

7 Striving on the straight path

Jihād for ISIS

1 *Jihād* in Islam

The term *jihād* literally means “striving”,¹ and is mentioned in the *Qur'ān* with various meanings, often accompanied by the locution *fī sabīl Allāh*, “in the path of Allāh”.² In this metaphorical significance, the concept of *jihād* does not appear as being indissolubly linked with the military and violent dimension for which it became famous in recent years. On the contrary, here it acquires the dimension of a spiritual struggle, which transcends the physicality of armed conflicts. Nevertheless, the holy text of Islam contemplates the instrument of war and physical combat, as mentioned in various *suwar* of Medina, recurring to terms such as *qitāl*, meaning “battle”, or *ḥarb*, meaning “war”. While not representing the only dimension of *jihād*, this military element is however present in the cultural and religious background of Islam, due to historical reasons that are necessarily to be properly contextualized. Muḥammad’s *hijrah* may be considered as a transitional point in the evolution of the relationship between Islam and warfare.³ Juridically speaking, the theory of abrogation (*naskh*), based on which legal prescriptions are abrogated by other ones according to the chronological order of their revelation, plays a relevant role in elaborating a doctrinal outlook on war and law, provided that the military connotation of *jihād* was sensibly strengthened during the latter period of Medina.⁴

In light of this, the meaning of *jihād* is evidently wider and too complex to be simplistically reduced to the widespread stereotype that came to populate the columns of newspapers following terrorist attacks of fundamentalist groups. Generally speaking, the idea of *jihād* refers “to a body of legal doctrine”,⁵ whose

1 On *jihād* in Islam in general, see Rudolph PETERS, *Islam and Colonialism: The Doctrine of Jihad in Modern History*, Mouton Publishers, The Hague 1979.

2 For a linguistic analysis, see Michael BONNER [2004], *Jihad in Islamic History: Doctrines and Practice*, Princeton University Press, Princeton 2008, pp. 2–3.

3 On this point, see Reuven FIRESTONE, *Jihad: The Origin of Holy War in Islam*, Oxford University Press, Oxford 1999, pp. 115 ff.

4 On this fundamental point, see Matthias VANHULLEBUSCH, *War and Law in the Islamic World*, Brill, Leiden-Boston 2015, pp. 18–24.

5 BONNER, *Jihad in Islamic History*, *cit.*, p. 3.

principal issues have been highly debated amongst jurists, and about which there is no unanimous scholarly consensus, as is often the case in *shari'a*-regulated matters.

A particularly relevant differentiation is usually made between interior *jihād* and exterior *jihād*. Interior *jihād*, or greater *jihād*, refers to the inner struggle with one's own self, in which a believer engages in an interior struggle against sins and moral flaws, while exterior *jihād*, or lesser *jihād*, refers to the idea of military combat, which in turn can be considered as defensive or offensive.⁶ Defensive *jihād* is the concrete instrument by which the Muslim *ummah* defended itself and its creed whenever attacked by means of physical force, while offensive *jihād* was the fight aimed at conquering new lands and territories for Islam. While some authors like al-Ghazālī have emphasized the prevalence of inner and moral struggle against sins and passions,⁷ classical jurists have nevertheless developed a relevant number of opinions on *jihād* also intended as warfare,⁸ considered to be amongst the proper duties of a Muslim ruler.⁹

Another major differentiation that is necessary to take into account while dealing with this topical issue regards the legitimation of waging military *jihād*. In Shī'a Islam, the defense of the Muslim community can always be performed, while on the contrary offensive *jihād* is considered to be a prerogative of the legitimate *imām*, intended as the supreme and righteous guide of the *ummah*. For the Twelvers, for instance, since the disappearance of Muhammad al-Mahdī in 874, the *imām* is considered to be in a state of occultation (*ghaybah*), and will reveal himself at the end of times to lead the believers in the final battle.¹⁰ Shī'a's eschatology is therefore oriented to sensibly limiting the possibility of waging military *jihād*, except in the case of defensive wars, by inscribing this idea within a structural and ordained hierarchy, whose last representative is projected into a metahistorical dimension. On the contrary, in the Sunnī world such a theory of legitimation is basically inexistent, with divergent scholarly opinions, to the point that in the most extreme views every Muslim leader could be theoretically

6 Cf. *ibid.*, pp. 13–14. On greater and lesser *jihād*, see also; S. M. Farid MIRBAGHERI, *War and Peace in Islam: A Critique of Islamic/ist Political Discourses*, Palgrave Macmillan, Basingstoke-New York 2012, p. 115 ff.; David COOK, *Understanding Jihad*, University of California Press, Berkeley-Los Angeles 2005, pp. 32–48; Carole HILLENBRAND, *Islam. A New Historical Introduction*, Thames & Hudson, London 2015, ch. 9.

7 Cf. COOK, *Understanding Jihad*, *cit.*, pp. 37–38.

8 On the legal issues regarding the conduction of *jihād* in classical Islam, see PETERS, *Islam and Colonialism*, *cit.*, pp. 9–38. Cf. BONNER, *Jihad in Islamic History*, *cit.*, p. 3. On military *jihād* in classical Islam, see Bernard LEWIS, *Islam and the West*, Oxford University Press, Oxford 1993, pp. 9 ff.

9 Cf. LEWIS, *Islam and the West*, *cit.*, p. 9. In his already mentioned treatise on the caliphate, al-Māwardī lists amongst the qualities to be possessed by the candidates to the office “[c]ourage and bravery enabling them to defend the territory of Islam and to mount jihad against the enemy” (AL-MĀWARDĪ, *Al-Aḥkām as-Sulṭaniyyah*, *cit.*, p. 12).

10 On this point, see Harvey J. SINDIMA, *Major Issues in Islam: The Challenges Within and Without*, Hamilton Books, Lanham 2018, p. 256.

entitled to wage offensive military *jihād*.¹¹ This last point represents the consequence of the absence of a hierarchical religious or political order in Sunnī Islam, with a structural fragmentation that necessarily prevents a univocal theory of legislation to emerge. Both historically and in our contemporaneity, the differentiations in understanding the idea of *jihād* between Shī'a and Sunnī is one of the major point of interests in the analysis of this fundamental concept, with important political and pragmatical consequences.

As evident, all these opposing conceptions and different views reflect the various exigencies of the Muslim community, inherent to the different periods of its historical development and to the different societies in which it flourished, and come to shape a multifaceted idea involving both spirit and body, morality and law, internal struggle and physical war.

