

# THE “ULEMA” OF THE JIHADI MOVEMENT: DISCOURSE, ROLE AND FUTURE

CHAFIC CHOUCAIR



ALSHARQ FORUM PAPER SERIES

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# THE “ULEMA” OF THE JIHADI MOVEMENT:

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## DISCOURSE, ROLE AND FUTURE

CHAFIC CHOUCAIR

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**Abstract:** This paper examines the role of the jihadi movement's "ulema" and its future, particularly in light of the dialectical relationship that links them with jihadi discourse and jihadi movements.<sup>1</sup> This paper adopts an analytical and historical approach to identify the most important intellectual phases of this movement and the transformations of jihadi discourse and its intellectual framework. To study these transformations, the author conducted interviews with a number of the jihadi movement's key figures and researchers specializing in the jihadi movement. After a historical and analytical review of the movement's path and its most prominent declarations, the paper concludes that the jihadi movement has witnessed three phases in the development of its ulema. The first phase began with Sheikh Abdullah Azzam and Osama bin Laden. The second phase witnessed the rise of the ideas of Abu Muhammad al-Maqdisi and Abu Qatada. In the third phase, these ideas are still dominant along with others; however, the developments that swept

1- Definition of the concept of Jihad is very contentious. It is classically defined as a holy war (as the crusade in the Christian context). In this case, it means a noble fight in the name of Allah to defend the religion and the Ummah against the attackers (what is termed the defensive jihad or jihad al-daf') or to spread the call of Islam by fighting the infidel rulers who refuse Islam peacefully nor allow the peaceful call for Islam in their dominions (what is termed the pursuit jihad or Jihad al-talab). While the first type is obligatory with all available means, the second is a matter of cost-benefit calculation. Furthermore, there are many provisions and regulations within the Islamic Sharia to guarantee fair treatment of the enemies even during wars.

Nevertheless, this simple definition of jihad does not reflect the complexities associated with it especially in the contemporary world. Three major problems concern us here more. First, who is entitled to declare Jihad? In the traditional Islamic governance, the Imam or the Caliph was the one who had this authority. But, in the current situation, how should Muslims deal with the absence of such post in the nation-state system in the Muslim world? Is it legitimate for any scholar/s, organization/s, or social movement/s to usurp this right and declare jihad?

Second, could jihad be declared against unjust Muslim rulers? This debate is back to the first century of Hijra with the rebellion led by Al Hussein (the grandson of the Prophet PBUH) against the Umayyad rule and still unresolved. Many of what so-called Jihadi movements in the Muslim world declare jihad not against infidels but against their governments. They usually justify their "jihad" either by the grievances committed by their rulers or even by claiming that their rulers are not Muslims anymore because of their deliberate, persistent and serious breaching of the Sharia laws.

Third, to what extent the traditional jihad jurisprudence "Fiqh al-jihad" is valid in the current reality. Obviously, Sharia is different from fiqh which is a body of provisions made by jurists according to their understanding of the religious texts and in given circumstances. Therefore, many classical fiqh provisions related to the old war system as tributes, spoils, and enslavement are no longer valid. However, many Salafi scholars and movements refuse to admit this temporality and contextuality of the classical jihad jurisprudence provisions.

In sum, the concept of jihad in the contemporary world is somehow hijacked by what is known as jihadi movements. These movements – as has been discussed – usurp the right to declare jihad from the "secular" rulers in the Muslim world. However, their calls for jihad sometimes gain a sort of popular legitimacy when jihad is announced to defend the Muslim lands against foreign invasion or to resist an occupation. In other occasions, jihadi movements call for jihad in their homelands against their governments under the claim of being unjust or even apostate. They fiercely challenge the authority of these governments not via peaceful political means of opposition (as what the political Islam movements usually do) but through violence and armed resistance. Additionally, fundamental jihadi movements strictly adopt an archaic version of jihad jurisprudence which is related to medieval war practices claiming that it represents the authentic Islamic Sharia.



the region after the Arab uprisings and the emergence of ISIS pose a serious challenge to them and the whole jihadi discourse. It has become clear to jihadi ulema and jurists that their discourse is not compatible with the Syrian context, where the key questions are tyranny and sectarian conflict. This constitutes a major challenge to this movement's ulema and its jurists who were unable to adapt to the new situation or provide specific answers for it. The maximum efforts of sheikhs Abu Muhammad al-Maqdisi and Abu Qatada in this regard was to develop a critical approach in order to protect jihadi discourse from "ulema of the dominant jihadi reality". However, all the indicators suggest that the movement's ulema will, sooner or later, "review" their discourse themselves with their own tools and not with those of others.



## Executive Summary

- Definition of the concept of Jihad is very contentious. It is classically defined as a holy war which represents a noble fight in the name of Allah to defend the religion and the Ummah against the attackers and to spread the call of Islam by fighting the infidel rulers who refuse Islam peacefully nor allow the peaceful call for Islam in their dominions.
- In the contemporary world, the concept of jihad is somehow hijacked by what is known as jihadi movements. These movements usurp the right to declare jihad from the "secular" rulers in the Muslim world. Moreover, sometimes they call for jihad against their rulers themselves under the claim of being unjust or even apostate. Additionally, fundamental jihadi movements strictly adopt an archaic version of jihad jurisprudence.
- It is important to understand how the contemporary Jihadists managed to highjack, limit, control and disseminate a deficit and obstructed understanding of the jihad concept through establishing their scholarship very strictly separately from all other Islamic ulema and schools of thought.
- Beyond qualifications in religious sciences, active participation in jihad is the major qualification that the jihadi ulema must have, creating a perpetual impenetrability for the scholastic influence zone of jihadists, leaving all other ulema out of this zone even the ones that Islamic tradition honors as grand ulema. The necessity to be an active member of a version of this movement explains the power of small group of scholars, accepted as jihadi "ulema", in dominating the discourse on jihad and ability to direct and influence jihadis.
- The surge of the contemporary type of jihadism that is common in the MENA now can be understood to have emerged in Afghanistan in the 1980s and 1990s with Abdullah Azzam and his mobilization for the global immigration jihad, in which it



is advocated that providing change through jihad against the invaders is an individual obligation for all. This ideology invited people from all over the world to fulfill their obligation to fight the invaders in Afghanistan. Afghanistan project had been highly influential in the later jihadi efforts. However, the Syrian war in the face of ISIS has taken the jihadi discourse into a different path.

- The Mobilization Jihadism and Organized Jihadism are two different paths in which jihadi groups are organized. Mobilization jihadi discourse is more moderate given that it strives to gather and influence youth from variety of backgrounds. They generally urge jihadists to make concessions and they seek compromises in order to make jihadi mobilization successful. Moreover, they are keen to issue as many fatwas from Muslim scholars as possible to gain more legitimacy and popularity in order to support the jihad to "defend against the attackers".
- This group of ulema may be viewed with suspicion by scholars of the "Organized Jihadism" if they have different views. The latter group totally reject the "Arab nation-state" because it is part of the "global infidel regime" and their rule is the same. In some cases, they consider political Islam, as manifested in the Muslim Brotherhood, as immoral and as a form of "disbelief". They do not see any benefit in defending against aggressors and liberating a country only for it to become part of the "tyrannical" Arab system.
- The jihadi discourse and ulema since Afghani war can be categorized in three waves: 1) Usama Bin Laden & Taliban as the first wave of scholars, 2) Two Sheikhs: Abu Muhammad al-Maqdisi and Abu Qatada al-Filistini, 3) The Syrian Revolution and the Third Wave.
- First wave, including Bin Laden and al-Zawahiri, focused on a narrative of ummah (Islamic Global Community) and the

fight against the world powers holding the ummah back from establishing God's "law". The United States being the main target here, the rhetoric was global and inviting all to join the cause. This wave succeeded in establishment and dissemination the Organize Jihadi discourse.

- The Second wave under the major influence of Maqdisi and Abu Qatada furthered the global jihadism discourse. Abu Qatada having more of a theoretical and jurisprudence-based approach, considered to be more moderate compared to Maqdisi. Having less of religious qualifications, Maqdisi still drives strength from understanding the field dynamics. His views especially on dealings with non-Muslims, and who is considered to be Muslim are severe and extreme.
- ISIS creates a big challenge for the organized Jihadi discourse and had been called "deviant" by the second wave scholars. It is important to note that what distinguishes jihadi movements from ISIS is the fact that ISIS is a post-jihadi movement. ISIS, having established themselves a "caliphate", no longer perceives jihad for an obligation to bring change, but only one of the tools to protect and serve the caliphate. Jihad is a function exercised by the ruler and is under the command of the caliph rather than ulema. ISIS considers that while the ulema previously had responsibility for jihad during the caliph's absence, this function has now returned to him, undermining the role and influence of jihadi ulema as well.
- It is crucial not to conflate Political Islam movements into same category as the jihadi movements, as political Islam aims at political mobilization for political change in the society, leading to a modern state accepting of Islamic ideals.
- ISIS benefitted from the inability of the Arab Uprisings to present itself as an alternative to jihadism.

- The jihadi groups in Syria made a clear break away from al-Qaeda and its discourse, as they do not want Syria to pay the price of al-Qaeda's mission that is rendered irrelevant in the Syrian context. Even the immigrant fighters (foreign fighters) are not welcomed as Syrian Jihadis see their conflict as a fight against tyranny of Asad and his regime rather than as a part of a global fight to world powers. Syrian Jihadis do not consider partnering with modern states in their fight against the regime as an action of takfeer (declaring others to be outside the fold of Islam) and they do not declare these groups as infidels.

## Introduction

"Ulema" or Islamic scholars play a pivotal role in Islamic movements to different degrees according to their positions within the organization. Their roles vary accordingly, as does their contribution in the leadership of the Islamic movements. However, in the end, they undoubtedly make a major contribution by giving each Islamic group its own identity that distinguishes it from other groups, since they constitute the key ingredient for formulating the group's discourse and orientations and are the first to defend its continuity and effectiveness.

This research paper examines jihadi movement ulema and their discourse, roles and prospects for the future, taking into account the important role of Islamists in the region and in the formulation of the jihadi ideological framework and its future. The motive for addressing this issue – in particular – is the phenomenon of frequent jihadi shifts, splits, and formations that has taken place and is still taking place in Syria, with a cover of "Islamic" legitimacy provided by ulema described as "jihadists". These groups have had a profound impact on Syria's reality, future and people, as well as on the whole region. This requires re-examining the discourse, roles and functions of those who constitute the "religious reference point" for jihadi movements and groups and to deconstruct the ideological and cognitive background that drives them.

One of the key approaches to deconstructing the relationship between jihadi movements and their ulema is being aware of the dialectical relationship that links all of them with the jihadi discourse, which played, and is still playing, a key role in determining what is "true jihad" in the jihadi movement's dictionary, and who is qualified to be a "jihadi scholar" or a "jihadi Sharia expert" able to issue fatwas, direct jihadists and influence them. This has its origins in the nineties, when ulema worked on establishing a jihadi movement in Afghanistan and developing its arguments, until they became renowned for these ideas. Their arguments have been tested in several

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contexts, most notably in Iraq and Syria, and they continued despite many internal contradictions and disagreements to constitute one of the main identifying features of a "jihadi scholar", distinguishing him from others. They also became a basic parameter of how the movement's image or jihadi discourse should be.

For this purpose, this paper uses a historical approach in analyzing events and facts, and in examining ideas, particularly those within the jihadi ideological framework that are linked to it and are still influential, or that have fallen into disuse and lost their impact. This paper attempts to keep track of how jihadi discourse was formed and the circumstances in which it developed, as well as identifying the historical and intellectual phases in which jihadi ulema or jihadi jurists emerged. A sufficient range of types of ulema and jurists of the jihadi movement will be addressed in order to monitor changes in the jihadi movement and its arguments, with a clear focus on the two most important figures, Abu Muhammad al-Maqdisi (Issam al-Barqawi)<sup>1</sup>, and Abu Qatada (Omar Mahmoud Othman)<sup>2</sup>, since they lived through all the different phases of the jihadi discourse and were influential at the time of its inception. They are also considered to be among the most prominent ulema of the jihadi movement and have a pivotal role in current divisions and conflicts, particularly in the Syrian context.

The author conducted a number of interviews during a field visit to Jordan with influential figures in the jihadi movement, in addition to a number of academics, journalists and researchers who specialize in different dimensions of the jihadi movement. When examining the Syrian context, the research focuses on a limited number of ulema, which is, at the same time, large enough to show the differences, divisions, and points of agreement between jihadi opposition groups and their ulema. It also identifies the possible outcomes of this phenomenon as an ideological statement and a unifying organizational framework, as well as their impact on Syria and the whole Arab region, intellectually and politically, given the significant influence of these ulema over the course and fate of the jihadi movement.

The paper analyzes and examines various issues linked to these transformations, including the role of ulema in the jihadi movement, the jihadi ideological reference and the al-jihadiyya al-hashdiyya (jihadi mobilization) manifesto, and jihadi jurists, as well as the ideological reference of Bin Laden and Taliban or the first wave of ulema, the second wave of ulema, the Syrian Revolution and the third wave, and the future of jihadi movement's ulema.

### **The Role of Ulema in the Jihadi Movement**

By observing the jihadi movement, it is possible to say that it divides all Muslim ulema into three categories:

**First, "working ulema" in the Islamic field:** These are ulema that are "standing up against tyrants, whether through acts, words or both". The jihadi movement agrees with and supports this type of ulema and considers them one of its general sources.

