly canon of a *Madhhab*. See Mohammad Fadel "The Social Logic of Taqlid and the Rise of the Mukhtasar." *Islamic Law and Society* 3, no.2 (1996): 198

from the hugely diverse interpretations of *fiqh* the outdated interpretations that serve its leadership and members' needs, from aggressive jihad to sexual slaves. On the other hand, it poses itself as the only authoritative entity allowed to interpret and issues laws, closing the way of any modern interpretations or opposing opinions. With such devious approach to Islamic law, IS forms its claimed Islamic State, not as a means of governing Islamically, but as a vehicle to justify its illicit and gruesome acts of rape and slaughter. It institutionalized slavery and systemized rape by ingraining the buying and selling of female captives into a system of profit and reward for its fighters.

Accordingly, the aforementioned approaches by both Al-Qaeda and IS to reestablish the claimed caliphate and the form they seek is different from either the historical or theoretical caliphate presented in Islamic scholarship. In fact, each group is adopting an utterly different version of their own Islamic caliphate. According to Hallaq's notion of a caliphate, IS can only be depicted as a modern twentieth-century state and can be nothing like the classical caliphate. Unlike the functioning nature of IS as an institution, Hallaq believes that the classical Islamic caliphate was not an actual state in the modern sense of the word. It was an entity that provided a model of Islamic governance based on "moral, legal, political, social and metaphysical foundations that are dramatically different from those sustaining the modern state."[93] Thus, unlike IS, the classical Islamic caliphate had no fixed borders in the modern sense and no functioning institutions, and its moral imperatives were implemented outside the domain of the state. Accordingly, Hallaq's remarks on the classical form of the caliphate reinforces our depiction of IS as a functional modern state rather than an Islamic caliphate.

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[93] Wael B. Hallaq, *The Impossible State: Islam, Politics, and Modernity's Moral Predicament* (New York: Columbia University Press, 2013.), 49.

Al-Qaeda's literature supports my assertion that it is a twentieth-century movement. Instead of following the classical scheme of the Islamic Caliphate, Al-Qaeda limited itself to the Muslim world in the last 300 years of history. As mentioned before, Al-Zawahiri wrote in one of the documents he issued that Al-Qaeda's goal is to

> liberate all occupied Muslim lands and reject each and every international treaty, agreement, and resolution which gives the infidels the right to seize Muslim lands, such as Israel's seizure of Palestine, Russia's seizure of Chechnya and the Muslim Caucasus, India's seizure of Kashmir, Spain's seizure of Ceuta and Melilla, and China's seizure of East Turkestan.[94]

According to Al-Zawahiri, Al-Qaeda was not hoping to liberate all the lands the Muslims once ruled when they lived in a single empire, but concerned itself only with liberating the modern, twentieth-century Muslim lands. They did not aim to reestablish the classical caliphate, but were instead pursuing a more limited scheme that excluded lands once part of the Classical Islamic Caliphate. The classical Islamic Caliphate stretched from the borders of China and India, across Central Asia, the Middle East, North Africa, Sicily, and the Iberian Peninsula, to the Pyrenees.[95] Yet, Al-Zawahiri never mentioned the restoration of lands like India and Al-Andalus, also known as Muslim Spain, limiting his group's goals to 20th century boarders, which reinforces the group's nature as an international movement. Thus, Al-Zawahiri aims to establish Muslim rule in places thatare still Muslim majority. As a movement, Al-Qaeda only seeks support where its targeted audience resides, for there will be no reason for establishing Muslim rule in a place where there are no Muslims unless a state building strategy is adopted

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[94] Ayman Al-Zawahiri,"Wathiqat Nusrat Al-Islam." *Muassasat Al-Sehab*, from internet Archive Novemebr 13, 2012, script, https://archive.org/details/nusrat-islam (accessed March 2016)
[95] Edward Gibbon, The History of the Decline and Fall of the Roman Empire (London: J.O. Robinson,1830), 356.

4. The Enemy

Al-Qaida concentrates on its external big enemy before its internal enemy. Even though the internal enemy is considered to be a greater nonbeliever, the external enemy is more clearly defined as a nonbeliever and is more dangerous in this stage of our life.[96]

<div align="right">

Usama Bin Laden
Founder and Former leader of Al-Qaeda
</div>

The fight against the enemy nearest to you has precedence over the fight against the enemy farther away… In all Muslim countries the enemy has the reins of power. The enemy is the present rulers. Thus, our priority is to uproot this disbelieving leadership and replace it with full Islamic governance. This is how we should start.[97]

<div align="right">

Muhammad Abd al-Salam Faraj
An Egyptian Salafi Jihadi
</div>

The movement-state nature of Al-Qaeda and IS not only influences their strategy and timing in establishing the utopian Islamic caliphate they yearn for, but also affects their concept of an enemy as well as their need for and deployment of violence. Until very recently, both groups had different views about how to prioritize their enemy and towards whom their violence should be directed and how violence should be used. This difference can be attributed to their diverging identities, one as a movement and the other as a state. In this part I will discuss the divergence between Al-Qaeda as a movement and IS as a state in terms of their enemy.

Social movement theories tell us that since movements are not territorial, they mainly grow through conviction rather than direct violence. Movements tend to spread their ideology by convincing people to join their cause rather than by forcing them to do so through violence or coercion, and this is the method adopted by Al-Qaeda. Thus,

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[96] Letter written by Bin Laden addressing Al-Qaeda leader in the Arabian Peninsula (AQAP) Nasir al-Wuhayshi in 2010.
Combating Terrorism Center, http://assets.nationaljournal.com/pdf/OBL14.pdf (accessed February 20, 2016)
[97] Muhammad Abd al-Salam Faraj, *Al-Jihad Al-Farida Al-Gha'eba*, 15.
http://unfulfilledduty.weebly.com/uploads/1/8/5/3/18537222/__.pdf (accessed February 25, 2016).

although the movement uses violence as a tool to achieve its desired goals, such violence is only directed towards its enemies and never towards its members or subjects. Since Al-Qaeda, for a variety of reasons, has never attempted to form its own state that includes official institutions, jurisdiction, or any sense of legitimacy or territoriality, its use of violence was restricted to a defensive one that targeted Western states and international powers.

As a movement, Al-Qaeda claims to adopt a defensive jihadi policy that aims to protect the global Muslim community from the threat of intervention by those whom they consider the "far enemy". Official statements and correspondence between the leaders of Al-Qaeda and their fellow jihadists explain that the primary threat to the jihadi project and the Muslim nation is what they refer to as the "far enemy", namely the Western countries. Proponents of this theory consider the Western invasion of Muslim countries like Iraq and Afghanistan, as well as Western support of authoritarian Arab regimes like Egypt and Algeria, as critical threats that must be abolished as a first step towards victory. Thus, the Western powers are the fundamental obstacle facing the transnational Islamist jihadi project and pose a threat to the Muslim nation worldwide. Accordingly, Bin Laden (and later Al-Zawahiri, who replaced him after his death,) prioritized attacks on those forces, the far enemy. In a statement issued in 2008 by the World Islamic Front for Jihad Against Jews and Crusaders,[98] Bin Laden along with Al-Zawahiri, leader of the Jihad group in Egypt and Al-Qaeda's second-in-command; Abu-Yasir Rafa' Ahmad Taha, leader of the Islamic Group; Sheikh Mir Hamzah, secretary of the Jumiat-ut-

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[98] This was a coalition of most of the prominent jihadi movements in 2008. It included Al-Qaeda, the Egyptian Islamic Jihad and other Islamic radical organizations active in other countries (such as Pakistan, Bangladesh, Kashmir and the Philippines). Bin Laden assumed the leadership of the organization while Al-Zawahiri was his deputy.

Ulema-e-Pakistan; and Fazlul Rahman, leader of the Jihad Movement in Bangladesh stressed that

> The ruling to kill the Americans and their allies -- civilians and military -- is an individual duty for every Muslim who can do it in any country in which it is possible to do it.... [E]very Muslim who believes in God and wishes to be rewarded to comply with God's order to kill the Americans and plunder their money wherever and whenever they find it.[99]

This statement's description of the killing of Americans as an individual duty for every Muslim [100] further supports this paper's stance categorizing Al-Qaeda as a movement rather than a state. As a movement, which neither has a fixed policy nor an army, the random killing of people is a strategy more effective and applicable for Al-Qaeda since it is not bound by a specific policy. In contrast, although IS also sanctions killing, its killing is part of a strategy in which the central authority decides who gets killed, when, and where. Unlike Al-Qaeda, IS is a state which, rather than functioning through the killing of random people, follows a fixed strategy and a foreign policy that serves its goals. Thus, as a state, IS doesn't allow random killing of enemies, especially within the territory of the state. In fact, allowing that and presenting it as an individual duty for every individual just like Al-Qaeda, would prevent IS from possessing a fully functional state with an internal and foreign policy as well as an established army.

Al-Qaeda's far enemy theory is based on the belief that the presence of the United States at the head of the global system is enough to abort any attempt to establish an Islamic state. Al-Qaeda believes that its long-term desire to reestablish an Islamic

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[99] "Nass Bayan al-Jabhah al-Islamiyah al-Alamiyah li-Jihad al-Yahud wa-al-Salibiyin," *Al-Quds al-Arabi*, February 23, 1998, p3. https://www.library.cornell.edu/colldev/mideast/fatw2.htm (accessed February 20, 2016)

[100] Known in Arabic as *Fard 'Ayn*, which means a religious obligation that is incumbent upon every Muslim, just like prayer, fasting, and the rest of the five pillars of Islam.
See Khaled Abou El Fadl, *Speaking in God's Name: Islamic Law, Authority and Women* (Oneworld Press, Oxford, 2001)

caliphate will not be possible until American power is exhausted and reaches a point of collapse. Only then can jihadists start fighting local regimes—powers that Al-Qaeda believes will not be brought down unless America precedes them. Believing that the U.S. and other Western countries are the main cause for problems in the Middle East through military and economic aid to authoritarian Muslim regimes, Al-Qaeda maintains that targeting the United States will eventually force it to withdraw its support for these authoritarian and corrupt regimes. Although they may be aware that they can never overpower the U.S. and its allies militarily, they believe that inflicting attacks that result in both human and economic losses may lead Western populations to pressure their governments to cease foreign expeditions against radical Islamists. Only by achieving this step, Al-Qaeda believes, can authoritarian and corrupt Muslim regimes be vulnerable to attack from within, finally paving the way for dominance and expansion. This position is, as mentioned earlier, similar to Trotsky's view towards peasants in Russia.

The far enemy vision is largely influenced by the fall of the Islamic Emirate of the Taliban, after the 9/11 attacks, as understood from a message sent by Bin Laden to Jihadi members of al-Qaeda in Yemen.[101] In this message Bin Laden complained to the new leader of Al-Qaeda in Yemen that the jihadists "got distracted in fighting local enemies…. and expanded in adopting the notion of *tatarrus* (shielding)[102] which led to

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[101] Letter sent by Bin Laden on August 27, 2010 to one of his assistants known by the name Sheikh Mahmoud, his real name is Attiya Abdurrahman Al-Libi. He became Al-Qaeda's second-in-command after Bin Laden's death and was killed shortly after Bin Laden's assassination. Bin Laden directed Sheikh Mahmoud to request the vision of Al-Qaeda leaders about the situation in Yemen.
Combating Terrorism Center, http://www.globalsecurity.org/security/library/report/2012/ctc-abbottabad_socom-2012-0000019_orig.pdf (accessed March 5, 2016).
[102] Tatarrus is one of the terms adopted by global Jihadi Salafis to justify the killing of Muslims. It is not term mentioned in the Qur'an or by Prophet Muhammad, but is a classical Islamic jurisprudential term issued in a specific historical context allowing the permissibility of a Muslim

the death of some innocent Muslims."[103] He further asked the jihadists in Yemen to concentrate on the American forces and continue draining their powers directly in their homeland if they can; if not "they should aim primarily for the American interests in non-Muslim countries like North Korea, and abstain from undertaking any attacks in Muslim countries with the exception of those under occupation."[104] The leaders of Al-Qaeda believe that this strategy will pave the way to overpower Arab rulers who neglected *shari'ah* and will finally lead to the empowerment of *shari'ah* and the declaration of the caliphate.[105]

Despite its belief that other Muslim sects like the Shiites are apostates who fall outside the circle of Islam, Al-Qaeda considers killing Muslim opponents to be an extreme move that threatens the general viability of their jihadi project.[106] Accordingly, Bin Laden's advice to his followers not to kill other Muslims was not out of good will or care for the lives of sinning Muslims or apostates (as he believes), but was a strategic position that helps Al-Qaeda in its global jihadi cause. Al-Qaeda was fully aware that their jihadi project would not be successful without the support of Muslims worldwide,

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army to attack a non-Muslim enemy in situations where Muslims might be wounded or killed as a result. In other words, according to this notion, the necessity of fighting non-Muslim enemies outweighs the threat facing any Muslim who might be harmed or even killed as a result of this engagement.