While discussing the conception of *jihād* in Islam, which would deserve alone a dedicated analysis that evidently falls outside of the scope of this book, it is therefore necessary to acknowledge the complexity of its evolution and of its doctrinal elaboration, avoiding the different and opposite stereotypes according to which, respectively, *jihād* is to be considered exclusively as a spiritual struggle or exclusively as a holy war. Mirroring the multifaceted reality of Islam, even the idea of *jihād* can be analyzed from a multiplicity of points of view, and based on various key notions. Similarly, every confession and every society, every legal school and every jurist contributed in the course of the centuries of the Islamic history to enrich the discourse on Islam and war, and on law and the use of force, elaborating a large and often contradictory corpus of rules and opinions, which should be examined in its variety to grasp the complexity of the issue.

Islamic fundamentalists devote particular attention to the idea of military *jihād*, at the point of considering it an ideological banner and a capstone of their political discourse, notwithstanding the various differences in terms of concrete positions and strategies between rival groups and movements.¹² It is not an exaggeration to observe that at the heart "of fundamentalist policies stands the reinterpretation of Islamic *jihād*",¹³ giving it a new significance to be functional to a determined agenda. Due to historical and cultural contingencies,¹⁴ a marked emphasis is put on the military dimension of the Islamic "struggle", with

11 Cf. BONNER, *Jihad in Islamic History*, cit., pp. 12–13.

12 On fundamentalist theories of *jihād*, see COOK, *Understanding Jihad*, cit., pp. 93–127; Mustafa KÖYLÜ, *Islam and Its Quest for Peace. Jihad, Justice and Education*, The Council for Research in Values and Philosophy, Washington 2003, pp. 38 ff. On Islamic fundamentalism and *jihād* in the various stages of their relationship, see Jan-Erik LANE, Hamadi REDISSI, *Religion and Politics. Islam and Muslim Civilization*, Ashgate, Farnham-Burlington 2009, pp. 155 ff.

13 TIBI, *The Challenge of Fundamentalism*, cit., p. 57.

14 As Cook observes, contemporary *jihād* theory "begins from the time that overt military resistance to Western incursions ceased and the need arose to radically redefine the meaning of jihad, either for apologetic reasons or because the definition was no longer relevant to new circumstances" (COOK, *Understanding Jihad*, cit., p. 93). On this point, see the detailed analysis of PETERS, *Islam and Colonialism*, cit., pp. 39–104.

a sensibly lesser importance assigned to the moral and internal dimension of it. It is possible to state, regarding contemporary Muslim fundamentalism, that *jihād* passes from being considered as an eminently legal notion, worthy of scholarly analysis and juristic interpretation, to a political ideology, not far from radical activism and extremism characterizing non-Muslim realities.

ISIS is not to be considered an exception, in that it fundamentally exploits a juridical idea, central in classical Islam, to serve a political purpose, however often without the subtle hermeneutics proper of the Islamic legal tradition. Nevertheless, and once again, ISIS represents a particular case in respect of other radical movements and groups, in that in its materials a certain degree of theorization eventually emerges. Notwithstanding the lack of scholarly methodology while discussing the relationship between Islam and war, and in the evident attempt of legitimizing its political goals with a juridical fashion, ISIS tries however to create a theory of contemporary *jihād*, assigning the concept peculiar traits and features that are worth analyzing.

2 ISIS and an inclusive theory of *jihād*

As mentioned, in ISIS' background it is possible to examine a quite structured theory of *jihād*, constating in a few essential points.

First, ISIS presents once again itself as being an exclusive reality characterized by the unique and authentic interpretation of Islam, including its military and martial dimension. From this point of view, *sharī'a* in general and *jihād* in particular become distinguishing marks considered functional to foster the narrative of ISIS' authenticity and uniqueness in respect of all other Muslims. Hence, as the conquered zones were triumphantly proclaimed to be ruled by *sharī'a* alone, the group's territories are explicitly called "lands of *jihād*".¹⁵ In this sense, ISIS equates itself with the rise of a new era in Islamic global revivalism, recurring to the visual figure of the "sun of *jihād* [that] has risen"¹⁶ with the advent of the organization. Once again, the group does not simply refer to the idea of Islamic warfare as generically conceived, but to an allegedly authentic notion of *jihād*, whose radical understanding potentially differentiates between the believers in "true" Islam and the disbelievers. From this point of view, what the group aims at waging is considered to be "the real *jihād* which will change oppression into justice and *kufṛ* into Islam".¹⁷

ISIS' notion of (military) *jihād* is characterized by its inclusiveness, at the point of comprehending experiences that would hardly be considered as such by jurists of classical ages. According to the group, every armed resistance or counterattack against what is perceived to constitute a menace to Islam or to its expansion is to be virtually considered as *jihād*. This definition is essentially coherent with the fundamentalist revival of the concept of "holy war" in the colonial and

15 Dabiq, n. 9, *cit.*, p. 4.

16 Dabiq, n. 1, *cit.*, p. 9.

17 Dabiq, n. 6, *cit.*, p. 51.

postcolonial eras, as a consequence of the Western influence over Muslim lands. However, it seems to assign a chronological preference to paramilitary and terrorist experiences taking place since the '80s of the Twentieth century. Regarding this, the group explicitly speaks about "the revival of *jihād* more than thirty years ago",¹⁸ presumably referring to the geopolitical context of the end of bipolarism, with the consequent possibility for Islamic radical movements to emerge and develop. This idea seems to be valorized by the reference to "the *jihād* in Afghanistan against the communists"¹⁹ in 1989, the same political scenario in which Al-Qā'ida may have been created in its primigenial form.²⁰ Notwithstanding the rupture between this latter organization and ISIS, some of its prominent figures like al-Zarqāwī and even Osāma bin Lāden are indeed considered as true examples of jihādī warriors and as sources of inspiration.²¹

ISIS' inclusiveness in considering *jihād* extends to the functional and pragmatic aspect concerning warfare techniques and strategies, at the point of including in the legitimate means of *jihād* everything functional to procuring harm to the enemy and to achieving a strategic and military goal. This does not regard uniquely the difference between international criteria on legitimate war, which are evidently disregarded by ISIS, and moves even beyond guerrilla and paramilitary activities, going as far as explicitly including terrorism. While it may sound like an accusation to other groups and movements, ISIS on the contrary proudly revendicates the use of terrorism amongst its strategies, which "is undoubtedly one of the tactics, amongst many, adeptly employed and advanced by the Islamic State in its *jihād*".²² Therefore, terrorism is not just part of a concrete strategy, but also represents a narrative linked to an ancient concept, whose recalling intends to vest ISIS' pretenses with a spiritual and unquestionable legitimation at the eyes of the Muslim world, a legitimation which is however far from being achieved in practice.

