

What Should an Islamic State Look Like? Jihādī-Salafī Debates on the War in Syria

Joas Wagemakers

Utrecht University

Introduction

Beyond the headlines about radical Islamism that we have seen especially since the terrorist attacks of 11 September 2001, it has become clear that there are actually quite significant differences between quietist Salafism and Jihādī-Salafism¹ and even between ideologues and activists within that latter group. Some of the debates between Jihādī-Salafis focus on strategy and the legitimacy of jihad against “the near enemy” (the supposedly apostate regimes in the Muslim world) vs. the fight against “the far enemy” (the Western powers supporting these regimes).² Other discussions concentrate on the legitimacy of certain aspects of jihad, focussing on how to wage it, against whom and with what goals. A very important factor in these discussions is religious authority or, more specifically, the question of who speaks for jihad: scholars, with their theoretical knowledge of Islamic law, or fighters, with their practical knowledge of actual combat.³

¹ For studies on Salafism, see Roel Meijer, *Global Salafism: Islam's New Religious Movement* (London: Hurst & Co., 2009); Bernard Rougier, *Qu'est-ce que le salafisme?* (Paris: Presses Universitaires de France, 2008). I define Salafism as the trend within Sunni Islam whose adherents claim to follow the pious predecessors (*al-salaf al-ṣāliḥ*) as closely and in as many spheres of life as possible. Salafis include quietists, who believe they should focus on education (*ta'lim*, *tarbiya*) and preaching (*da'wa*), and Jihādī-Salafis, who believe that jihad may be waged not only against non-Muslims outside Muslim lands, but also against supposedly apostate Muslim rulers in Muslim countries themselves. For more on these definitions, see Joas Wagemakers, *A Quietist Jihadi: The Ideology and Influence of Abu Muhammad al-Maqdisi* (Cambridge, etc.: Cambridge University Press, 2012), 3–10.

² Fawaz Gerges, *The Far Enemy: Why Jihad Went Global* (Cambridge, etc.: Cambridge University Press, 2005).

³ Eli Alshech, *The Emergence of the 'Infallible Jihad Fighter' – The Salafi Jihadists' Quest for Religious Legitimacy* (www.memrijtm.org/the-emergence-of-the-infallible-jihad-fighter-the-salafi-jihadists-quest-for-religious-legitimacy.html, June 2008 (accessed 27 October 2014)); Akil N. Awan, “Success of the Meta-Narrative: How Jihadists Maintain Legitimacy,” *CTC Sentinel* 2, no. 11 (2009): 6–8; Brynjar Lia, *More Fitna in Cyberspace: Al-Mihdar vs. al-Maqdisi* (www.jihadica.com/more-fitna-in-cyberspace-mihdar-vs-al-maqdisi/, 7 February 2009 (accessed 27 October 2014)).

Many of the debates between Jihādī-Salafis concerning religious authority with regard to jihad include scholars from Jordan. This is not surprising, given the fact that the first leader of al-Qā'ida in Mesopotamia, whose conduct as a jihad fighter in Iraq attracted much criticism because of its violent character, was the Jordanian Abū Muṣ'ab al-Zarqāwī (1966–2006).⁴ Similarly, the man who is perhaps the main Jihādī-Salafī critic of what he sees as the less than “pure” jihad waged by certain fighters, the well-known radical scholar Abū Muḥammad al-Maqdisī (b. 1959)⁵, is also Jordanian.⁶ While several factors have played an important role in these discussions, including ideology and the personality of the protagonists, some publications on Jordanian debates point to the importance of the ability to speak authoritatively about jihad: scholars such as al-Maqdisī believe that they, as the intellectual guardians of the Jihādī-Salafī movement, should guide the fighters so as to make them wage a properly Islamic jihad; the fighters themselves, on the other hand, while not explicitly denying this, sometimes believe that their actual combat experience and practical knowledge gives them greater insight in jihad than the “bookish” scholars. This is not to suggest that there are two inherently opposing camps of fighters and scholars. Most of the time, both groups will probably support each other. The distinction is between “fighter-centred” jihad and a “scholar-centred” one.⁷

Because al-Maqdisī has dominated the debates about this issue for several years, especially in Jordan, his ideas on jihad are particularly important. The jihad al-Maqdisī has long called for is – in his eyes – a legitimate, effective and fruitful one. He laments what he considers to be extremism in the excommunication of fellow-Muslims (*takfīr*) and instead wants to limit this to declaring only the rulers of Muslim countries and their supporters to be unbelievers (*kuffār*). In combating these, he calls on fighters to wage jihad with legitimate means and urges them not to engage in the casual or unnecessary

⁴ For more on al-Zarqāwī, see Jean-Charles Brisard with Damien Martinez, *Zarqawi: The New Face of al-Qaeda* (New York: Other Press, 2005); Fu'ād Ḥusayn, *Al-Zarqāwī: Al-Jīl al-Thānī li-l-Qā'ida* (Beirut: Dār al-Khayyāl, 2005); Loretta Napoleoni, *Insurgent Iraq: Al Zarqawi and the New Generation* (New York: Seven Stories Press, 2005).

⁵ For more on al-Maqdisī, see Wagemakers, *Quietist*.

⁶ The disagreements between al-Zarqāwī and al-Maqdisī are the subject of a number of publications, including Steven Brooke, “The Preacher and the Jihadi,” in *Current Trends in Islamist Ideology*, vol. III, ed. Hillel Fradkin, Husain Haqqani and Eric Brown (Washington, D.C.: Hudson Institute, 2006), 52–66; Nibras Kazimi, “A Virulent Ideology in Mutation: Zarqawi Upstages Maqdisi,” in *Current Trends in Islamist Ideology*, vol. II, ed. Hillel Fradkin, Husain Haqqani and Eric Brown (Washington, D.C.: Hudson Institute, 2005), 59–73.

⁷ Eli Alshech, “The Doctrinal Crisis within the Salafī-Jihādī Ranks and the Emergence of Neo-Takfirism: A Historical and Doctrinal Analysis,” *Islamic Law and Society* 21, no. 4 (2014): 419–52; Nelly Lahoud, “In Search of Philosopher-Jihadis: Abu Muhammad al-Maqdisī's Jihadi Philosophy,” *Totalitarian Movements and Political Religions* 10, no. 2 (2009): 205–20; Joas Wagemakers, “Invoking Zarqawi: Abu Muhammad al-Maqdisī's Jihad Deficit,” *CTC Sentinel* 2, no. 6 (2009): 14–7; Wagemakers, “Reclaiming Scholarly Authority,” *Studies in Conflict and Terrorism* 34, no. 7 (2011): 523–39; Wagemakers, “A Terrorist Organization that Never Was: The Jordanian ‘Bay'at al-Imam’ Group,” *Middle East Journal* 68, no. 1 (2014): 71–4.

use of violence. Al-Maḳdisī also believes that fighters should preferably not engage in “lone wolf attacks” but organise themselves under a Jihādī-Salafī banner (i.e., as part of a properly Jihādī-Salafī group), so as to be more effective, and take jihad seriously by preparing well for attacks. Finally, al-Maḳdisī wants Jihādī-Salafīs to translate their fighting into territory where they can set up an Islamic state. Far too much effort goes into fighting to damage the enemy (*qitāl al-nikāya*), he claims, instead of fighting to consolidate their power and settle in any given territory (*qitāl al-tamkīn*). This way, al-Maḳdisī complains, even legitimate and effective fighting often ends up not being very fruitful at all.⁸

Al-Maḳdisī’s views on jihad and other, often related, issues would eventually result, in 2009, in the founding of a *sharī’a* council of like-minded scholars who gave fatwas to questioners from all over the world on his website (www.tawhed.ws/FAQ). These scholars included the Egyptian-British former member of the Egyptian Islamic Jihad Hānī al-Sibāī, the Mauritanian Abū l-Mundhir al-Shinqīṭī, the Bahraini Turkī al-Bin’ālī (known at the time as Abū Humām Bakr b. ‘Abd al-‘Azīz al-Atharī) and others.⁹ Although several important Jihādī-Salafī scholars, such as the Syrian-British Abū Baṣīr al-Ṭarṭūsī, the Jordanian Abū Qatāda al-Filasṭīnī and the Kuwaiti Ḥāmid al-‘Alī, never became members of the council, their views were not fundamentally different from the scholars who did.¹⁰ This meant that the *sharī’a* council more or less represented the Jihādī-Salafī consensus of “the scholars” on issues related to jihad. Although several of its members were killed, arrested or otherwise left the council, it continued as a radical scholarly force to be reckoned with until 2013, only to be revived in the latter half of 2014, but with a new line-up of scholars.

The reason for the break-up of the original *sharī’a* council lay in the revolt against the al-Asad regime in Syria that started in 2011¹¹ or, more precisely, the rise of the organisation eventually called the Islamic State (IS)¹², which occurred partly as a result of this revolt.¹³ The conflict in Syria ignited a subset of the “fighters vs. scholars” debate

⁸ Joas Wagemakers, “In Search of ‘Lions and Hawks’: Abū Muḥammad al-Maḳdisī’s Palestinian Identity,” *Die Welt des Islams* 53, nos. 3–4 (2013): 388–415; Wagemakers, “Reclaiming.”

⁹ Wagemakers, “Protecting Jihad: The Sharia Council of the Minbar al-Tawhid wa-l-Jihad,” *Middle East Policy* 18, no. 2 (2011): 148–62.

¹⁰ For more on these men, see Petter Nesser, “Abū Qatāda and Palestine,” *Die Welt des Islams* 53, nos. 3–4 (2013): 416–48; Joas Wagemakers, “Between Purity and Pragmatism? Abu Basir al-Tartusi’s Nuanced Radicalism,” in *Jibadi Thought and Ideology*, ed. Rüdiger Lohlker and Tamara Abu-Hamdeh (Berlin: Logos Verlag, 2013), pp. 16–37.

¹¹ For an in-depth study of the start of the revolt in Syria, see Philippe Droz-Vincent, “‘State of Barbary’ (Take Two): From the Arab Spring to the Return of Violence in Syria,” *Middle East Journal* 68, no. 1 (2014): 33–58.

¹² Both “IS” and “ISIS” are used throughout the text in order to refer to the group as it was called at the time referred to.