[103] Ibid.

[104] ibid.

[105] ibid.

[106] In contrast to what many might believe, there is no Sunni Islam and Shiite Islam. In fact, both Sunni and Shiites are two primary sects of Islam. They both follow most teachings of Islam, yet they have some differences in interpreting the prophetic sayings of Prophet Muhammad, how they govern themselves and view their religious leaders. These differences stem from disagreements over who was the legitimate successor to Prophet Muhammad. According to Al-Qaeda, the Shiites committed matters that are considered acts of Shirk [disbelief], which invalidate the foundation of Islam and consequently endanger the Sunni Muslim community. Yet for Al-Qaeda, distinction must be made between the general Shiites who are ignorant of the reality of their practices that are classified under Shirk and between their leaders who are aware of the nature of their actions. Al-Zawahiri said, "As for the ignorant layman, then he is excused by his ignorance".

thus targeting the far enemy was designed to easily situate the terrorist attacks as a part of a religious war between Islam and the West and thus gain them global support.

Fighting Muslims, including Shiites, would localize Al-Qaeda's support, cause division between Muslims, and would eventually threaten the broader aim of applying *shari'ah* and reestablishing the Islamic Caliphate.[107] Accordingly, Al-Qaeda criticized its affiliated group in Iraq (Al-Qaida in Iraq)—the precursor of IS under the command of its founder Abu Musab Al-Zarqawi—for targeting Shiites. Thus, adopting the far enemy theory was a strategic move rather than a religious one by Al-Qaeda. Al-Qaeda refrained from attacking the Shiites not because it was religiously unlawful to do so, but because attacking them would do more harm than good to their cause. For Bin Laden, focusing on the far enemy was necessary for a number of reasons: gaining sympathy of the global Muslim community by fighting the U.S. and its allies, preventing any crackdown by the Arab authoritarian regimes on jihadists within Arab and Muslim countries, and preventing any armed conflict between the Arab and Muslim countries which might drain the groups' powers and lead to the killing of Muslims.

Global Muslim sympathy seems to be the fundamental reason behind adopting the far enemy policy by Al-Qaeda. In one of his letters Bin Laden brings the attention of his followers to the jurisprudential concept of "*Tatarrus*" stressing that "it has led to the killing of some Muslims,"[108] a fact that leads to "the loss of a large portion of Muslim sympathy [towards Jihadists]."[109] It further allows their foes to exploit these mistakes "to

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[107] Bruce O. Riedel, *The Search for Al Qaeda: Its Leadership, Ideology, and Future* (Washington, D.C.: Brookings Institution Press, 2008.), 13.
[108] Combating Terrorism Center, http://www.globalsecurity.org/security/library/report/2012/ctc-abbottabad_socom-2012-0000019_orig.pdf (accessed March 5, 2016).
[109] Ibid.

taint their picture before the crowd of the nation in order to split them from their popular

bases;" an outcome that Bin Laden thinks would "paralyze the jihadi Movement".[110]

Another factor that compels Al-Qaeda to fight the West rather than Middle-Eastern countries is their fear of any potential state crackdown upon their jihadi members within the local communities. If jihadis were to attack local or Western interests within Muslim countries, this would result in the "arrest of tens of thousands [of them], similar to what happened in Egypt".[111] Thus for Al-Qaeda, it is better to engage in an open front by fighting the West in *their* land without bearing any massive loss on the Jihadi side rather than choosing to fight the local leadership and risk losing *Jihadi* members in their territories. In addition to the risk of arrest, fighting the local forces within a Muslim country could lead to the loss of Muslim sympathy towards Al-Qaeda.

For Al-Qaeda, it is better to be perceived as the defensive jihadis rather than the source of violence within the Muslim world. It is better to be perceived as the "ones defending the Muslims and fighting their biggest enemy, the crusader Zionist alliance, instead of those [the] general public consider Muslims."[112] Fighting the rulers in this situation and responding with nothing but a defensive response against the state offence presents Al-Qaeda as the wronged and the rulers as tyrants. Instead of making a claim to control the state, Al-Qaeda projects its nature as a movement and uses violence to show the weakness and injustice of the state: "This would increase the hatred of the people

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[110] Ibid

[111] Ibid

In 1981, Anwar Al-Sadat, the president of Egypt, led a major crackdown that resulted in the arrest of many Jihadi members. And after Sadat's assassination, Hosni Mubarak, who succeeded Sadat, launched a new crackdown on the Islamists arresting thousands of them.

[112] Ibid.

towards them [the rulers]" and thus add more sympathy towards the Jihadis.[113] Thus, the group's nature as a movement seeking public support influenced its position in terms of identifying its enemy.

In contrast, IS as a state-building entity that expands territorially is more focused on local dangers rather than foreign ones. Following its founder, Al-Zarqawi, IS prioritized its attacks against what they called the "near enemy." Unlike Al-Qaeda, IS is more concerned with the near enemy than the far one. It prefers to purify the region from religious minorities like the Shiites and Yazidis as well as rival jihadi groups *before* dealing with foreign infidel powers, for as it believes, Muslim enemies are the keys to the caliphate. Muhammad Abdulsalam Faraj originally coined the near enemy notion in his book *Al-Farida Al-Gha'eba* (The Neglected Duty). To better understand the origins and grounds of this notion it would be helpful to explain who Faraj is and the nature of the neglected duty inspiring the name of his book, and to explain what influence his book had on Jihadi thought.

Faraj (1952-1982), considered the father of modern Salafi Sunni Jihad, was an Egyptian electrical engineer who studied engineering at the University of Cairo in Egypt. His father was a member of the Muslim Brotherhood and as a result he was influenced by the thoughts of Maududi[114] and Qutb.[115] Unlike his father, Faraj rejected the Muslim

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[113] Ibid

[114] Abu al-Aʿla Maududi (1903-1979) was an Indo-Pakistani Muslim revivalist thinker, politician and founder of Iamaat-i-Islami. He advocated for an Islamic state in Pakistan following the Prophetic model rather than a secular one. Maududi is one of IS's main scholarly references who they refer to in order to justify their Jihadi project. He believed that social change can only result through controlling centers of political power and implementing reforms from the top down, rather than mobilizing the masses to overthrow the existing order. Maududi was a prolific writer who authored over 150 works and is an important figure that influenced Islamist movements worldwide.

Brotherhood's policy of working through charitable and religious organizations and their attempt to integrate within the system of the state. Faraj believed that the only solution for establishing a true Islamic society was through Jihad and not through acts of charity or cooperation with the state. He wrote:

> is the Islamic state going to be established by such works and pieties? The immediate answer without doubt: No … the Islamic state can only be established through struggle, Jihad, against oneself, against the devil, against the infidels and against the hypocrites. And this struggle to build the Islamic state should start immediately…. Must be launched in one big strike.[116]

Faraj founded the Egyptian Islamic Jihad in 1979 along with Al-Zawahiri and others. Through the Egyptian Islamic Jihad, Faraj reintroduced Maududi and Qutb's ideas, taking them a bit further by calling for Jihad against Muslim rulers who oppose *shari'ah* and do not implement it. He considered violent Jihad an obligation upon every Muslim when *shari'ah* is ignored in their country. His book *The Neglected Duty* is considered the manifesto of modern jihadis, especially IS. It represents a detailed explanation of the logic behind fighting near enemies and killing Muslims, describing violent Jihad as the neglected duty.

Before explaining the idea of Farj's book and its influence on IS's concept of the near enemy, I find it necessary to briefly explain the nature and evolution of the concept of jihad upon which Faraj's book is presented. Unlike the widely used notion of jihad as an Islamic holy war, jihad is a plastic concept whose nature has evolved since the early days of Islam and has a multitude of meanings. "Jihad" as an Arabic word literally means

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[115] Sayyid Qutb (1906-1966) was an Egyptian writer and an influential figure within the Muslim Brotherhood. He is considered one of the leading Islamist ideologues who has influenced modern day Jihadis more than any one else. His writings were instrumental for Islamist groups worldwide, whether violent or political.

[116] Alison Pargeter, *The New Frontiers of Jihad: Radical Islam in Europe* (University of Pennsylvania Press, 2013), 9.

striving or struggling, it is shorthand for striving and struggling for the sake of God. Based on its usage in the Qur'an (2:218) and the Prophetic teachings, jihad was originally used to refer to one's struggle against one's own failings, ills, sins and weakness, in other words, striving in God's path in a moral and spiritual sense. Prophet Muhammad described this sense of personal struggle as "*Al-Jihad Al-Akbar*" (the Greater Jihad). Alongside this notion of self-restraint and personal struggle there was a different type of Jihad, which was referred to as "*Al-Jihad Al-Asghar*" (the Lesser Jihad). Unlike the spiritual dimension, which was the prevailing aspect of the greater Jihad, physical struggle was the feature of the Lesser Jihad, which was an exception in comparison to the Greater Jihad. It referred to the struggle for self-defense and self-preservation, a process that was regulated by a number of rules and ethical sanctions provided by Prophet Muhammad.

With Prophet Muhammad's death and the expansion of the Islamic Empire, the physical aspect of jihad was given predominance over the spiritual and personal struggle. Instead of being confined to a defensive Jihad, the term Jihad transformed into a state doctrine that not only gave legitimacy to new caliphs and justified their conquests, but also gave them authority over their own subjects. Thus as centuries passed, Jihad transformed from a spiritual concept to a political one that was used to extend Muslim power and sovereignty.[117] Yet, it is the second half of the thirteenth century that witnessed an evolutionary development in the term Jihad, one that would influence the term's usage until the present. In the thirteenth century, Ibn Taymiyya[118] redefined Jihad

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[117] M. Cherif Bassiouni, "Evolving Approaches to Jihad: From Self-defense to Revolutionary and Regime-Change Political Violence," *Chicago Journal of International Law* 8, 1 (2007): 119-46
[118] His full name is Taqi ad-Din Aḥmad ibn Taymiyyah (1263-1328 C.E). He is a controversial Islamic scholar and political figure who was imprisoned and prosecuted due to his politics and

to mean both a tool to purify Islam of any alien heretics and as a religious duty to fight and revolt against deviant Muslim rulers who do not conform to the requirements of Islamic law (in his time, the Mongols).

Four centuries after Ibn Taymiyya, Jihad was further politically conceptualized, as it was associated with the anti-colonial struggles that started in the early 1700s with the military and political interventions by British and French powers in North Africa.[119] With the end of the colonial struggle, Jihad was further developed by relying heavily on Ibn Taymiyya's version, which sanctioned resistance against Muslim leaders. Yet, this version of Jihad was stricter, as it involved the doctrine of takfir[120] (excommunication), a doctrine adopted by Mawdudi in India and Qutb in Egypt.[121] Both Mawdudi and Qutb believed that Muslim societies were as troubled as the societies of the Jahiliyyia Period (of pre-Islamic Ignorance) due to the impact of Western influence. Thus, they must be purified and Islamic law must be restored through military Jihad.

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intellectual output. He linked religion to politics and state formation through his theory of *Siyasa Shar'iyah*. Ibn Taymiyyah was the first to enunciate *takfir* by describing the Mongols as unbelievers, despite their public announcement that they are Muslims. His *takfiri* Ideas influenced prominent Islamic figures like Sayyid Qutb and were adopted by modern Islamist Militants to justify their attacks against the state.