**Secondly, independent ulema:** These are ulema who do not work in the Islamic field, but the jihadi movement believes that they "have not aligned themselves with one of the tyrants", and "have not joined the ranks of working ulema". The jihadi movement believes that it can "benefit from these ulema in their areas of theological specialization. However, with regards to their fatwas and opinions regarding politics and Islamic work, the jihadi movement takes what in accordance with the truth and is proven by the Sharia, and rejects their views based on the same criteria."

**Thirdly, "apostate" ulema:** These are ulema who the jihadi movement considers to be "loyal to apostate rulers and testify that they are Muslims despite the fact that these rulers' apostasy has been exposed". The jihadi movement considers these ulema as "heads of abstaining sects"<sup>2 3</sup>.

2- Abstaining sect is a traditional jurisprudential term used to describe any Muslim group who abstains from applying an affirmed Sharia provision (such as praying or doing zakat) despite being capable of its application, and there is no other option to carry them to implement it except by fighting them. Such group, in the rulings of Sharia, are usually considered apostate, even if they are committed to the other Islamic ordinances. [editor's comment]

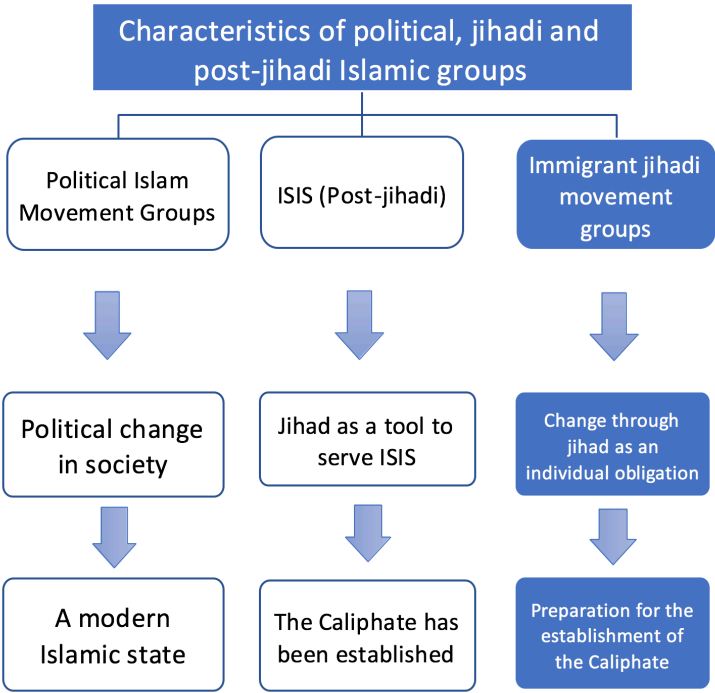
However, this does not mean that the jihadi movement is led by "working ulema". It has its own ulema who are associated with it and with its fields of activity. These "ulema", "sheikhs", "jurists", "muftis", or whatever they are called, occupy a special position in the jihadi movement, which is higher than the position they hold in political Islam movements, and they have greater influence and command more obedience in the jihadi movement for two main reasons:

1- In jihadi movements, armed warfare and sacrifice take priority over any other functions performed by these movements in order to pave the way for the establishment of the "Caliphate", which will only be built on the ruins of the modern state. This distinguishes them from the movements of "political Islam" such as the Muslim Brotherhood. The establishment of the "Caliphate" necessitates a bloody confrontation with existing regimes in the region and the international system itself. Thus, the movement needs a high level of Islamic legitimacy, meaning a dense religious discourse that is strong enough to justify their orientations and arguments according to the Sharia.

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It should be noted that the influence of ulema in the political Islam movements are lower, since the legitimacy of their discourse is founded not only on religious arguments and jihadi discourse is not fundamental to the change they wish to bring about. Political Islam movements are seeking change through political means, such as participation in parliament and government, in order to apply the Sharia using the modern state. Today, decades after their emergence<sup>4</sup> and after several experiments, political Islam movements recognize the legitimacy of the state and its authority, and even focus on political results more than before, perhaps because they believe that the religious aspect in these movements became overstated at the expense of the other aspects. Alternatively, this may be because of the urgent need within these movements for more specialized roles<sup>5</sup> which many are calling for now, especially when it comes to political and organizational roles.

2- The second reason, which distinguishes the jihadi movement from ISIS, is that ISIS is “post-jihadist”<sup>6</sup> and considers that the jihad is no longer to be used for bringing about change and the establishment of God’s law because God’s law is implemented by declaring the caliphate. Jihad is a function exercised by the ruler and is under the command of the caliph rather than ulema. ISIS considers that while the ulema previously had responsibility for jihad during the caliph’s absence, this function has now returned to him. Thus, there is a vast difference between the function of “jihadi” and “post-jihadi” ulema. With the emergence of ISIS and after the announcement of the Caliphate, the so-called “jurists” are now only needed for applying the Sharia in its judicial sense (for judgment and litigation) or to confirm the state’s choices and judgments as ordered by “Caliph al-Baghdadi or the Islamic emirs under his authority (see Figure 1).

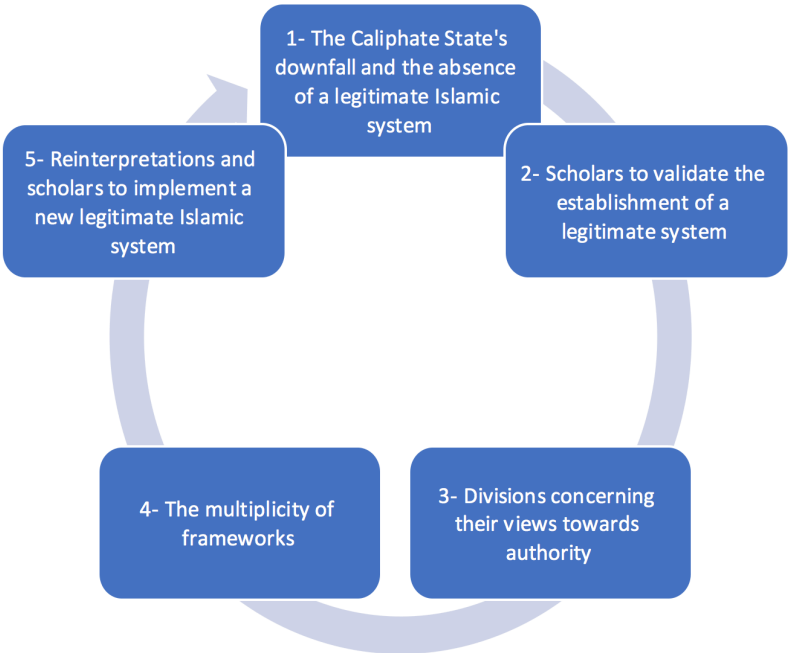


**Figure :1 This clarifies the different characteristics of the three Islamic movements in which the roles of scholars differ according to the organizational structure of each movement and its main function to which it gives priority .The role of scholars in the jihadi movement is the most prominent.**



Here, it is important to note that ISIS and political Islamists are similar in their tendency to reduce the role of jurists, but for different reasons, on the basis that there is a "legitimate Caliph", a position that grants the power to resolve religious and lay differences since the decision of the "Caliph" has priority over the views of ulema if they disagree and in cases when there is no clear religious ruling. This conforms with the fundamental Islamic rule that "the decision of the ruler resolves the dispute"<sup>7</sup>.

It is possible to say that most jihadi and non-jihadi Islamic movements began their political trajectories by working within such space, which lacks a "legitimate ruler" after the downfall of the Caliphate. The motive behind the emergence of all these movements was the desire to restore the Caliphate in order to resolve disputes and points of difference. This is the same space in which ulema work today, exercising a monopoly over the Sharia rules, although in different ways, including within these three movements (see Figure 2).



**Figure 2 shows the pivotal role of scholars in most Islamic movements, which need scholars in order to validate the establishment of a legitimate Islamic system and for whenever the need arises, such as following major reinterpretations. They have become part of the process through which Islamic movements renew their own legitimacy.**

***The motive behind the emergence of all these movements was the desire to restore the Caliphate in order to resolve disputes and points of difference***

The current differences between these three main trends in terms of performance, way of thinking and approach resulted in differences

in the identification and definition of the role of ulema in Islamic movements or those who identify with it. What is clear is that the role of ulema in the jihadi movement is the most prominent and broadest since there is no Caliph whose decision would override their decisions (as is the case in ISIS), nor does an independent legitimate political entity share responsibility with them (as is the case in political Islam movements). This makes the jihadi movement distinctive and more attractive to jurists due to the role and influence they enjoy in those movements, for which al-Qaeda still represents the highest standard as the leading cross-border global jihadi movement. This has also made the jihadi movement more susceptible to what may be termed Sharia orientations, which are too diverse to be contained within the organizational structure of al-Qaeda or any jihadi movement.

**The Jihadi Reference and the "Jihadi Mobilization" Manifesto**

The jihadi manifesto was developed through the influence of ulema who supported the jihad in Afghanistan to confront the Soviet or Russian occupation of the country in the nineties. The first such scholar was Sheikh Abdullah Azzam who (along with those who believed in his ideas or had ideas or interests compatible with his) preached that "jihad is an individual duty on every Muslim in order to expel invaders from the land of Muslims" as an irrevocable Islamic legal rule, based on the Quranic verse, "Then fight in Allah's cause - Thou art held responsible only for thyself - and rouse the believers"<sup>8</sup>. This means that the practice of jihad and the call to jihad is an individual duty in order to fulfill their Islamic obligation. The one carrying out jihad is not required to know the outcomes of jihad. The Afghan scene back then had all features and circumstances that made it the prime destination for mujahideen "Jihadi fighters". The idea of cooperation between "muhajireen" (immigrants) and "ansar" (supporters) was introduced

***The idea of cooperation between "muhajireen" (immigrants) and "ansar" (supporters) was introduced as a mechanism to globalize jihad and organize it even across borders***

as a mechanism to globalize jihad and organize it even across borders<sup>3</sup>. According to this system, "supporters" are those from the country who provide all the facilities to host the "immigrants", that is to say volunteers who came to fulfill their duty and fight alongside them. This regulatory mechanism has its roots in the Islamic religion and jurisprudence, which makes it a key component of the Islamic jihadi discourse with its historical image and value system.

### **Mobilization for the Global Immigration Jihad**

The Sheikh and Dr. Abdullah Azzam was an academic and professor of Sharia. He had extensive knowledge of the Islamic sciences and an ability to influence through his speeches and writings. As he had a high intellectual status and expertise in Islamic jurisprudence, he succeeded in becoming a pioneer in obtaining fatwas (religious opinions) from Islamic or traditional ulema (some of them eminent ulema around the world with official positions in their own countries)<sup>9</sup>. These fatwas stressed that jihad is an obligation and that the Afghan jihad is the priority, whether by migrating there or by supporting it financially and morally. These fatwas were followed by a series of decisions and academic publications by religious jurisprudential institutions and groups. They also received support from the majority of Islamic movement leaders and thinkers who contributed to this project, each according to their own circumstances and with different aims.

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3- The concepts of Muhajireen (immigrants) and Ansaar (supporters) are borrowed from an important event in the Islamic history. When the Prophet PBUH migrated from Mecca to Madina to establish a new state, almost all Muslims in Mecca left their homes and possessions and inhabited Madina. Homeless and poor, the Muhajireen were welcomed and supported by the Madina original inhabitants (the Ansaar) who shared their homes, money, and possessions with them. This magnificent story of solidarity between the Muhajireen and the Ansaar becomes a symbolic ideal for the brotherhood among Muslims and it is classically utilized to encourage Muslims to support each others especially during crises. (editor's comment)





*Sheikh Abdullah Azzam is considered a preacher of the "Global Islamic jihad" and the first theoretician of the "Immigrant Jihad" in Afghanistan in the eighties. He brought together his intellectual status, his background of struggle for the Palestinian cause and his global Islamic aspirations whose cultural roots extend back to the Muslim Brotherhood movement in Jordan. He is still considered one of the most prominent jihadi movement ulema and inspired all types of jihadi mobilization against attacks on the Muslim world, including Palestine. Despite this, he had excellent relations with a number of Arab regimes and rulers, especially those of the Arab Gulf.*

To protect these "fatwas" from fatwas issued by opposing ulema (regardless of their goals and intentions), supporters of the jihadi movement worked to distinguish between two types of ulema: those who support the idea of jihad, asserting that they did so only because they wanted to "free themselves from those in power and due to the authenticity of their faith", ascribing many other positive qualities to them. The other type of ulema includes those who criticize the jihadi movement or disagree with it. Those are either excused or censured, and people are warned in order not to follow them if they are in conflict with the jihadi movement.