¹³ Studies on the Islamic State include Aymenn Jawad al-Tamimi, “The Dawn of the Islamic State of Iraq and ash-Sham,” in *Current Trends in Islamist Ideology*, vol. XVI, ed. Hillel Fradkin, Hussain Haqqani, Eric Brown and Hassan Mneimeh (Washington, D.C.: Hudson Institute, 2014), 5–15; al-Tamimi, “The Islamic State of Iraq and al-Sham,” *Middle East Review of International Affairs* 17, no. 3 (2013): 19–44.

described above. While “the scholars” used to be more or less united against “the fighters” in this debate – with the *sharī’a* council being a case in point – the rise and development of the highly violent IS drove a wedge between “the scholars”, including those of the *sharī’a* council. This division among “the scholars” was partly related to al-Maqdisī’s earlier criticism of al-Zarqāwī: IS was, after all, heir to al-Zarqāwī’s jihādī efforts in Iraq¹⁴, as the group is keen to stress¹⁵, and was similarly accused of using illegitimate violence, as we will see below. The statehood and even caliphate claims by IS, however, ensured that the discussions now focussed not so much on the characteristics of a proper jihad, but on the question of what an Islamic state should look like.

This article pays special attention to Jordanian contributions to discussions about the characteristics of an Islamic state, how these fit in with the views of international Jihādī-Salafī scholars on this topic and how this relates to the “fighters vs. scholars” debates mentioned above. Based on the Arabic ideological writings of international and especially Jordanian Jihādī-Salafī scholars and media sources, this article first looks at how international Jihādī-Salafī ideologues viewed the series of revolts that started in 2010 known collectively as the “Arab Spring”, what militias they sided with in Syria and how they felt about IS’s efforts to set up an Islamic state. It then moves on to Jordanian contributions to these debates on the same three topics, as well as Jordanian scholars’ efforts to re-launch their scholarly dominance. The goal of this article is to show that the initial ideological responses to the so-called Arab Spring in general and the revolt in Syria in particular were indicative of scholars’ siding with certain jihādī groups and a certain view on what an Islamic state should look like at a later stage. These differing choices on how the “Arab Spring” should continue laid the groundwork for what would eventually become a huge rift among Jihādī-Salafī scholars who had until at least 2011 formed a rather united front against what they saw as the occasional extremism found in a fighter-centred jihad.

Studies on other (Islamist) military groups in opposition to the Syrian regime include International Crisis Group, *Tentative Jihad: Syria’s Fundamentalist Opposition*, Middle East Report no. 131 (www.crisisgroup.org/en/regions/middle-east-north-africa/egypt-syria-lebanon/syria/131-tentative-jihad-syrias-fundamentalist-opposition.aspx, 12 October 2012 (accessed 28 October 2014)); Aron Lund, *Syria’s Salafi Insurgents: The Rise of the Syrian Islamic Front*, UI Occasional Papers no. 17 (www.ui.se/eng/upl/files/86861.pdf, March 2013 (accessed 28 October 2014)); Jeffrey White, Andrew J. Stabler and Aaron Y. Zelin, *Syria’s Military Opposition: How Effective, United or Extremist?*, WINEP Policy Focus 128 (www.washingtoninstitute.org/policy-analysis/view/syrias-military-opposition-how-effective-united-or-extremist, September 2013 (accessed 31 October 2014)).

¹⁴ Aaron Y. Zelin, *The War between ISIS and al-Qaeda for Supremacy of the Global Jihadist Movement*, WINEP Research Notes no. 20 (www.washingtoninstitute.org/policy-analysis/view/the-war-between-isis-and-al-qaeda-for-supremacy-of-the-global-jihadist, June 2014 (accessed 11 July 2014)), 1–4.

¹⁵ See, for example, *Dabiq*, no. 4, 35. IS’s English-language magazine *Dabiq* regularly cites al-Zarqāwī and even derives its name from a quotation of al-Zarqāwī, which is mentioned on page 2 of every issue of the magazine so far. This magazine can be found at www.clarionproject.org/news/islamic-state-isis-il-propaganda-magazine-dabiq (accessed 31 October 2014).

International Jihādī-Salafī Contributions to Debates on Syria

For Jihādī-Salafīs, the conflict in Syria has in many ways been quite uncontroversial. Apart from political grievances against the dictatorship of Syrian President Bashār al-Asad, the regime in Syria, in their eyes, is one of unbelief (*kufṭ*) for not applying the *sharīʿa* and for being led by a president who is a member of the ʿAlawite (heterodox Shiʿite) sect, which Jihādī-Salafīs do not consider Islamic. Moreover, given the presence of several Jihādī-Salafī groups under whose guidance aspiring jihādīs can fight in Syria and the real chance the country offers to set up Islamic “statelets” in areas wrested from regime control, the conflict seems to offer “the scholars” everything they have always wanted jihad to be and, as such, has the potential to unite “the fighters” with “the scholars” in a single jihad. Still, while there seems to be a broad consensus on the desirability of putting the “Arab Spring” to good use¹⁶, Jihādī-Salafī scholars have quickly found things to disagree about when it came to the next stage of jihad: how to move beyond the initial fighting and, more specifically, how to set up a much-desired Islamic state.

How to Deal with the Arab Regimes

Once various Arab regimes had fallen, what was next? That question has been answered quite differently by international Jihādī-Salafī scholars for countries such as Libya, Egypt and – as many hoped – potentially Syria. Some, most prominently the Syrian-British Abū Baṣīr al-Ṭarṭūsī, took a rather conciliatory approach towards former supporters of al-Asad or the remnants of the regimes toppled. While he stresses the need for people to answer the Syrian regime’s military force with force of their own so as to defend themselves¹⁷, it is simultaneously clear that he would have preferred the revolution to be peaceful¹⁸ and he welcomes former Syrian army soldiers.¹⁹ With regard to Libya, Abū Baṣīr was quite inclusive, encouraging revolutionaries “not to turn [Libyans] into your enemy or categorise them as being for us and against us, for Islam and against Islam.”²⁰ He stresses that Libyans in general suffered under the former dictator Muʿammar al-Qadhafī’s rule and calls on his readers to deal with the people with kindness and wisdom and to focus on building up the country through justice and dialogue.²¹

¹⁶ For more on this, see Joas Wagemakers, “Al-Qaʿida’s Post-Arab Spring Jihad: Confirmation or Re-Evaluation?,” in *Violence in Islamic Thought: From European Imperialism to the Present Day*, ed. Mustafa Baig and Robert Gleave (Edinburgh: Edinburgh University Press, forthcoming).

¹⁷ Abū Baṣīr al-Ṭarṭūsī, *Al-Istiʿmār al-Qarmaṭī al-Bāṭinī li-Sūriya wa-Sharʿiyyat al-Difāʾ ʿan al-Nafs* (www.tawhed.ws/r?i=30081101, 2011 (accessed 24 February 2012)), 2–4.

¹⁸ Al-Ṭarṭūsī, *Al-Istiʿmār*, 2–3; al-Ṭarṭūsī, *Jumla min al-Tawṣiyāt wa-l-Iqtirāḥāt Akbuṣṣu bibā l-Thawra al-Sūriyya* (www.tawhed.ws/dl?i=%203008110, 2011 (accessed 24 February 2012)), 2–3.

¹⁹ Al-Ṭarṭūsī, *Al-Istiʿmār*, p. 4; al-Ṭarṭūsī, *Jumla*, 3–4.

²⁰ Al-Ṭarṭūsī, *Kalima Akbuṣṣu bibā Abīl-nā l-Abṭāl fī Libiya ma baʿd al-Thawra wa-Suqūt al-Ṭāghbiya* (www.tawhed.ws/r?i=30081107, 2011 (accessed 24 February 2012)), 1–2.

²¹ Al-Ṭarṭūsī, *Kalima*, 2.

Abū Baṣīr's conciliatory views towards remnants of the regimes that have been (or, in his view, should be) overthrown differs quite a lot from those of other Jihādī-Salafī scholars. The Egyptian ideologue Abū Sa'd al-Āmilī, for example, takes a much more exclusively Islamist approach by stressing the need to apply the *sharī'a* in Libya "as the fruit of [Libyans'] jihad and their sacrifices"²² and calling on jihādīs in Syria to "continue the real preparation for the coming battles, because the war has not yet begun."²³ Still, al-Āmilī also asks his readers to "act with wisdom and Islamic morality" towards those who left the Syrian army.²⁴ Such calls are not found in the writings of some other scholars. The Bahraini radical ideologue Turkī al-Bin'ālī (Abū Humām al-Atharī), for example, stresses the need for Libyans to "fight in order to legislate the heavenly law (*qātilū li-aḥl taḥkīm al-sharī'a al-samāwiyya*), because that is the goal. For its sake, the upholder of God's unity (*al-muwahḥid*) will fight till the end."²⁵

The words of al-Bin'ālī's Mauritanian colleague Abū l-Mundhir al-Shinqīṭī are even more explicit. He dismisses the Egyptian army as one of unbelief that needs to be fought through force of arms, not through peaceful means. In fact, he mocks people who still advocate unarmed demonstrations as being deluded, claiming their methods will eventually lead to satisfaction with and submission to the regime's violent repression, even going so far as to state that "everyone who calls for peacefulness and abandons arms is [in effect] a murderous criminal (*mujrim saffāḥ*)".²⁶ Al-Shinqīṭī further states that "by nature, a Muslim is a fighting person who does not quit his duty to fight, just as he does not quit his duty to pray, fast or go on the pilgrimage" and encourages Egyptians to wage jihad against their regime.²⁷ The (probably Syrian) Abū Māriya al-Shāmī adds to this that "it is time to scrap from our dictionary in Syria the expression[s] 'civilians' (*madaniyyīn*) and 'combatants' (*askariyyīn*) from the Nuṣayrī (i.e., 'Alawī) sect, [...] except if it is confirmed that this civilian has condemned the regime and has joined the Sunnis [quotation marks added]".²⁸

²² Abū Sa'd al-Āmilī, *Aḍwā, wa-Bayānāt Shar'iyya Ḥawla l-Thawratayn al-Libiyā wa-l-Sūriyya – Al-Juz' al-Awwal: Al-Thawra al-Libiyā* (www.tawhed.ws/dl?i=28111102, 2011 (accessed 6 December 2011)), 8.

²³ Al-Āmilī, *Aḍwā, wa-Bayānāt Shar'iyya Ḥawla l-Thawratayn al-Libiyā wa-l-Sūriyya – Al-Juz' al-Thānī: Al-Thawra al-Sūriyya* (www.tawhed.ws/dl?i=28111103, 2011 (accessed 6 December 2011)), 10.