[119] Sebastian L. v. Gorka, "The new meaning of Jihad," *Gatestone Institute*, November 16, 2009, http://www.gatestoneinstitute.org/919/the-new-meaning-of-jihad (accessed May 5, 2016)

[120] Takfir is the practice of accusing other Muslims of apostasy and striping them of their Islamic identity. In other words, it is declaring that someone is a disbeliever (Kafir) who has left the fold of Islam and can be no longer considered a Muslim. It is a modern term used by Islamic Jihadi movements to justify the use of violence against other Muslims, especially Muslim rulers whom they consider not religious and do not adhere to *shari'a* law. This ideology was adopted by Islamic figures like Ibn Taymiyyah, Maududi, Qutb and Faraj and became central to Jihadi ideology, especially in Egypt. Yet the majority of Islamic scholars rejects this concept and clarifies that goes against the teachings of Prophet Muhammad who said, "Whoever offers our prayers, turning his face towards our Qiblah [Muslim direction of prayer], and eats our slaughtered animals is a Muslim to whom the covenant of God and His Messenger is extended. Do not breach God's covenant." Accordingly, the notion that people can independently determine and judge whether a person is a genuine Muslim or not contradicts the teachings of Prophet Muhammad himself and the consensus of mainstream Muslims.

[121] Ibid

The evolution of Jihad continued with the invasion of Afghanistan by the Soviet Union, resembling the anti-colonial struggle but on a larger, international scale. By 1979 Jihad became recognized as a military struggle that not limited to national resistance against Western-backed Muslim rulers, but also including the targeting of any power occupying any part of a Muslim land worldwide. This new notion of Jihad was re-branded by the Palestinian Abdullah Azzam who recruited Arab jihadis to fight for his cause and was later emphasized by Usama Bin Laden. [122]

Thus Jihad as an early Islamic concept was used throughout time and refashioned in new political and geostrategic contexts. It is not particularly prominent in the Qur'an, at least in the military sense, and is in fact a jurisprudential output applied in various ways; Islamic militant groups in the past century, however, have narrowed its meaning to a specific context that serves their needs. Thus, although the same word has been articulated historically worldwide, it has never referred to a single concept nor possessed a single, unified meaning. For the purposes of this paper, I will refer to Jihad as armed confrontation by Islamic militant movements against their political rivals in the belief that it is a theologically legitimate and instrumentally efficient method to bring change and spread Islamic teachings.[123] Accordingly, this meaning, which is adopted by Faraj in his book, refashions Islam into an ideology that is imposed rather than a religion that allows people to seek it out of individual, non-coerced conviction. This modern concept of Jihad transformed Islam from a religion to a specific set of rules that society must adopt, otherwise they will be imposed forcefully.

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[122] Ibid

[123] Mark Sedgwick, "Jihadism, Narrow and Wide: The Dangers of Loose Use of an Important Term," *perspectives on terrorism* 9, 2 (2015): 34 http://www.terrorismanalysts.com/pt/index.php/pot/article/viewFile/425/846 (accessed May 15, 2016)

In his book, Faraj explains that disbelievers are not only those who do not ascribe to Islam, but are also Muslims who do not implement *shari'ah*. He follows Ibn Taymiyya's idea that a disbeliever is not only a non-Muslim, but can also be a person who declares his Islam publicly but does not implement and adhere to its teachings in private, thus he described Arab rulers as non-believers. He said, "Whosoever does not rule by what God sent down, those are non-believers."[124]According to Ibn Taimiyya and after him Faraj, this non-practicing Muslim should be killed without respect to his or her position or rank. Faraj, as the title of his book illustrates, elevates the rank of violent Jihad to one of the main pillars of Islam. According to him, Jihad is *as important* as prayer, paying Zakat and fasting, even calling it the sixth pillar of Islam. Instead of fighting the Israelis and liberating Jerusalem, Faraj believes that efforts should be directed to internal enemies in Muslim countries, for he believes that those are the most dangerous enemies facing Islam and *Sahri'ah*. Therefore, Faraj believes that priority should be placed on fighting the near enemy over the far enemy.

Accordingly, fighting the near enemy is grounded in the idea that the enemy close to the Muslim creed and aware of the internal affairs of the Muslim community should be targeted first. Faraj said, "the fight against the enemy nearest to you has precedence over the fight against the enemy farther away…. In all Muslim countries the enemy has the reins of power. The enemy is the present rulers."[125] Following this rationale, IS has also concerned itself with the near enemy rather than the far one. Therefore, for IS, the Christians are more dangerous than the infidels, the Jews are more dangerous than the

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[124] Faraj, *Al-Jihad*, 15. http://unfulfilledduty.weebly.com/uploads/1/8/5/3/18537222/__.pdf (accessed May 1, 2016).
[125] Ibid, 15.

Christians, the Shiites are more dangerous than the Jews, the Muslim Brothers are more dangerous than the Shiites, and the Salafis that do not adopt jihad are more dangerous than the Muslim Brothers. This hierarchical order is associated with the group's ability to recognize the enemy, for the more closely the enemies are linked to Islam the more likely they are to mislead others and endanger the Muslim community. Therefore, the mere existence of Infidels, Christians, Jews, Shiites, Muslim Brothers and opposing Salafis is a menace that must be eliminated. Unlike Bin Laden, who just criticizes such threats without advocating the use of force to remove them, because they are potentially part of the audience, which his movement seeks to convince, Zarqawi is not interested in convincing others. Since IS is a functioning state, Zarqawi and his successors believe that using the state institutions to stamp out this menace is the preferable way to protect people from being led astray.

IS's concern with the inner threat (near enemy) rather than the external one (far enemy) presents further similarities with Leninist thought and its attitude towards the bourgeoisie. The communists were concerned about the hidden bourgeois whom they regarded as passive enemies. This is because the bourgeois always attempted to deceive others by convincing them to be nice to the enemy, an approach that Lenin rejected. Thus, stamping out the bourgeoisie was Lenin's approach to free his group of any menace that might endanger it. Zarqawi started adopting this theory in late 2005 when he began targeting Iraqis from different sects. He intentionally targeted the Iraqi Shiites, whom he considered willing to cooperate with the Americans to gain rule of the country. He attacked them religiously and politically in letters addressed to Bin Laden, suggesting the instigation of a civil war between Sunnis and Shiites.

Zarqawi's justification of the sectarian war he proposed was the need to awaken the Sunnis by exposing them to the threats and danger surrounding them, a stance still maintained by the Islamic State today. Zarqawi stated in one of these messages:

> targeting and hitting [the Shiite] in [their] religious, political, and military depth will provoke them to show the Sunnis their rabies and bare the teeth of the hidden rancor working in their breasts. If we succeed in dragging them into the arena of sectarian war, it will become possible to awaken the inattentive Sunnis as they feel imminent danger and annihilating death at the hands of these Sabeans.[126]

In an audiotape, he further called for the murder of the Shiites, condemning them as agents of the United States, saying: "God ordered us to attack the infidels by all means ... even if armed infidels and unintended victims -- women and children -- are killed together. The priority is for jihad, so anything that slows down Jihad should be overcome."[127] For IS, Sunni Muslims who collaborated with the Shiite-led regime are apostates who obstruct Jihad and should be killed.

Adopting the near enemy theory, IS openly accuses its rivals of apostasy, which includes accusing the individual of disbelief and not excusing the ignorant. Zarqawi, and his successors Abu Umar and Abu Bakr Al-Bahgdai adopted this approach of a general *takfir* of all Shiites, advocating a position that describes them as original disbelievers rather than apostates. They further practiced *takfir* against any political figure, military and police personnel, and members of the Sunni Awakening movement who cooperated with the Americans. Moreover, Abu 'Umar Al-Baghdadi added to those all the armed

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[126] The Sabeans are one of the smallest communities in Iraq. They claim to follow the message of Adam, therefore, they believe that their religion is one of the oldest in the world, even older than Judaism, Christianity and Islam; quoted in Zarqawi, Mus'ab.
Council on Foreign Relations, "*Letter from Musab al-Zarqawi to Osama bin Laden*" February 1, 2004, http://www.cfr.org/iraq/letter-abu-musab-al-zarqawi-osama-bin-laden/p9863 (accessed April 29, 2016)
[127] Robert S. Leiken, "Who is Abu Zarqawi" the weekly Standard, May 24,2004, http://www.weeklystandard.com/Content/Public/Articles/000/000/004/094npvzg.asp?pg=1 (accessed February 20, 2016)

Sunni factions in Iraq, and his brother Abu Bakr included anyone who refused to offer him loyalty as the caliph of Muslims worldwide. This near enemy policy is likely to be welcomed and accepted by regimes that are already suffering from the danger of militant groups with multiple ideologies and agendas. This is why the rise of IS in Syria is considered a primary reason in preventing the collapse of the Assad regime which was facing opposition from various groups.

Recently, IS expanded the area of its attacks to include cities in some Western countries like Paris, France and Brussels, Belgium; yet this cannot be regarded as a shift form the near to the far enemy policy. Although Al-Qaeda wants the U.S. and its Western allies to withdraw from the Muslim world entirely through the infliction of enough casualties to cause military and financial exhaustion, IS is not concerned with this. Unlike Al-Qaeda, IS does not want a global withdrawal from U.S., but rather wants any and all foreign enemies out of *its territory only*. As long as the U.S. or the West are not trespassing on territory held by IS or attacking its forces, IS will not be concerned, at least for the time being. Only if the U.S. begins to attack IS territory and threaten its existence, will IS extend its offensive to the U.S. and its allies. IS has not been undertaking attacks in European countries because of their intervention in Muslim countries like Somalia or Chechnya. Instead, IS is attacking because it is being attacked as a state by a Western military collation that represents other states and threatens its territory. Thus, it will continue to attack the enemy in *their* homes until the enemy ceases their offensives against IS. So the recent attention IS has placed upon combating the far enemy is essentially a temporary strategy that will stop once the West ceases to impede

its state-building project—a position that IS would have never adopted if it were not a state.

To conclude, the two rivals adopt different ideologies in identifying and prioritizing their enemy. For Al-Qaeda, its nature as a non-territorial movement that seeks supporters and followers from Muslims worldwide compelled it to adopt the "far enemy" theory. It considers the Western countries in general and the U.S. in particular as the core of the problem, and thus the primary target for jihadis. By contrast, IS, a territorial state seeking to expand and consolidate its power on its territories, believes that unlike the far enemy, the near enemy is less likely to be known by common Muslims and is more dangerous and threatening. Thus, to free Islam, the Muslim nation must be freed from the near enemy. In other words, the inner circle must be purified before it is able to purify the external world. Such divergence affected both groups' approach to violence and terror.