Similarly, almost no distinction is made between defensive and offensive military *jihād*. In the recurring narrative of ISIS depicting itself as a defendant against imperialistic attacks from the Western powers, the idea of defensive *jihād* comes to be so conceptually extended to easily include explicit offensive attacks. The following excerpt is particularly significant:

Instead of seeking Allāh's pleasure by waging defensive *jihād* in their own lands against the nearer apostate enemies, the immigrants sought comfort in this worldly life by residing peacefully in the lands of Islam's oldest enemies.²³

18 Dabiq, n. 9, *cit.*, p. 13.

19 Dabiq, n. 1, *cit.*, p. 35.

20 See Jonathan SCHANZER, "Al Qaeda (voice)", in *The Sage Encyclopedia of Terrorism*, second edition, ed. Gus Martin, Sage, Los Angeles 2011, p. 29.

21 Spelled Usāmah Ibn Lādin in ISIS' material, the former leader of Al-Qā'ida is given the title of *shaykh* and is considered to be an inspirational figure by the group, as in Dabiq, n. 4, *cit.*, p. 43; Dabiq, n. 6, *cit.*, p. 42; Dabiq, n. 14, *cit.*, p. 59.

22 Dabiq, n. 8, *cit.*, p. 64.

23 Dabiq, n. 14, *cit.*, p. 13.

The mere presence of “apostates” in contiguous or nearer lands is regarded as a legitimate cause to wage *jihād*, which however is not in this case considered to be offensive, aimed at expanding the Muslim dominions, but as defensive, with a consequent abnormal extension of the conceptual category of defense, which hardly appears to be justifiable from a juridical point of view.

A third aspect of ISIS’ inclusiveness in considering *jihād*, interconnected to the aforementioned elements, is represented by its teleological purpose. In the organization’s perspective, *jihād*, which as will be observed is almost exclusively considered in martial and military terms, serves a political, a social and a religious aim. Politically, *jihād* is a pragmatic instrument to gradually build the long-awaited universalist Muslim rule of the caliphate, thus ideally recalling the experience of Muḥammad in Medina and of the early caliphal period. ISIS ideally distances itself from other fundamentalist groups, evocatively claiming to represent the unique reality able to “fuel the *jihād* caravan on its path to *khilāfah*”.²⁴ Socially, *jihād* “not only grants life on the larger scale of the *ummah*, it also grants a fuller life on the scale of the individual”,²⁵ thus representing a means of personal realization for the group’s supporter, who is considered eminently—and almost exclusively—as a *mujaḥid*, that is to say a warrior of *jihād*. This simple consideration, coherently located in a conceptual framework in which political warfare is considered to be as a permanent state of things whose final outcome is projected into an eschatological and apocalyptic reality, defines ISIS’ anthropology in considering the human being in his relationship with Islam and *sharī‘a*. In this perspective, the performance of *jihād* fulfills and somehow completes the human existence, giving it full significance. A relevant and implicit consequence is that military *jihād* is not considered as an extraordinary albeit legitimate instrument to pursue a goal, but a structural dimension of life; peace, which is to be only achieved after the establishment of a universal Muslim rule, is thus a utopist ideal destined to be eternally unachievable in this world. Regarding this, ISIS disregards the Muslim tradition according to which peace is to be preferred to war, although war remains a possibility in specific circumstances. On the contrary, according to the movement, it is war to be a defining and distinctive element of the personality of the true Muslim. Similarly, ISIS does not share the opinion of Islam as a religion of peace, but provocatively defines it the religion of the sword,²⁶

24 Dabiq, n. 1, *cit.*, p. 39. As it will be observed, as *jihād* represents the means to build the caliphate, in turn *hijrah* (emigration) represents the means to achieve *jihād*, in a triangulation functional to foster the caliphal political narrative, central to the very existence of ISIS especially in its later stages of its ideological development.

25 Dabiq, n. 3, *cit.*, p. 31.

26 “There is a slogan repeated continuously by apologetic ‘*du‘āt*’ when flirting with the West and that is their statement: ‘Islam is the religion of peace’, and they mean pacifism by the word peace. They have repeated this slogan so much to the extent that some of them alleged that Islam calls to permanent peace with *kufṛ* and the *kāfirīn*. How far is their claim from the truth, for Allāh has revealed Islam to be the religion of the sword, and the evidence for this is so profuse that only a *zindīq* (heretic) would argue otherwise” (Dabiq, n. 7, *cit.*, p. 20).

recalling an ancient image whose contextualization is however more complex than its political usage by the group.²⁷ Following these teleological dimensions of *jihād*, it is possible to observe that ISIS attaches to it a religious significance deeply linked to the idea of martyrdom (*shahādah*, testimony), which is exclusively conceived by ISIS as death in combat. According to the group, “*mujāhid* leaders have stated that *jihād*—on the personal level—consists of strides on a roadmap towards *shahādah*”,²⁸ thus to give their testimony in order to achieve martyrdom and religious salvation in the hereafter. Following this principle, ISIS’ theorists outline a quite detailed framework in which Islamic warfare must be located in respect of the life of the individual, which comes to be totally inserted into a comprehensive dynamic in which physical combat is considered to be a saving means of eschatological fulfillment:

One first performs *hijrah* to the lands of *jihād* (now, *dār al-Islām*), then gives *bay’ah*,²⁹ pledging what it entails of obedience (*sam’* and *tā’ah*) to the *amīr* (now, the *khalīfah*) and commitment to the *jamā’ah* (now, the *khilāfah*), then trains (*idād*) for the purpose of *jihād*, then patiently spends months of *ribā’*,³⁰ serves countless hours of guard duty (*hirāsah*), then fights (*qitāl*) in battles and kills (*qatl*) whom he can from amongst the *kāfir* enemy, and finally achieves *shahādah*.³¹

The supporter, once acquired to the dynamics of ISIS and absorbed by its ideology, enters into a path of personal development, in which *jihād* is vested with major importance. This path, as mentioned, is a path of salvation, being part of the “straight path” of *sharī’a*. Therefore, the believer who intends to grant full application to *sharī’a* must necessarily acknowledge *jihād* as a collective and individual duty, thus entering into a process of identification with the figure of the *mujāhid*, with no other possible outcome.