In general, the goal behind stating that jihad is obligatory and protecting and promoting this argument was to "mobilize" fighters, known as "Mujahedeen", to come to Afghanistan to liberate it and establish an "Islamic state" to advance Muslim causes around the world. Azzam's particular priority was to "preach the jihadi methodology" in the "Islamic nation", which is based on the concept of "defending against the attacker" (or the aggressor) and which is capable of being relaunched whenever the need arises, particularly in Palestine. There were no signs of a prior intention on Azzam's part to create a specific category of "jihadi

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movement ulema" separately from others. His aim, and that of those who agreed with him or joined him, was to prioritize the fatwa of some ulema over others in order to serve the

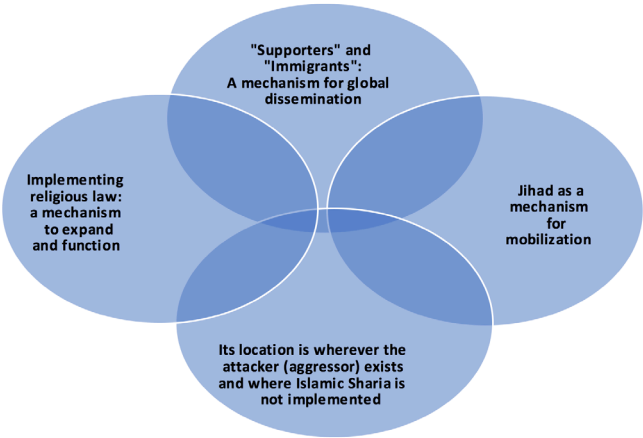
"Afghani Islamic" project. This is confirmed by the fact that they used fatwas by all other Muslim ulema, even official ones (as mentioned above) for this purpose.

To render the legitimacy of the project complete, the "Mujahedeen" (both "supporters" and "immigrants") sought to organize their society, particularly in Afghanistan, according to "Islamic Sharia" since this is the ultimate goal behind jihad and since this was a demand of people there or a part of their religion that they would comply. This mechanism worked for extension of the jihad and represented a way to ensure its stability on a particular "territory" and in a particular "community".

Therefore, we can say that one of the most prominent features of the Jihadi manifesto is that mobilization is based on the idea that jihad is an individual duty according to each person's capacity, and it is an international obligation wherever its conditions are fulfilled. The means for guaranteeing its dissemination beyond borders is the mechanism of "supporters and immigrants" and the means for ensuring its expansion with the consent of the people (as soft power) is the application of the Sharia. Thus, the ulema or jurists who are committed to this discourse are described as "jihadi" even if they are independent and do not belong to a specific Islamist jihadi movement. This manifesto is still in force till this moment, although it lacks a regulatory framework, to which al-Qaeda tried to present itself as the solution (see Figure 3).

Jihadi discourse (the manifesto):

Mechanisms of expansion and continuity



**The Jihadi Reference and the “Organized Jihadism”**

While the jihad that was sought by Abdullah Azzam aims at “mobilizing” jihadists to defend against “the attacker” through a jihadi manifesto that enjoys the legitimacy from the Muslim ulema, there were parallel efforts to establish “an Organized Jihadism structure” that had its own doctrines and ulema. These efforts reached their peak after Azzam’s assassination in 1989, when a fusion occurred between Wahhabi Salafism and Egyptian jihadism. This was largely reflected in the books of Dr. Fadl (Sayyed Imam al-Sharif, also known as Abdul Qader Bin Abdul Aziz), which are considered the most prominent written source in founding the jihadi movement and linking it to maqasid (purposes) and ahdaf (objectives) that gave this movement its current features.

In his books, Fadl rejects modern political parties and their methods and believes they are “religiously illegitimate”. He also sees military jihad as the only way to achieve change and establish the “rule of God”, and he upholds what he believes to be related to its doctrinal and ideological terms such as “al-walaa’ wa-l-baraa’ ” or “loyalty and disavowal”<sup>4</sup> in its Salafi sense and an Islamically legitimate military

4- The principle of al-walaa’ wa-l-baraa’ or loyalty and disavowal is one of the Islamic creed principles according to Islamic jurists. It simply means that Muslims have to be loyal to each other, that is, to cooperate with each others, to support each others against the infidels and so on. At the same time, they have to disavow the infidels and to denounce the acts of infidelity. Furthermore, it is absolutely forbidden for Muslims to be loyal to infidels against their brothers or to support them in their fight against other Muslim groups.

infrastructure that is based on the "Emirs of fighting"<sup>10</sup>. Fadl also calls the existing Arab regimes "disbelievers" and calls to fight them as part of "global disbelief".

Fadl's books, most importantly "al-'Umda fi l'dad al-'Udda" (The Essentials of Preparation [for Jihad]) and "alJami' fi Talab al-'Ilm al-Sharif" (A Compendium for the Search for Noble Knowledge), became part of the jihadi movement's curriculum, whether he wanted them to or not, as shown in some of his reviews of his own thought, along with diatribes with Ayman al-Zawahiri<sup>11</sup>. The jihadi movement took these ideas as their own and acknowledged that, at the time, many or most of them were delivered in the field of jihad through scientific fatwas, debates and disputes and in some of the publications of various jihadi groups.

These ideas have also been read in light of other "jihadi Islamic experiments" especially those epitomized in works by Abu Musab al-Suri (Mustafa Setmariam), who is widely said to have drawn on the ideas of Sayyed Imam alSharif. The most important of Abu Musab al-Suri's books are "Da'wat al-Muqawamah al-Islamiyyah al-'Alamiyyah" (The Call for Global Islamic Resistance), which was written after the attacks in New York in 2001, and an older book on the Syrian experience in the eighties and published in Peshawar in 1991 titled "Al-Thaurah al-Islamiyyah al-Jihadiyyah fi Surya" (The Islamic jihadi revolution in Syria)<sup>12</sup>.

At that stage, the distinction between ulema was no longer only to protect pro-jihad fatwas but became a distinction between "jihadi ulema" and those considered to be "qa'idin" (inactive) and far from the fields of jihad, since they did not listen to jihadi ulema and were not familiar with the reality and issues of jihad.

This distinction did not only allow them to protect the "jihadi movement", which was at a nascent stage, from fatwas that cast doubt on it, but it also allowed them to form what is described as an "Islamic legal rule", which says that "an inactive scholar cannot issue a fatwa for a jihadi".

To clarify the ulema who are described as "inactive" are:

1. Ulema who have not joined the field of jihad because "the mufti must be aware of the reality for which, and the people for whom, he issues fatwas". Thus, those ulema have no right to issue fatwas for jihadists since they are far away from the "jihadi reality" and "if they do so, they will often be wrong and cannot be trusted".
2. Ulema "who have not joined the field of jihad and have no excuse, including those who do not join the jihad as an individual duty, those who discourage others and make them fear jihad, those people of knowledge who like to be comfortable, safe and remain where they are, and those persuasive hypocrites and those who are similar to them"<sup>13</sup>.

Thus, practically the majority of Muslim ulema are excluded because most of them have an ideology that is different to the jihadi ideology. Therefore, this rule, whether it is meant to initiate such a step or not, ensures that the jihadi movement's supporters listen to a specific group of "ulema and muftis" who only belong to this movement and not others. If this rule is strictly applied, and some do apply it strictly, it prevents ulema who support the Afghani jihad from being classified as "jihadists" since they are far from the field of jihad or because they have reservations concerning "Organized Jihadism" since, according to the latter, being a supporter is not enough to classify a scholar as a "jihadi scholar"; what is required is to support "Organized Jihadism" or support its arguments.

Therefore, an Organized Jihadism discourse has been created that is viable, sustainable and open to dissemination in both its aspects (mobilization to jihad and Organized Jihadism). Its Islamic legal formulation and foundations are based on Islamic heritage and jurisprudence. This rendered this mechanism, which was useful during the phase of the jihadi movement's emergence, still valid today. It plays an active role in protecting the discourse of mobilization and



legitimacy of the jihadi movement. It also works, in the opposite direction, to challenge the Islamic legitimacy of whatever contradicts it. This mechanism has now established its own ulema, taking into consideration the fact that some aspects of its discourse may agree with the fatwas of most Muslim ulema. Its supporters emphasize this by always referring to "the religious ulema that support their ideology" as "jihadi ulema", perhaps since most of them were not well known, as is the case in Syria, where the term "jihadi jurists" and similar terms are commonly used among them.

### **The "Jihadi Jurist" and the Jihadi Reference**

Jihadi discourse has played, and is still playing, a major role in determining who is qualified to be an impartial "a'lem", "student of knowledge", "mufti", or "jurist" qualified to research, theorize or issue fatwas concerning jihad. Because even if a person meets all the requirements and criteria (academic, official and religious), this is not sufficient. While some of the major jurists of the jihadi movement have a clear Islamic academic background, many were not originally specialized in Islamic sciences. Even among those who graduated in Sharia or religious specialties, we find few who possess Islamic academic competence and expertise.

Concerning those who have sufficient standards to be "jurists" in a jihadi group, according to the group's organizational and academic standards, they are undoubtedly not part of a natural Islamic academic environment and cannot be assessed solely according to academic standards.

The jihadi jurist or general jihadi scholar must, as a condition, be familiar with Islamic and jurisprudential issues, particularly those related to the "jurisprudence of jihad". However, one of the scholar's most important characteristics is that he must adopt the "jihadi discourse", either "mobilization jihad" (Sheikh Azzam being the most important example) or the "Organized Jihadism" (as in the example of al-Qaeda in the nineties). The circumstances often contribute to them

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becoming leading figures in the field of jihad as "references" in addition to their individuals' capacities to influence others for the benefit of the "jihadi approach". In addition, loyalty to the organization is a factor in whether an organization chooses to appoint a specific jurist to be part of its ideological framework or its

Sharia council, especially if this jurist's views or status reinforce the organization's viewpoint and approach and support its interests<sup>24</sup>.

It is important to differentiate between ulema of two types depending on their function – "mobilization jihad" and "Organized Jihadism". The ulema of the first type are mostly described as moderate because they focus on mobilizing people for jihad, among all Muslim youth. They have a flexible way of interpreting the "implementation of Sharia" and do not reject political Islam or the modern state. Furthermore, they do not boycott the Arab state just because it is a nation-state. They generally urge jihadists to make concessions and they seek compromises in order to make jihadi mobilization successful. Moreover, they are keen to ask other Muslim ulema to issue as many fatwas as possible in order to support the jihad to "defend against the attackers".

This group of ulema may be viewed with suspicion by ulema of the "Organized Jihadism" if they have different views. The latter group totally reject the "Arab nation-state" because it is part of the "global infidel regime" and their rule is the same. In some cases, they consider political Islam, as manifested in the Muslim Brotherhood, as immoral and as a form of "disbelief". They do not see any benefit in defending against aggressors and liberating a country only for it to become part of the "tyrannical" Arab system.

However, what always unites the two groups is the phase of "defending against the attacker", i.e. the mobilization phase, on which they

both agree. However, this phase is also the subject of disagreements and sometimes conflicts between them. If this phase ends with the demise of the reason for which jihad was declared, these two groups would part ways, as was the case in the Afghan experience after the withdrawal of the Soviets and the fall of the communist regime. What unites them today in the Syrian context is the "jihad" against the "sectarian cleansing of Muslims" committed by the Assad regime. At each negotiation crossroads or international attempt to resolve the current situation, the risk of divergence between the two parties arises again.

### **The Ideological Reference of Bin Laden and the Taliban: the First Wave of Ulema**

It can be said that the fiqh (jurisprudence) of mobilization which sought the support from the traditional ulema began to gradually wane in the 1990s after the death of Azzam and ended with the 9/11 bombings in the United States. During that era, a group of relatively unknown "muftis" emerged within jihadi groups and established this new trend. This group no longer linked their fatwas closely to those of the traditional ulema who supported the Afghan jihad. They often described themselves as "knowledge seekers" as they lacked recognition as ulema. Their theories and fatwas were based on the legacy of Abdullah Azzam, the books of Fadl (after they were reframed within jihadi rhetoric) and the legacy of the Wahhabi Salafi movement according to the doctrines and approach of Sayyid Qutb on hakimiyyah (sovereignty), as well as the experience of the Egyptian al-Jama'a al-Islamiyyah and al-Jihad Movement, along with other groups. They were also based on writings by other jihadists in the Afghan scene or in other conflict-ridden contexts such as Algeria and Bosnia and Herzegovina.

Mullah Omar and his movement, the Deobandi Taliban Movement, constituted the real context that gave the "global jihad" its realization and its actual legitimacy as manifested in al-Qaeda led by Osama Bin Laden followed by Ayman al-Zawahiri. This is because the "Caliphate" of Mullah Omar and its legitimacy (according to the "jihadi" dictionary)

relieved the jihadi movement of having to justify its legitimacy and the legitimacy of its policies through pledging allegiance to this "Caliphate" as a legitimate state. It also helped the jihadi movement to put aside the practice of takfeer (declaring others to be outside the fold of Islam), which was widespread among Algeria's jihadists and which was likely to destroy the jihadi movement from the inside.

However, as soon as the Taliban state fell in 2001, the need for the existence of respected jihadi ulema gradually emerged. In this period, Bin Laden was described as a "sheikh" and "a'lem" as an attempt to fill the void. Thus, he became a reference point as one of the "ulema" and not just a jihadi leader, but this was not the case with Ayman al-Zawahiri. Moreover, during this period, the jurists and new ulema remained followers of Bin Laden, and his word was above anyone else's. This included Abu Muhammad al-Maqdisi and Abu Qatada al-Filistini (henceforth referred to as "the two ulema"), although they had influence even when Bin Laden was alive.

After Bin Laden's assassination on May 2, 2011, the vacuum in terms of jihadi ulema active on the jihadi field became wider. This may be one of the reasons that made the two ulema took the lead in seeking to provide and promote a religiously legitimate theorization of jihad, despite the restrictions imposed on them. This phase occurred in parallel with the rise of the Arab Spring and its subsequent decline, as well as the rise of ISIS and its announcement of the Caliphate, in addition to al-Qaeda entering into the Syrian conflict, which would have the biggest impact on the jihadi movement, its religious literature and its future.