5. Violence

We also stress the importance of martyrdom operations (i.e. suicide attacks) against the enemy, those operations that exhausted America and Israel in a way they never witnessed in their history.[128]

<div align="right">Usama Bin Laden</div>

So wait for them at every place of ambush and enter upon them from every gate, and slaughter them like how you slaughter sheep, and kill them like how you kill flies.[129]

<div align="right">Abu Muhammad Al-Adnani</div>

The divergence in how Al-Qaeda and IS identify their enemies has also affected the nature of the tactics and strategies they adopted to face their designated enemies. The theories of "far enemy" and "near enemy" influenced each group's approach to terrorism and the tactics of violence. In this section I will highlight further distinctions between Al-Qaeda and IS, the former as a movement and the latter as a state, by discussing their approach towards violence. Despite their extreme and violent narrative, both groups have approached violence differently. For Al-Qaeda, violence is justified as a means to an end, whereas IS views violence as an end in itself.[130]

As a movement, Al-Qaeda adopts what it views as a defensive jihadi policy that aims to protect the global Muslim community from the threat and intervention of the far enemy. With the U.S. and its allies as its main target and primary enemy, Al-Qaeda adopts a form of global violence that is directed towards Western forces in order to gain Muslim support and sympathy on the one hand, and to force Western citizens to criticize their countries' intervention in the Muslim world on the other. Thus, Al-Qaeda's use of terror is a strategic one, interpreted by Tilly as inflicting harm not only on the enemy

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[128] Bin Laden's address on the U.S. invasion of Iraq in 2003.
Al-Arab news, "*Nas Al-Resala Al-Sawteya lel Shaikh Usama Bin Laden Ela Ahl Al-Iraq*," 2003, http://alarabnews.com/alshaab/GIF/14-02-2003/Laden.htm (accessed January 4, 2016).
[129] Al-Adnani, "*Walyomakenana lahum dinahum Al-lazi ertada lahum*,"
[130] Bruce Hoffman, "Holy Terror: The Implications of Terrorism Motivated by a Religious Imperative," *Studies in Conflict and Terrorism*, 18, 4 (1995), 271-284.

directly, but also sending out warnings to "three different audiences: the targets themselves, potential allies of the perpetrators, and third parties that might cooperate with one or the other."[131] According to Tilly, when considered as a strategy, "terror works best when it alters or inhibits the target's disapproved behavior, fortifies the perpetrators' standing with potential allies, and moves third parties toward greater cooperation with the perpetrators' organization and announced program."[132]

Accordingly, following its "far enemy" policy, Al-Qaeda directs its violence strategically towards global powers. It prefers to adopt mass-attack techniques that require suicide missions or detonated-bomb tactics in order to produce mass casualties within Western countries or against Western targets within Muslim-populated territories. To convince their followers and supporters worldwide of the importance and necessity of such attacks, Al-Qaeda consistently stresses in its statements and correspondence between its leaders the merits and necessity of martyrdom as an effective way to fight an enemy. Al-Zawahiri stated "focus is to be given to martyrdom operations (i.e. suicide attacks), since it is considered the most successful method to exhaust the enemy."[133] Moreover, Bin laden described those who undertake such attacks and sacrifice their lives as people who "have earned great success" because they "whipped the disgrace that has befallen" the Islamic nation, stating that sacrificing ones soul while fighting a tyrant ruler is an "action that Prophet Muhammad encouraged."[134] Therefore, the group adopts the

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[131] Tilly, "War," 11.

[132] Ibid.

[133] Ayman Al-Zawahiri, *Forsan that rayat al-nabi*, https://azelin.files.wordpress.com/2010/11/ayman-al-zawahiri-knights-under-the-prophets-banner-first-edition.pdf (accessed February 26, 2016)

[134] "Osama Bin Laden yatahadas 'an Al-Shohada'" YouTube video 5:37, from televised message broadcasted by Al-Jazeera, posted by RosettaChanged, May 2, 2011, https://www.youtube.com/watch?v=i3nhpCAFvuI (accessed April 20, 2016)

religious notion of martyrdom in order to have efficient individuals willing to die for the cause they believe in. This allows Al-Qaeda to mount attacks on military and civilian targets in different countries worldwide.

It can be argued in various manners that this suicide attack policy has many advantages over any other terroristic style. First, if conducted successfully and as planned, suicide attacks usually result in a large number of causalities and economic damage. This in return results in a larger amount of psychological damage to both citizens and officials of the targeted country, which is the primary goal of Al-Qaeda as a movement. According to data from the Rand Corporation's chronology of international terrorism incidents, suicide attacks on average kill four times as many people as other terrorist acts.[135] Calculations released by the U.S. Department of State attest to this fact by explaining that while suicide attacks comprise only 3% of total terrorist attacks, they are responsible for 48% of the deaths caused by terrorism.[136] The psychological and economic damage inflected by those attacks are also more likely to provoke a response from state officials in the form of retaliation. This fact that helps to bolster Al-Qaeda's image of itself in a defensive struggle and helps to increase its supporters, as previously argued. Moreover, Al-Qaeda is known for its multi-suicide attacks, in which they undertake suicide missions against various targets simultaneously. Undertaking such

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[135] Bruce Hoffman, "The logic of suicide terrorism" *the Atlantic*, June 2003, http://www.theatlantic.com/magazine/archive/2003/06/the-logic-of-suicide-terrorism/302739 (accessed February 15, 2016).
[136] Robert Pape, "The Strategic Logic of Suicide Terrorism," *American Political Science Review* 97.3 (2003): 13.

attacks contributes to inflicting greater psychological and economic damages on enemy countries and their citizens.[137]

Second, such attacks are less expensive and less compromising than other terrorist attacks. It is estimated that the materials used in a handmade explosive device can cost a maximum of 150 dollars.[138] Thus, it may cost Al-Qaeda $100 or less to attack a military base or a civilian gathering, which in return provides them with supporters and boosts their recruiting ability—an extremely valuable and important outcome. Moreover, suicide attacks are less compromising to the group's security as a movement, because the potential suicide attacker can simply avoid and/or escape many security measures because they are acting alone rather than in a group. In fact, undertaking a one-way attack by a sole person boosts the likelihood of the attack's success. The explosion of a suicide attacker's body while undertaking the attack decreases the level of complexity for which the planners must prepare, thus improving the likelihood of its success and the feasibility of its application. Since the attacker himself is designated to die, he becomes part of the bomb itself and thus he fears no interrogation, torture, or trial and can detonate the bomb at any time and any place if he senses a threat.[139]

Finally, these styles are the least costly to the terrorist group and provide more publicity than any other forms of attack. A successful suicide attack leaves behind only the body of the person who conducted it, thus "leaving behind the least amount of losses among jihadis" who are a valuable resource to the group and without which they have no

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[137] Lawrence Wright, *The Looming Tower: Al-Qaeda and the Road to 9/11*, (New York: Knopf, 2006), 107-108.
[138] Hoffman. "The logic of suicide terrorism".
[139] Audrey Kurth Cronin, *"Terrorists and Suicide Attacks,"* (Washington, D.C.: Congressional Research Service, Library of Congress, 2003), 11. http://fas.org/irp/crs/RL32058.pdf (accessed April 2, 2016)

power or army.[140] Moreover, killing a number of people and damaging the surrounding buildings is a very effective way to guarantee media coverage.[141] The media focus upon the tragic end of the victims provides worldwide sympathy with them and their families, which effectively publicizes the group's brand and cause. Accordingly, it can be described that as a movement, Al-Qaeda's approach to violence is a remote and indirect one, where no direct fighting or engagement takes place. This approach is proven by Al-Qaeda to be a strategically deliberate and effective one that not only inflicts human, economic, and psychological damages, but is also accompanied by media coverage worldwide that provides propaganda for the group.

Unlike Al-Qaeda, IS pursues more direct confrontation with its enemies because of its nature as a state. Its approach to violence is clearly influenced by and connected to its territorial objective as state interested in expansion. Adopting an early Islamic concept of military territorial expansion, IS enters into direct violent confrontation with local state forces in Iraq and Syria as well local civilians whom they consider either apostates or infidels. Despite their horrific approach, the theory IS has followed in pursuit of its own state is hardly unique or innovative, for all legitimate states we recognize today owe their existence to the same activity: war making. It is well established that the historical process of modern state-building arose from war. In other words, the need for protecting subjects and territories necessitated the use of organized violence as an instrument to bring about independence and safety. This resulted in state making, and thus states are he source of warfare. Charles Tilly clearly articulates his support for this theory when he

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[140] Al-Zawahiri, Ayman. " *Forsan that rayat al-nabi*"
[141] Hoffman. "The logic of suicide terrorism"

declares: "War makes state."[142] According to Tilly war is a crucial factor in state-formation, and there is no difference between legitimate or illegitimate forms of violence since "bandits, piracy, gangland rivalry, policing, and war making all belong on the same continuum."[143] This continuum leads to the formation of a state able to protect its subjects and territories. In other words, because both a self-proclaimed state like IS and an internationally-recognized state use violence, no matter how different the form of violence appears, they are engaged in the same process. The difference between them is not between a violent and a non-violent state, but the extent to which violence can be contained within a set of rules.

Accordingly, it can be clearly understood that unlike Al-Qaeda, violence is an inherent feature of IS due to its nature as a growing state. Such violence can be both directed towards external rivals, internal rivals and even its own officials and subjects, in order to guarantee coherency and stability. Based on Tilly's theory of modern state building, it is necessary to eliminate internal rivals in order to have a strong and stable state.[144] Tilly describes this form of elimination and subordination in European governments thus:

> European governments reduced their reliance on indirect rule by means of two expensive but effective strategies: (a) extending their officialdom to the local community and (b) encouraging the creation of police forces that were subordinate to the government rather than to individual patrons, distinct from war-making forces, and therefore less useful as the tools of dissident magnates. The builders of national power all played a complex strategy: eliminating, subjugating, dividing, conquering, cajoling, buying as the occasions presented themselves.[145]

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[142] Tilly, "War," 170.
[143] Ibid.
[144] Ibid.
[145] Ibid, 175

Therefore, according to Tilly, IS is no less legitimate than any other modern-day state, for it also applies its own law and rules to gain authority and legitimacy. To borrow Tilly's "Protection racket"[146] term, IS uses this tactic like any other state to gain authority by creating a threat and later charging for its elimination, ultimately gaining legitimacy and control over its people.[147] This protection racket policy can be considered analogous to IS's Savagery-Creation and Management policy.

Following the policy of Savagery-Creation and Management as illustrated by Abu Abdullah Al-Muhajir in his book *Idarit al-Tawahush* (The Management of Savagery*)*, IS aims to attack local state institutions and carry violent and gruesome acts towards the captured individuals whom they consider either apostates or infidels. These forms of attacks result in a security vacuum that disorients the authorities and alienates them from their citizens, who as a result regard the authorities as impotent and unable to protect them. Thus, a state of savagery would be created along with this vacuum and local citizens would be willing to accept to any power that would bring stability and security to their neighborhood, which in this case is IS.

This approach is also known as the "the propaganda of the deed," which is a form of violence performance that was adopted by the Russian anarchists of the nineteenth century.[148] This form of violence aims to undermine the psychological bond binding the population to the regime. To use Thomas P. Thornton's terminology, terrorists attempt to remove the structural support which gives a society its strength and cohesion.[149]

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[146] Ibid
[147] Ibid
[148]Thomas p. Thornton , "Terror as a Weapon of Political Agitation," *Internal War: Problems and Approaches*, ed. Harry Eckstein (New York: Free Press of Glencoe, 1964), 74.
[149] Ibid.

Thus, despite sharing a violent and a terroristic brand with Al-Qaeda, IS's style of warfare is distinct. The Islamic State doesn't confine itself to the traditional terrorist tactics of Al-Qaeda but rather mixes it with guerilla, psychological, and conventional warfare. This mixture can be mainly attributed to the diverse nature of the members of the group and their aims, a matter we will discuss shortly. Acting as a centralized military organization, IS conducts conventional warfare by attacking state security checkpoints and facilities, aiming to gain territories and thus engaging in a direct fight with its enemies. With its increasing military formations, IS conducts surprise attacks on its targeted territory, inflicting as many casualties as possible and forcing rival state forces to flee. After their victory but before taking control of the territory, the group adopts a guerilla warfare approach, spreading fear through brutality and extreme savageness. They cease this opportunity to create their own media propaganda, presenting intimidating images and videos of the brutality of their forces when attacking a target.

This directs our attention to the fact that being presented by outsiders as a bloodthirsty terrorist group, does not bother IS because this is the picture it advocates. Brutality and the use of excessive violence should not be conceived as an aimless act, but rather a strategic one that serves to create a desired environment. This environment is that required for the establishment of a caliphical empire and its nature as a state. Having discussed Al-Qaeda and IS's different divergent perspectives on institutions, ideology, and strategic view of the world, it would be helpful to understand whether or not there are any systematic differences among their members that might lead them to adopt these views and laws.

6-. Leadership and Social Structure

He had a kind of calm in him that I did not expect. What I expected was somebody in the mold of the "Blind Sheikh" (the Egyptian cleric Omar Abdel Rahman), a fiery orator who would be pumping his fist and saying a lot of things at the top of his lungs. If you didn't lean into Bin Laden, you couldn't hear him.

John Miller describing bin laden[150]

The different nature of both terrorist groups, one as a movement and the other as a state, further influenced their forms of leadership and command, resulting in two different styles of control. This divergence can be linked to their ideological difference along with their backgrounds and appearances. Whereas Bin Laden and his cadre came from the upper middle class and received university educations in Middle Eastern and Western countries, the leaders of IS were in a different position. Zarqawi and most of his followers were ex-convicts who came from low class environments with minimal education. Most of them were criminals who were known for their views on takfir and were supported by ex-Baathists who were driven by self-preservation and a shared hatred towards the Shiite-led government of Iraq. These differences in social backgrounds have led to major points of divergence between the two rivals as a movement and a state.