As evident from the preceding excerpts, ISIS’ theory of *jihād* mirrors a comprehensiveness and an inclusiveness that easily transcends the juridical argumentation, especially with reference to classical Islam, to approach the dimension of political and even religious belief. Nevertheless, a certain degree of legal theorization is still noticeable, with particular reference to the conceptual boundaries of the idea of military *jihād*, to the non-defined distinction between offensive and defensive *jihād*, and most of all to the teleological orientation of *jihād*. With reference to this last point, ISIS outlines a theory defining not just the tactics

27 Cf. Fahd Mohammed Taleb AL-OLAQI, Naushad Umarsharif SHAIKH, “The Sword in the Islamic World View”, in *International Journal of Philosophy and Theology*, vol. IV, n. 1, June 2016, pp. 42–54.

28 Dabiq, n. 9, *cit.*, p. 13.

29 Oath of allegiance, as it will be explained in Chapter 9, par. 3.

30 Fortification located at the frontiers of the Islamic lands, here intended as military service at the extreme borders of the Islamic States.

31 Dabiq, n. 9, *cit.*, p. 13.

of paramilitary guerrilla and terrorist insurgence, trying somehow to legitimize them by inscribing both in the framework of a juristic and religious narrative, but also a new anthropology of the *mujāhidīn*. It is precisely here where ISIS founds a new anthropology and a real sociology of *jihād*, which, although sensibly less sophisticated and coherent in respect of classical Islam, appears to be pragmatically functional to the group's strategies of recruitment and training.

3 ISIS' *jihād* as a military concept

Contrarily to what has been observed with regard to the Islamic legal tradition, which considers *jihād* as *also*, but not exclusively, a military concept, ISIS appears to consider it limitedly to the field of physical combat and warfare. While ISIS' idea of (military) *jihād* is characterized by a sensible inclusiveness as for what can be properly considered as such, here the same concept is on the contrary characterized by a relevant limitation in excluding from it everything not related to physical force and battle. Once again distancing itself from classical Islam, notwithstanding its pretense of purity and of juridical incorruptness, the organization erases from the broader spectrum of Islamic *jihād* the inner and spiritual struggle that characterized the greater *jihād*, in which the believer strives against his own weaknesses. This does not simply mean ignoring relevant juristic positions of the past, but also '*ahādīth* contemplating at least the existence of this non-secondary form of fighting,³² which is indeed to be considered central in the life of the believer. Once again, however, ISIS' position appears to be functional to foster a political necessity, that is to say extremizing the revivalist stances on *jihād* intend as military insurgence against foreign powers or political opponents.

However, this position is not simply the pragmatical acknowledgment of the necessity of embracing arms against the enemies of "true" Islam, but once again it passes through a certain level of conceptualization, which characterizes ISIS' methodology as one of the most sophisticated in the galaxy of Islamic fundamentalism. The exclusive military nature of *jihād* for ISIS becomes a conscious and self-aware juridical stance, clearly expressed by a rhetorically effective declaration of principles:

Do not be taken in by claims that the 'real *jihād*' is giving *da'wah*—rather, the real *da'wah* is waging *jihād*! Most of the world is very aware of Islam's existence and even its tenets, and the time for showing them that actions speak louder than words is ever so present.³³

With this concise and yet striking phrase, the movement's theorists dismiss celebrated jurists' positions of non-violent *jihād* and spiritual and

32 For an analysis of '*ahādīth* regarding *jihād*, contemplating this variety of significances, see BONNER, *Jihad in Islamic History*, cit., pp. 48 ff.

33 Dabiq, n. 15, cit., p. 28.

non-physical struggle, drastically limiting the spectrum of this fundamental concept to its military dimension. In its apocalyptic and eschatological discourse, ISIS maintains that the times are now mature for military action, and not anymore for peaceful call to conversion. As provocative as it may sound, this radical reconsideration of *jihād*, which innovates the Islamic tradition by overcoming centuries of doctrinal elaboration, is evidently addressed more to contemporary Muslim moderates, than to classical jurists such as al-Ghazālī. In the Twentieth century, as Islamic revivalism fostered a violent and insurgent idea of “holy war” for political and strategic reasons, a new modernist Muslim scholarship emphasized the non-violence of *jihād* and the spiritual dimension characterizing its internal struggle, as in the case of Abdul Ghaffār Khān (1890–1988).³⁴ It is precisely these positions that ISIS intends to violently reject, considering them both doctrinally deviant and opportunistic in their intention to avoid confrontation with the “enemies” of Islam. Regarding this, the group outlines a rather contextualized scenario in which to locate its own position on the matter:

Pacifism was first propagated in the Muslim world by *dajjālīn*³⁵ (liars claiming prophethood) who called to a nullification of *jihād*. The most notorious of these *dajjālīn* was Ghulām Ahmad Qādiyānī. Their calls were supported by the British crusaders, as the British knew that *jihād* was a threat to the stability and expansion of their empire. These calls were later followed by modernist ‘reinterpretations’ of *jihād*. The modernists called to the abandonment of violence and terrorism. They censured *jihād* against the apostates. They censured defensive *jihād* by claiming the *ummah* was in the Makkī era.³⁶ They distorted offensive *jihād* to mean ‘pre-emptive’ defensive *jihad*. . . . Some of these ‘reinterpretations’ eventually found their way into the language of *jihād* claimants.³⁷

The “nullification” of *jihād* refers to all those opinions, or “reinterpretation” as in ISIS’ terminology, aimed at affirming the prevalence of spiritual struggle over physical combat, for instance by a process of historical contextualization of the battles that took place in the years of early Islam. The mention of Mirzā Ghulām Ahmad (1835–1908), founder of the Ahmadiyya Muslim Community, is not to be considered exhaustive or particularly significant, being just one amongst the various preachers and authors considered to be heretic and misbeliever by ISIS. The author is however held as a negative example due to its explicit positions

34 For Khan’s position, see Lester R. KURTZ, “Peace Profile: Abdul Ghaffar Khan’s Nonviolent Jihad”, in *Peace Review: A Journal of Social Justice*, vol. XXIII, n. 2, April 2011, pp. 245–251.