The Founder of the Organized Jihadism, Osama Bin Laden (1957 – 2011)	The Head of the Organized Jihadism, Ayman al-Zawahiri (1951 - )
	
<p><i>Bin Laden inherited the role of Abdullah Azzam and built an Organized Jihadism on the basis of his approach. He mixed the arguments of jihadi jurists with the lessons learnt from the experience of the theoreticians of local jihadi groups in Egypt, Syria and elsewhere. He launched the narrative of alQaeda based on the ummah (Islamic global community) in 1998 and announced that his priority was targeting the United States, “the main enemy of the Muslims”, which stands in the way of the liberation of Muslim countries from authoritarianism and their right to “enforce Allah’s law”. Even though all jihadist groups followed him, he was more flexible than all of them, allying with the Taliban, which follows the Hanafi school of jurisprudence and the Maturidi doctrine. He also supported the Arab spring and accepted new genuine ideological re-examinations within the jihadi movement.</i></p>	<p><i>Al-Zawahiri is known for his abilities as a theoretician, which qualified him to lead alQaeda. However, he lacks the charisma of a leader. He inherited a rich jihadi heritage but also faced an ideological split in Iraq (ISIS) and an emerging jihadi arena in Syria at a time when the Arab revolutions represented the biggest challenge to jihadi discourse. The rapid developments made many jihadi concepts redundant and led to increasing demands to revise them. All these challenges called for an exceptional scholarly figure, which al-Zawahiri was not able to be himself and he failed to identify such a figure among the other jurists of the jihadi movement. He has sought to unite jihadi jurists to face these challenges, but their internal conflicts are increasing and the gap between them continues to widen.</i></p>

The Second Wave of Ulema

If we described the first wave of jihadi movement ulema as the foundational phase during which al-Qaeda and its experience in Afghanistan were established as a new Islamic interpretation and a new historical experience, the stage of the emergence of ulema Abu Muhammad al-Maqdisi and Abu Qatada al-Filistini can be described as the second wave of ulema of this movement. However, they were mentioned in the first wave because they had some influence over the dynamics in that initial phase.


While he was in Britain, Abu Qatada was active in terms of Islamic thought and jihadi fiqh, particularly in relation to Algeria and the jihadi movement it witnessed during the 1990s, in which Abu Qatada had an essential role. He was a regular contributor to the al-Ansar publication issued by “Ansar al-Jihad fi al-Jazair” (Supporters of Jihad in Algeria), contributing over 100 articles titled “Between Two Approaches”<sup>15</sup>.

al-Maqdisi was able to fill the vacuum that occurred after the fall of al-Qaeda's base in Kabul and after Bin Laden's relationship with the rest of the organization's branches had weakened. He worked on "rationalizing the approach" started by Abu Musab al-Zarqawi in Iraq, which was based on kidnapping foreigners, slaughtering them and targeting Shiites, as well as entering into conflict with the other groups within the Sunni Iraqi resistance against the American occupation. What helped al-Maqdisi to play this role were his longstanding relations with his former student, Abu Musab al-Zarqawi, as well his proximity to Iraq as he was based in Jordan.

These roles gave the two ulema an advanced position among jihadi jurists even during the first wave of ulema. Their fame and publications were widespread and had a major influence on the jihadi manifesto itself. However, despite all this, they were mainly introduced as "Sharia researchers" more than "jihadi ulema" or "scholarly symbols" of the movement.

After the discourse of "Organized Jihadism" settled on the discourse of the first wave of ulema, which in reality could point to no ulema other than Bin Laden, the need for these two ulema began to increase, becoming urgent after the assassination of Bin Laden and the death of Atiyah Abdul Rahman in 2011, who was followed by the moderate camp within al-Qaeda, especially in Syria<sup>16</sup>, as well as after the relative failure of Ayman al-Zawahiri to establish himself as a scholarly reference point for the movement, even though he remained as a theoretician for al-Qaeda.

Moreover, the need became urgent after the jihadi movement found itself with no means to defend itself in the face of the split in ISIS, which transformed the concept of Islamic legitimacy by declaring the Caliphate of Abu Bakr al-Baghdadi. This is the most important factor here, as this challenge also became the top priority for the Jordanian authorities, while al-Qaeda became a secondary threat, encouraging al-Qaeda to soften its reservations against the two ulema.

<div>Atiyah Abdul Rahman (1969 – 2011)</div> <div></div>
<div>The Founder of Moderation in “Organized Jihadism”</div>
<div><i>Jamal Ibrahim Ashtiwi is one of the most prominent jurists of al-Qaeda and one of the most important theoreticians who viewed the Arab revolutions as one of the means for change according to al-Qaeda’s approach. He warned against the counter-revolution and called for adapting to the new reality. He was also one of the critics of Abu Muhammad al-Maqdisi’s approach and adopted a relatively cautious position regarding takfeer, especially when it comes to political Islam movements and their leaders. It is notable that his statements, writings and his legacy are still the most influential among the “moderate movement” within Organized Jihadism. He was killed in 2011 in a drone strike.</i></div>

It is worth mentioning in this regard that ISIS benefited from the decline of the Arab Spring and its “failure” to present itself as an “Islamic jihadi” alternative open to change when “other alternatives failed”. ISIS also benefited from al-Qaeda’s recognition of the Arab revolutions as a legitimate method for change after Bin Laden. This led to challenges to al-Zawahiri’s ideological leadership, and ISIS also got into various feuds with al-Qaeda jurists, including the two ulema. ISIS was able to attract large numbers from the jihadi movement and become the preferred destination for many new jihadists. In fact, Jordan was not an exception in this regard, but was uniquely affected by this as it is close to the most prominent jihadi hotspots - Iraq and Syria.

Many (inaccurate) estimates have suggested that there are around 8000 jihadists in Jordan and nearly 2000 in Syria, and that most of them (nearly two thirds) are with ISIS and not al-Qaeda<sup>17</sup>. This may be what pushed the Jordanian authorities to release the two ulema under the Jordanian judicial system (despite significant political and security reservations) since the existence of an al-Qaeda jihadi rhetoric that competes against ISIS and accuses it of being “excessive” may inhibit the spread of the latter<sup>18</sup>. The hard security approach is not sufficient, taking into account that al-Qaeda considers Jordan to be ardh nussra

(land of support) and not ardh jihad (land of jihad) and does not support any military operation in Jordan due to various other considerations and priorities<sup>19</sup>.

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### **Obstacles to the Ideological Framework of the "Two Ulema"**

The two ulema, al-Maqdisi and Abu Qatada, are not concerned by the security aspect of governance but they realize that their current circumstances strengthen the rumors that they are "collaborating" with the Jordanian security services, which weakens their influence as Sharia references for the jihadi movement. However, they very skillfully use the space available to them, managing not to be cut off from reality (by using social media, for example) to say what they can. Their supporters argue that the political simplicity of the "narrative of collusion" is inconsistent with the current complexity of the "jihadi scene" and that they are not the first "ulema" to suffer from their relationship with those in power<sup>20</sup>.

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The ulema' supporters try to refute the accusations directed against the ulema by their jihadi rivals, especially with regard to the mediation role played by al-Maqdisi in releasing the Jordanian pilot, Muath al-Kasasbeh and al-Maqdisi's appearance on Jordanian television in February 2015 to give his version of events<sup>21</sup>. Their rhetoric went along the following lines:



"Al-Maqdisi said what he wants to say about ISIS on TV and he expressed his real position towards the organization. He did not support anyone. He realizes that he did not want the position that he was put in by the media and he will not do it again, since it made him look like he was cooperating with the Jordanian authorities, but he did what he could in an attempt to save Sajida al-Rishawi<sup>22</sup>, who was part of a proposed exchange. It would have been possible to clear Jordanian prisons of all jihadists, but ISIS was "lying since the beginning and did not really care about Sajida or anyone else" and it missed a golden opportunity to release jihadists from prison because Jordan was keen for an exchange with al-Kasasbeh" Interview with jihadi sources from Jordan<sup>23</sup>.

It is notable that this discourse calls for keeping Jordan out of any confrontation, which is part of the dispute between al-Maqdisi and Abu Musab al-Zarqawi.

As for Abu Qatada, he was accused of playing a leading role in pushing the Algerian experience towards extremism and takfeer of the vast majority of the Muslim population in what was called the "Fatwa authorizing the killing of officers' children and wives". This fatwa permitted the targeting of families of Algerian officers to deter them from targeting the "mujahideen's families"<sup>24</sup>. This was part of the ideological excesses that were widespread within the Algerian Islamic Group, which made it easier for the Algerian authorities to penetrate the group and divert it from its course.

It is also noteworthy that Abu Musab al-Suri wrote his testimony on the deviation of the Algerian experience away from the jihadi movement, in which he strongly criticized Abu Qatada. This criticism had an impact in spite of the mysterious identity of this character whose publications and experience have had vast influence over the jihadi movement in general, and more particularly in Syria, which is his birthplace and where he had his experience<sup>25</sup>. Of course, Abu Qatada rejects this and repeats that he will not respond to accusations by people who are dead or under detention<sup>26</sup>.

These objections did not prevent the two ulema's ideological reference from becoming nearly "absolute truths" in the jihadi movement, which are taken into account both by the ulema' supporters and their opponents. In this context, in spite of the fact that most researchers in Jordan estimate that the influence of the two ulema is decreasing, ISIS is focusing its attacks on both of them as if they are the biggest threat to ISIS<sup>27</sup>.

This may be because ISIS was based essentially on arguments put forward by al-Maqdisi in particular, followed by Abu Qatada, regardless of how these arguments were applied. We find the same thing with other sources in Syria and Turkey who were

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interviewed as part of this research<sup>28</sup>. These sources say that the influence of the ulema is concentrated in al-Qaeda and Jabhat Fatah al-Sham, and that their influence even within these groups is not significant. However, the same sources accuse al-Maqdisi and Abu Qatada of being the main source of extremism on the Syrian scene due to their influence. They also describe the Jordanian faction within Jabhat Fateh al-Sham (which merged with Tahrir al-Sham) as the most extreme due to its connection with the two ulema.

However, this indicates that the influence of the two ulema, and especially al-Maqdisi, is still significant, even if exercised in an indirect way through the influential elite of jurists and possibly through security officers as well, due to their strong criticism (especially by al-Maqdisi) of the current Syrian situation and of "mainstream jihadi ulema". This is also supported by the recent developments after Jabhat Fateh al-Sham defeated other factions and announced Tahrir al-Sham as an umbrella that includes all groups.

In practice, the two ulema are presented as fully-fledged ulema, in terms of status and competence, for the jihadi movement, among both their supporters and opponents. In return, they maintain some distance from

al-Qaeda, may be because of political constraints as both of them are subject to constant surveillance by security agencies in Jordan. However, each has their own vision that has pushed them to occasionally disagree with al-Qaeda, although they have insisted on preserving it as part of the “jihadi vision” through which they view the region and the world. By way of illustration (and with some reservations), the relationship between the two ulema and al-Qaeda can be likened to the relationship between Sheikh Yusuf al-Qaradawi and the Muslim Brotherhood, as they are not linked organizationally but do support it or work within its general orbit.

The Critical Trend Within Organized Jihadism	
Abu Muhammad al-Maqdisi (1959 - )	Abu Qatada (1960 – )
<i>Essam Muhammed al-Atibi is described as the most extreme of jurists within the Organized Jihadism movement, and his positions are particularly unpredictable. In terms of doctrine, he leans towards the Najidis. One of his most popular books is “Millat Ibrahim” (The Denomination of Ibrahim). The extreme nature of his views can be attributed to the fact that he was educated outside Islamic institutions and the fact that he was a student of various ulema known as the “Juhayman group”. However, his approach reflects his comments on al-Qaeda’s approach during its founding phase and his fear of the impact of the Syrian and Iraqi models on jihadi discourse. He is wary of the dominance of politicians in the first model, and of security or military figures in the second. Al-Maqdisi remains the most prominent jurist in the jihadi movement today and leads the most conservative currents within the movement. He is also the strongest critic of its performance and path. Al-Maqdisi is one of the most experienced figures in the movement as he met with some of its leaders in Pakistan and Afghanistan and has links with current jihadi figures in Iraq, Syria and elsewhere.</i>	<i>Omar Mahmoud Othman started out as a member of the Tablighi Jamaat movement and graduated from the School of Sharia at the University of Jordan. He worked in the military ifta field in Jordan for four years. He became one of the leading symbols of Organized Jihadism while living in Britain in the 1990s. At that time, he was considered one of the most extreme because of his ideological influence on the “Algerian jihad”. He was deported from Britain to Jordan in 2013, which brought him closer to the Syrian and Iraqi contexts. He criticizes, alongside al-Maqdisi, the Organized Jihadism movements in Syria. Unlike al-Maqdisi, Abu Qatada has a strong academic background and significant political experience. He also has a more strategic mind and is more knowledgeable and less extreme, from the perspective of jihadi jurists. He also has a tendency to look beyond the current status quo and theorize for future scenarios, as he believes that jihadi discourse is the key to victory in the future, rather than the current jihadi approach.</i>

### **The Most Important Ideas of the "Two Ulema"**

Abu Qatada tends towards strategic theorization based on an ideological and jurisprudential approach that goes beyond the immediate context. He also puts forward general and comprehensive visions, and promotes education of individuals rather than direct guidance, drawing on his experience in the West and relationship with the media, which led him to understand its importance in shaping his image. He also has a series of commentaries on Islamic and non-Islamic books and does not hesitate to express his positions on current affairs from time to time; yet, his positions are mostly formulated in non-specific and indirect way and are characterized by caution. His Salafism, so to speak, is not identical to "Najdi Wahhabism" and his theories go beyond it. This is due to the fact that he sees the jihadi movement as far wider and deeper than just al-Qaeda, both currently and in the future. He justifies this by pointing out that the Arab revolutions were based on rising up against the ruler, in spite of all the rulings that consider rebelling against ruler as impermissible. In fact, many Islamists, including the Muslim Brotherhood, have adopted this view, which was originally held by jihadists.