Contrary to common stereotypes that depict terrorists as poor, underprivileged, and ill-educated citizens of struggling Third World countries, brainwashed and abused into supporting terror, recent research reveals that almost three quarters of Al-Qaeda personnel came from upper or at least middle-class backgrounds and received at least college education (in Middle Eastern or Western countries, if not both).[151] In fact, the

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[150] Peter L. Bergen, *The Osama Bin Laden I Know: An Oral History of Al-Qaeda's Leader*," (New York: Free Press, 2006), 215.

[151] Robert Spencer, "Al-Qaeda lures middle classes to join its ranks," *Jihad Watch*, https://www.jihadwatch.org/2005/04/al-qaeda-lures-middle-classes-to-join-its-ranks (accessed March 28, 2016).

general members of the group were slightly better educated than the average American.[152] In a study he undertook analyzing 172 militants of Al-Qaeda and other terrorist groups, psychiatrist Marc Sageman revealed that the majority of Al-Qaeda members received higher education, especially from the United States and Europe, and were from relatively wealthy families. Moreover, most members of Al-Qaeda were professionals and white-collar workers such as doctors or engineers, and many were married with children.[153]

Thus, unlike what is generally articulated, members of Al-Qaeda do not suffer from socioeconomic problems such as poverty, alienation, or a lack of education. On the contrary, many were from the bourgeoisie and led a happy life, a situation that would later affect their jihadi ideology and strategy. As educated men, their conviction and belief in the ultimate goal of reforming Muslim society was their passport into the movement. The upper middle-class origin of members of terrorist movements is not exclusive to Al-Qaeda. In fact, in Europe and Latin America, violent movements and organizations have often been the recourse of middle and upper class members of society, whereas people of lower-class backgrounds tend to join criminal gangs organized along hierarchical principles.

Analyzing the backgrounds of the terrorists who led the September 11th, 2001 attacks against the World Trade Center and the Pentagon, which also resulted in the downing of a plane in Pennsylvania, attests to the group's advantaged socio-economic status and the consequences of this position. Mohammad Atta, who was the ringleader of the nineteen hijackers, came from an Egyptian upper-class family whose father was a

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[152] Peter Bergen, and Swati Pandey. "The Madrassa Scapegoat." *The Washington Quarterly* 29, no. 2 (2006): 115-25.
[153] Marc Sageman, *Understanding Terror Networks*, (Philadelphia: University of Pennsylvania Press, 2004), 78.

civil law attorney. Moreover, he was a well-educated young man who studied architecture at Cairo University in Egypt and later studied urban planning at the Technical University of Hamburg in Germany.[154] Atta was not a poor destitute jihadi, but was rather an engineer with a promising future and career who never suffered from any form of personal alienation or social struggles. Yet, he was influenced by a broader sense of religious alienation and struggle that paved his way to a jihadi quest.[155]

In addition to Atta there were three other lead hijackers, two of whom also studied in Germany and one of whom studied in the United States.[156] Marwan al-Shehhi, who flew United Airlines Flight 175 into the South Tower, was enlisted in the Emirati military and was admitted to a military scholarship program that enabled him to pursue his education in Germany, at the Technical University of Hamburg. An upper middle-class Saudi Arabian who was the son of a food-supply businessman, Hani Hanjour, led the Pentagon attack. Hanjour enrolled at the University of Arizona to learn English before receiving his commercial pilot certificate in the United States. Ziad Jarrah, who flew United Airlines Flight 93 before it crashed in Pennsylvania, was an upper middle-class Lebanese man who received a wealthy and secular upbringing. Jarrah studied aerospace engineering at the University of Applied Science in Hamburg, receiving a degree in aviation mechanics. These examples resemble the backgrounds of the majority of Al-Qaeda's members, who were proven to be psychologically stable individuals belonging to upper middle-class families, and recipients of good educations, who were neither poor nor mentally ill.

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[154] Ibid

[155] Ibid

[156] Bergen and Pandey. "The Madrassa" *The Washington Quarterly,* 115-25.

Upper middle-class figures dominated Al-Qaeda movement, and especially its leading commanders. They influenced the group's ideology, jihadi strategy and goals. Bin Laden, who founded and first led the group, was born into one of the richest families in the world; he was a multimillionaire who mastered the business inherited from his construction magnet father. He attended the top high schools and universities in Saudi Arabia. He obtained his early education in Lebanon and later joined the business management school at King Abdulaziz University in Jeddah, Saudi Arabia.[157] After the death of his father in a plane crash in 1967, Bin Laden inherited an estimated 250 million dollars, an amount that he allocated for funding terrorism campaign against the U.S. and its Western allies.[158] Bin Laden's socio-economic status attests to the fact that his jihadi approach was a product of religious sentiments rather than one based upon his own socio-economic interest. Bin Laden was not a revolutionary figure with hot-tempered charisma, but was rather a perplexing personality that was known to be calm, quiet, and unusually patient. In an interview with Bin Laden in 1998, John Miller described the leader of Al-Qaeda, saying

> He had a kind of calm in him that I did not expect. What I expected was somebody in the mold of the "Blind Sheikh"(the Egyptian cleric Omar Abdel Rahman), a fiery orator who would be pumping his fist and saying a lot of things at the top of his lungs. If you didn't lean into bin Laden, you couldn't hear him. … His deputies looked up to him as a great leader and a guy that they would follow into anything. There is that charismatic aura or a scent that make people follow him; either you have it or you don't. They spoke of him with godlike reverence.…[159]

Bin Laden was regarded as a charismatic figure for the upper middle-class individuals who followed and supported him. By stating this, I do not necessarily hope to

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[157] Bruce ,The Search for Al Qaeda, 41.

[158] Suzanne J. Murdico, *Osama Bin Laden* (New York, NY: Rosen Pub. Group, 2004), 11.

[159] Daniel Byman, *Al Qaeda, the Islamic State, and the Global Jihadist Movement: What Everyone Needs to Know* (Oxford: Oxford University Press, 2015), 90.

answer the question of whether or not Bin Laden was charismatic. What I *would* argue here is that charisma is not simply a quality which a person has, but rather the ability to sustain a relationship with others who believe a person has it. It is quite possible that for people like Al-Zawahiri and others, Bin Laden is charismatic because he is how they would like their leader to look like and behave. They want a leader who is outspoken and persuasive, as opposed to a person whose charisma revolves around the ability to coerce others into following them through force and violence.

Similarly, Al-Zawahiri (who was Al-Qaeda's second-in-command and succeeded Bin Laden) is a bourgeois surgeon from Cairo who was born in 1951 to a middle-class Egyptian family. Although he came from a less wealthy family than Bin Laden, Al-Zawahiri's family was more educated and well established. He comes from a leading family in Egypt that included doctors, professors, ambassadors and prominent Islamic clerics. His father was a famous Egyptian and Arab doctor and his paternal grandfather, Mohammad al-Zawahiri, was the Grand Imam of Al-Azhar.[160] Moreover, his maternal grandfather was Abdulwahhab Azzam, the Dean of the School of Literature at Cairo University in 1945 and an ambassador for both Saudi Arabia and Pakistan. His mother's uncle was Abdulrahman Azzam, the first Secretary General for the Arab League. Growing in a family of such a high social class, Al-Zawahiri lived in one of Cairo's most expensive neighborhoods of grand villas and trendy art galleries and celebrated his wedding at one of Egypt's most expensive hotels, the Intercontinental. He was described by one of his great uncles, Mahfouz Azzam (Vice President of the Egyptian opposition

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[160] Al-Azhar is the oldest and highest Islamic Sunni Institution in the world. The Grand Imam of Al-Azhar (*Shaykh Al-Azhar*) is considered by many Muslims the highest-ranking Islamic Sunni cleric.

Labor Party and a criminal attorney) as "a decent fellow …. always been a loving person. He never in his life evoked a clash with another. He was a very good family man, very polite and very sensitive."[161] Al-Zawahiri was a smart young man who continued his family's medical tradition by becoming a surgeon and opening a flourishing medical clinic, but quickly gave up his medical career and promising future to join Egyptian radicals and form the Egyptian Islamic Jihad. This shift in Al-Zawahiri's orientation was caused by ideological and religious rather than by socio-economic factors.

Both Bin Laden and Al-Zawahiri, therefore, were wealthy individuals who received excellent educations at top privates schools in their homelands and were raised in prominent families. Yet this social background does not mitigate the aggressive instinct of Bin Laden, Al-Zawahiri, and their followers. Just like Trotsky, who was a compelling figure and talented writer and speaker,[162] Bin Laden and many of his followers had an excellent command of Arabic and were seasoned writers whose words gave thrilling sense to the language's historic depth. This did not prevent them from carrying guns or adopting a violent approach to establish their cause. Despite a longer beard and a different outer appearance, Bin Laden shared several other characteristics with Trotsky. Bin Laden, like Trotsky, was able to inspire the young to dedicate their lives to the ideal of the caliphate just like Trotsky inspired youth to commit to communism, irrespective of the chosen means to reach that end.[163]

This social background of Al-Qaeda members influenced the group's jihadi

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[161] Christian Miller, "Bin Laden Deputy: Brilliant Ideologue," *Los Angeles Times*, October 20, 2001, http://articles.latimes.com/2001/oct/02/news/mn-52337 (accessed March 25, 2016)

[162] Joshua Rubenstein, *Leon Trotsky: A Revolutionary's Life* (New Haven: Yale University Press, 2011), 56.

[163] Clive James, "Leon Trotsky" *Slate*, April 2, 2007, http://www.slate.com/articles/news_and_politics/clives_lives/2007/04/leon_trotsky.html (accessed April 1, 2016)

strategy and leadership, resulting in a movement-style organization with a dual leadership

that supervises a decentralized global network. Despite many parallels between them,

both Bin Laden and Al-Zawahiri possessed their own special characteristics that the other

lacked. These were complementary, and united made Al-Qaeda a strong global

movement. Bin Laden had the wealth required to fund and support an organization along

with a special charisma that would make him a successful and inspiring leader, yet he

lacked the experience and tactics required to lead a global group of jihadis as he "was a

devout Salafist but not much of a political thinker."[164] Unlike Bin Laden, Al-Zawahiri is

not a multibillionaire who can successfully inspire others to follow his path, nor is he a

charismatic person that can influence others and lead them to victory. He was once told

by one of his mentors "Remember, if you are a member of any group, you cannot be the

leader."[165] Yet Al-Zawahiri was a seasoned propagandist who was once a member of the

Muslim Brotherhood and later one of the founders of the Egyptian Islamic Jihad. He had

more jihadi credentials than Bin Laden as well as greater organizational and tactical

experience. Thus, each man compensated for the deficiencies of the other, which can be

described as a brain-body relationship. Thus Al-Zawahiri was the brain to the body

according to Bin Laden, and Bin Laden was the body to the brain according to Al-

Zawahiri.[166] This relationship paved the way for an alliance where Bin Laden operated as

the CEO of the organization and Al-Zawahiri as the main ideologue and organizational

architect. Lawrence states:

> Zawahiri is cunning and experienced; he knows how to run underground cells,

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[164] Wright, The Looming Tower, 127.
[165] Ibid.
[166] "Al Qaeda No.2 Zawahri most likely to succeed bin Laden" *Reuters*, May 2, 2011,
http://www.reuters.com/article/us-zawahri-ayman-newsmaker-idUSTRE7410RF20110502
(accessed April 1,2016)

from his clandestine experience in Egypt. But he's not Bin Laden—he's not charismatic, and he's not a natural leader. People don't want to give up their lives for Zawahiri in the same way they want to for bin Laden.[167]

This upper-class relationship influenced the leadership of Al-Qaeda, as reflected in its decentralized nature as a movement and its Jihadi tactics. Although Bin Laden was presented as the Amir of Al-Qaeda and its official leader and Al-Zawahiri was designated as his deputy, the latter was considered the main ideologue of the movement and the ideological mentor of Bin Laden himself after the death of Abdullah Azzam. Al-Zawahiri not only issued official statements like Bin Laden but also shared his leadership of the group by reshaping the jihadi ideology of the group and planning its military strategies and tactics. He in fact became the representative and voice of Al-Qaeda during the final years of Bin Laden although the latter was healthy and had no problems communicating during this time. "Appearing in over 40 videotaped messages, and even replacing Bin Laden as the face of Al-Qaeda leadership in recent years" Al-Zawahiri was considered Al-Qaeda's ideological tutor.[168] Accordingly, the leadership of the group and its organizational structure can be referred to as a decentralized organization that has no central leadership. Despite Bin Laden And Al-Zawahiri's primary role in the movement, "it is impossible to track an operational cell to them through an organizational structure."[169] In fact both leaders had resided in different safe houses, further increasing

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[167] Daniel Cappello, "The Second Man" *The New Yorker*, September 16, 2002, http://www.newyorker.com/magazine/2002/09/16/the-second-man (accessed March 9, 2016)
[168] Ramana Siddharth, "The road ahead for Al-Qaeda: The role of Aymaan Al Zawahiri" International Institute for Counter-Terrorism, June 17, 2011, http://www.ict.org.il/Article.aspx?ID=1101 (accessed April 10 2016)
[169] Nicole Hutchison and Art Pyster., "al-Qaeda: Study of Decentralized Organization," paper presented at the 8 th Conference on Systems Engineering Research, Hoboken, NJ, March 17-19, 2010,

the decentralized nature of the group in order to minimize losses from a potential attack. Accordingly, when Bin Laden was killed, Al-Zawahiri replaced him with little negative impact on Al-Qaeda and its project as a whole.