35 Imposter, false Messiah.

36 610–622 AD. This position refers to an historical contextualization of military *jihād* by inscribing it in the political and social contingencies of the age of Muḥammad.

37 Dabiq, n. 7, *cit.*, p. 20, note 1.

about non-violent *jihād*,³⁸ considered to be diametrically opposite to ISIS'. More significant, on the contrary, is the historical and political framework in which the discourse is located: all these reinterpretations of *jihād* in a non-military and spiritual sense, which according to the organization denature its very essence, do not follow an autonomous Islamic tradition, but emerged following the expansion of colonialist Western powers in Muslim lands. The narrative of "pacifism" applied to *jihād* is therefore considered to have been functional to favor the interests of non-Muslim powers, thus acquiring the traits of a religious and political betrayal. ISIS' theory of military *jihād* is therefore not perceived as an innovation in respect of the Islamic legal tradition regarding the comprehensive nature of this concept—as it may appear—but on the contrary as an attempt to restore the purity of *jihād* after its betrayal by modernist Muslims for eminently political reasons.

As evident, this extremist will of highlighting the exclusive military nature of *jihād* represents the reaction to the moderate narrative rejecting the use of force as a legitimate means to expand Islam and political Islamism. Every divergent opinion is considered to be void of religious significance and characterized by a fearful and hesitating attitude, regarded as unworthy of the name of Islam. In a broader sense, it may be considered as a corollary to the already mentioned theory of *sharī'a*'s integrality, where a particular emphasis was placed upon all those elements to which nowadays modern Muslim States tends not to give direct and full implementation. Like in the case of the *hudūd* discourse, military *jihād* is here used as a key concept to provoke Muslim opponents on the ground of the integral implementation of *sharī'a*-derived tenets and precepts. Once again, ISIS' juridical discourse is quite explicit and clear in restoring the alleged purity of an authentic conception of "*jihād* and the laws of the *sharī'a*—as well as everything else deemed taboo by the Islam-is-a-peaceful-religion crowd",³⁹ not without a derisive intent in respect of Muslim moderates.

This stance is not only aimed at opposing Muslim modernists and, in general, non-ISIS Muslims considering *jihād* to be more than warfare, but also—and mostly—rival fundamentalist groups and organizations. Even in this case, the group engages in a violent polemic against fundamentalists belonging to other affiliations, mostly when using in their narrative the argument of *jihād*. In ISIS' view, all other movements aimed at fostering a *jihādī* military agenda are basically to be considered hypocritical, in that their will appears to be only apparent, while in reality they do not implement *jihād* in its full and complete extent. In the

38 According to the author, the Qur'anic prescriptions regarding *jihād* are to be considered addressed exclusively to the Muslims of that specific age and due to those specific contingencies, mainly for self-defense, and are not to be considered applicable after the time of Muḥammad and of its companions. On this, see Mirzā Ghulām AHMAD [1900], *The British Government and Jihad*, trans. Tayyba Seema Ahmed, Lutfur Rahman, Islam International Publication, Tilford 2006. Following this logic, "Muslim violated human rights by unjustly raising the sword and calling it *jihād*" (*ibid.*, p. 7).

39 Dabiq, n. 15, *cit.*, p. 31.

group's rhetoric, these are called "jihādī claimants" who "look for excuses to justify the hypocrites' words, only to preserve the withering grayzone, and thereby justify their own existence as an entity independent of the Islamic State".⁴⁰ Once again, the demarcation line drawn by ISIS between apostasy and "true" Islam, whose practice necessarily comes to include military *jihād*, is clear and net, in an exclusivist and exclusionary approach that evidently does not take into account the complexity of this phenomenon.

Notwithstanding the exclusively military dimension of ISIS' *jihād*, an exception is however to be made. A form of non-military *jihād* is indeed mentioned with reference to women, who, according to the organization, are not meant to take part in fighting and violent activities, and are thus excluded from the *jihād* in the proper sense. According to ISIS, "women are not responsible for waging war, rather it is man who is judged for his abandonment of physical *jihād*";⁴¹ which is compulsory exclusively for men.⁴² However, women can take part in the Islamic struggle and support its cause by performing an alternative kind of *jihād*, based on piety and morality, charity and almsgiving. Limitedly to this aspect, ISIS' material observes, recalling classical scholarship, that "there is no *jihād* more difficult for a slave than *jihād* against one's inner self";⁴³ thus leaving aside the martial narrative that characterizes its political discourse on the necessity of warfare. However, more than a reference made to ancient scholars aimed at acknowledging the complexity of the Islamic idea of *jihād*, this exception seems to be based on the pragmatic necessities of recruiting and training (male) soldiers, while at the same time destining women to different supportive roles, however maintaining them within a jihādī narrative.

4 ISIS' *jihād* as a mandatory concept

Whether *jihād* can be considered as a mandatory duty in Islam is a highly debated issue, involving the extreme complexity of the idea of *jihād* itself. It has been maintained that *jihād* intended as war can be considered legitimate or even mandatory recurring specific circumstances, as elaborated by the jurists; on the contrary, internal and spiritual *jihād* against one's self is continuous and everlasting, as the fight against temptations and sins.⁴⁴ Even regarding military *jihād*, its compulsory nature may vary depending on its defensive or offensive dimension, thus depending on concrete contingencies and their interpretation. Again, it is necessary to make a further distinction, that is to say distinguishing between military *jihād* as a collective duty for the community, for instance in case of defensive war,

40 Dabiq, n. 7, *cit.*, p. 63.

41 Dabiq, n. 15, *cit.*, p. 23.

42 "Allāh obligated *jihād* for His cause upon his male slaves and placed a tremendous reward in it not found in other duties". Dabiq, n. 11, *cit.*, p. 41.

43 Dabiq, n. 12, *cit.*, p. 21.

44 In this sense, for instance, Khaled Abou EL FADL, *Reasoning with God: Reclaiming Shari'ah in the Modern Age*, Rowman & Littlefield, Lanham 2014, pp. 367–368.

and military *jihād* as a personal obligation placed upon the individual Muslim.⁴⁵ As evident, the answer may vary depending on such variables, and on the different and not always concordant juristic opinions.