As for al-Maqdisi, he is closer to doctrinal and jurisprudential procedural thinking and leans towards realism in the sense that he follows closely the details and developments of the jihadi context in reality. He never hesitates to express his views and judgment or issue a fatwa after every incident or event. This may be unsurprising given that events are unfolding close to Jordan, his place of origin and where he spent most of his career, leaving it only a few times. He also knows (and may be in contact with) some of the leading figures and personalities of the current jihadi landscape, whether in Iraq, Syria or elsewhere, from al-Qaeda, independent figures and even from ISIS. He is also closer to "Najdi Salafism" and to its terminology. He is more spontaneous and has a simpler way of expressing himself.

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freedom of expression allow and in accordance with the restrictions placed by Jordanian law and the Jordanian authorities, based on its interests in protecting itself and undermining ISIS.

The two ulema broadcast many opinions and fatwas to the public through the Internet and social media, seeking to educate or guide and criticize. It is thought that the entire jihadi movement listens carefully to their views, whether they agree with them or not. They also occasionally communicate privately, when possible, with figures and activists from the movement, and particularity with those who still trust them and embrace their ideas, taking into account the ulema's unusual circumstances and finding excuses for them when they disagree with one or both of them.

The following are the two ulema's most important positions (focusing on the most important issues on which the ulema have a clear position):

#### **Ghuluw (ideological extremism) and irja:**

ISIS is currently the biggest challenge to the ulema. Abu Qatada has stated that, "There is a way to stop every fitnah (sedition)". Thus, to put an end to the "fitnah of ideological extremism started by ISIS, the response is irja, i.e. the laxity with the rulers who do not govern according to Sharia. A historical example of this is when the extremism of the khawarij emerged against the laxity of the murji'ah<sup>29</sup>. The essence of irja, in books on religious doctrine, is the saying that faith is knowledge and that whoever recites the shahada (the Islamic article of faith) should not be called a disbeliever, even if he does something that contradicts the shahada. Jihadists, especially within the "Organized Jihadism" movement, often describe the Muslim Brotherhood and other Islamic political movements as murji'ah. They also use the same description for state-appointed ulema and those similar to them because they do not call regimes or rulers that do not govern according to the law of Allah as "disbelievers".

However, *irja* has several levels according to the ulema, especially for al-Maqdisi. The latter coined the term "*almumayyi'a*" (Diluting), which relates to al-Maqdisi's unique position towards "*al-walaa' wa-l-baraa'*". This position is close to that of the Najdis, as he sees that loyalty to "infidels" is an act that makes one a disbeliever and is not an act that can be judged according to the individual's intention. Since al-Maqdisi admits that this is a matter of *ijtihad* (independent reasoning) and that there are different opinions on this issue, he uses the word "*almumayyi'a*" when facing jihadi jurists in Syria who reject his ideas, including those, for example, who accepted or permitted an alliance with Turkey in the fight against ISIS. Most of these are jurists from the Mobilization Jihadism current, while a few are from the Organized Jihadism current.

According to al-Maqdisi, *tamyee'* (dilution) is "*irja* without *irja*" and he was able through it to bring about a big change in Syria as its function is to distinguish between jihadists themselves. It gives Islamic legitimacy to some jihadists in order to defeat others, as Jabhat Fateh al-Sham did with other factions that it forcibly subdued in some opposition-held areas before these factions announced a merger with Jabhat Fatah al-Sham, under the name "*Tahrir al-Sham*".

This term is somewhat similar in terms of its emergence and influence to the principle, "An inactive scholar does not issue a fatwa for a mujahid", and the impact this had on global Organized Jihadism, as most rejected it but eventually applied it as a rule. Abu Qatada has accepted the term "*al-mumayyi'a*" and uses it according to the same definition. Moreover, it should be noted that the Organized Jihadism current, including those who criticize alMaqdisi such as Tariq Abdel Halim<sup>30</sup>, started using this term against their opponents, and may expand the term to attack their opponents with accusations that go beyond *irja*.

The position of the two ulema regarding ISIS is clear. They consider it a group characterized by "ideological extremism that trespassed

the sanctity of Muslims' blood and that damaged the cause of jihad and lack religious ulema". Moreover, while reviewing Abu Qatada's position, who earlier described ISIS as a "deviant group", we found that he considers this group to be a mere "phase" that the world will go beyond and that ISIS' power is receding, contrary to its initial expansion. In fact, it seems that Abu Qatada's harsh criticism of ISIS is a result of early reassessments that drew on the Algerian experience<sup>31</sup>. His position tends towards completely cutting off relations with ISIS as an organization, regardless of dealings with its members.

An examination of the positions of the two ulema on social media and of other information from jihadi sources shows that the two ulema are keen to keep their conflict with ISIS members conditional and based on evidence from religious texts, which differs from their position towards the organization itself. This is because ISIS fighters could represent "a jihadi asset" if they change their minds. This is particularly the case with al-Maqdisi, who believes that ISIS will not cling to its approach. Thus, in spite of his strong criticisms of ISIS, we find him taking a harsher position against "al-murji'ah", which he insists on publicly expressing. This could restore his image as an ideological leader for the entire jihadi movement and may even encourage members of ISIS and other groups who left al-Qaeda to return to it based on a renewed belief in its discourse or the discourse of Organized Jihadism.

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This explains, in part, why the two ulema have refused any cooperation with regimes, especially Turkey, to weaken ISIS. This is, of course, in addition to ideological factors related to the issue of "al-walaa' wa-l-baraa". According to Abu Qatada, receiving support from the Turkish army is not permissible since it has the upper hand and it intervenes

for its own national interests and not for the Syrian Muslim people. He bases this on the argument that those ulema who permit seeking help from infidels (considering the Turkish regime to fall within this category) set a condition that "the people of truth must be dominant, and that the party who is helping must not dominate them"<sup>32</sup>, meaning that seeking help from infidels against Muslim khawarij is not permissible.

### **Jihad al-nikaya (Spite) and Jihad al-tamkin (Empowerment)**

According to both ulema, jihad has a purpose and is not merely about fighting and warfare. They reject "jihad alnikaya" as futile and potentially very damaging to the concept of jihad in general. Al-Maqdisi in particular sees that "jihad al-nikaya" wastes and fragments the efforts of youth. He recommends "jihad al-tamkin" and has long rejected indiscriminate destruction and killing, as he declared in a letter he wrote to correct jihadists, "Waqafat ma' Thamrat al-Jihad: ma Bain aljahl fi al-shar' wa aljahl bil-waq'" (Positions on the Fruits of Jihad: Between Ignorance of Sharia and Ignorance of Reality). He disagreed with the September 11 attacks, which harmed Afghanistan that had been "the haven of jihadists and the oppressed from all over the world", and described the attacks as a "vengeful" act. However, after the bombardment, al-Maqdisi refused to consider the attacks to constitute treason according to "Sharia standards", since Americans are not granted safety under any agreement with Muslims<sup>33</sup>.

However, the jihad al-tamkin promoted by al-Maqdisi is not clearly explained. Al-Qaeda's ideology used to revolve around the concept of America as both the "immediate and remote enemy", and that stable Islamic rule could not be achieved while American influence was present in the region. The purpose of jihad al-nikaya, according to alQaeda, is to exhaust America and force it to withdraw from the region, since it is the obstacle to the "Caliphate". This is in contrast to ISIS, which was founded on jihad al-tamkin or establishing the "Caliphate".



### Local and international jihad

The disagreement here is about the priority of the field of jihad: local or international? and whether to build local branches based on the values of “global jihad” that are separate from al-Qaeda or to continue to follow al-Qaeda. These questions emerged in Syria, presenting a new challenge for jihadi jurists. Some jurists suggested such a dialogue as a way to “protect” the Syrian cause from previous “errors” committed by al-Qaeda, which faces an international campaign under the label of the “war on terror”. Other jurists proposed this based on their opposition to “global jihad”, which they see it as the cause behind the emergence of ISIS, which they do not want to see replicated in al-Qaeda or any other jihadi movement. In Syria, new local forms of jihad have appeared that widen the gap between these emerging movements and the main jihadi current, like the wide rift between al-Qaeda and ISIS.

The two ulema have reservations concerning this “local jihad” as proposed in Syria, especially as it has led to a split by al-Nusra Front from al-Qaeda to become “Jabhat Fatah al-Sham”, then becoming a faction within Hay’at Tahrir al-Sham. However, some have questioned whether this is a genuine split or purely for show. Both ulema genuinely fear that Hay’at Tahrir al-Sham will also deviate from the path of jihad.

Abu Qatada, in particular, thinks that being linked to al-Qaeda is a guarantee that a group will not go astray from “the path of jihad”. The two ulema insist that a group’s name does not matter since this is not sacred, and that the jihadi movement will carry on with or without al-Qaeda. Abu Qatada also states that the era after the Arab revolutions, with the different conflicts taking place in Syria, Yemen and other countries, has transformed the jihadi cause into a struggle involving “the people versus the regime” rather than “an organization versus the regime”. This means that jihad will be taken up by the entire ummah (Islamic nation) and is not merely the ideology of an organizationally closed group, as this movement is now viewed<sup>34</sup>.

Al-Maqdisi also has many concerns and questions concerning "the local formula of jihad" proposed in Syria. One of these questions concerns the position of muhajirun (immigrants) in this equation and the possible replication of the Dayton Agreement scenario in Bosnia. Such a scenario implies reaching an agreement with the regime and abandoning the muhajirun or reintegrating some as part of Syrian society while the rest would be accused of being ISIS fighters. Is the goal of jihad merely to overthrow al-Assad and enable Syria to hold elections and become just like all other Arab countries?

Certainly, these questions reveal that both ulema are not convinced of the validity of local jihad – although they do not openly attack it – nor of Jabhat Fateh al-Sham's cutting off of all ties with al-Qaeda. They are also not convinced of Jabhat Fateh al-Sham's new affiliation with Hay'at Tahrir al-Sham, as it will lead the jihadi movement in Syria away from the original religious and organizational doctrine of the jihadi movement. Such a move represents not only a tactical step but could be harmful to the essence of the jihadi movement.

Another factor behind the ulema's reservations towards Jabhat Fateh al-Sham (or whatever it is now known as) is their lack of trust in Abu Mohammad al-Julani. Apparently, both of them trust some of the military and religious leaders in al-Julani's group more than al-Julani himself. They see him more as an "ambitious leader", similarly to other Islamic and secular figures among the Syrian opposition<sup>35</sup>.

The two ulema warn that if a genuine split occurs, al-Julani will have complete control over the new organization. They do not deny that there are advantages to having a plurality of jihadi movements with their own local priorities. However, this should never lead to a move towards "al-mumayyi'a" as well as fragmentation and disconnection from jihadi struggles in other contexts, resulting in isolation or tactical concessions by local groups and failure to achieve local objectives. The development of local jihad should not undermine the global jihadi strategy and its essential objective, which is "destroying the great

infidel symbol: America", leading to the loss of global jihadi interests. Hence, the ulema did not express complete opposition when Jabhat Fath al-Sham took such step but they did not hide their concerns and criticisms, especially on the part of al-Maqdisi, on the basis that it was only a superficial split to a certain degree. However, it later became apparent that it was a genuine split but based on a particular conception of Organized Jihadism in Syria. Thus, the ulema will judge the results of the move despite their reservations on its early stages<sup>36</sup>.

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The two ulema' role as ideological reference is more based on providing critiques rather than guidance. Although they have not abandoned their guidance role, it has been less visible during the current phase of the jihadi movement. To describe the two ulema' approach, I prefer to use the phrase "al-tayyar al-naqdi" (critical current), which is a current that strongly criticizes the jihadi movement's current situation and the prevailing jihadi ulema, as well as the ideological concessions made by jihadists, seeking to defend the major elements and characteristics of jihadi discourse, which faces possible disintegration.

### **The Syrian Revolution and the Third Wave<sup>37</sup>**

The jihadi movement in Syria, and especially al-Qaeda, has abandoned its discourse used after the Arab revolutions, which it adopted in order to adapt to the new popular mobilization. The movement took this step due to different factors, including its rivalry with ISIS and the retreat and weakening of the Arab revolutions. This entailed a return to the old discourse of Organized Jihadism to constitute a foundation for al-Qaeda in its new guise in Syria – the al-Nusra Front.