Whereas Al-Qaeda emerged as a result of an effective union between Saudi Salafism presented by Bin Laden and Egyptian Radicalism presented by Al-Zawahiri, the members of IS have a totally different social background and it was the result of a different form of union that would strongly influence the group's strategies, leadership, structure, and goals. Unlike the elite and wealthy status of Al-Qaeda members and their global social milieu, the origins of IS are rooted in a particular Iraqi context in which its members are known to be brash and abrasive figures who belonged to a poorly educated and disadvantaged socioeconomic class. Unlike Al-Qaeda, IS was the result of a tri-party coalition between an Iraqi-based Al-Qaeda offshoot formed by Al-Zarqawi, former members of Iraq's Baathist army, and politically marginalized Sunnis of Iraq. This collation proved lethal and barbaric.

Unlike the upper-middle class trend of the educated members of Al-Qaeda, IS members are less educated and come from a lower socio-economic background. Despite their Islamic identity, members of this state possess only a shallow religious knowledge and a high criminal record. Many of them were ex-cons, street toughs, and gang members who utilize their criminal abilities to serve their damaging goals of terrorism by forming a new brand of jihadis, part gangster, part terrorist.[170] Thus, unlike Al-Qaeda, for this new brand of Jihadi-gangsters to succeed a state paradigm was necessary. This is because they

http://www.anser.org/docs/asyst-doc/al-qaeda-as-a-decentralized-organization.pdf (accessed April 10, 2016)

[170] Dina Temple-Raston, "ISIS Attracts Ex-Cons, Creating A New Brand Of Jihadist" National Public Radio, March 31, 2016, http://www.npr.org/sections/parallels/2016/03/31/472576873/isis-attracts-ex-cons-creating-a-new-brand-of-jihadist (accessed April 20, 2016)

tend to favor the control of specific geographic territory that they aim to expand and defend whenever necessary. Moreover, the religiosity of Al-Qaeda members prior to their recruitment and the driving sense of piety encouraging them to fight what they see as the disbelieving West, is a characteristic that IS members lacked, for the latter were far from being religious. IS members were proven to be irreligious individuals who were introduced to religion and to the Islamic State's message in prison rather than in a mosque. It was in prison where they were recruited and convinced to use their illicit talents in service of an actual real gang life that lives ups to the mythologized gang life they always yearned for, namely the Islamic State.[171]

Analyzing the biographies of various members and leaders of the Islamic State attests to the criminal and disadvantaged socio-economic background of its members, which has resulted in the gangster style state adopted by IS. Abdelhamid Abaaoud, the suspected ringleader of the November 2015 Paris attacks, is an ideal example of the type of gangsters recruited by IS to form their barbaric state. Abaaoud, one of six children born to a poor Moroccan migrant, was a member of a radicalized gang of thieves in Belgium.[172] Dropping out of secondary school and kicked out of his house at the age of 16, Abaaoud got involved in various crimes, including robbery and kidnapping his own brother. His sister asserted that he was irreligious and had never went to the mosque prior to his journey to Syria, a fact supported by Abaaoud himself when he appeared in a video in 2014. In the video, Abaaoud sits in a pick-up truck with a couple of corpses in tow and

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[171]Anthony Faiola and Souad Mekhennet "The Islamic State creates a new type of jihadist: Part terrorist, part gangster" *The Washington Post*, December 20, 2015, https://www.washingtonpost.com/world/europe/the-islamic-state-creates-a-new-type-of-jihadist-part-terrorist-part-gangster/2015/12/20/1a3d65da-9bae-11e5-aca6-1ae3be6f06d2_story.html (accessed April 20, 2016)
[172] Ibid.

says: "Before we towed jet skis, motorcycles, quad bikes, big trailers filled with gifts for vacation in Morocco. Now, thank God, following God's path, we're towing apostates."[173] Such a statement speaks to his own irreligious past before he was guided to what he believes is God's path.[174] Thus unlike Atta, the upper-class practicing Muslim engineer who led the 9/11 attacks for Al-Qaeda, Abaaoud was an ill-educated lower-class criminal and wayward member of a Belgian gang who was imprisoned at least three times.

Abaaoud's criminal past and irreligiosity are not rare qualities setting him apart from other members of IS, but are in fact common attributes of the majority. Shifting from barkeepers and drug dealers to Islamic State jihadis, the brothers Brahim and Salah Abdulsalam are another example of ex-criminals that IS sought to recruit and make use of. Brought up in one of the poor immigrant districts of Brussels, Brahim like Abaaoud was involved in theft ever since he was young and was a troublemaker who once set his family home on fire. Although he had a diploma as an electrician, Brahim's ex-wife described him as a lazy, jobless drug addict who did nothing in his life but smoke weed and sleep.[175] Like Abaaoud, Brahim was further described by his ex-wife as an irreligious man, who "never went to mosque or prayed," and always drank beer and Vodka, both prohibited by Islamic teachings.

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[173] Telegraph Video, and agencies, "Archive footage shows Paris attacks mastermind Abdelhamid Abaaoud in Syria," *The Telegraph*, November 19, 2015 http://www.telegraph.co.uk/news/worldnews/europe/france/12005519/Archive-footage-shows-Paris-attacks-mastermind-Abdelhamid-Abaaoud-in-Syria.html (accessed April 20, 2016)

[174] Simon Cottee, "Reborn Into Terrorism," *The Atlantic*, January 25, 2016, http://www.theatlantic.com/international/archive/2016/01/isis-criminals-converts/426822/ (accessed April 20, 2016)

[175] Hannah Roberts, "The pot-smoking Paris suicide bomber," *Daily Mail*, November 17, 2015, http://www.dailymail.co.uk/news/article-3322385/Ex-wife-Comptoir-Voltaire-caf-bomber-reveals-jobless-layabout-spent-day-bed-smoking-pot-French-say-blew-mistake-fiddling-suicide-vest.html (accessed April 20, 2016)

This trend of a disadvantaged lower-class ex-convict jihadi was not only limited to the junior members of the Islamic State, but also extended to senior members and leaders, including its founder Abu Mus'ab Al-Zarqawi. Unlike the upper class Usama Bin Laden and Ayman Al-Zawahiri, Al-Zarqawi, who is considered the first founder of IS, grew up in extreme poverty and led an early life of radicalization and violence.[176] As a teenager he was described as a thug, a heavy drinker, a thief, a rapper, and even a pimp. He never progressed beyond a high school education, and dropped out to end up in prison on charges of sexual assault.[177] Even in prison, his reputation for brutality followed him, as he both challenged officers, and physically and sexually attacked and humiliated other inmates.[178] As a teenager, Zarqawi was both religiously and intellectually incompetent. His teachers described him as a "pupil with few intellectual inclinations."[179] He did not attend religious services and was an undisciplined and violent teenager who was involved in shoplifting and drug dealing, a manhood that would influence his personality and leadership of Al-Qaeda in Iraq, which would become the Islamic State.[180]

Unlike Al-Zarqawi and Abaaoud, Abu Bakr Al-Baghdadi, the current leader of IS, is an educated man who is reputed to hold undergraduate, masters, and doctorate degrees from the University of Baghdad.[181] Yet his claim to hold a PhD has been contested in various accounts. In 2007, the University of Baghdad—the institution supposed to have

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[176] Fawaz A. Gerges, *ISIS: A History* (Princeton University Press, April 2016), 68.

[177] Peter Brookes, *A Devil's Triangle: Terrorism, Weapons of Mass Destruction, and Rogue States* (Lanham: Rowman & Littlefield, 2005), 68.

[178] Joby Warrick, *Black Flags: The Rise of ISIS* (Doubleday, 2015), 71.

[179] Jean-Charles Brisard and Damien Martinez, *Zarqawi: The New Face of Al-Qaeda* (Cambridge: Polity Press, 2005), 11.

[180] Ibid.

[181] William McCants, "The Believer, How an Introvert with a Passion for Religion and Soccer became Abu Bakr al-Baghdadi, Leader of the Islamic State," The Brookings Essay, September 1, 2015, http://www.brookings.edu/research/essays/2015/thebeliever (accessed May 5, 2016)

granted his degree—claims that it never found a copy of his dissertation among its archives.[182] In fact, a document that dates to June 30, 2004, *was* found quoting Baghdadi's dissertation supervisor who said, "he [Baghdadi] didn't communicate with me because he was imprisoned".[183] Moreover, other accounts even stated that leader of IS was never granted a doctoral degree at all.[184] What is interesting is that most accounts supporting the narrative that he holds a PhD differ in identifying the field he specialized in. Some claim he received a PhD in Islamic Studies, others a PhD in Islamic Theology or in Qur'anic Studies, yet none of these accurately reflect his field, which is Qira'aat Al-Qur'an (Qur'anic Recitations).[185]

Ever since his childhood, Baghdadi was interested in the recitation of the Qur'an and devoted countless hours to mastering this art. Accordingly, his undergraduate studies at the University of Baghdad focused on the recitation of the Qur'an. He then enrolled in a Master's degree program at Saddam University of Islamic studies in 1996, where he studied Qur'anic recitation.[186] Baghdadi's study of the Qur'an provides experience that could certainly make him an expert on the different oral recitations of the Qur'an, but does not necessarily make him an expert in Islamic law or theology.[187] I therefore believe that the prevailing claims about Baghdadi's theological training, and the religious justification for his groups' gruesome acts which they provide, are not strictly speaking,

[182] Shams Al-din Al-Noqqaz, "Tarikh Tanzeem Al-Dawla: Sijn Buca wa Abu Bakr Al-Baghdadi," *Noonpost*, December 7, 2015. http://www.noonpost.net/سجن-الدولة-تنظيم-تاريخ/داعش البغدادي-بكر-وأبو-بوكا (accessed May 5, 2016)
[183] Ibid.
[184] Ibid.
[185] McCants. "The believer."
[186] Ibid.
[187] Al-Noqqaz. "Tarikh Tanzeem Al-Dawla."

accurate.[188] His training in the oratory instructions of the Qur'an does not give him the credentials to issue laws. In other words, the Islamic brand of the university from which Baghdadi obtained his degrees as well as his studies on Qur'anic recitations, do not make him an Islamic theologian per se.