²⁴ Al-Āmilī, *Aḍwā* [l. . .] *al-Juz' al-Thānī*.

²⁵ Abū Humām Bakr b. 'Abd al-'Azīz al-Atharī, *Yā Aḥl al-Fallāḥ Awaqad Waḍa'tum al-Silāḥ?! (www.tawhed.ws/dl?i=066091104, 2011 (accessed 26 November 2011)), 3.*

²⁶ Abū l-Mundhir al-Shinqīṭī, *Yā Aḥl Miṣr. Al-Silāḥ* (www.tawhed.ws/dl?i=02111302, 2013 (accessed 6 November 2013)), 1–2, 5–7. The quotation is on 7.

²⁷ Al-Shinqīṭī, *Yā Aḥl*, 14 (which includes the quotation), 17.

²⁸ Abū Māriya al-Shāmī, *Ān al-Awān Yā Aḥl al-Shām* (www.tawhed.ws/dl?i=28111127, 2011 (accessed 6 December 2011)), 3. "Nuṣayrī" is a term used derogatorily by Jihādī-Salafīs for 'Alawite Muslims.

Siding with Syrian Militias

Among international Jihādī-Salafī scholars, there is thus a rather clear line between Abū Baṣīr al-Ṭarṭūsī's relatively conciliatory and inclusive views on the one hand and the others' much more Islamist and violent take on the "Arab Spring" on the other. Interestingly, this division translates rather neatly into support for Syrian militias. Abū Baṣīr, for example, instead of opting for the more exclusively Jihādī-Salafī groups, sided with the more inclusive and nationalist Free Syrian Army (FSA). To him, the FSA combines

fighting and jihad in God's way (*fī sabīl Allāh*) for Islamically legitimate goals (*li-aghrāḍ mashrū'a*): the defence of Islam (*al-dīn*), honour, possessions (*al-māl*) and the rest of the inviolable things (*baqiyyat al-ḥurūmāt*). This is a clear, Islamically legitimate banner about which there is no confusion (*lā labs fihā*).²⁹

Abū Baṣīr labels as "Khawārij"³⁰ those who dismiss the FSA, claiming that such people "want us to fight a battle with these (i.e., the FSA's) heroic jihad fighters".³¹ Instead, he calls on Syrians to coordinate their armed activities in the country with the FSA, if possible.³²

The more Islamist and militant Abū l-Mundhir al-Shinqīṭī – who practically ran the *sharī'a* council mentioned above on his own in 2013 because other scholars were dead, imprisoned or had more or less quit – does not agree with Abū Baṣīr. While he concedes that fighters may join the FSA to combat the Syrian regime for the time being, he emphasises that people should strive to join groups that fight under an "Islamically legitimate banner" (*rāya shar'iyya*), which the FSA apparently does not do in his view.³³ In fact, al-Shinqīṭī criticises Abū Baṣīr for siding so wholeheartedly with the FSA, despite the latter's supposedly secularist and democratic character, and against Jihādī-Salafī militias. "This", in al-Shinqīṭī's view, "means that the shaykh [Abū Baṣīr] has a major methodological

²⁹ Abū Baṣīr al-Ṭarṭūsī, *Su'āl wa-Jawāb Ḥawla Mujāhidī l-Jaysh al-Sūrī al-Ḥurr* (www.abubaseer.bizland.com/refutation/read/F%20107.doc, 15 February 2012 (accessed 29 February 2012)), 3.

³⁰ The Khawārij were an early-Islamic group of dissidents who split off from the community of Muslims and later murdered caliph 'Alī b. Abī Ṭālib (r. 656–661). They are often seen as the first "Muslim extremists" and today's radical Muslims are often compared with them. See Jeffrey T. Kenney, *Muslims and the Politics of Extremism in Egypt: Kharijites and the Politics of Extremism in Egypt* (Oxford, etc.: Oxford University Press, 2006); Joas Wagemakers, "'Seceders' and 'Postponers'? An Analysis of the 'Khawarij' and 'Murji'a' Labels in Polemical Debates between Quietist and Jihadi-Salafis," in *Contextualising Jihadi Thought*, ed. Jeevan Deol and Zaheer Kazmi (London: Hurst & Co., 2012), 145–64.

³¹ Al-Ṭarṭūsī, *Al-Su'āl*, 1.

³² Al-Ṭarṭūsī, *Al-Ajwiba al-Ṭarṭūsīyya 'an al-As'ila al-Ḥimṣīyya* (www.abubaseer.bizland.com/refutation/read/F%20104.doc, 8 November 2011 (accessed 29 February 2012)), 1.

³³ Abū l-Mundhir al-Shinqīṭī, *Mā Ḥukm al-Qitāl ma'a l-Jaysh al-Ḥurr ilā Hīn l-Ta'arruf 'alā Jamā'a Muwahhida?* (www.tawhed.ws/FAQ/pr?qid=6441, 10 June 2012 (accessed 19 July 2012)); al-Shinqīṭī, *Hal Yajibu l-Nafir ilā l-Shām 'alā Kull Qādir?* (www.tawhed.ws/FAQ/pr?qid=6837, 13 December 2012 (accessed 14 December 2012)).

shortcoming” (*khalaḥ manbaḥī ‘azīm*).³⁴ His preferred alternative to the FSA was Jabhat al-Nuṣra because its leaders “raise the banner of the *sharī‘a* and openly declare that they fight to stop the aggression of these aggressors (*‘udwān bā‘ulā, i l-mu‘tadīn*), liberate the country from their grip and legislate the *sharī‘a* of the lord of all being”.³⁵ Al-Shinqīṭī therefore advises jihādīs to join Jabhat al-Nuṣra and not engage in founding other groups.³⁶

Given that al-Shinqīṭī spoke on behalf of the *sharī‘a* council of al-Maqdisī’s website, his support for Jabhat al-Nuṣra could probably be seen as representative of many Jihādī-Salafī ideologues. Things got more complicated, however, when Abū Bakr al-Baghdādī, the leader of the Islamic State of Iraq (ISI) – the “state” that had absorbed al-Qā‘ida in Mesopotamia in 2006 – announced in April 2013 that he would incorporate Jabhat al-Nuṣra into ISI. From his point of view, this was obvious since he had sent Jabhat al-Nuṣra’s leader, Abū Muḥammad al-Jawlānī, to Syria in the first place and on behalf of ISI. To al-Baghdādī, then, this move to turn ISI into ISIS (the Islamic State in Iraq and al-Shām (the Levant)) was entirely legitimate. Al-Jawlānī, however, swore allegiance (*bay‘a*) to the overall al-Qā‘ida-leader Ayman al-Zawāhirī. This conflict of allegiance eventually led to the break-up between al-Qā‘ida (including Jabhat al-Nuṣra) on the one hand and ISIS on the other.³⁷

The split between al-Qā‘ida and ISIS upset the organisational structure of the former, which had provided a hierarchy for jihādī groups across the Arab world for years. Moreover, it also provided Jihādī-Salafī ideologues with the option of choosing between Jabhat al-Nuṣra, the official Syrian al-Qā‘ida-affiliate, and ISIS, which was more powerful and which also considered itself the rightful heir to al-Qā‘ida in Mesopotamia and its notorious founder, Abū Muṣ‘ab al-Zarqāwī. This choice became even more pertinent as relationships between both groups deteriorated and jihādīs in Syria started fighting each other.³⁸ For Abū Baṣīr al-Ṭarṭūsī, unsurprisingly, the choice was easy. Amidst the Syrian jihādī infighting, he accuses ISIS of “extremism” and refers to them as “Khawarij” who cause *fitna* (chaos, strife)

³⁴ Al-Shinqīṭī, *Mā l-Qawl fī Fatwā l-Shaykh Abī Baṣīr bi-Dukhūl al-Jaysb al-Ḥurr?* (www.tawhed.ws/FAQ/pr?qid=6316, 21 May 2012 (accessed 31 October 2014)).

³⁵ Al-Shinqīṭī, *Al-Nafīr al-‘Amm ilā Jabhat Nuṣrat al-Shām* (www.tawhed.ws/r/i=09031201, 9 March 2012 (accessed 5 April 2012)), 7.

³⁶ Al-Shinqīṭī, *Ma‘a Ayy al-Jamā‘āt Nuqātilu fī Sūriya? Wa-Hal Yajibu l-Khurūj dūna Idhn al-Wālidayni wa-Aṣḥāb al-Dīn?* www.tawhed.ws/FAQ/pr?qid=6080, 17 March 2012 (accessed 23 March 2012)); al-Shinqīṭī, *Hal Nashkulu Jamā‘āt wa-Katā‘ib Munfaṣila ‘an Jabhat al-Nuṣra fī Sūriya?* (www.tawhed.ws/FAQ/pr?qid=7138, 24 February 2013 (accessed 25 February 2013)).

³⁷ Mohammad Abu Rumman, *Islamists, Religion and the Revolution in Syria* (Amman: Friedrich Ebert Stiftung, 2013), 42–4; Romain Caillet, *The Islamic State: Leaving al-Qaeda Behind* (<http://carnegieendowment.org/syriaincrisis/?fa=54017.pdf>, 27 December 2013 (accessed 30 December 2013)); Charles Lister, *Jabhat al-Nusra: A Self-Professed AQ Affiliate* (www.jihadica.com/jabhat-al-nusra-a-self-professed-aq-affiliate/, 8 May 2013 (accessed 31 October 2014)).

³⁸ Nelly Lahoud and Muhammad al-Ubaydi, “The War of Jihadists Against Jihadists in Syria,” *CTC Sentinel* 7, no. 3 (2014): 1–6.

between Muslims by targeting civilians, which serves the Syrian President Bashār al-Asad.³⁹ He condemns their destruction of mosques and graves⁴⁰, refers to them as “terrorist”⁴¹ and even compels other Muslims to fight them.⁴²

Although negative statements of ISIS could also be found among the leadership of Jabhat al-Nuṣra⁴³, other Jihādī-Salafī leaders critical of al-Baghdādī made more conciliatory statements. Al-Qā’ida-leader Ayman al-Ḍawāhirī, for example, repeatedly called for an end to factional infighting⁴⁴ and in early 2014 several attempts were made by scholars of various national backgrounds to reconcile the different jihādī militias, but to no avail.⁴⁵ Interestingly, the scholars mentioned above as taking a more militant and Islamist approach at the initial stages of the “Arab Spring” – al-Āmilī, al-Bin’alī and al-Shinqīṭī – all sided with ISIS when the latter split off from al-Qā’ida. Given the stress that al-Maqdisī and – in a less explicit way – the rest of his website’s *sharī’a* council put on the fruitfulness of jihad and the need to set up an Islamic state, it may seem obvious that al-Bin’alī and al-Shinqīṭī would support ISIS. Indeed, this is precisely how these and other scholars presented ISIS: as a group waging exactly the type of legitimate, effective and fruitful jihad resulting in an Islamic state that al-Maqdisī and others had been waiting for.