However, the swift return to this discourse took place in the midst of a number of emerging and existing developments, foremost among which were:

- The intensifying struggle against Bashar al-Assad's regime and the calls for an end to tyranny and for al-Assad's resignation by most revolutionary forces in Syria. These demands reinforced local and revolutionary values, which were new to Organized Jihadism. This new reality forced the movement to handle the situation using new methods or else risk losing its position.
- Syria is considered to be one of the major centers of religious learning in the Muslim world and has a substantial heritage in terms of academic and traditional sciences. This meant that other intellectual currents would not be able to easily establish themselves, especially those of al-Qaeda and Organized Jihadism in general, especially as thousands of Islamic studies graduates (with different academic levels and qualifications) joined the Syrian revolution. These represent a source of intellectual and social influence that cannot easily be ignored.
- The emergence of ISIS, with all extremism it embodies (and with a culture that is originally attributed to al-Qaeda) in addition to bombardment of al-Qaeda and its categorization as a terrorist organization by the international community, even in Syria. This had a significant influence on Syrian jihadists, who began to detach themselves from al-Qaeda and move closer toward local jihadism in order not to force Syria to pay the price for being associated with al-Qaeda or for the potential impact of al-Qaeda's discourse, as was seen in the emergence of ISIS in Iraq, then in Syria itself.
- The emergence of Harakat Ahrar al-Sham as the most successful example of a movement that detached itself from Organized Jihadism to establish a clear, local jihadi movement. Thus, it has destroyed the infrastructure of jihadi Salafism, whether in terms of recruitment or mobilization, particularly that which could lead to takfeer. The movement started employing mostly independent local jurists on its Islamic Sharia Council while not abandoning muhajirun ulema. This strategy brought the movement closer to the spirit of "jihadi mobilization" with a revolutionary dimension demanded by the context, which unites

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it with the rest of the opposition in their demands to remove al-Assad and open the way towards other options that could meet the aspirations of the Syrian people.

These challenges have persuaded Organized Jihadism in Syria, as represented by al-Nusra Front, that the international hostility against al-Qaeda and local refusal to bear the consequences of the international war on al-Qaeda will dominate the political and social scene in Syria. This caused it to adopt a local approach, detaching itself tactically from the international movement, rather than only pretending to detach itself, which was what al-Qaeda had wanted. It adopted the name "Jabhat Fatah al-Sham" and, for the same reason, joined the ranks of "mobilization jihad", which is embraced by Hay'at Tahrir al-Sham. This allows its discourse to continue to be linked to Organized Jihadism, which is based on al-Muhajireen (immigrants) and al-Ansar (supporters), implementation of Islamic Sharia, rejection of peaceful means and negotiations. Thus, the system is preserved, continuing to produce its own jurists albeit on different terms.

### **The Orientations of Jurists in Syria**

These developments and their impact on the discourse of Organized Jihadism, have reflected directly on jurists and their conflicts, including the ideas of the two ulema discussed earlier. These conflicts continue to influence the entire jihadi movement in Syria. Thus, every jihadi group nowadays can be divided generally into three currents - two used to be part of Jabhat Fatah al-Sham (that is to say, Organized Jihadism, regardless of the name these groups adopt now or may adopt in the future) and a third independent current.

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Two currents belonging to Organized Jihadism were strengthened in Jabhat Fatah al-Sham after the announcement of the official split from al-Qaeda. One of these remains more loyal to al-Qaeda and its arguments while the second is more inclined towards al-mahaliyya (local focus) in geographical terms although with global jihadi horizons. Both currents are present in the movement and its Majlis Shura (Consultative Assembly) and include jurists and military and organizational leaders. The second current is dominated by Syrian locals with a lower proportion of muhajirun who are connected to al-Julani as a person and to the needs of the Syrian context. Some might describe this current as moderate and its most prominent figures are Abu Maria al-Qahtani (Maysar Ali al-Jabury, an Iraqi muhajir)<sup>38</sup> and Madhhar al-Weys (a Syrian)<sup>39</sup>.

These two figures reject takfeer and consider the local revolutionary dimension as legitimate in their visions as part of their understanding and approach of local developments. They also permit corporation with Turkey in the war against ISIS (this is what is claimed, but either or both currents may deny this), as they consider this to be a non-religious formation. They are the most severe in condemning ISIS and believe that it is essential to prevent its "extremist" ideas from disseminating and fusing into the discourse of Organized Jihadism. The two leaders believe in maintaining unity with other factions, giving priority to defending against attackers over other Sharia requirements. Both al-Qahtani and al-Weys may form a legitimate partnership in the future due to their special relationship and an observable rapprochement between them. This trend is described by al-Maqdisi as *almumayyi'a*, or a process of dilution or weakening, along with some of the jurists of Harakat Ahrar al-Sham and of "mobilization jihadists".

### **The Moderate Branch in Organized Jihadism**

*Al-Qahtani is an Iraqi who holds a degree in Sharia from the University of Baghdad. He also holds a number of other qualifications from some ulema, according to sources within the jihadi movement. Al-Qahtani used to be described as the second most prominent figure (after Abu Muhammad al-Julani) and the leading jurist in al-Nusra front after it split from ISIS. He settled in northern Syria after fleeing from ISIS. His approach is flexible and compromising towards Islamic political movements and other groups, perhaps due to his previous experience with ISIS and his firsthand observation of its gory methods, brutality and extremism.*

*Al-Qahtani's approach is considered a clear challenge to the discourse of Organized Jihadism. His role in al-Nusra Front was minimized in favor of the more extreme "Jordanian current". He has a major dispute with al-Maqdisi, who categorizes him as "al-mumayyi'a", accusing him of diluting the jihadi movement. Al-Qahtani is said to be intelligent with a high aptitude for developing his intellectual capacities. He has a high status among most Syrian jurists and was expected to play a role in stopping the events that led to the emergence of Hay'at Tahrir al-Sham. However, he preferred to remain a member of the organization, while declaring his continued commitment to his principles, which he is known for, including his refusal to declare the Free Syrian Army or those who cooperate with Turkey as infidels*

Meanwhile, other jihadists, including followers of Organized Jihadism other than the two ulema, attack al-Weys and al-Qahtani, particularly the latter. Al-Qahtani is an Iraqi who left ISIS, escaping from Iraq to Daraa, from which he then moved to northern Syria, where he managed to establish his authority in a short period of time. Many accuse him of being a pragmatic warlord and it is alleged that his dispute with ISIS was of a merely financial nature. However, some sources from Syria who are in contact with him confirm that he has repeatedly asserted that he has reviewed his thinking, and the outcome can be seen in his contributions on social media platforms.

Another current of jurists, which is dominated by muhajirun while also containing Syrians, is loyal to Ayman alZawahiri and the ideology of al-Qaeda. Among its figures is Abu Firas al-Suri (Radwan Nammous)<sup>40</sup> who settled in Afghanistan for a period during the nineties and has significant links with some leaders in al-Qaeda, although he does not appear to have been a member. Among his biggest responsibilities in al-Nusra Front is as the head of the group's Sharia institutes.

Another leading figure in this current is Abu al-Afghan al-Masry. Al-Masry moved to Syria at the request of alZawahiri himself and he used to accuse al-Maqdisi of ghuluw (ideological extremism)<sup>41</sup>. Another figure is Abu Faraj al-Masri (Ahmad Salama Mabruk), a former member of the Egyptian Islamic Jihad and a longstanding companion of Ayman al-Zawahiri, who is now a prominent jurist in al-Nusra Front<sup>42</sup>. All these individuals were killed in US air strikes.

Another figure known to be part of this current is Sami al-Aridi, a Jordanian who has a special relationship with al-Maqdisi but is known to be part of the Jordanian current in al-Qaeda in Syria. Although al-Maqdisi claims that al-Aridi left Hay'at Tahrir al-Sham as soon as it was announced, others claim that he left al-Nusra when it became Jabhat Fatah al-Sham<sup>43</sup>. Syrians in this current include Abu Abdullah al-Shami (Abdul Rahim Atoun) who is one of the most prominent jurists in Organized Jihadism, as represented in Hay'at Tahrir al-Sham. Al-Shami is closer to the official line represented by al-Julani. He is among the leaders who made the decision to transform al-Nusra into Fatah al-Sham and later into Tahrir al-Sham. He appeared alongside al-Julani (in addition to Abu Faraj al-Masri) when he announced the decision to split from al-Qaeda and to change Jabhat al-Nusra into Jabhat Fatah al-Sham. He recently wrote a lengthy letter titled "A message from a well-wisher" in response to al-Maqdisi when the latter criticized Hay'at Tahrir al-Sham and accused some of its jurists of being "mumayyi'a"<sup>44</sup>.

The third current is composed of independents who are organizationally independent jihadi ulema, although they may have their own biases and might be chosen as a jurist for one of the Syrian jihadi groups. These ulema call for jihad within the limits of daf' al-sa'il (defense against the attacker) as the conflict revolves around the Sunni presence in the region. They call for the application of Sharia and the establishment of the rule of Allah, although within a local context similarly to other Islamic political movements. The majority of followers of this current are Syrians with a minority of muhajirun. Some permit cooperation with the Turkish army against ISIS or do not declare those who do so as infidels.



Ulema in this current seek to establish unity within the Syrian jihadi scene in the fight against its enemies. Most have a recognized academic status, for example, the Syrian sheikh Abdul Razzaq al-Mahdi<sup>45</sup> as well as sheikh Abdullah al-Muhaysini<sup>46</sup> and Abu Hassan al-Kuwaiti (Ali al-Arjany) from the muhajireen<sup>47</sup>. This current mostly identify with the "mobilization jihad" approach as established by sheikh Abdullah Azzam in terms of advocating for the mobilization of jihadists from across the world to defend against attackers and protect dignity and honor. However, due to the challenging circumstances of the Syrian revolution, some of these ulema call for mobilizing only financial and political support while calling for limiting the phenomenon of foreign fighters in the Syrian revolution, a position they share with classical ulema such as sheikh Usama al-Rifai, chairman of the Syrian Islamic Council (a council that gathers traditional Syrian pro-revolution ulema) <sup>48</sup>. This is based on the fact that most foreign fighters join ISIS or Organized Salafist Jihadism (al-Qaeda) in its most extreme version, which creates an unnecessary conflict between these newcomers and Syrian society, which is relatively more liberal in its religious practices.

Some figures within this current have sought to find a local religious authority for Syrian jihadists. To this end, the "Tajammu' ahl al-'ilm fi-l-Sham" (the Assembly of Ulema in al-Sham) was announced<sup>49</sup>. This assembly, perhaps for the first time, brought together jihadi jurists and ulema who support the Free Syrian Army. However, this initiative failed to achieve its aims and was superseded by events. Regardless of the fate of this assembly, it is notable that these jurists did not have friendly relations with the two ulema and especially al-Maqdisi. Their relations with Organized Jihadism were also unstable - even when they support this movement or join it. In fact, most of the ulema move between jihadi groups as independent or semi-independent jurists.

### **The Future of the Jurists of the Jihadi Movement**

Organized Jihadism is struggling to preserve its identity against significant challenges in the absence of a unifying charismatic personality. Osama bin Laden was killed before providing any answers

on the right way to handle the Arab Spring revolutions and what he did leave gives insufficient ground for unifying its different movements. This gave ISIS a chance to emerge in Iraq as a denunciation of al-Zawahiri's line and the way he handles this challenge. The two ulema and all other jihadi jurists have declared their opposition to this response.

Some of the jurists of the jihadi movement in Syria support the most important demands of the Arab Spring and give them priority, such as overthrowing al-Assad and establishing a just local governing system freely chosen by the people, which realizes their interests. They argue for this using revolutionary rather than jihadist terminology, which is considered a violation of the discourse of Organized Jihadism. This current is labeled by al-Maqdisi and Abu Qatada as al-mumayyi'a, accusing it of weakening the whole jihadi movement.

What is clear is that the jihadi movement has been unable to limit the influence of the Arab revolutions, which has crept into and invaded some of the concepts adopted by the movement's jurists. The disputes within the jihadi movement are often a result of this conflict over the extent to which these concepts are legitimate or the dangers they pose to the jihadi discourse.

Practically speaking, the organizational and intellectual model presented by most jihadi jurists who are still linked to the command of al-Julani or the other jihadi ulema belonging to the al-waqi' al-jihadi al-sa'id current in Syria, is based on achieving some local demands without dismissing jihadi discourse or its most important elements. Eventually, when the local context begins to constrain this current, it resorts to adopting a minimal level of Organized Jihadism to ensure coexistence, thus adopting "mobilization jihad". This exposes it to strong criticism by al-tayyar al-naqdi (the critical current) represented by the two ulema

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or one of them, for fear that the current will adopt permanently this discourse.

On other occasions, these jurists cling to the highest ceiling of demands in their jihadi discourse, which leads them to embrace Organized Jihadism. This occurs when their local context stabilizes, especially when they present certain moral achievements such as initiatives to unify different forces or on achieving military victories. They then reconcile with the critical current while their differences deepen with other local Syrian ulema, and even with ulema of "mobilization jihad" or other rivals of the two ulema.