Nevertheless, with a relevant and non-casual oversimplification, “radical Islamism has come to employ a particular understanding of the *jihād* of individual duty as the core of its ideology”.⁴⁶ This position, assimilated and incorporated by the majority of jihādist movements and groups, brings about relevant and fundamental juridical consequences, deeply affecting the way in which such entities theorize the relationship between the human being, the community and the use of force.

While ISIS’ theory of *jihād* appears to be less juridically sophisticated in respect of other issues of its legal methodology, its mandatory nature represents the point in which the movement provides a rather exhaustive conceptualization. Regarding this, following the general opinions of fundamentalist groups, ISIS considers *jihād* to be an individual duty for every Muslim, linking it to the notion of *fard al-‘ayn*.⁴⁷

Since about two centuries after the death of Muḥammad,⁴⁸ the science of *fiqh* has divided human actions into five categories (*al-aḥkām al-ḥamsa*),⁴⁹ based on their degree of liceity and permissibility. While the Western juridical perspective usually classifies behavioral conducts according to the binomial lawful-unlawful, in Islam the boundaries are much less defined and the classification is more graduated and multifaceted, contemplating the categories of obligatory (*fard* or *wājib*), recommended (*mustaḥabb*), neutral or permitted (*mubāḥ*), disliked (*makrūh*) and forbidden (*ḥarām*) actions. In ISIS’ view, *jihād* falls under the category of *fard*, characterizing actions considered to be mandatory for every Muslim, as in the case of the five pillars of Islam. The category of *fard* distinguishes therefore all those conducts that the Islamic legal tradition does not simply consider recommended, or toward which it expresses a juridical preference,

45 On this important point, which does not come without normative consequences, see Mairaj SYED, Bard COLLEGE, “Jihad in Classical Islamic Legal and Moral Thought”, in *Just War in Religion and Politics. Studies in Religion and the Social Order*, eds. Jacob Neusner, Bruce D. Chilton, R. E. Tully, University Press of America, Farnham 2013, pp. 142–148.

46 James Turner JOHNSON, *Ethics and the Use of Force: Just War in Historical Perspective*, Ashgate, Farnham-Burlington 2011, p. 63.

47 Or *wājib*.

48 Cf. Joseph SCHACHT [1950], *The Origins of Muhammadan Jurisprudence*, Clarendon Press, Oxford 1959, p. 133.

49 About this, see Seymour Gonne VESEY-FITZGERALD, “Nature and Sources of the Sharī‘a”, in *Law in the Middle East*, vol. I, *cit.*, pp. 98–100; Aaron W. HUGHES, *Muslim Identities. An Introduction to Islam*, Columbia University Press, New York 2013, p. 137; Frederick MATHEWSON DENNY [1994], *An Introduction to Islam*, Routledge, London-New York 2016, pp. 194 ff. A major role in systematization of the five categories has been played by al-Ghazālī. For the jurist’s position about the importance of the five categories, see Harvey J. SINDIMA, *Major Issues in Islam*, *cit.*, p. 398. It is to be noted that this classification may vary depending on the methodology of the particular legal school, as in the case of the Ḥanafī, which divides *wājib* from *fard* and adds *makrūh taḥrīmān*.

but on the contrary comprehends those obligations the Muslim believer must necessarily comply with.

As mentioned, in classical ages *jihād* undoubtedly could be considered mandatory at certain circumstances, and the juristic tradition debated over its nature as a collective duty (*farḍ al-kifāya*) or an individual duty (*farḍ al-ʿayn*), admitting both possibilities depending on the concrete contingencies. On the contrary, and while maintaining *jihād* as *farḍ*, ISIS innovates the matter by introducing an oversimplification, that is to say by considering it exclusively as *farḍ al-ʿayn*. This position represents an inversion in respect of the classical Islamic legal science, which gave precedence to *jihād* as a collective duty, while admitting that the believer could be individually called to embrace arms at the recurrence of certain conditions.

By doing so, ISIS follows a double logic, both ideological and pragmatic. From an ideological point of view, ISIS' exclusivism leads the group to narrow extremely the conceptual boundaries of the notion of Islamic *ummah*, at the point of having it basically coincident with the organization itself. In light of this, considering *jihād* mainly as a collective duty aimed at defending Islam would be particularly difficult. Therefore, the transition from a collective to an individual obligation appears to be more consistent with the ideological narrative fostered by the movement in its pretense of exclusivist representation of Islam. From a pragmatic point of view, it represents a means to assign to the individual, affiliated or sympathizer, a personal responsibility, thus contributing to strengthen the bonds of loyalty between individuals even at great distances, establishing a virtual network of "soldiers" not necessarily institutionalized into a territorial army.⁵⁰ At a closer look, this last point had already characterized Al-Qā'ida's notion of *jihād*, which did not come without consequences. In particular, one implication "of treating holy war as an individual ethical obligation. . . , like prayer, is that it becomes spiritualized and finally puts the *jihad* beyond the pragmatism of political life".⁵¹ This "spiritualization" of military *jihād*, which tends to ignore the "militarization" of spirituality, transforms it into a religious duty inherent to the believer as an individual, thus potentially reaching it in every place and in every circumstance, regardless of its citizenship, profession or geographical collocation, sensibly contributing to fostering the narrative of a return to a genuine idea of universalism.

By considering *jihād* as *farḍ*, and regardless of its being a collective or an individual duty, ISIS evidently seeks a juristic legitimation recurring to a classification considered to be fundamental in the Islamic legal tradition. However, and mirroring the inclusiveness of its notion of *jihād*, the group shows an extreme

50 Marranci has already highlighted the dimension of individuality in Islamic fundamentalism as being one of its most important features, focusing on the subject to create a sense of community that seemed to be lost in contemporary world. On this, see MARRANCI, *Understanding Muslim Identity*, cit., pp. 78 ff.