ISIS as the Long-Awaited Islamic State

One of the scholars mentioned above as taking a more Islamist approach towards the Arab Spring, Abū Sa’d al-Āmilī, came out in favour of ISIS by stating that it is the intention of “the enemies of the Muslim community (*al-umma*) and Islam (*al-milla*)” to “unify ranks” in order to “fight the project of God (*mashrū’ Allāh*) in the land of al-Shām, which is to set up a divine Islamic caliphate (*iqāmat khilāfa Islāmiyya rabbāniyya*)”. This latter objective should be realised by ISIS and not by Jabhat al-Nuṣra, al-Āmilī states,

³⁹ Abū Baṣīr al-Ṭarṭūsī, *Bayān Ḥawla Mā Yajrī min Iqtitāl bayna Jamā’at al-Dawla wa-Mujāhidī l-Shām* (<http://tartosi.blogspot.nl/2014/01/blog-post.html#more>, 14 January 2014 (accessed 4 February 2014)), 1–2.

⁴⁰ Al-Ṭarṭūsī, *Al-Khawārij al-Dawā’ish wa-Masājid al-Muslimīn wa-Qubūru-hum* (www.abubaseer.bizland.com/hadath/Read/hadath%20103.pdf, 28 July 2014 (accessed 31 July 2014)), 1–2.

⁴¹ Al-Ṭarṭūsī, *Amrikā wa-Jamā’at al-Dawla “Dā’ish”!* (www.abubaseer.bizland.com/hadath/Read/hadath%104.pdf, 8 August 2014 (accessed 18 August 2014)), 2.

⁴² Al-Ṭarṭūsī, *Bayān*, 5.

⁴³ See, for example, Abū Muḥammad al-Jawlānī, *Allāh, Allāh fī Sāḥat al-Shām* (www.hanein.info/vb/showthread.php?t=345443, January 2014 (accessed 26 February 2014)); *An Interview with Sheikh Abu Sulayman al-Mubajir* (www.youtube.com/watch?v=YQJukdfBSSw, 12 April 2014 (accessed 3 November 2014)).

⁴⁴ Ayman al-Ḍawāhirī, *Tawjibāt ‘Āmma li-l-‘Amal al-Jibādī* (www.tawhed.ws/r/i=16091301, n.d. (accessed 18 September 2013)); al-Ḍawāhirī, *Nidā’ ‘Ājil li-Abli-nā fī l-Shām* (www.tawhed.ws/r/i=25011404, 16 January 2014 (accessed 5 February 2014)), 2.

⁴⁵ Ṭāriq ‘Abd al-Ḥalīm and Hānī al-Sibā’ī, *Da’wa li-l-Ṣulḥ wa-l-Ṣafḥ bayna l-Mujāhidīn fī l-Shām* (www.tawhed.ws/dl/i=25011402, 21 January 2014 (accessed 5 January 2014)); ‘Abdallāh b. Muḥammad al-Muḥaysanī, *Mubādarat al-Umma* (www.tawhed.ws/r/i=25011403, 2014 (accessed 5 February 2014)).

because “the relationship between the [Islamic] state in Iraq [and al-Shām] and Jabhat [al-Nuṣra] is like the relationship of a father with his son or a teacher with his pupil.”⁴⁶ Al-ʿĀmilī therefore advises jihādīs to close ranks too⁴⁷, which is seconded by Abū l-Mundhir al-Shinqīṭī, who contends that ISIS’s breaking of ranks with al-Qāʿida does not divide the jihādī movement, but instead provides a new (and better) organisational framework under which Jihādī-Salafis can unite. He therefore calls joining ISIS a “necessity”.⁴⁸ Turkī al-Binʿālī, who has been called the group’s “scholar-in-arms”⁴⁹ and has probably been the ideologue most active in defending ISIS, strenuously denies that the latter is an organisation of Khawārij, as Abū Baṣīr al-Ṭarṭūsī claims. He specifically tries to counter Abū Baṣīr’s accusations against ISIS, stating that it is a group of proper jihad fighters whose ideas on *takfir*, revolting against Muslim rulers, the companions of the Prophet Muḥammad and the use of the sources are entirely legitimate and quite different from those of the early-Islamic Khawārij.⁵⁰

ISIS is thus portrayed by its supporters as a well-organised and united jihādī effort that wages a justified war without resorting to extremism. The fact that ISIS claims to be a state – and not just an organisation – obviously distinguishes it from other jihādī groups and taps right into the idea that this is what fighters should be working towards. It is therefore not surprising that ISIS’s supporters emphasise their group’s “statehood” a lot.⁵¹ Part of this, as mentioned in the introduction, is the notion of *tamkīn*: settling in a certain territory. Al-Binʿālī dedicates an entire treatise to this subject, stating that establishing a caliphate – which ISIS did on 29 June 2014 – is a prophetic institution that does not have to control all Muslim territories to be valid, as long as the intention to achieve this is there.⁵² This view is echoed by al-Shinqīṭī, who argues that ISIS’s relative weakness is not a legitimate objection to

⁴⁶ Abū Saʿd al-ʿĀmilī, *Tanbīh al-Anām li-mā fi l-Tafrīqa min Athām wa-Aḥammīyyat al-Tawāḥḥud fī Dawlat al-Islām* (http://archive.org/detail/bayan_2013, April 2013 (accessed 26 March 2014)), 7.

⁴⁷ Al-ʿĀmilī, *Tanbīh*, 13.

⁴⁸ Abū l-Mundhir al-Shinqīṭī, *Matā Yafqabūna Maʿnā l-Ṭāʿa? Allāhu Akbar: Nuṣra li-lʿlān Dawlat al-Islām* (<http://justpaste.it/2dmr>, 9 April 2013 (accessed 25 March 2014)).

⁴⁹ Cole Bunzel, *The Caliphate’s Scholar-in-Arms* (www.jihadica.com/the-caliphate%E2%80%99s-scholar-in-arms/, 9 July 2014 (accessed 3 November 2014)).

⁵⁰ Abū Humām Bakr b. ʿAbd al-ʿAzīz al-Atharī, *Tabṣīr al-Maḥājij bi-l-Farq bayna Rijāl al-Dawla al-Islāmiyya wa-l-Khawārij* (www.hanein.info/vb/showthread.php?t=347676, 19 January 2014 (accessed 26 February 2014)), 7–10. See also al-Atharī, *Al-Thamar al-Dānī fī l-Radd ʿalā Khibāt al-Jawlānī* (<http://alplatformmedia.com/vb/showthread.php?t=34989>, 8 January 2014 (accessed 12 February 2014)), in which al-Binʿālī refutes the criticism of ISIS by Jabhat al-Nuṣra-leader Abū Muḥammad al-Jawlānī.

⁵¹ See, for instance, ʿĀnī l-ʿIlm, *Radd Shubbāt ʿan al-Dawla al-Islāmiyya: Sharʿiyyat al-Dawla wa-Ṣiḥḥatu-hā* (<http://wp.me/p2hUtu-9C>, 1 July 2013 (accessed 25 March 2014)).

⁵² Abū Sufyān Turkī b. Mubārak al-Binʿālī, *Al-Qiyāfa fī ʿadam Ishtirāt al-Tamkīn al-Kāmil li-l-Khilāfa* (www.gulfup.com/?Vh0uaJ, 30 April 2014 (accessed 28 July 2014)), 3, 6. See also al-Atharī, *Madd al-Ayādī li-Bayʿat al-Baghdādī* (www.tawhed.ws/r?i=05081301, 2013 (accessed 20 August 2013)), 15–6.

setting up an Islamic state. The latter, al-Shinqīṭī states, “is based on Islamic legitimacy, not on power”.⁵³

Similarly justifying statements were made about the *bay'a*, a term often associated with Islamic rule and leadership. Members of ISIS give this pledge to the group's leader, Abū Bakr al-Baghdādī, and their *bay'a* is entirely legitimate, according to his supporters. Al-Bin'ālī claims that al-Baghdādī fits all the criteria of an imam and even a caliph: he is male, free, adult, sound of mind, Muslim, just, courageous, a descendant of the Prophet's Quraysh tribe, scholarly and capable of leading the *umma* and looking out for its interests.⁵⁴ The fact that al-Baghdādī is, for instance, not very well-known and that not every Muslim or even every Muslim scholar agrees with the decision to have al-Baghdādī as their new ruling imam does not matter since those are not essential conditions, according to various pro-ISIS scholars.⁵⁵ The latter also argue that other possible claimants to the caliphate – particularly the Afghan Taliban leader Mullah 'Umar – are incorrect and (it goes without saying) must ultimately submit to al-Baghdādī's rule too.⁵⁶

The notion of “statehood”, which is so important to ISIS's supporters, is also a major factor in explaining the group's behaviour. The mediation between ISIS and other jihādī groups in Syria mentioned earlier, for example, at least partly failed because ISIS refused to accept arbitration from an independent court. Al-Bin'ālī claims that, according to Islamic tradition, such duties fall under the responsibility of the ruling imam who applies the *sharī'a*. In the current situation, that means ISIS's leader al-Baghdādī. Given ISIS's “statehood”, al-Baghdādī, as the ruling imam, is under no obligation to accept any independent courts, al-Bin'ālī maintains.⁵⁷ It is therefore not arbitration as such that ISIS refuses, Abū 'Umar al-Ḥanbalī – another pro-ISIS scholar – states, but the type of arbitration that was offered, claiming that ISIS itself has set up *sharī'a* courts that should serve this

⁵³ Abū l-Mundhir al-Shinqīṭī, *Raf' al-Malām 'an Junūd Dawlat al-Islām* (www.gulfup.com/?YilPpd, 2014 (accessed 28 July 2014)), 7.

⁵⁴ Al-Atharī, *Madd*, 11. In much more general terms, this was also stated by ISIS's official spokesman, Abū Muḥammad al-'Adnānī. See his *Hādbā Wa'ada llāb* (www.gulfup.com/?3D7MKR, n.d. (accessed 28 July 2014)), 7.