Despite his educational background, the self-proclaimed Caliph shares with his predecessor and followers the experience of imprisonment and radicalization. Al-Baghdadi was imprisoned for five years in Camp Bucca, an American detention center located near the Kuwaiti-Iraqi border, which was said to house the "worst bad guys" in Iraq.[189] Al-Baghdadi spent five years in a place that was described by one of its inmates, Yasser Abdullah, as " a school or even a university" that "allows you to reach the naked truth and discover the hypocrisy of the Western world".[190] Abdullah further expressed his happiness with the education he received there from "the senior jihadi Sheikhs," stating that he got used to physical torture in that prison, which made him a man that never sheds tears.[191]

Thus, no matter how educated one is, spending time in a place full of senior jihadi figures and ex-criminals while being exposed to various form of torture is sufficient to transform a person into a radical individual capable of leading one of the most brutal terrorist groups in the world. Apart from Baghdadi himself, nine senior members of IS's senior command were also detained at Bucca, including his deputy Abu Muslim al-Turkmani, IS's senior military leader Haji Bakr, and the leader of foreign fighters, Abu

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[188] "Abu Bakr al- Baghdadi: The Life of IS- leader" *Panteres*, February 19, 2015, http://panteres.com/2015/02/19/abu-bakr-al-baghdadi-the-life-of-is-leader/ (accessed May 10, 2106)
[189] Rania Abouzeid, "In the Waterfront: The U.S. Prison for Iraq's Worst" *Time*, March 15, 2009, http://content.time.com/time/world/article/0,8599,1884183,00.html (accessed May 5, 2016)
[190] Al-Noqqaz, "Tarikh Tanzeem Al-Dawla: Sijn Buca wa Abu Bakr Al-Baghdadi."
[191] Ibid

Qasim.[192] Thus, imprisonment is an experience linking all IS leaders and members together and an important factor in causing or intensifying their radicalization and violent nature, a feature that Al-Qaeda members lack. Despite the ongoing debates about IS as the result of Saddam Hussein's Baath Party, whose former leaders secretly pull the strings and orient the group in the shadows, I believe that it is their experience in prison which has produced such a collation and marriage.

Prisons are places where each individual is against all. Assigned guards establish the outer perimeter of the place, yet the inside is left for the inmates, and it is up to them to set their own rules and keep order. The prison society is a violent one where inmates cannot survive unless they are part of a particular group or gang within the prison. And since there is no real money, women, or formal authority, men get killed, insulted and even raped with in the walls of their prisons. Thus, the inside of any prison is the actual territory of its inmates, in which they act freely and according to the rules they themselves set and abide by. In other words, a prison resembles a state of a particular kind.

A prison like Bucca included a varied mixture of inmates whose experience lead to the current samples of IS members and leaders we witness today. Varying from officers in the Iraqi army, Iraqi intelligence, Iraqi National Security Agency to staff of the Iraqi Military Industrialization system to members of the Iraqi Baath Party to members of the Iraqi National Resistance to Jihadists from Al-Qaeda and other militant groups in Iraq, inmates were divided into specific groups and issued their own rules. The

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[192] Terrence McCoy, "How the Islamic State evolved in an American prison" *The Washington Post*, November 4, 2014, https://www.washingtonpost.com/news/morning-mix/wp/2014/11/04/how-an-american-prison-helped-ignite-the-islamic-state/ (accessed May 5, 2016)

organizational expertise of former military members and former Baathist party members along with the claimed knowledge of Islamic law by jihadis from Al-Qaeda helped create an organized environment within the prison.[193] Like any other prison, disputes were settled through violence and killing, but this time in the name of Islamic law. According to a military report published in the magazine of the U.S. Navy in January 2008, the inmates in that prison settled their disputes according to Islamic law, stating that it contained "Islamic extremists who will maim or kill fellow detainees for behavior they consider against Islam."[194]

Unlike Al-Qaeda, whose members were never criminals nor served part of their lives in prison, imprisonment was a major feature of IS's leadership and members' experience, out of which their state-building policy grew and evolved. Such experience led them to adopt a state-building policy rather than a decentralized mass movement that lacks territory and a fixed organizational paradigm. Alongside their imprisonment experience, the criminal abilities and nature of the majority of its members as ex-cons and gangsters boosted their support for a state-building process.

Walter B. Miller, an American anthropologist known for his study on gangs, defined gangs as

> a self-formed association of peers, united by mutual interests, with identifiable leadership and internal organization, who act collectively or as individuals to achieve specific purposes, including the conduct of illegal activity and control of a particular territory, facility, or enterprise.[195]

Moreover, David G. Curry and Spergel A. Irving describe them as organized groups with

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[193] Ibid.

[194] Jason McCammack, "Inside the wire" *All hands Magazine*, January 2008, http://www.navy.mil/ah_online/archpdf/ah200801.pdf , 20. (accessed May 10, 2016)

[195] Walter Miller, "Violence by Youth Gangs and Youth Groups as a Crime Problem in Major American Cities" (Washington, DC: US Government Printing Office, 1975), 9.

central leadership and regulations that all gangsters within a group abide by.[196] Thus for gangsters like IS members, a territory-managing paradigm is crucial due to their prior experience as criminals. Like any other gang, IS uses violence and criminal enterprise to gain power, and seeks to possess territory and coercively subjugate the people to its rule by charging them money in return for safety and protection (in Tilly's terms the protection racket scheme). According to Tilly, Miller, Curry and Irving, running a protection racket requires controlling a territory and using violence to impose the group's authority, all while preventing other groups or forces from threatening it—a scheme IS adopts and implements.

The book *Idarat al-Tawahosh* (The Management of Savagery), which is used as a blueprint by IS to establish their desired empire, explains fear-making as one of the essential activities IS should pursue to establish its state. Following the "the propaganda of the deed" mentioned earlier in the paper, IS aims to turn the world into a barbaric jungle where citizens of a territory would long for any form of power to rule and protect them from other forces, no matter how radical or violent it may be. Thus adopting Tilly's protection racket scheme, territoriality is a crucial aspect for IS. Unlike Al-Qaeda's members, who are mainly intellectuals and scientists and are concerned with a mass movement that spreads through conviction and thus requires not state-building, the notion of territoriality and state-building makes more sense for IS as a gang of criminal and ex-cons.

I believe that the different backgrounds of Al-Qaeda and IS members, the former as upper middle-class intellectuals and the latter as dispossessed lower class ex-criminals,

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[196] David Curry and Irving A. Spergel, "Gang Homicide, Delinquency, And Community," *Criminology* 26, no. 3 (1988): 381.

further illuminates the movement versus state tension between both groups. In other words, the strategies of Bin Laden and Zarqawi are greatly influenced by their backgrounds. Al-Qaeda adopts a movement strategy because it better reflects its members' backgrounds and mentality as members of the middle class who were raised with discipline that prevents them from using organized violence. Whereas IS prefers a hierarchically organized and violent strategy that reflects its members' backgrounds as gangsters and ex-criminals.

7. Islamic Narratives

The divergence between Al-Qaeda as a movement and IS as a state was caused by the different socio-economic backgrounds and experience of their member. This distinction forced each of the two jihadi groups to debate over the leadership of the jihadi community, which aims to revive the claimed Islamic Caliphate. To further understand what differentiates both groups as a movement versus state, I believe it is necessary to understand the distinction between the Meccan and Medinan phase. Each group adopts a specific narrative from Islamic history and Islamic legal thought, and utilizes it in a way that boosts its own version of jihad and grants it religious legitimacy among Muslims at the expense of its rival. Thus, I am going to demonstrate in the following paragraphs how Al-Qaeda and IS understand themselves in terms of Islamic history.

As I mentioned earlier, I believe that there is little or no utility in the increasingly continuing discourse about the categorization of these groups as Islamic or un-Islamic. The answers to this discourse are not discrete, but are rather open-ended and would confound the international community's response to such threats rather than providing aid. What does it really mean to ask whether these groups are Islamic or not? On what criteria can their Islamic-ness be measured? Who is empowered to decide that? The prevailing discourse on the Islamic-ness of these groups will be of no use unless these questions are first answered, and these are answers that are almost impossible to agree on. Therefore, I believe that analysts and academics should adopt a different approach in order to understand the nature of these groups. Unless we identify the difference between the jihadi groups as demonstrated in this paper, the international community will continue to conceive of them as one and the same and would consequently continue to deal with

them using the same logic and strategy. Failing to understand the nature of IS for example, which according to this paper is distinguished from Al-Qaeda, will lead the international community to fight it in the same way it fights Al-Qaeda, which will eventually result in failure.

Thus, instead of debating the Islamic-ness of these jihadi groups, I believe that understanding the Islamic narratives they each claim in order to justify their actions would be more helpful. Understanding their narratives and the way they approach and utilize them will help us understand the diversity of their ideology and help combat it through more effective measures. By stating that Al-Qaeda and IS adopt different narratives from Islamic history or Islamic legal thought, I am not necessarily discussing their Islamic-ness. What I am arguing is that an insightful analysis of these narratives will help understand their mentalities and the strategies they are adopting. Instead of labeling them as Islamic or not Islamic, I believe that more efforts should be exerted in discussing what they are actually doing with Islamic scholarship and Islamic legal thought. How are they utilizing it and why? The answers to those questions will not only provide us with a clear understanding to both groups' ideology, but will also help the international community determine how to combat this growing threat.

The movement-state nature of Al-Qaeda and IS clearly influenced the Islamic narratives they each adopt in order to justify their jihadi approach. Claiming to follow the example of Prophet Muhammad himself, each group adopts a specific phase of his own life in order to legitimize their policies, goals and strategies. According to Muslim historians, Prophet Muhammad's life evolved over two major periods, namely the Meccan phase and the Medinan phase. Unlike various opinions claiming that the

distinction between these two phases divides Islam into a Meccan version and a Medinan version,[197] it is important to state that both phases of Prophet Muhammad's life are considered by Muslims integral parts of Islamic history. In other words, one phase can neither abrogate nor cancel the other, irrespective of their chronology.

The Meccan phase marks the first ten years of Prophet Muhammad's prophecy. He was raised during what is referred to in Islamic scholarship as the *jahiliyyah* (Ignorance) Period. It was a society of tribalism where various clans often engaged in conflicts with one another. It was a lawless society where no form of political governance or legal system was present; disputes and killings were solved through means of vendetta. Justice was perpetrated, the strong exploited the weak, and women, children, orphans, and slaves had little or no rights at all. In fact, women were deprived of their inheritance and were sometime traded as objects to be inherited. Girls were considered a shame and a disgrace, thus they were subject to infanticide. Moreover, adultery was common and sexual slavery prevailed and was unlimited. But after receiving the message of Islam, Prophet Muhammad led what can be described as a religiously-based social reform movement that would alter the future of Arabia. Although there is a clear distinction between religious movements and social movements according to modern social science theories, it is not possible to categorize Prophet Muhammad's message or project exclusively in terms of a single one of these frameworks.[198] Instead, his message was aimed at introducing change to both the "religio-ethical and socio-political spheres of the

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[197] See Ayaan Hirsi, "Why Islam Needs a Reformation" *The Wall Street Journal*, March 20, 2015, http://www.wsj.com/articles/a-reformation-for-islam-1426859626 (accessed May 21, 2016)

[198] Ahmed Fazaal, "The Origin of Islam as a Social Movement" *Islamic Studies* 42, No. 2 (2003), 205.

Arabian society."[199]

John Esposito described Prophet Muhammad as social reformer who challenged the bad practices of pagan Arabia. Rather than just condemning their polytheistic religion, Prophet Muhammad condemned the socio-economic inequalities of Meccan life and challenged the power and prestige of its leaders. He "denounced false contracts, usury, and the neglect and exploitation of orphans and widows. He defended the rights of the poor and dispossessed."[200] In fact, Prophet Muhammad's religio-ethical vision that he wished to establish would not have been possible without influencing and altering the socio-political unrest that prevailed within Arabian society in the seventh century.[201] In other words, it would not have been possible for Prophet Muhammad to establish his religious message without criticizing and changing the social norms and beliefs prevalent during his time. It is from this narrative that Al-Qaeda adopts its ideological approach of Jihad as a social movement.