51 Faisal DEVJI, *Landscapes of the Jihad. Militancy, Morality, Modernity*, Hurst & Company, London 2005, p. 34.

flexibility in considering the legal circumstances based on which *jihād* can be considered mandatory, in order to greatly expand the possibility of legitimizing its use of physical force, apparently basing it on traditional and unquestioned criteria. ISIS' attitude toward this issue is clearly expressed in the following excerpt:

The scholars mentioned numerous cases that make *jihād* against the *kuffār fard 'ayn*, including the invasion of the Muslims' lands, the imprisonment of Muslims, the imminent threat of attack against the Muslims, and the faceoff of the opposing armies. The *khalīfah* (*ḥafidhahullāh*⁵²) has made a call for a general mobilization, further emphasizing this obligation—as one of the cases making *jihād fard 'ayn* is the *imām* commanding all the Muslims with *jihād*—so how can one ignore this clear-cut obligation now and be satisfied with submission to his lower self?⁵³

While it is undoubtedly true that classical scholarship elaborated a corpus of legal rules regarding the mandatory nature of *jihād* depending on certain circumstances, ISIS seems to regard such criteria with a sort of simplifying sufficiency, mainly regarding three points. First, it is not clear what is to be intended with “Muslim’s lands”, provided the group’s universalistic aspiration, with a permanent vocation to expand its territorial domains. In light of this, it is not clear whether it is to be understood all those lands that in the course of history had been ruled by Muslims, lands presently ruled by Muslims, or territories revendedicated by ISIS itself as the only “true” representative of Muslim authority. Even in this case, the clause can legitimize extensive interpretations, which prescribe the compulsory nature of *jihād* in wide geographical spaces. Second, the threat against the Muslims is not conceptually defined and is evidently considered in such a broad extent to potentially comprehend every situation involving non-Muslims, or even non-ISIS Muslims, whose mere presence as “disbelievers” may be considered as a menace. Lastly, the reference to the legitimizing authority of the caliph tends to be rather tautological, grounded as it is on the logical assumption of its effective representativeness of the overall *ummah*—thus on its effectively being a caliph—a point for which ISIS has been widely criticized and attacked both inside and outside the world of Islamic fundamentalism.⁵⁴

In this context, *jihād* does not simply become one amongst various Islamic legal obligations binding the individual, but one of the highest importance, which cannot be avoided or replaced by other activities. Following the qualification of military *jihād* as *fard*, especially or even exclusively referred to the believer in its individuality, the refusal of performing it cannot but lead to sin. In this case, ISIS recalls the ancient narrative of the so-called sitters (*qa'idun*), as ancient authors called Muslims refusing to fight in war while other believers defended

52 Locution meaning “may Allāh preserve him”.

53 Dabiq, n. 10, *cit.*, p. 16.

54 This last point will be examined in further detail in a Chapter 8, par. 3.

the *ummah*.⁵⁵ The origin of this notion is to be researched directly in the *Qur'ān* (IV, 95), which differentiates between the sitters and the strivers,⁵⁶ however with a significance far more complex than recent fundamentalist interpretations. In ISIS' view, the idea of *qu'ūd*, meaning sitting but also renouncing,⁵⁷ comes to specifically mean abstaining from fighting, and is systematically turned into a sin for every Muslim not involved in militarily supporting the organization.⁵⁸ The following passage is particularly significant:

Even if one were to spend all his hours at a masjid in prayer, *dīkr*,⁵⁹ and study of the religion, while living amongst Muslims who reside amid *kuffār* and abandon *jihād*, then such a person would only be establishing the strongest proof against himself and his sin. . . . The sinful company affects you whether you desire so or not. And of the worst of sins in modern times is that of *qu'ūd* (abandonment of *jihād*), for *jihād* now is *farḍ 'ayn* (an obligation upon each individual). Then how can one be pleased with the company of the *jihād* abandoners?⁶⁰

The spiritual connotation of the juridical obligation placed upon the individual, which he can fulfill exclusively recurring to the armed conflict, ultimately represents the core of ISIS' theory of *jihād* as a mandatory concept. The outcome of this extremist position is evident, if we consider that this compulsory nature of fighting combined with the inclusiveness of the definition of *jihād* professed by the movement enormously enlarges the spectrum of the possibilities requiring a legitimate use of physical violence, potentially in every circumstance and in every situation.

Once again, the ultimate goal is the everlasting and never-accomplished pursue of a universal rule of the "true" Muslims over the entire earth, distinctively marked by a full implementation of the *sharī'a*. Given the utopian nature of this

55 Cf. BONNER, *Jihad in Islamic History*, cit., p. 45.

56 "Not equals are those believers who sit (at home) and receive no hurt, and those who strive and fight in the cause of Allah with their goods and their persons. Allah hath granted a grade higher to those who strive and fight with their goods and persons than to those who sit (at home). Unto all (in Faith) hath Allah promised good: but those who strive and fight hath He distinguished above those who sit (at home) by a special reward" (*Qur'ān*, IV, 95, trans ALI, pp. 216–217). On this excerpt and on its interpretation, see Asma AFSARUDDIN, *Striving in the Path of God. Jihād and Martyrdom in Islamic Thought*, Oxford University Press, Oxford 2013, pp. 79 ff.

57 See WEHR, "Qu'ūd (voice)", in *A Dictionary of Modern Written Arabic*, cit., p. 912.

58 This is not however a novelty brought about by ISIS, provided that al-Zarqāwī had already expressed similar positions on the same issue, in a fundamentalist context widely characterized by violent apostasies against refractory attitude toward fighting. Cf. See Nico PRUCHA, "Kangaroo Trials Justice in the Name of God", in *Jihadism. Online Discourses and Representations*, ed. Rüdiger Lohlker, Vienna University Press, Wien 2013, p. 166

59 Literally meaning "remembrance", *dīkr* refers to Islamic devotional acts performed by the repetitions of formulas and prayers.

60 Dabiq, n. 3, cit., p. 32.

goal, which actually signifies theorizing a permanent state of war by projecting the category of peace in the metahistorical world of the afterlife, *jihād* is destined to be considered not only as a mandatory obligation for the individual, but also an everlasting obligation, which involves all the lives of the believers. From this point of view, “[a]s long as there is an inch of territory left for us to reclaim, *jihād* will continue to be a personal obligation on every single Muslim”.⁶¹ Hence, *jihād*’s imperativeness is not considered as an exception to a general rule, but on the contrary it is considered as a natural state of things, whose final accomplishment involves an ideal that will be only fulfilled in the context of an eschatological perspective.