⁵⁵ Al-Atharī, *Madd*, 11–3, 13–5; Abū l-Ḥasan al-Azdī, *Mūjibāt al-Inḍimām li-l-Dawla al-Islāmiyya fī l-'Irāq wa-l-Shām* (www.muslim.org/vb/showthread.php?519239, 2013 (26 March 2014)); Abū Muḥammad al-Azdī, *Aḥwāl al-Mu'aridīn li-Dawlat al-Muslimīn* (www.facebook.com/1algharibi/post/624591034258357, n.d. (accessed 26 March 2014)), 11–35; al-Shinqīṭī, *Fuṣūl fī l-Imāma wa-l-Bay'a* (www.tawhed.ws/dl?i=28121305, 10 December 2013 (accessed 2 January 2014)), 14–33; al-Shinqīṭī, *Raf'*, 7–8, 23–4.

⁵⁶ See, for example, Abū Maysara al-Shāmī, *Radd 'alā l-Fattān al-Maftūn warā' al-Kuwālīs* (http://wp.me/p2hUtu-m3, n.d. (accessed 28 July 2014)); al-Shāmī, *Khilāfa 'alā Minhāj al-Nubuwwa am "Khilāfa" Qutriyya...* (http://platformmedia.com/vb/showthread.php?p=297363, n.d. (accessed 28 July 2014)).

⁵⁷ Abū Humām Bakr b. 'Abd al-'Azīz al-Atharī, *Khaṭṭ al-Midād fī l-Radd 'alā Duktūr Iyād* (http://thabat111.wordpress.com/2013/12/24/934, 24 December 2013 (accessed 28 January 2014)), 8–11.

purpose.⁵⁸ It is probably also such ideas about statehood that explain ISIS's boldness in levying the Islamic poll tax (*jizya*) on the Christians in al-Raqqa, Syria, portraying it as a valid contract between a fully fledged Islamic state and a religious minority within that state.⁵⁹ Even the notorious beheadings of American journalists and British aid workers by what had then become IS could partly be explained through the group's "statehood". The pro-IS scholar Ḥusayn b. Maḥmūd argues, for example, that American journalists cannot simply enter an Islamic state without a covenant (*ʿabd*) of safe-conduct and not be seen as belligerent unbelievers. If they nevertheless choose to do so – knowing they are entering an Islamic state – they should be willing to suffer the consequences, pointing to Qurʾān 47: 4 and 8: 12⁶⁰ – both referring to enemies' heads being cut off during a battle – as justification for the beheadings used by IS.⁶¹

Many of these matters of *bayʿa* and statehood are so blindingly obvious in the eyes of some pro-ISIS scholars, that al-Shinqīṭī wonders how on earth any Jihādī-Salafī ideologue can possibly be against that group.⁶² Interestingly, however, it was the very same al-Shinqīṭī who, after ISIS announced its caliphate and changed its name to IS, rejected the organisation he had once so fervently supported. He argues that Mullah ʿUmar, the leader of the Afghan Taliban, was the first ruler who was given *bayʿa*. Although al-Shinqīṭī believes different Islamic states can be set up, they need to be subservient to one ruler, which clashes with the idea of a caliphate in Iraq and Syria that is not subservient to Mullah ʿUmar. Al-Shinqīṭī proceeds to analyse the differences and similarities between an emirate, a caliphate and a state, the differences between an Islamically legitimate caliphate and a political one and the order of *bayʿas* that has taken place between Mullah ʿUmar, al-Ẓawāhirī and al-Baghdādī, concluding that the latter's caliphate is illegitimate.⁶³ Some of these statements at least seem to constitute a reversal of al-Shinqīṭī's earlier words. Indeed, part of the document appears to be an acrobatic attempt to justify his breaking with IS while legitimising his earlier support for the group at the same

⁵⁸ Abū ʿUmar al-Ḥanbalī, *Al-Radd ʿalā Bayān al-Maqdisi al-Akbir* (<http://justpaste.it/g75i>, n.d. (accessed 30 July 2014)).

⁵⁹ *Awwal ʿAqd Dhimma fi l-Shām bayna l-Dawla al-Islāmiyya wa-Naṣārā Wilāyat al-Raqqa* (<http://justpaste.it/ejur>, n.d. (accessed 18 September 2014)). I would like to thank Jan Jaap de Ruiter for bringing this document to my attention.

⁶⁰ In A.J. Arberry's translation, these verses state, respectively, "When you meet the unbelievers, smite their necks (*fa-ḍarba l-riqāb*) [...]" and "[...] so smite above the necks (*fa-ḍribū fawqa l-a'nāq*)".

⁶¹ Ḥusayn b. Maḥmūd, *Masʿalat Qaṭʿ al-Ruʿūs* (<http://justpaste.it/gran>, 20 August 2014 (accessed 3 November 2014)).

⁶² Abū l-Mundhir al-Shinqīṭī, *Fatāwā bi-lā Tayyār..!* (www.hanein.info/vb/showthread.php?t=345664, 8 January 2014 (accessed 12 February 2014)), 1–3.

⁶³ Al-Shinqīṭī, *Iʿlān al-Khilāfa fi l-Mizān al-Sharʿi* (<http://justpaste.it/kil-mon>, 18 July 2014 (accessed 28 July 2014)).

time⁶⁴ and, sure enough, the ideological supporters of IS waste little time in pointing this out.⁶⁵ They criticise al-Shinqīṭī with arguments for IS's caliphate that we saw used above in favour of ISIS's Islamic state.⁶⁶ Still, IS's loss of al-Shinqīṭī, one of the most prominent Jihādī-Salafī scholars today, must surely have been a blow. This becomes even clearer if we look at Jordanian Jihādī-Salafī scholars' contributions to these debates.

Jordanian Jihādī-Salafī Contributions to Debates on Syria

Based on anecdotal evidence from my fieldwork in Jordan, it seems that many Jordanians in general see (or at least initially saw) the war in Syria as that of a brutal dictator killing his own population. Moreover, given the proximity of Syria to the relatively stable Jordan, the latter has to cope with many Syrian refugees fleeing the war. Apart from the humanitarian tragedy that their plight represents, their numbers have also reached such heights (over 1.5 million as of October 2014, on a total population of some eight million) that Jordan can hardly cope anymore.⁶⁷ All of this has made Jordanians in general painfully aware of the consequences of the war in Syria and the need to do something about it. This is likely to have been a factor in the large number of Jordanians who have gone to fight in Syria (over 2,000 in October 2014).⁶⁸

⁶⁴ For a more detailed analysis of al-Shinqīṭī's break with IS, see Cole Bunzel, *Al-Qaeda's Quasi-Caliph: The Recasting of Mullah Umar* (www.jihadica.com/al-qaeda%E2%80%99s-quasi-caliph-the-recasting-of-mullah-%E2%80%98umar/, 23 July 2014 (accessed 4 November 2014)).

⁶⁵ See, for instance, Abū Salma al-Shinqīṭī, *Al-Maqāl al-Taṣṣilī fī l-Tashkīk bi-Mā Nasaba li-l-Shaykh Abī l-Mundhir al-Shinqīṭī* (www.gulfup.com/?S6LN7V, 21 July 2014 (accessed 24 July 2014)).

⁶⁶ Abū 'Abd al-Rahmān 'Ubayda al-Athbajī, *Waqfāt Muḥadbdhir min Kalām Abī l-Mundhir* (www.gulfup.com/?ttP7Jp, n.d. (accessed 28 July 2014)); Aḥmad Bawādī, *Iẓḥār al-Ḥujaj wa-Ibtāl Mā fī Maqāl al-Shinqīṭī min al-Lujaj* (http://amhambawadi.blogspot.com/2014/07/abawadi_19.html, n.d. (accessed 28 July 2014)); Abū Khubāb al-'Irāqī, *Tahqīq al-Mizān fī l'Ilān Khilāfat Dawlat al-Islām* (www.gulfup.com/?Ln2aG2, 2014 (accessed 28 July 2014)); Abū 'Umar al-Kuwaytī, *Tanbīh al-Mujāhid al-Mustanfīr min Takhlīṭ al-Shinqīṭī Abī l-Mundhir* (<http://justpast.it/gate>, n.d. (accessed 28 July 2014)).

⁶⁷ "Refugee burden has exhausted Jordan — Judeh," *Jordan Times*, October 28, 2014 (<http://jordan-times.com/share-content/refugee-burden-has-exhausted-jordan—judeh.html>, accessed 30 October 2014).

⁶⁸ This number is based on my continual tracking of numbers of fighters in Syria through various Jordanian media sources. It has gradually gone up throughout the past few years and largely matches assessments given by both official government sources as well as Jordanian Jihādī-Salafīs themselves and is therefore likely to be accurate. For more on this, see Suha Philip Ma'ayeh, "Jordanian Jihadists Active in Syria," *CTC Sentinel* 6, no. 10 (2013): 10–12. To see how Jordanians compare with other countries, see Aaron Y. Zelin, *Foreign Jihadists in Syria: Tracking Recruitment Networks*, WINEP Policy Watch 2186 (www.washingtoninstitute.org/policy-analysis/view/foreign-jihadists-in-syria-tracking-recruitment-networks.pdf, 19 December 2013 (accessed 30 December 2013)).