As upper middle-class intellectuals who seek to establish an Islamic caliphate based upon the transformation of society through conviction, Al-Qaeda considers the Meccan phase of Prophet Muhammad's life the ideal exemplar for their cause. As a decentralized revolutionary social movement that seeks to transform society, Al-Qaeda views Prophet Muhammad's paradigm in Mecca as the perfect model by which to gain credibility. Just like Prophet Muhammad who led a revolutionary social movement— which began by convincing individual free Meccans and slaves to join his cause by challenging polytheism and social inequities perpetuated by the leading families of

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[199] Ibid

[200] John L. Esposito, *Islam: The Straight Path (*New York: Oxford University Press, 1998), 7.

[201] Fazzal, "The Origin of Islam as a Social Movement," 205.

Mecca—Al-Qaeda aims to persuade Muslims worldwide to join their Jihadi cause. It adopts Prophet Muhammad's approach in Mecca to convince Muslims to help them prevent Western influence in their countries and transform their societies into Islamic ones ready to establish a global caliphate. By stating this, I am not arguing that Al-Qaeda is accurately following Prophet Muhammad's approach during his time at Mecca, although this is what they claim; in fact, they are twisting history to serve their needs.

Unlike Al-Qaeda, Prophet Muhammad never used any form of violence against his enemies or the major sources of injustice and inequity during his prophecy in Mecca. In fact, Prophet Muhammad never mentioned jihad during his prophethood in Mecca. Moreover, he faced all forms of oppression and humiliation from his people with kindness, believing only in persuasion as a mean to fulfill his vision.[202] Therefore, I am arguing that Al-Qaeda found in this specific part of Islamic history a narrative that they can manipulate and develop in order to support their cause and give their Jihadi project a sense of legitimacy. Although Prophet Muhammad's socio-political activism was a result of the teachings of his religio-ethical vision, Al-Qaeda is reversing the situation making the implementation of Islam's religio-ethical vision a result of their socio-political activism. Accordingly, they are adopting a false representation of the Meccan period to

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[202] Islamic history (See Safi-ur-Rahman al-Mubarkpuri, *The Sealed Nectar: Biography of the Noble Prophet* (Dar-us-Salam Publications, 2002), 64-65.) reports a story about Prophet Muhammad while visiting a city called Al-Ta'if (70 miles in the south-east of Mecca). Prophet Muhammad was preaching his message, calling people to adopt his reformative message and religion, but his invitation was received with derision. People rejected him and children threw rocks at him and mocking and jeering crowds turned him out. Prophet Muhammad bled so heavily that his feet became clotted to his shoes. Feeling so weak and humiliated, Prophet Muhammad, according to Islamic accounts, turned to his Lord in prayer and asked for help. God then responded with a message through Angel Gabriel who was accompanied by the angel of the mountains. Angel Gabriel told Prophet Muhammad that if he wanted, the angel of the mountains could blow the mountains over the people of Ta'if (the path to Ta'if lay between two mountains). Yet, Prophet Muhammad refused this suggestion although he was helpless and had no support.

add an Islamic legitimacy to their entity, one that they claim to be adopted by Prophet Muhammad in his early days as a prophet. But reality proves its twisted mentality, which aims to forge history to serve its own needs.

Like Al-Qaeda, IS adopts a specific narrative of Prophet Muhammad's life, this time the Medinan phase rather than the Meccan. After spending ten years of preaching his message in Mecca and struggling for social reform, Prophet Muhammad moved from Mecca to Medina. The people of Medina approached him willingly and gave him a pledge of allegiance promising to support and protect him. This incident is called the Hijra (migration) in Islamic history. Hijra is considered the main political event of Prophet Muhammad's life, a milestone that transformed the future of the Muslim community and Arabia. Before his migration to Medina, the city had long suffered from intertribal fighting between its pagan and Jewish inhabitants. It was a dispute that had been raging for a hundred years, where bitter disagreements and slaughters occurred continuously. Yet, Prophet Muhammad's migration ended this bitter feud by drafting the Constitution of Medina. This document was an official form of alliance that highlighted the right of all Medinan tribes, including pagans, Jews, and the Muslim migrants from Mecca, to live as equal citizens in Medina as one community. Unlike the Meccan phase, whose Islamic teachings were mainly related to beliefs and faith, the Medinan phase was concerned with establishing a just society that reforms and refines the moral behavior of human life. This phase aimed at building a unified, strong, and diverse community that protects people from all dangers. In other words, Prophet Muhammad established through the Constitution of Medina document a diverse community based on equality despite

religious differences.[203] Many, including IS, consider this moment the foundation of the first Islamic state in history, one that was created by Prophet Muhammad himself. Therefore, for IS, this was the best narrative of Islamic history to lend their claimed Islamic state a sense of religious legitimacy.

In video footage posted online shortly after Al-Zarqawi's death in 2006, IS declared that it was adopting the Medinan phase of Islam. In the video Muharib Al-Juburi (then the spokesman of the group) announced the first declaration of the Islamic State of Iraq,[204] one that was limited to the territories of Iraq and was established for the Iraqi Sunnis.[205] Al-Jubauri said that the Jihadis of Iraq were "following the example of the Prophet when he left Mecca for Medina and established the Islamic State there, not withstanding the alliance of the idolaters and the People of the Book against him."[206] He further claimed that the state they established and seek to expand will "equal in expanse the first state in Medina."[207] Thus, ever since its early days, IS claims to be adopting the Medinan phase of Prophet Muhammad's life, one that seizes territory, enslaves women and slaughter's opposing enemies. But were these the actual characteristics of that period?

It cannot be denied that he nature of the Medinan phase was different from that of the Meccan in various aspects. Wars were fought, spoils were accumulated, slavery was practiced, and the territory of the Muslim community was expanding, but not in the sense

[203] Rachel M. Scott, *The Challenge of Political Islam: Non-Muslims and the Egyptian State* (Stanford, CA: Stanford University Press, 2010), 352.

[204] The second announcement was the declaration of The Islamic state in Iraq and Syria, and the third announcement was the declaration of the Islamic state worldwide.

[205] Muharib Al-Jubauri, "The First Declaration of The Islamic State of Iraq," *Al-Furqan Media*, 2006, https://archive.org/details/song-of-terror-main-8 (accessed May 15, 2016)

[206] Ibid.

[207] Ibid.

IS and other accounts seek to argue today. In Mecca, Prophet Muhammad and his supporter were no more than seventy five in number, they were not considered a viable threat to the Meccan community, and thus they did not confront them militarily. The Meccans limited their response to Prophet Muhammad and his people to various forms of persecution, humiliation, and boycott while he was in Mecca. But when Prophet Muhammad moved to Medina and became the leader of a strong and established community of different tribes, the Meccans started to worry.

The continuous spread of Prophet Muhammad's message throughout Arabia, formed a threat to the Meccan community that they had to confront militarily. In addition to that, tribal disputes and fights were a common characteristic at that time throughout Arabia, thus there had to be wars and military confrontation between Prophet Muhammad's people and other neighboring forces. It was not an inherent aspect of Prophet Muhammad's approach as IS claims. Slavery as well was a common norm that existed long before Prophet Muhammad's birth, not only in Arabia, but throughout the world. Thus contrary to IS's claim that they are reviving Prophet Muhammad's legacy, which according to them includes slavery, Islamic history proves that slavery was never abolished and therefore that Prophet Muhammad never revived it. In fact, it was Prophet Muhammad who presented Islam's social reform project as a mean to force slave owners to treat their slaves well, never have sexual relations with them unless they marry them and have their consent, and encourage the manumission of slaves as a virtue. Even Prophet Muhammad's movement from Mecca to Medina opposes IS's territorial concept. Prophet Muhammad never raided Medina and subjugated it under his power and controlled them through force. In fact, he was invited by the residents of the city itself to

migrate there and live among them. And even when he moved to Medina, Jews living continued living in the city, governing their own affairs through their Judaic laws.

Thus, like Al-Qaeda, IS found in Islamic history a narrative that would best reflect its goals and ambition. They found a narrative that through twisting and cherry picking on their part can reflect the Jihadi project that they represent, a project that they can misuse to reflects their lustful and criminal backgrounds. As ex-criminals and gangsters, the possession of unlimited numbers of sex slaves and the accumulation of money as spoils from waging raids and killing others were both examples they prefer to emulate over having to fight for the weak, honoring women, and protecting slaves through preaching a form of social reform. Therefore, they believe that the Medina phase of Prophet Muhammad's life suits them best.

By presenting this argument, I am not claiming that either Al-Qaeda or IS representative of the true nature of those two phases; instead I am arguing that they are picking different narratives that can best help advertise and legitimize their cause. They are attempting to rewrite Islamic history by providing a distorted version of the narratives they claim to adopt, and by consolidating their stance by selectively choosing the Islamic sources and scholars they use as references. This approach results in an austere interpretation of the Qur'an, Islamic law, and Islamic history that can only be favored by terrorists. These selective narratives and approaches, however, run counter to a millennium of moderate understandings presented by public Muslims and official Islamic institutions like Al-Azhar.

8. Conclusion

Despite Al-Qaeda and IS's categorization as terrorist jihadi movements they clearly differ in approaching matters of jihad, such as the modality of establishing a caliphate and its institutions, the way to use violence, and the identification of enemies. This divergence refutes any established claim that they are jihadi twins with similar ideas. In fact, in this paper, I argued that the identity of both groups differ, one as a revolutionary social movement and the other as a state-building entity. I demonstrated that this state versus movement tension is neither inherently rooted in Islam nor is exclusive to Islamist militant groups. This tension has existed within non-Islamist groups. Recent history demonstrates that all movements or states that sought a global revolution were torn between the movement versus state paradigm without regard to their religion and ideology, and this includes the Bolsheviks and Mensheviks of Russia, as well as the Zionists.

Adopting a comparative approach, I unraveled major points of contrast between Al-Qaeda and IS as one of movement versus state. I explained that their institutional differences, structure, ideology, strategy, and the social background of their members attests to their contrasting natures and proves their divergence as two separate jihadi entities rather than being partners in a homogenous terrorist organization. On the one hand, I illustrated Al-Qaeda as a borderless revolutionary movement whose members are mainly upper middle-class intellectuals who seek to establish their own version of the caliphal project through persuading Muslims worldwide to join their cause and work with them to get rid of Western influence in Muslim-majority countries. Al-Qaeda's nature as a movement supported by the upper class influenced its choice of enemies and methods

of violence. Adopting the far enemy theory, Al-Qaeda directed its violence and terrorist attacks towards the West, to whom they refer as the far enemy, trying to force them to cease any form of interference in Muslim countries or providing any support to Muslim dictators.

On the other hand, I presented IS as a state building entity whose members are dispossessed lower-class ex-criminals and gangsters who aim to rule the world through a utopian version of the Islamic caliphate. I believe that IS's approach to the Islamic caliphal project, its designated enemies, and the use of violence, all reflect its members backgrounds as ex-convicts and underprivileged and dispossessed individuals. Unlike Al-Qaeda, IS's nature as a territorial entity makes it more concerned with the near enemy rather than the far enemy. I argued that IS adopts the near enemy theory to help eradicate any form of menace that might undermine the establishment of its claimed Islamic state.

I further argued that despite the various accounts of both groups as Islamic law-based organizations that seek to implement Islamic law by force, few observers have actually explored the nature of the laws implemented and their relation to Shari'ah. I illustrated how the term "Islamic law" itself is a vague term that is used by these groups to mean sacred divine laws when it actually refers to man-made laws that were issued in particular socio-economic contexts in history and are open to change and critique. In other words, they evoke classical rulings and use them for non-standards meanings by illustrating them as divine laws that cannot be questioned or changed. Instead of discussing the Islamic-ness of these groups, I argued that they both adopt different narratives of Islamic history that would best grant them Islamic legitimacy and support. I argued that they both claim to follow the example of Prophet Muhammad himself by

adopting a specific phase of his own life that would reflect their movement-state nature, namely the Meccan and Medinan phase. They adopt distorted versions of these narratives and consolidate their stances by selectively choosing the Islamic sources and scholars they use as reference.

The movement versus state approach I adopted in this paper reaches the conclusion that Al-Qaeda and IS are not identical, but rather jihadi rivals who compete to consolidate their leadership over global Jihadi movements. Despite their common violent approach, Al-Qaeda and IS adopt two different narratives that demonstrate jihadi ideology to be heterogeneous and decentralized.

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