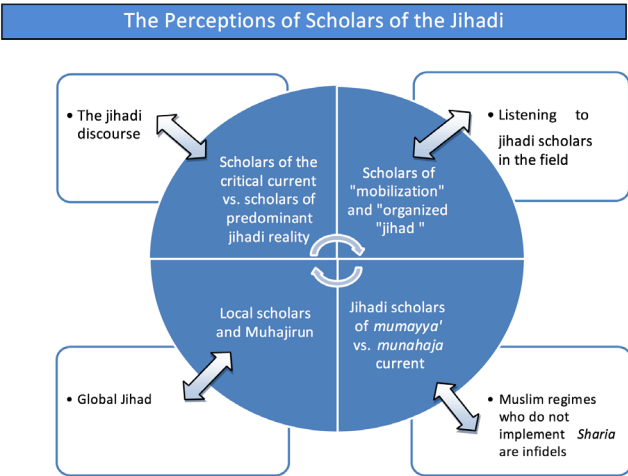
It is evident that the Syrian experience has had deep impact on the discourse of the jihadi movement and on jurists or jihadi ulema, who are required to reproduce and develop this jihadi discourse. Despite the severe critiques by the two ulema of the jihadi experience in Syria, these critiques may contain some of their own reinterpretations of the jihadi discourse of the founding phase of the movement. Their positions reflect, in fact, their concerns about the future of the jihadi current in general in light of the sweeping changes that threaten its religious and ideological foundations. Thus, the critiques made by the two ulema appeal to jihadists inside Syria who share the same fears concerning the future of their movement.

This can be seen, for example, in the campaign made by Jabhat Fatah al-Sham against the jihadi factions and jurists who signed the Astana agreement, which conforms with al-Maqdisi's view that they should be shunned<sup>50</sup>. It can also be seen in Hay'at Tahrir al-Sham's stance towards Jund al-Aqsa or Liwa al-Aqsa, in accordance with alMaqdisi's stance against annihilating them. Thus, their fighters were allowed to leave rural Hama and Idlib towards Raqqa, ISIS's stronghold<sup>51</sup>.

On the other hand, there are other concerns that Organized Jihadism will fall prey to the extreme discourse of ISIS (even by al-Qa'eda's standards) or similar discourses. This explains the existence of another current

who very strongly attack the two ulema and their critical current. This group is composed of the majority of jihadi ulema and ulema of the “al-waqi’ al-jihadi al-sa’id” or those who support al-Julani’s approach. They accuse the ulema of almunahaja (methodologically rigid), as al-Qahtani says regarding al- Maqdisi. Some go further, as does Dr. Tariq Abdel Haleem, who accuses al-Maqdisi of belonging to the Harūrī movement, while praising Abu Qatada. What this means is that al-Maqdisi’s arguments lead to adopting the discourse of ISIS and not of al-Qaeda. What should be noted is that some opponents of the jihadi movement, such as supporters of the Syrian revolutionary factions, usually attack Organized Jihadism in particular and describe its leaders and jurists of al-munahaja.

These fierce debates between the various jurists of the jihadi movement and their counter-accusations of either almumayyi’a or al-munahaja, and the recurrent transformations the movement has undergone and their resultant approaches and ideas show that Syrian jihadi factions, including those commanded by al-Julani, are undergoing divisions and disputes at every crossroads in the Syrian conflict. They seem unlikely to unify their political and religious concepts and visions (see Figure 4).



**Figure 4:** The Syrian experience has revealed the difference understandings among jihadi ulema of their movement’s terms and concepts, resulting in disagreements and conflicts between them. The ulema of “mobilization” and “organized” jihad differ on the definition of the jihadi scholar, and locals and muhajirun differ on their understanding of “global jihad”. In general, all of the jihadi currents disagree on the discourse of jihad and the definition of Arab and Islamic regimes.

Thus, it will move towards attracting more local religious authorities, which would be used as an alternative or alongside the traditional authorities of al-Qaeda, with the aim of reducing the contradictions that beset the Syrian jihadi scene. Taking into account the local aspirations of the jihadi branch in Syria, it will insist on producing jihadi ulema according to different standards, focusing more on local characteristics than before and with more flexible ideological approach in order to ensure coexistence with local communities in Syria.

If it wants to carry on with the same structure it has used until now, the jihadi movement will be obliged to show more commitment and responsibility towards inhabited cities whose security and management they are responsible for. This is a test that the movement has never faced before under such circumstances and threats. The movement not only has to protect its ideology and jihadi discourse in Syria but also to confront a form of demographic evacuation or cleansing of Sunnis, which cannot be ignored. Compared with the traditional al-Qaeda discourse, this will bring its religious terminology closer to that of other Syrian factions, which in turn would make it rely more on ulema than on military leaders.

This does not mean that the critical current represented by two ulema will stop promoting its ideological framework within the Syrian scene. Organized Jihadism in Syria still needs this discourse in order to protect itself from unleashing or sinking in a flood of ideological revisions. Moreover, it has to prevent the more extreme jihadists from joining ISIS or risk ending with the split of the Organized Jihadism movement after much talk of the formation of an al-Qaeda entity in Syria - especially by the Jordanian current - away from al-Julani's leadership. On the other hand, it has to prevent the more flexible jihadists from making concession to local demands and getting closer to local jihadism, as represented by Ahrar al-Sham and other organizations with a similar discourse.

***On the other hand, there are other concerns that Organized Jihadism will fall prey to the extreme discourse of ISIS (even by al-Qaeda's standards) or similar discourses. This explains the existence of another current who very strongly attack the two ulema and their critical current***

However, it is clear that the role of the two ulema in the third wave cannot continue as a purely critical current. This is reflected through a number of conflicts between them - in particular al-Maqdisi - and a number of jurists. Therefore, what is notable is that the opponents of the two ulema in Syria with whom the author was in contact consider al-Maqdisi to have "less knowledge and experience" than them. Some of them referred to his lack of qualifications or "a clear academic profile".

There are clear attempts by some jihadist jurists (from organized and mobilization jihad, although to different degrees) to distinguish between the two ulema. They argue that Abu Qatada is less severe and more aware and cognizant of reality and current risks. His level of knowledge and status are respected and recognized, compared to al-Maqdisi.

However, a lack of trust and a sense of uncertainty towards these two ulema are common among most jurists despite the fact that the jihadi scene needs them, at least for now given the present situation. In the medium term, the rapid developments that the jihadi movement is undergoing will make the distinction between the two ulema clearer, and a difference between their methodologies will emerge (regardless of the relationship between them), particularly as the contradictions widen between excessive "Najdism" in its "dogmatic" insistence on a pure "methodology" and jihadism (both mobilization and organized jihad), which is more concerned with maintaining the jihad through mobilization and practice, even if it means adopting less strict doctrinal standards. It seems that jihadism is at a crossroads, having reached its peak by allying itself with Wahhabism while facing possible collapse if it does not find a way to organize its ties with Wahhabism or break them altogether.

In summary, the jihadi movement is facing a very difficult test in the Syrian context, due to the many difficult questions this context poses. This has pushed the movement to distinguish between its various components, between Mobilization and Organized Jihadism, and

***All jihadists have realized that their discourse was subverted after the Arab revolutions, and that their jurists cannot fix it. They need new jurists and leaders with new jihadi arguments, since their existing discourse is not suited to the Syrian context***

between "munahaja" and "mumayyi'a" (lenient) despite the overlap between all these components. Jihadism is going through a state of crisis in terms of its religious framework, which will be reflected, sooner or later, on jihadi discourse itself. Several questions concerning the issue of muhajirun and the idea of global jihad against America, have been raised by Syrian jihadist ulema themselves, including: what is the purpose of the balance between muhajirun and ansar if this brings only takfeeris and extremists rather than "jihadists"? What is the use of global jihadism in the Syrian context, which targets the US and seeks to lure it to intervene there, while the priority is to protect Sunnis from the demographic cleansing led by Iran? How can the movement manage the vast and multifaceted needs of cities with complex identities using only military leaders and ulema?

All jihadists have realized that their discourse was subverted after the Arab revolutions, and that their jurists cannot fix it. They need new jurists and leaders with new jihadi arguments, since their existing discourse is not suited to the Syrian context. Thus, the jihadi movement in Syria will enter into a process of ideological reexamination by its own ulema using the same tools. What they fear most in this process is that local jurists would use this opportunity to establish a local Syrian form of jihadism. Signs of this have emerged with the state of uncertainty and counteraccusations between jurists of the jihadi movement, occasionally going as far as to accuse each other of treason.

## Reference

- 1- For more details on the importance of al-Maqdisi in the jihadi movement and for his biography, watch: Interview by Al Jazeera's correspondent, Yaser Abu Hilalah, with al-Maqdisi, "Likaa El Youm" program, "Abu Muhammad al-Maqdisi: Salafist Jihadism", Al Jazeera Net website, July 2005 ,10. Accessed on February 2017 ,21. <https://goo.gl/4gz7zk> See also, Abu Muhammad al-Maqdisi, Al Jazeera Net, October 2014 ,28. Accessed on February 2017 ,21. <https://goo.gl/loZZzo>
- 2- For more details on the importance of Abu Qatada in the jihadi movement and for his biography, watch Interview by Al Jazeera's correspondent, Muhammad al-Najjar, with Abu Qatada, "Abu Qatada: A preacher who became one of the world's most prominent jihadist indoctrinators", Al Jazeera Net, November 2014 ,9. Accessed on February 2017 ,21. <https://goo.gl/yXfPYL>
- 3- The paper uses the same terms currently used by the jihadi movement. See, The Bases of the Foundation of Organizations, Abu Musab al-Suri, Edited by Abu Omar al-Kurdi, First edition, 1418 hijri - 1997, pp. 45-44.
- 4- The paper uses the same terms currently used by the jihadi movement. See, The Bases of the Foundation of Organizations, Abu Musab al-Suri, Edited by Abu Omar al-Kurdi, First edition, 1418 hijri - 1997, pp. 45-44.
- 5- See Shafeeq Choucair, "After the Arab Spring: Islamists between the path of Caliphate and the Path of the State", Anatolia Agency, June 2016 ,27. Accessed on February 2017 ,1. <https://goo.gl/Gju6yl>
- 6- See Shafeeq Choucair, "The Ideological Roots of ISIS or the Post-Jihadi Current, Paper in the Book of IS: Origins, Influence and Future", written by a group of researchers, edited by Fatima Samadi, Al Jazeera Center for Studies, 1437 hijri - 2016.
- 7- Imam al-Qarafi, an Islamic ulema of the seventh century AH, said, "I know that the opinion of the ruler regarding matters of ijtihaad settles any dispute, and anyone who violates his own madhhab (religious school) returns to the madhhab of the ruler." See Differences: A Book by Imam Al-Qarafi (Bahamsheh Hashia Ibn al-Shat), Verified by Omar Hassan al-Qayam, Al-Resalah Foundation, First edition, 2003, pp. 192 ,2.
- 8- Holy Qur'an, Surah al-Nisa', verse 84.
- 9- See, for example, Fatwa of Ibn Baz on Jihad in Afghanistan, Official website of Ibn Baz. Accessed on February 2017 ,1. <http://www.binbaz.org.sa/noor/2871>
- 10- The jihadi movement rejects the existence of a political emir (prince) outside the framework of the Caliphate. There is a political Caliph and whoever he appoints and, in his absence, there is an «emir qital» (military leader), according to their religious interpretation. The Characteristics of the Founding Stage of the Jihadi Movement in Afghanistan, Shafeeq Choucair, Ideological Origins of the Islamic State, Al Jazeera Center for Studies, November 2014 ,23. Accessed on February 2017 ,1. <http://studies.aljazeera>.



[net/en/files/isil/2014112361054982947/11/2014.html](http://net/en/files/isil/2014112361054982947/11/2014.html)

11- This includes a paper or "Guiding Document for Jihadi Action in Egypt and the World". Al-Zawahiri responded with the following book, «Exoneration: Exonerating the Nation of the Sword and the Pen from Charges of Corruption and Weakness». Sayyed Imam then responded to this response with «A Memorandum to Expose the Book of Exoneration» published in Al-Sharq Al-Awsat newspaper in 2008 in a series. See Al-Sharq Al-Awsat Al-Londoniyya, November 2008 ,18. Accessed on February 2017 ,1. <https://goo.gl/zhqInH> Although al-Zawahiri responded to the document, some of the criticisms, especially those related to ghuluw, are still prevalent in the jihadi movement.

12- See the translation by Abu Musab al-Suri published by Raziz Kandahar Center, Internet Archive. Accessed on February 2017 ,1. <https://goo.gl/OxTzh1>

13- See the interview by al-Hesbah network with Atiyah Abdul Rahman, Internet Archive, p. 358. Accessed on February 2017 ,1. <https://goo.gl/QMCD5D>

14- In the section on methods for selecting Sharia jihadi ulema, the author drew on telephone calls with Syrian jurists in late 2016. The most useful was the conversation with Sheikh Abdul Razzaq al-Mahdi, an independent Syrian jurist who announced his affiliation with Hay'at Tahrir al-Sham after its formation was announced in January 2017. He then withdrew and declared himself to be independent once again.