Capitalising on the Arab Spring

Given the direct relevance of the conflict in Syria to Jordanians, one might expect Jordanian Jihādī-Salafī scholars⁶⁹ to be quite outspoken about the conflict. In fact, however, compared to Abū Baṣīr's very explicitly pro-FSA views and the staunchly Jihādī-Salafī positions of men such as al-ʿĀmilī, al-Bin'ālī and al-Shinqīṭī, Jordanian comments on the "Arab Spring" were fairly moderate. Unsurprisingly, Abū Muḥammad al-Maqdisī, in line with what we saw in the introduction of this article, stresses that fighters should coordinate their jihādī efforts with Islamic groups so as to reduce the chance of individuals making mistakes or engaging in illegitimate actions.⁷⁰ He uses ants and bees "for whom there is no life except through planning (*al-tadbīr*), order (*al-tartīb*) and organisation (*al-tanzīm*)" as an example from which fighters can learn and points out that such preparation is not an illegitimate religious innovation (*bid'a*), but something that the Prophet Muḥammad himself also engaged in.⁷¹

A similar attitude is called for, al-Maqdisī claims, with regard to how to deal with any post-revolutionary situation. He acknowledges the benefits the "Arab Spring" can have "for the call to the unity of God" (*li-da'wat al-tawḥīd*) and hopes that it can be turned into "an Islamic Spring".⁷² This can only happen, however, if Jihādī-Salafīs cooperate with the people of the countries affected and do so with wisdom, patience and gradualism instead of clashing with people in ways that are ultimately detrimental to Islam. Again, al-Maqdisī points to the example of the Prophet Muḥammad, who also did not smash the idols in Mecca as soon as he had the opportunity, but concentrated on destroying them, their polytheism and the worship of them in peoples' minds first. This manner of creating support among the people for Islamic policies should serve as a model for Jihādī-Salafīs in Arab countries today, al-Maqdisī claims.⁷³

Choosing a Militia in Syria

We were happy about the news from al-Shām that reached us recently about the presence of a group of our jihādī brothers (*ikhwānī-nā l-mujābīdīn*) from the people of al-Shām and elsewhere who raise a pure banner (*rāya naqīyya*)

⁶⁹ A Jordanian commentator sympathetic to al-Qā'ida is Iyād Qunaybī. Although he often discusses the Syrian situation in his writings, he is – by his own admission – not a Jihādī-Salafī and neither is he a scholar of Islam. He is also not involved in the debates about "fighters" vs. "scholars", how a proper jihad should be waged and what an Islamic state should look like. His work will therefore not be discussed in this article.

⁷⁰ Abū Muḥammad al-Maqdisī, *Ijābat al-Sā'il fī As'ila min al-Nawāzil* (www.tawhed.ws/dl/?=28051301, 17 December 2012 (accessed 29 May 2013)), 3.

⁷¹ Al-Maqdisī, *Ijābat*, 11–2.

⁷² Al-Maqdisī, *Min Abī Muḥammad al-Maqdisī ilā Ikhwānī-bi l-Muwaḥḥidīn fī bādbibi l-Balad wa-Man Yaṣīlu ilay-bi min al-Mu'minīn fī 'Umūm Bilād al-Muslimīn* (www.tawhed.ws/dl/?i=02041301, 2013 (accessed 4 April 2013)), 5.

⁷³ Al-Maqdisī, *Min Abī Muḥammad*, 6.

and distinguish their jihad in God's way with a unified leadership (*qiyāda muwaḥḥida*) from the sons of Syria.⁷⁴

Thus spoke al-Maqdisī about efforts to join Jihādī-Salafī groups in Syria. Unlike Abū Baṣīr, Jordanian Jihādī-Salafī scholars al-Maqdisī, Abū Qatāda al-Filasṭīnī and the less well-known 'Umar Mahdī Āl Zaydān, never sided with the FSA, but attached greater value to the overtly Jihādī-Salafī character of the militias they supported. Al-Maqdisī indicated that he was not too concerned with names⁷⁵ and, indeed, his and Abū Qatāda's message at the time of conflict between the various militias was initially conciliatory. In one article, al-Maqdisī calls on fighters not to split jihad into several, mutually opposing factions:

We are friends of and support all those who raise the banner of the unity of God among our jihādī brothers in Syria and all those who wage jihad in the way of helping [this banner] and establishing it, without distinction between factions, in the forefront of whom are our brothers in Jabhat al-Nuṣra and our brothers in the [Islamic] State of Iraq and al-Shām.⁷⁶

Even when criticism of some Jihādī-Salafīs did find its way into Jordanian scholars' writings, it was usually stated in general terms or expressed in a very brotherly fashion. Al-Maqdisī, in one such a mildly critical article, distinguishes two categories of Jihādī-Salafīs, one of which fights in a way that is "collective, organised, united (in rank) with a banner that carries the word of *tawḥīd*". The second does the same, but with "their tongues and their pens".⁷⁷ It is obvious that al-Maqdisī is referring to the ideal jihad fighters that he (and others) have so often called for, on the one hand, and the group of scholars who support them in their fight (including al-Maqdisī himself), on the other. Still, there is also a third category, al-Maqdisī states, and this is where the dispute between fighter-centred jihad and a scholarly-centred one rears its head again. This third category does not see the first two categories as complementing each other, but as clearly distinguished, which – according to al-Maqdisī – is wrong. He accuses the – unnamed – members of this third category as having "small brains and long tongues" who do not understand jihad "in its totality".⁷⁸

Despite this criticism, al-Maqdisī kept calling for unity among the different jihādī militias at this stage (late 2013-early 2014)⁷⁹ and proudly quotes his youngest son when the

⁷⁴ Al-Maqdisī, *Min Abī Muḥammad*, 7.

⁷⁵ Al-Maqdisī, *Ijābat al-Sā'il fī As'ila min al-Nawāzil* 2 (www.tawhed.ws/r?i=21061301, 2013 (accessed 4 July 2013)), 3–4.

⁷⁶ Al-Maqdisī, *Laysa Ka-Man Tardā bi-Shaqq Ibni-bā* (www.tawhed.ws/pr?i=8306, 5 November 2013 (accessed 18 November 2013)), 2.

⁷⁷ Al-Maqdisī, *Bayna Faqāsāti-nā wa-Faqāsāti-bim* (www.tawhed.ws/r?i=21101302, September 2013 (accessed 24 October 2013)), 2.

⁷⁸ Al-Maqdisī, *Bayna*, 3–4.

⁷⁹ Al-Maqdisī, *Illā Tafalū-bu Takun Fitna fī l-Arḍ wa-Fasād Kabīr* (www.tawhed.ws/r?i=16011401, January 2014 (accessed 5 February 2014)), 2.

latter was asked who he supported – Jabhat al-Nuṣra or ISIS – as saying: “I support all Muslims” (*anā ma’a kull al-Muslimīn*).⁸⁰ He calls on Jihādī-Salafis in Syria to follow that example and stop the bloodshed amongst each other, which he says grieves him greatly.⁸¹ Abū Qatāda is more explicit in this respect, stating openly that mistakes are being made in Syria by Jihādī-Salafis. He calls on them to realise that jihad is not just theirs, but that it belongs to the entire Muslim community, that disunity is detrimental to their efforts and that jihādīs should not fight over leadership questions or ascribe too much power to their leaders, which he suggests is a Shiite thing to do.⁸² He also advises ISIS and Jabhat al-Nuṣra to join forces and obey al-Qa’ida-leader Ayman al-Ḍawāhirī.⁸³

At the same time as this mild criticism was being expressed, Jordan witnessed an upsurge in the number of Jihādī-Salafis going to Syria, eventually leading to a situation in which probably the majority of Jordanians going to wage jihad sided with ISIS.⁸⁴ Overt support for ISIS could also be seen in Jordan in the work of a relatively unknown scholar called ‘Umar Maḥdī Āl Zaydān. He specifically criticised Abū Qatāda’s criticism of ISIS via audio recordings⁸⁵ and in his writings. ‘Umar Maḥdī wonders why, if unity of leadership is so important to Abū Qatāda, al-Baghdādī – being the leader and commander of al-Jawlānī – should withdraw in favour of the latter instead of the other way around, which seems obvious given the relationship between the two leaders. He also protests Abū Qatāda’s suggestion that jihādī leadership among ISIS-supporters resembles Shiite ideas about their imams in any way and rejects the notion that jihad belongs to the entire *umma*, arguing instead that it belongs to nobody but constitutes an Islamic duty and “a transaction (*ṣafqa*) between the servant (*al-‘abd*) and his lord (*rabbi-hi*)”.⁸⁶

Considering their concerns about jihad in Syria, the large number of Jordanians going there to fight and the ideological criticism by ‘Umar Maḥdī Āl Zaydān, it is not surprising that Jordanian Jihādī-Salafī scholars were actively involved in the various efforts to reconcile the different factions in Syria mentioned

⁸⁰ Al-Maqdisī, *Anā Ma’a Jamī’ al-Mujāhidīn alladbīna Yanṣurūna Rāyat al-Tawḥīd* (www.tawhed.ws/r?i=06031401, February 2014 (accessed 12 March 2014)), 1.

⁸¹ Al-Maqdisī, *Allabumma In Abra’a ilay-ka mimma Ṣana’a Hā’ulā’i* (www.tawhed.ws/r?i=25011401, January 2014 (accessed 5 February 2014)), 1–2.

⁸² Abū Qatāda al-Filastīnī, *Risāla li-Ahl al-Jihād bi-l-Shām* (www.tawhed.ws/dl?i=02111303, n.d. (accessed 6 November 2013)), 3–5.

⁸³ Tāmir al-Samādī, “‘Ammān: ‘Abū Qatāda’ Yad’u fi Jalsat Muḥākamati-hi ilā Tā’at al-Ḍawāhirī wa-Waḥdat ‘Dā’ish’ wa-‘l-Nuṣra,” *Al-Ḥayāt*, December 25, 2013 (<http://alhayat.com/home/Print/585682?PrintPictures=0>, accessed 6 January 2014).

⁸⁴ Muwaffaq Kamāl, “Mukhtaṣṣun: Dā’ish Aghlabiyya bi-l-Tayyār al-Salafī al-Jihādī al-Urdunnī,” *Al-Ghad*, August 6, 2014 (www.alghad.com/articles/817892, accessed 6 August 2014).

⁸⁵ ‘Umar [Maḥdī Āl] Zaydān, *Ālā Bayān Abī Qatāda al-Filastīnī* (www.youtube.com/watch?v=jkUu-ttP3Pqk&feature=youtube_gdata_player, 29 April 2014 (accessed 5 November 2014)).

⁸⁶ Āl Zaydan, *Al-Naqd li-Qawl man Ja’ala l-Khilāfa al-Islāmiyya min Dīn al-Rafq* (<http://wp.me/p2hUtu-dm>, 2 January 2014 (accessed 12 February 2014)), 2–4. The quotation is on 4.

earlier.⁸⁷ Given the rejection of ISIS to accept reconciliation or even mediation that did not take place on their terms, as we saw above, all of these efforts came to naught.⁸⁸ From that moment on, Abū Qatāda, al-Maqdisī and a small group of other (Jordanian and non-Jordanian) scholars centred around al-Maqdisī in particular came out firmly against ISIS for reasons that were closely related to the “fighters” vs. “scholars” debate that we saw earlier, but that also built on that dispute and dealt with the trappings of what they saw as an ideal Islamic state.