References

- AFSARUDDIN A.: *Striving in the Path of God: Jihād and Martyrdom in Islamic Thought*, Oxford University Press, Oxford 2013
- AHMAD M. G. [1900]: *The British Government and Jihad*, trans. Tayyba Seema Ahmed, Lutfur Rahman, Islam International Publication, Tilford 2006
- AL HAYAT MEDIA CENTER: *Dabiq*, n. 1: *The Return of Khilafah, ramadān* 1435 [June–July 2014]
- AL HAYAT MEDIA CENTER: *Dabiq*, n. 3: *A Call to Hijrah*, [July–August 2014]
- AL HAYAT MEDIA CENTER: *Dabiq*, n. 4: *The Failed Crusade, dhū l-hijja* 1435 [May–June 2013]
- AL HAYAT MEDIA CENTER: *Dabiq*, n. 6: *Al Qa’idah of Waziristan. A Testimony from Within, rabī’ al-’awwal* 1436 [December 2014–January 2015]
- AL HAYAT MEDIA CENTER: *Dabiq*, n. 7: *From Hypocrisy to Apostasy: The Extinction of the Greyzone, rabī’ al-’ākhīr* 1436 [January–February 2015]
- AL HAYAT MEDIA CENTER: *Dabiq*, n. 8: *Shari’ah Alone Will Rule Africa, jumādā al-’ākhīrah* 1436 [March–April 2015]
- AL HAYAT MEDIA CENTER: *Dabiq*, n. 9: *They Plot and Allah Plots, sha’bān* 1436 [May–June 2015]
- AL HAYAT MEDIA CENTER: *Dabiq*, n. 10: *The Law of Allah or the Laws of Men, ramadān* 1436 [June–July 2015]
- AL HAYAT MEDIA CENTER: *Dabiq*, n. 11: *From the Battle of Al-Azhāb to the War of Coalitions, dhū al-qa’dah* 1436 [August–September 2015]
- AL HAYAT MEDIA CENTER: *Dabiq*, n. 12: *Just Terror, ṣafar* 1437 [November–December 2015]
- AL HAYAT MEDIA CENTER: *Dabiq*, n. 14: *The Murtadd Brotherhood, rajab* 1437 [April–May 2016]
- AL HAYAT MEDIA CENTER: *Dabiq*, n. 15: *Break the Cross, shawwāl* 1437 [July–August 2016]
- ALI A. Y. (trans.) [1934]: *The Meaning of the Holy Qur’ān*, Amana Publications, Beltsville 2004
- AL-MĀWARDĪ A. H. [XI c.]: *Al-Aḥkām as-Sulṭaniyyah: The Laws of Islamic Governance*, trans. Asadullah Yate, Ta-Ha Publishers, London 1996

61 *Dabiq*, n. 15, *cit.*, p. 32.

- AL-OLAQI F. M. T., SHAIKH N. U.: "The Sword in the Islamic World View", in *International Journal of Philosophy and Theology*, vol. IV, n. 1, June 2016
- BONNER M. [2004]: *Jihad in Islamic History: Doctrines and Practice*, Princeton University Press, Princeton 2008
- COOK D.: *Understanding Jihad*, University of California Press, Berkeley-Los Angeles 2005
- DEVJI F.: *Landscapes of the Jihad: Militancy, Morality, Modernity*, Hurst & Company, London 2005
- EL FADL K. A.: *Reasoning with God: Reclaiming Shari'ah in the Modern Age*, Rowman & Littlefield, Lanham 2014
- FIRESTONE R.: *Jihād: The Origin of Holy War in Islam*, Oxford University Press, Oxford 1999
- HILLENBRAND C.: *Islam: A New Historical Introduction*, Thames & Hudson, London 2015
- HUGHES A. W.: *Muslim Identities: An Introduction to Islam*, Columbia University Press, New York 2013
- JOHNSON J. T.: *Ethics and the Use of Force: Just War in Historical Perspective*, Ashgate, Farnham-Burlington 2011
- KÖYLÜ M.: *Islam and Its Quest for Peace: Jihad, Justice and Education*, The Council for Research in Values and Philosophy, Washington 2003
- KURTZ L. R.: "Peace Profile: Abdul Ghaffar Khan's Nonviolent Jihad", in *Peace Review: A Journal of Social Justice*, vol. XXIII, n. 2, April 2011
- LANE J. E., REDISSI H.: *Religion and Politics: Islam and Muslim Civilization*, Ashgate, Farnham-Burlington 2009
- LEWIS B.: *Islam and the West*, Oxford University Press, Oxford 1993
- MARRANCI G.: *Understanding Muslim Identity: Rethinking Fundamentalism*, Palgrave Macmillan, New York 2009
- MATHEWSON DENNY F. [1994]: *An Introduction to Islam*, Routledge, London-New York 2016
- MIRBAGHERI S. M. F.: *War and Peace in Islam: A Critique of Islamic/ist Political Discourses*, Palgrave Macmillan, Basingstoke-New York 2012
- PETERS R.: *Islam and Colonialism: The Doctrine of Jihad in Modern History*, Mouton Publishers, The Hague 1979
- PRUCHA N.: "Kangaroo Trials Justice in the Name of God", in *Jihadism: Online Discourses and Representations*, ed. Rüdiger Lohlker, Vienna University Press, Wien 2013
- SCHACHT J. [1950]: *The Origins of Muhammadan Jurisprudence*, Clarendon Press, Oxford 1959
- SCHANZER J.: "Al Quaeda (voice)", in *The Sage Encyclopedia of Terrorism*, secondo edition, ed. Gus Martin, Sage, Los Angeles 2011
- SINDIMA H. J.: *Major Issues in Islam: The Challenges Within and Without*, Hamilton Books, Lanham 2018
- SYED M., COLLEGE B.: "Jihad in Classical Islamic Legal and Moral Thought", in *Just War in Religion and Politics: Studies in Religion and the Social Order*, eds. Jacob Neusner, Bruce D. Chilton, R. E. Tully, University Press of America, Farnham 2013
- TIBI B. [1998]: *The Challenge of Fundamentalism: Political Islam and the New World Disorder*, University of California Press, Berkeley-Los Angeles-London 2002

- VANHULLEBUSCH M.: *War and Law in the Islamic World*, Brill, Leiden-Boston 2015
- VESEY-FITZGERALD S. G.: "Nature and Sources of the Sharī'a", in *Law in the Middle East, vol. I, Origin and Development of Islamic Law*, eds. Majid Khadduri, Herbert J. Liebesny, The Lawbook Exchange, Clark 2008
- WEHR H. [1952]: "Qu'ūd (voice)", in *A Dictionary of Modern Written Arabic*, ed. J. Milton Cowan, Harrassowitz Verlag, Wiesbaden 1979