15- See, for example, one of the issues of this publication and the article by Abu Qatada on page 5, Al-Ansar, Issue No. 1995 ,113. Internet Archive. Accessed on February 2017 ,12. <https://archive.org/stream/Ansar#113page/n3/mode/2up>

16- Atiyah Abdullah al-Libi is the main proponent for adapting the discourse to the new context of the Arab revolutions, as confirmed by the intellectual reviews by Bin Laden. These appeared in Abbottabad, including correspondence with Atiyatullah in this regard where he made the Arab revolutions one of the steps that al-Qa'eda is willing to accept as a means to achieve change but without giving up on jihad and without stopping at overthrowing dictatorships, but progressing towards bringing down American hegemony in the region and implementing Sharia law in the Arab and Islamic worlds. See "Abbottabad documents", Combating Terrorism Center at West Point, May 2014 ,3. Accessed on February 2017 ,12. LETTERS FROM ABBOTTABAD: BIN LADIN SIDELINED? 2012/5/3 Author (s): Don Rassler, Gabriel Koehler-Derrick, Liam Collins, Muhammad al-Obaidi, Nelly Laho <https://www.ctc.usma.edu/posts/letters-from-abbottabad-bin-lamin-sidelined> See also Yaser Zaatreh, Bin Laden's Image in the Abbottabad Documents, May 2012 ,10, Al Jazeera Net. Accessed on February 2017 ,12. <http://www.aljazeera.net/knowledgegate/opinions/صورة-بن-لادن-في-وثائق-إيت-آباد/10/5/2012>

17- Interview with the researcher, Muhammad Abu Rumman, November 2016 ,20. The numbers are approximate estimates based on the size of the jihadi movement in Jordan in general, on the assumption that most of them are with ISIS. There are several estimates of the number of supporters

of the jihadi movement in Jordan and of the number of Jordanian fighters in jihadi organizations in Syria, all of which rely mostly on the same sources, namely Jordanian research and journalism centers, as well as the security services and sources close to them. Referring back to an investigation conducted by the journalist, Hazim al-Amin from Amman, we found that the estimates that he reports talk about 4000 or 5000 jihadi salafi activists in Jordan. This means that their number keeps growing or at least is not decreasing. See the investigation by al-Amin in Al-Hayat Newspaper, "Salafi Jihadism in Jordan on its way to ISIS after many years with al-Nusra", July 2014 ,4. Accessed on February 2017 ,12. <https://goo.gl/uoVSzw>

18- Mohammad al-Dumah, "Abu Qatada and al-Maqdisi spearhead the fight against ISIS", Al-Sharq Al-Awsat, September 2014 ,26. Accessed on February 2017 ,12. <https://goo.gl/EqYr1J>

19- Especially after al-Qaeda established a branch focused on local priorities in Syria headed by Abu Mohammad al-Julani. See Al-Ra'y Al-Urduniyya, Working Paper Analyzing the Latest ISIS Attacks on Jordan and the Shift in the Nature of Associated Threats, July 2016 ,23. Accessed on February 2017 ,12. <https://goo.gl/AGBPo1> In the section on Jordan, the author drew on interviews carried out by his colleagues at the Al Jazeera Office in Amman Jordan including Hassan Choubaki, the office manager, and the correspondent Tamir Samadi, November 2016.

20- Meeting by the author with jihadi sources from Jordan. References will also be made to meetings held in Amman in November 2016, during which the author received information on the views of the two ulema, Abu Muhammad al-Maqdisi and Abu Qatada.

21- See interview by Ro'ya TV Channel, Jordan with Abu Muhammad al-Maqdisi, published on February 2015 ,6, Accessed on February 2017 ,21. <https://www.youtube.com/watch?v=XFh6gMKSGMa>

22- For further information about Sajida al-Rishawi, see the link below, accessed on February 2017 ,21. <https://goo.gl/H2GSjs>

23- Interview with jihadi sources from Jordan.

24- See the fatwa by Abu Qatada al-Filistini concerning the issue of killing children and women to prevent the risk of rape and the killing of brothers, Nashrat Al-Ansar, No. 90, March 1995 ,30, pp. 10-12. Accessed on February 2017 ,12. <https://archive.org/stream/Ansar#o90page/n9/mode/2up>

25- He was arrested in Pakistan in 2005 and handed over to the Syrian regime. Some jihadists believe that he is still alive. It is also claimed that he is dead or that he is now with ISIS. Al-Nusra proposed exchanging him in 2015 with a captured Syrian pilot. See "Proposal for the exchange of the captured pilot by al-Nusra with Abu Musab al-Souri", Al-Hayat newspaper, March 2015 ,24. Accessed February ,12 2017. <https://goo.gl/j2TlGf>

26- Interview with jihadi sources. For more on this, see "Abu Qatada": I was unjustly treated with regards to the Algerian case and this is what I learned from it", Arabi21, September 2016 ,7. Accessed

February 2017 ,21. <https://goo.gl/gcZAJ3>

27- Regarding the influence of al-Maqdisi and Abu Qatada on Jordanian jihadists, the author drew on interviews with the researchers Hasan Abu Haniya and Mohammad Abu Rumman in Amman, Jordan in November 2016.

28- The author contacted over 10 Syrian jurists and ulema, some of whom are from the jihadi movement. Most of them accused the two ulema - particularly al-Maqdisi - of being the source of extremism in the Syrian context. On the other hand, they estimate the number of their followers in Syria to be low. Some of them estimate that followers of al-Maqdisi constitute no more than %10 of Ahrar al-Sham.

29- Interview with jihadi sources

30- Tariq Abdul Halim, based in Canada, is considered one of Al-Maqdisi's fiercest opponents on social media platforms. He is one of those described by al-Zawahiri in a voice message in 2014 as one of the «devout ulema». In the same message, he describes al-Maqdisi, Abu Qatada and Hani al-Sibai who lives in London in the same way. See transcript of this voice message on the following link, published on September 2015 ,10. <https://goo.gl/umUeJk> Accessed on February 2017 ,21. Concerning the biography of sheikh Tarik Abdul Halim, see his personal website on the following link: <http://tariqabdelhaleem.net/new/Section2-> Accessed on February 2017 ,21.

31- Interview with jihadi sources.

32- Abu Qatada's explanation for his rejection of the proposal to cooperate with the Turkish army against ISIS, in an interview with jihadi sources.

33- Interview with jihadi sources.

34- Interview with jihadi sources. The author drew on descriptions of al-Julani by Syrian figures he contacted who had met al-Julani. The author discussed some of these for the purpose of documentation as well as other issues related to the paper with Al Jazeera's correspondent Tayseer Allouni, in a lengthy interview. The interview can be viewed here: Liqaa al-Yaoum, Abu Muhammad al-Julani, "Al-Nusra and the Future of Syria", December 2013 ,19. Accessed February 2016 ,21. <https://www.youtube.com/watch?v=DIrHhHJlQA>

35- Interview with jihadi sources.

36- Interview with jihadi sources, using behavioral analysis. Abu Abdullah al-Shami criticizes al-Maqdisi and his distrust of Hay'at Tahrir al-Sham. Al-Maqdisi responded to al-Shami concerning this issue. See "Chief jurist of Tahrir al-Sham responds to al-Maqdisi and the latter comments", Iyad Makki, Arabi 21, February 2017 ,14. <https://goo.gl/yFzoCb>

37- In this section, the author draws on a number of journalists, researchers and jurists, some of which he declined to name. This included telephone conversations with Syrian researcher and activist Ahmed Aba Zaid (November 2016 ,27), a member of Tajammu' Ahl al-'Ilm in Syria, sheikh Abbas Abi Taim Sharifa

(December 2016 ,15) and Dr. Ayman Mohammad Harush (February 2016 ,11), former judge in Jaysh al-Fath and member of Tajammu' Ahl al-'Ilm.

38- The translation of Abu Maria al-Qahtani as it appears in the Islamic Encyclopedia mentioned below is used by the author because it describes al-Qahtani as a jurist, as sheikh Abdul Razzaq al-Mahdi describes him. This sheikh describes Al-Qahtani as being intelligent and moderate based on his observations and considers that he and Modhar al-Wais are similar. Accessed on February 2016 ,21. <https://goo.gl/XKDDQ6>

39- Al-Wais is known for his essay against ISIS, «The distinguishing signs in the revelation of the religion of the rogues», to which a number of ulema affiliated with the jihadi movement contributed, including Abu Maria al-Qahtani. For a brief description of his personality as a jurist, please refer to the same source mentioned above, at the link below. Accessed February 2016 ,21. <https://goo.gl/m4u9oO>

40- See Al Jazeera Net, "Death of al-Nusra Front Leader, Abu Firas al-Suri, in a US Raid", April 2016 ,4. Accessed February 2017 ,22. <https://goo.gl/Gllbjd>

41- For further information about his assassination see "Pentagon confirms: US raid killed Fath al-Sham leader Abu Afghan al-Masry", CNN Arabic, November 2016 ,23. Accessed February 2017 ,22. <https://goo.gl/FumFyi> Abu al-Afghan's accusation of al-Maqdisi of ghuluw (extremism) was quoted by Ali al-Arjani (Abu al-Hasan al-Kuwaiti), who also shared an audio clip on his Telegram channel in which Abu al-Afghan condemns al-Maqdisi in the course of a discussion in which he condemns takfeeris and says that "he has shameful positions". The researcher, Hassan Abu Haniyeh, had written that the Egyptian Abu al-Afghan is himself Abu Abdullah al-Muhajir, the author of the famous book «Issues in the Jurisprudence of Jihad», which ISIS is said to have adopted to justify its bloodshed. However, in a telephone conversation with him, he said that he had made a mistake and that he is a different person, and that Abu Abdullah al-Muhajir was probably killed while fighting with ISIS. To read Abi Haniya's article on Abu al-Afghan, see "Abu Abdullah al-Muhajir: The quiet end of a jihadi jurist", Arabi 21, December 2016 ,11. Accessed on February 2016 ,22. <https://goo.gl/oAgw7E>

42- See biography of Abu al-Faraj al-Masry: "Abu al-Faraj al-Masry, the assassinated leader of Fatah al-Sham", Al Jazeera Net, October 2016 ,4. Accessed on February 2016 ,22. <https://goo.gl/3WOHQ6>

43- These include Dr. Tarek Abdel Halim.

44- For more about al-Shami, please refer to "Who are the two people who appeared with al-Julani?" Orient News, July 2016 ,28. Accessed on February 2016 ,22. <https://goo.gl/2gxOt9>. See also "The chief jurist of Tahrir al-Sham answers al-Maqdisi and the latter comments" Eyad Makky, Arabic, 21, February 2017 ,14. Accessed on February 2016 ,22. <https://goo.gl/yFzoCb>

45- Abdul Razzaq al-Mahdi is a renowned Syrian sheikh in the field of hadith sciences. Many fatwas in the Syrian arena carry his name, along with other jurists in Syria. He joined Hay at Tahrir al-Sham when

it was created, then announced he was leaving the group. See, for example, his fatwa on cooperating with Turkey, a position that he renounced in an interview with Al-Quds Al-Arabi. "Sheikh Abdul Razzaq Al-Mahdi to Al-Quds Al-Arabi: Americans lead the operations room from Incirlik Air Base", Al-Quds Al-Arabi, September 2016 ,24. Accessed on February 2016 ,22. [Http://www.alquds.co.uk/?p=602398](http://www.alquds.co.uk/?p=602398)

46- One of the most prominent foreign jurists, he travelled to Syria in 2013 and is currently a member of Hay at Tahrir alSham. Here is an interview in which he tells the story of his arrival in Syria: "Al-Muhaisani reveals his reason for coming to Syria and ISIS' proposition for him to join them", Muayad Bajis, Arabi21, November 2015 ,21. Accessed on February 2016 ,22. [Https://goo.gl/6hKrsD](https://goo.gl/6hKrsD) For his biography on jihadi websites see the following link: [Https://justpaste.it/q7av](https://justpaste.it/q7av). Accessed on February 2016 ,22.

47- He is a Kuwaiti who was one of al-Nusra Front's jurists. He recently criticized Jabhat Fatah al-Sham's attacks on other factions and its creation of Hay at Tahrir al-Sham. See, for example, his interview with the Kuwaiti newspaper Al-Rai on why he went to Syria: "The jurist and preacher in al-Nusra Front Abu Hassan al-Kuwaiti: Kuwaiti members of ISIS are misguided and they are not mujahedeen", Ahmad Zakaria, Al-Rai Al-Kuwaitiyya, April 2015 ,4. Accessed February 2016 ,22. [Https://goo.gl/CAjml8](https://goo.gl/CAjml8)

48- Sheikh Osama al-Rifai heads the Syrian Islamic Council and is a traditional religious authority for all Syrians. He supports the Free Syrian Army. Sheikh al-Rifai may be described as part of the "Zaid group", a religious group that appeared in the 1940s affiliated with sheikh Abdul-Karim al-Rifai (-1901 1973). It was named after the mosque of Zaid ibn Thabet al-Ansari in Damascus, which was the base for its activities. For a brief description of the group, see "The most important movements and religious groups in Syria", al-Sakinah website, April 2011 ,22. Accessed on February 2017 ,26. [Http://www.assakina.com/center/parties/7574.html](http://www.assakina.com/center/parties/7574.html)

49- For more information on the announcement of the establishment of the Assembly of Ulema in the Levant, please see "Announcement of the establishment of the Assembly of Ulema in the Levant", al-Dorar al-Shamiyya, July 2016 ,15. Accessed on February 2017 ,26. [Http://eldorar.com/node/100459](http://eldorar.com/node/100459)

50- However, after attacking them, the Front returned and joined Hay at Tahrir al-Sham, a move that was not welcomed by al-Maqdisi.

51- Please see Al-Sharq Al-Awsat newspaper for further details of the agreement, which states that Jund al-Aqsa fighters must leave Hama and Idlib for al-Raqqa, February 2017 ,17. Accessed on February ,27 2017. [Https://goo.gl/8rny1f](https://goo.gl/8rny1f)

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### ABOUT ALSHARQ FORUM

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## The “Ulema” of the Jihadi Movement: Discourse, Role and Future

This paper examines the role of the jihadi movement’s “ulema” and its future, particularly in light of the dialectical relationship that links them with jihadi discourse and jihadi movements. This paper adopts an analytical and historical approach to identify the most important intellectual phases of this movement and the transformations of jihadi discourse and its intellectual framework.



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