An Islamic State, Yes, but not ISIS’s

That the failure of mediation efforts between ISIS and other factions were the direct reason for al-Maqdisī to lash out as ISIS becomes clear in a communiqué that he dedicates entirely to this issue. In its introduction, the administrators of his website claim that ISIS rejected all mediation initiatives as “religious innovations” (*mubādarat bid’iyya*).⁸⁹ Al-Maqdisī himself claims to have advised ISIS’s leader al-Baghdādī and to have kept in touch with al-Qā’ida-leader al-Zawāhirī, all in an effort to bring an end to jihādī infighting. ISIS, however, “has shed forbidden blood (*al-dimā’ al-muḥarrama*)” and refuses to listen to jihādī leaders, “their shaykhs, their initiatives and their advice”.⁹⁰ According to al-Maqdisī, such illegitimate actions and this refusal to listen cause him to speak out about ISIS. He openly states that ISIS is “a deviant organisation” (*tanẓīm munḥarif*) that “tends towards extremism (*al-ghulūw*)” and has engaged in

shedding the blood of inviolable people (*dimā’ al-ma’sūmīn*) and the confiscation of their possessions, their flocks and their regions, which they [had] liberated from the regime. It has caused the defamation of jihad and a small group of jihādī fighters (*shirdhimat al-mujāhidīn*) and has turned the rifles [away] from the chests of the apostates and belligerents towards the chests of the jihādī fighters and the Muslims.⁹¹

⁸⁷ “Al-Maqdisī wa-l-Ṭahāwī Yad’amāni Mubādarat ‘al-Umma’ li-Dā’iyya Sa’ūdi,” *Al-Quds al-‘Arabī*, January 26, 2014 (www.alquds.co.uk/?p=127080&print=1, accessed 6 February 2014); UPI, “Abū Qatāda’ Yuhājimu Ḥizb Allāh wa-Yuṭālību l-Ḥukūma al-Lubnāniyya bi-l-Ḍadhṭ ‘alay-hi,” *Al-Ḥayāt*, February 13, 2014 (<http://alhayat.com/home/Print/603050?PrintPictures=0>, accessed 14 February 2014); ‘Abdallāh b. Aḥmad al-Bin al-Ḥusaynī, *Al-Ṣawā’iq al-Ḥusayniyya fī Daḥḍ al-Istidlālāt al-Manāmiyya* (www.tawhed.ws/dl?i=16081403, 2014 (accessed 22 August 2014)); Abū Muḥammad al-Maqdisī, *Ta’līqan ‘alā Qiṣṣat Muḥākamat-ī bi-l-Niyāba ‘an Tanẓīm al-Dawla* (www.tawhed.ws/dl?i=28071402, 23 July 2014 (accessed 30 July 2014)).

⁸⁸ For more on the failed reconciliation efforts between Jabhat al-Nuṣra and ISIS, see Cole Bunzel, *The Islamic State of Disunity: Jihadism Divided* (www.jihadica.com/the-islamic-state-of-disunity-jihadism-divided/, 30 January 2014 (accessed 5 November 2014)).

⁸⁹ *Bayān Ṣādir ‘an al-Shaykh Abī Muḥammad al-Maqdisī – Fakka llāb Asra-hu – fī Bayān Hal ‘Al-Dawla al-Islāmiyya fī l-‘Irāq wa-l-Shām’ wa-l-Mawqif al-Wājib Tijābi-bā* (www.tawhed.ws/r?i=26051401, 26 May 2014 (accessed 26 May 2014)), 2.

⁹⁰ *Bayān Ṣādir*, 3.

⁹¹ *Bayān Ṣādir*, 4–5.

As if to underline his criticism, al-Maqdisī also advises his readers to join Jabhat al-Nuṣra.⁹²

The very same advice was given to ISIS itself by Abū Qatāda al-Filastīnī: from his prison cell and during his court case in Amman, where he was being held in 2013–2014 on terrorism charges, he criticised ISIS for its violence against non-combatant Muslims and non-Muslims alike and called on them to join Jabhat al-Nuṣra.⁹³ He also squarely puts the blame for the infighting between Syrian militias on ISIS and advises al-Baghdādī to obey al-Qā'ida-leader al-Ẓawāhirī, pull back to Iraq and allow all fighters in Syria to join Jabhat al-Nuṣra.⁹⁴ Abū Qatāda's attitude towards ISIS hardened further after the assassination of Khālīd al-Sūrī, Ayman al-Ẓawāhirī's envoy in Syria in February 2014. He considered this loss to be "like the loss of jihādī shaykh Usāma b. Lādin" and attributes al-Sūrī's death to the actions of ISIS, whose cadres he describes as "criminals"⁹⁵, although he advises Jabhat al-Nuṣra-leader al-Jawlānī to refrain from fighting ISIS.⁹⁶

The criticism of ISIS by Jordanian Jihādī-Salafī scholars also pertained to the aspect that set the organisation apart from others: its claim to be a state and, later, a caliphate. Although both Abū Qatāda and al-Maqdisī obviously support the idea of setting up an Islamic state or a caliphate in principle, they reject the ones that ISIS has successively founded because of the organisation's "defamation of the project of the caliphate and the Islamic state in the hearts of the people (*fī ṣudūr al-nās*) with their practices, their pigheadedness, their extremism and their bloodshed".⁹⁷ Instead, al-Maqdisī states, a caliphate should be something for all Muslims, not just a small group, and

should provide a refuge (*malāḍhan*) and safety (*amnan*) for every Muslim... , not threats (*tabdīdan wa-wa'īdan*) and intimidation (*takhwīf*) [...]. The caliphate should be a refuge for Muslims and their lost paradise that they are looking for. Do not turn it into a hell for them and do not increase their frustration. It is the dream of Muslims that they have striven to realise. Do not distort this beautiful dream [...]. On the contrary, realise it – if you want – through mercy to Muslims and help to the weak.⁹⁸

⁹² *Bayān Ṣādir*, 5.

⁹³ AFP, UPI, "Abū Qatāda Yaḥuddu Amīr 'Dā'ish' 'alā l-Indīwā' Taḥta 'Jabhat al-Nuṣra' wa-Waqf al-Iqtītāl," *Al-Ḥayāt*, January 16, 2014 (<http://alhayat.com/home/Print/593470?PrintPictures=0>, accessed 17 January 2014); Rā'id Rummān, "Abū Qatāda Yuḥaddidu bi-Muqāṭa'at al-Muḥākama," *Al-Sabīl*, January 17, 2014, 3.

⁹⁴ Abū Qatāda al-Filastīnī, *Risāla min al-Shaykh Abī Qatāda ilā Ikhwānī-nā l-Mujābidīn* (www.gulfup.com/?sCYzAh, 20 January 2014 (accessed 29 April 2014)), 2–3.

⁹⁵ Muḥammad al-Najjār, "Abū Qatāda Yuhājimu 'Tanẓīm al-Dawla' wa-Yu'ayyidu Muhlat al-Nuṣra," *Al-Jazeera*, February 27, 2014 (www.aljazeera.net/news/pages/a3522a49-b32b-4be8-8e62-63dc5670d894, accessed 28 February 2014).

⁹⁶ "Abū Qatāda' Yanṣaḥu l-Jawlānī bi-l-Tarāju' 'an Ilān Qitāl 'Dā'ish'," *Ammūn News*, February 28, 2014 (www.ammonnews.net/print.aspx?articulo=184552, accessed 28 February 2014).

⁹⁷ Abū Muḥammad al-Maqdisī, *Wa-Lā Takūnū ka-llatī Naqaḍat Ghaẓla-bā min ba'd Quwwa Ankāthan* (www.tawhed.ws/?i=12071401, 11 July 2014 (accessed 30 July 2014)), 3.

⁹⁸ Al-Maqdisī, *Wa-Lā Takūnū*, 5.

On a more technical note, Abū Qatāda points out that according to “the books of our scholars”, the leadership of Muslims is “a contract between the Muslim community and the ruler”, which takes two parties.⁹⁹ Given that ISIS’s caliphate is not based on such a contract requiring the consent of the ruled, according to Abū Qatāda, he states that this project was conducted in ignorance and that the caliphate as called for by ISIS is, in fact, a *bid’a*.¹⁰⁰ He applies a similar reasoning to the question of the poll tax that ISIS levies on Christians in al-Raqqa. Abū Qatāda contends that the *jizya* can only be taken from Christians if the other party in this bilateral contract – in this case ISIS – is able to keep its promises as stipulated. He states, however, that ISIS can never protect the Christians in the present circumstances, as it is supposed to do according to the contract, thereby rendering the whole deal null and void.¹⁰¹ Al-Maqdisī adds to this that a caliphate is not simply founded by announcing it, but by receiving the *bay’a* of the people and the scholars. Without this, al-Maqdisī claims, “someone may be the leader of a group or an emirate, but not the leader of believers in general or the leader of a caliphate for all Muslims”.¹⁰²

The controversial beheadings by IS of two American journalists and two British aid workers, finally, were also criticised by al-Maqdisī. Contrary to the pro-IS scholar Ḥusayn b. Maḥmūd, who sees journalists as belligerent unbelievers entering the Islamic State without a covenant of safe-conduct (*amān*), al-Maqdisī states that the people who enter Muslim lands for charitable reasons should be treated as having received *amān*. It is therefore not allowed to kill such people. Instead, they should be respected, just like the Prophet Muḥammad respected non-Muslims who helped the believers, he claims. The direct reason al-Maqdisī wrote these words was the execution of British aid worker David Haines in September 2014. IS had threatened to behead another aid worker from Great Britain, Alan Henning, and it was his release that al-Maqdisī called for. He warns IS not to let Henning’s nationality play a role, but treat him as the volunteer with charitable intentions that he is. Al-Maqdisī concludes that jihādīs need to remember that “jihad is a means to raise the banner of *tawḥīd*, so beware of turning this means into a tool to distort this banner”.¹⁰³

⁹⁹ Abū Qatāda al-Filastīnī, *Thiyāb al-Khalīfa* (www.tawhed.ws/dl?i=0108141y, July 2014 (accessed 14 August 2014)), 13.

¹⁰⁰ Al-Filastīnī, *Thiyāb*, 4, 6.

¹⁰¹ “Abū Qatāda li-*l-Hayāt*: Farḍ al-Jizya fi Sūriya Ghayr Jā’iz wa-U’ayyidu Muhlat al-Jawlānī,” *Al-Hayāt*, February 27, 2014 (<http://alhayat.com/Articles/789112>, accessed 28 February 2014); Rā’id Rummān, “Abū Qatāda: Lā Yajūzu l-Qitāl Taḥta Rāyat ‘Dā’ish’ fi Sūriya,” *Al-Sabīl*, February 28, 2014, 3.

¹⁰² Al-Maqdisī, *Wa-Lā Takūnū*, 7.

¹⁰³ Al-Maqdisī, *Al-Radd wa-l-Inkār ‘alā Man Kbaṭafa aw Qatala Muwazzāfi l-Ighātha wa-Law Kānū min al-Kuffār* (www.tawhed.ws/dl?i=18091401, 17 September 2014 (accessed 19 September 2014)), 2–4. The quotation is on 4.

Reorganisation and Reconciliation

Considering the highly diverse and often clashing views among Jihādī-Salafī scholars on what an Islamic state should look like, it is not an exaggeration to say that their previously united scholarly front against a “fighter-centred” jihad almost completely fell apart with the rise of IS, which was particularly clear with al-Maqdisī’s website’s *sharī’a* council. After al-Shinqīṭī’s break with IS when the latter announced its caliphate, however, contact was established with al-Maqdisī again.¹⁰⁴ Al-Shinqīṭī had not issued a fatwa for the *sharī’a* council since September 2013, most probably because of his support for ISIS, and because he had been the only active scholar on the council for months before that, his disappearance basically meant the end of the council as a whole. In August 2014, however, the *sharī’a* council was re-launched with five new scholars on it: ‘Abdallāh b. Aḥmad al-Bin al-Ḥusaynī (of unknown origin), the Jordanian Sāmī al-‘Uraydī, the presumably Saudi Abū l-‘Izz al-Najdī and Abū ‘Abdallāh Muḥammad b. ‘Abd al-‘Azīz al-Madanī and the presumably Iraqi al-Mu‘taṣim bi-llāh al-‘Irāqī.¹⁰⁵

Interestingly, the communiqué announcing the re-launch of the *sharī’a* council also called on the two members that it lost to IS – Abū l-Mundhir al-Shinqīṭī and Turkī al-Bin‘alī – to join the council again.¹⁰⁶ While Abū Qatāda seems to have been quite pleased with the re-launch of the *sharī’a* council, sending several of its members a letter in which he praised them and stressed the importance of scholarly knowledge¹⁰⁷, the Syrian-British Abū Baṣīr al-Ṭartūsī was less amused. He scolds the people behind al-Maqdisī’s website for calling on (former) ISIS-supporters like al-Shinqīṭī and al-Bin‘alī – “Khawārīj”, according to Abū Baṣīr – to rejoin the council and asks how this can possibly be reconciled with al-Maqdisī’s “warning against extremism and extremists”.¹⁰⁸ What Abū Baṣīr probably did not realise, however, was that the *sharī’a* council and the other scholars (re-)affiliated with al-Maqdisī – including al-Shinqīṭī – would not become more pro-IS but, in fact, take on an increasingly partisan anti-IS, pro-al-Qā’ida and pro-Jabhat al-Nuṣra stance.¹⁰⁹ Indeed, the Jordanian Sāmī al-‘Uraydī had been appointed the mufti of Jabhat al-Nuṣra the month before the *sharī’a* council was re-launched.¹¹⁰ More important

¹⁰⁴ *Bayān min Minbar al-Tawḥīd wa-l-Jihād Ḥawla Ittibāmāt Mu’assasat al-Ghurabā’ li-l-‘Ilām* (www.tawhed.ws/r?i=30071401, 30 July 2014 (accessed 30 July 2014)).

¹⁰⁵ *I’adat Tafīl Muntadā al-Fatāwā al-Shar’iyya* (www.tawhed.ws/pr?i=8328, n.d. (accessed 19 August 2014)), 1.

¹⁰⁶ *I’adat*.

¹⁰⁷ Abū Qatāda al-Filastīnī, *Risāla min al-Shaykh Abī Qatāda ilā Ṭalabat al-‘Ilm wa-l-Mashāyikh al-Mujāhidīn fī Arḍ al-Shām al-Mubāraka* (www.tawhed.ws/dl?i=03081411, 2014 (accessed 14 August 2014)).

¹⁰⁸ Abū Baṣīr al-Ṭartūsī, *Minbar al-Tawḥīd wa-l-Jihād wa-Mashāyikh al-Ghulūw!* (http://altartosi.net/ar/?p=4393, n.d. (accessed 22 August 2014)).

¹⁰⁹ Cole Bunzel, *A Jihadi Civil War of Words: The Ghuraba’ Media Foundation and Minbar al-Tawhid wa ‘l-Jihad* (www.jihadica.com/a-jihadi-civil-war/, 21 October 2014 (accessed 7 November 2014)).

¹¹⁰ “Ṣaḥīfa: al-Jawlānī Yu’ayyinu l-Urdunnī al-Uraydī ‘Mas’ūlan Shar’iyyan’ li-l-Nuṣra,” *Al-Ghad*, July 31, 2014 (www.alghad.com/articles/816924, accessed 1 August 2014).

were the writings published on al-Maḳdisī's website in the following months by scholars affiliated with him and Abū Qatāda. In several of these articles and books, aspects explicitly or implicitly associated with IS were criticised from an Islamic perspective, such as excessive violence¹¹¹, beheadings¹¹² and "extremism" in *takfīr*¹¹³. That al-Shinqīṭī was an active participant in these efforts could be seen as a victory for the major Jordanian scholars in their battle against not only a "fighter-centred" jihad, but also in their disputes over what an Islamic state should look like.¹¹⁴

Conclusion

This article has argued that many discussions on Jihādī-Salafī practices deal with the question of who speaks for jihad: "the scholars" or "the fighters". These debates have been dominated by the Jordanian Jihādī-Salafī scholar Abū Muḥammad al-Maḳdisī, who set up a *sharī'a* council on his website in 2009 to bring together a group of scholars dedicated to – among other things – giving proper guidance in all things jihādī. This council more or less represented the Jihādī-Salafī scholarly consensus until at least 2011 on the question of how a jihad should be fought. Together, they embodied "the scholars". After the rise of the Islamic State (in Iraq and al-Shām, IS(IS)) in 2013, however, the *sharī'a* council fell apart over whether ISIS represented the ideal jihad that the scholars had long called for and, more importantly, the Islamic state and even the caliphate that had been the end-goal all along.

The differing choices Jihādī-Salafī scholars made in advising their followers about what to do in the aftermath of the so-called Arab Spring – ranging from the conciliatory approach of Abū Baṣīr al-Ṭarṭūsī to the militant Islamism of Abū l-Mundhir al-Shinqīṭī – were indicative of what militias in Syria they sided with. The former opted for the Free Syrian Army, while the latter favoured the Syrian branch of al-Qā'ida, Jabhat al-Nuṣra. Although al-Shinqīṭī's position probably represented the view of the *sharī'a* council as a

¹¹¹ Abū l-Mundhir al-Shinqīṭī, *Sayf bi-lā Qur'ān!* (www.tawhed.ws/dl?i=02091401, 30 August 2014 (accessed 10 September 2014)).

¹¹² Al-Shinqīṭī, *Al-Hady wa-l-Samḥ fī Ṭuruq al-Qatl wa-l-Dbabḥ* (www.tawhed.ws/Download/02111401.zip, 10 October 2014 (accessed 4 November 2014)); Abū Maḥmūd al-Filastīnī, *Tabdīd al-Asinna fī l-Radd 'alā Man Zanna anna l-Qatl Dbabḥan Sunna* (www.tawhed.ws/dl?i=17091401, n.d. (accessed 18 September 2014)).

¹¹³ Abū 'Abdallāh al-Tūnisī, *Al-Aṣl fī l-Nās* (www.tawhed.ws/dl?i=11101401, 11 October 2014 (accessed 11 October 2014)).

¹¹⁴ The fact that the military strikes on IS launched by an international coalition from September 2014 on caused al-Maḳdisī and other scholars to call for a truce between the Syrian jihādī militias again was not because of newfound sympathy for IS, but because they felt the choice was between their fellow (albeit "deviant") Jihādī-Salafīs and a "Crusader" alliance of "unbelievers". For more on this, see Abū Muḥammad al-Maḳdisī, *Munāṣaḥa li-l-'Uqalā' min Anṣār al-Dawla al-Islāmiyya fī l-'Irāq wa-l-Shām wa-Munaṣara labā Didd al-Ṣalibiyyīn wa-l-Murtaddīn* (www.tawhed.ws/dl?i=07091401, 6 September 2014 (accessed 10 September 2014)); *Mubādarat wa-Da'wa ilā Hudna bayna l-Faṣā'il fī l-Shām* (www.tawhed.ws/dl?i=30091401, 30 September 2014 (accessed 30 September 2014)).

whole, this changed with the rise of ISIS, which split the council into those who stuck with al-Qāʿida and its Syrian affiliate and those who supported ISIS. Among the latter were two members of the *sharīʿa* council – al-Shinqīṭī and Turkī al-Binʿalī – who eventually left the council, leaving it to peter out. For them, ISIS waged the proper jihad and represented the truly Islamic state that “the scholars” had been calling for.

Jordanian Jihādī-Salafī scholars generally took a middle position with regard to the “Arab Spring” – wanting to turn it into an “Islamic Spring” but doing so in a gradual and conciliatory way – and this attitude also translated itself into their eventual support for Jabhat al-Nusra, which was Jihādī-Salafī, but not as violent as IS. Although at least one Jordanian scholar supported IS, al-Maqdisī and Abū Qatāda al-Filasṭīnī gradually came to see that group as a new representative of the “extreme” jihādī practices that they had long protested against. This applied particularly to the organisation’s claims of statehood and their establishment of a caliphate, which al-Maqdisī and Abū Qatāda rejected as illegitimate. Such criticism was lifted to a higher level when al-Shinqīṭī stopped supporting IS and joined up with al-Maqdisī again who, moreover, re-launched the *sharīʿa* council with new and increasingly partisan pro-al-Qāʿida scholars. To this group were added several other like-minded ideologues who together tried to re-establish scholarly hegemony over not just how to wage a jihad, but also how to set up an Islamic state. It is particularly the latter question that has been brought to the fore with the rise of IS and, given the success of this organisation, it is bound to be discussed a lot more. Although IS’s successes presented a major challenge to critical scholars at first, al-Maqdisī and his team of pro-al-Qāʿida scholars seem to have come back with a vengeance.