Jihadi State-Building: A Comparative Study of Jihadis' Capacity for Governance

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The conquest of huge tracts of land in Syria and Iraq by the jihadi group known as 'The Islamic State of Iraq and al-Sham' or ISIS caused grave concern across the world. Jihadi groups had controlled territory before, but never so much, and never had any group in recent memory been able to conquer its holdings so quickly. In a statement announcing the formation of a U.S. led coalition to combat ISIS, President Obama stated clearly, "ISIL is certainly not a state."[1] In doing so, President Obama hoped to dispel claims by the group that it was acting as a legitimate state. A few weeks later, historian David Montadel penned an opinion piece for the New York Times entitled "The Ancestors of ISIS." Montadel drew a connection between ISIS and jihadist states of the 18th and 19th centuries such as the Mahdist state in Sudan and the Caucasian Imamate. Dubbing them "Islamic rebel states," he argued that all of these groups conducted campaigns to fend off foreign forces alongside operations against internal opponents; drives which amounted to concentrated efforts at state-building.[2] The purpose of this paper is to evaluate the claims of Montadel and President Obama. By using ISIS, the Afghan Taliban prior to their ousting in 2001, and the group commonly referred to as Boko Haram as case studies this paper will seek to evaluate the ability of jihadi groups to engage in a form of state-building and explore the context under which such efforts are successful.

Literature Review

The Modern State

Before evaluating the state-building capacity of our case studies we must define the state itself. In "The Development of the Modern State" David Held traces the evolution of the 'state' in Europe, a process that took hundreds of years of warfare, and defines the state using four unique characteristics. First, while previous polities claimed territory, the state was the first to demarcate that territory with fixed borders. Second, the modern state holds a monopoly on violent force, which it achieves through the pacification of rivals and subjects. Third, the modern state is composed of an impersonal structure of power, one that is based on the rule of law rather than the personal whims of rulers. Finally, all modern states had to, by various means, achieve legitimacy in the eyes of their citizens.[3]

Like most contemporary theories on the modern state Held's view of the state is heavily influenced by the German sociologist Max Weber. Weber espoused many of the characteristics Held later described as features of the modern state, but his most prominent observation was related to Held's third feature, namely the impersonal structure of power. The evolution of the state that Held describes was to Weber a process of moving away from charismatic and traditional forms of governance to ones based on rationality and secularism. The chief result of this rationalization was not only the importance of the rule of law, but also the reliance on a professional bureaucracy to make reasonable, knowledgeable, and impartial administrative decisions.[4]

Beginning in the late 1990s a new practice, known as 'state-building', emerged as an attempt by the international community to build government institutions and promote stability in countries recovering from civil wars and with weak governments. These state-building efforts relied heavily on the concept of a state that Held and Weber espoused, and sought to create "autonomous, authoritative, legitimate, and capable," states to ensure lasting peace.[5] In addition, state-building efforts incorporated the concept, which developed out of the prosperity of

Western states, of the state as a provider of services, such as managing public finances, developing infrastructure, investing in human capital, and regulating markets.[6] This paper will seek to evaluate whether jihadi groups are in fact engaging in a form of state-building by creating polities with the same functions as those of a modern state as described by Held and Weber. These states would, by the nature of jihadi groups, vary from Weber's vision of a 'secular' state, but that absence of secularity does not necessitate an absence of rationality, the more important of the two factors Weber attributed to modern states.

Jihadi Governance

There is a surprising lack of publically available information on the governance habits and state-building abilities of jihadi groups. While threats to security and human rights deserve attention, the overriding focus on them has unfortunately contributed to incomplete understanding of an important aspect of jihadi groups: their ability to govern the territory they have captured. In a recent article published in the *Washington Post*'s blog *Monkey Cage* Daveed Gartenstein-Ross and Amichai Magen point out that since governing is extremely important to jihadists, and since jihadi groups have had several recent opportunities to govern large tracts of territory, the time is ripe for more work on the topic.[7]

According to Gartenstein-Ross and Magen jihadists are stuck in a Catch-22. Their goals can only be achieved through governance, and they appear strongest when they control states (or what appear to be states). However, jihadists have repeatedly failed in their efforts at governance and attempting to govern exposes their greatest weaknesses. For example, Gartenstein-Ross and Magen note that Salafi jihadists (a sect whose adherents include all of our case studies) have an intensely rigid and legalistic view of sharia law, which they see as all encompassing and hope to impose on society. The brutality and pace at which jihadi groups have imposed sharia law has on numerous occasions, caused jihadi groups to lose legitimacy in the eyes of their subjects and in many cases prompted rebellions. In addition to backlash due to brutality, jihadi groups have also often lost legitimacy due their inability to provide services effectively, a flaw stemming from inexperience and lack of effort on learning the more mundane details of governance.[8] Aaron Y. Zelin, a Kings College academic focusing on the study of jihadi movements, notes that jihadi groups have developed some expertise in another form of service provision, namely a combination of *dawa* (proselytization), social services, and proto-governance. Numerous jihadi groups have used such methods to expand and redefine themselves from simple militant groups into social movements, winning over populations in ungoverned spaces in the process.[9]

A final aspect challenging jihadi governance, according to Gartenstein-Ross and Magen, is the sustainability of their rule. In the eyes of the international community, jihadi groups are nearly always considered illegitimate rulers. Under constant threat of military intervention and unable to cooperate with their neighbors jihadi groups rule becomes unsustainable. However, Gartenstein-Ross and Magen point out that many jihadi groups show a remarkable resilience, often regrouping and coming back to power after being ousted by foreign forces, an ability that could grant them even more legitimacy in the eyes of local populations.[10]

Research Design

The purpose of this paper is to evaluate the assertion by Montadel that ISIS and similar groups are the latest in a line of "Islamic Rebel States" which are engaging in a form of state-building. To do so we will examine whether jihadi states have the ability to adopt characteristics and functions normally attributed to modern states. In addition, this paper will examine the context under which jihadi groups succeed or fail in their attempts at state-building.

To evaluate the state-building abilities of jihadi groups and the context of their efforts, this paper will examine three case-studies: The Islamic State of Iraq and al-Sham (ISIS), the Afghan Taliban prior to their ouster in 2001, and the Nigerian jihadi group commonly referred to as Boko Haram. These groups have been selected for a variety of factors including their geographical distance from each other, their formation and rise to power within different cultural and historical contexts, and most importantly each groups claim to control territory and act as a state. The state each group claims to have formed will be evaluated according to the definition of a modern state laid out in the review of literature. First, remembering that a hallmark of modern states is their defined territories, these jihadi groups will be

evaluated on their territorial claims. Second, they will be evaluated on their ability to impart impersonal structures of power, namely by maintaining the rule of law and installing a professional bureaucracy. The leadership structure of each group will also be evaluated to determine whether they consist of impersonal institutionalized structures, or charismatic rule. Legitimacy in the eyes of the local population, while difficult to measure, will be examined when possible. Finally, the states ability to provide services, be it in the form of developed infrastructure, public schools, or regulation of markets, will be examined.

Research for the evaluation of these jihadi rebel states will be drawn from a variety of sources including media reports, academic works, declassified government documents, and reports published by NGOs and government agencies. Due to the ongoing security threat from many of these groups, and the media's focus on human interest and fear-based stories, publicly available information on the socio-political aspects of these groups can be rare. In addition in many instances, and especially in the case of ISIS, the groups themselves can influence how information on their groups is presented. For these reasons this paper should not be considered comprehensive rather it should be considered a small step toward a greater understanding of the governance abilities of jihadi groups.

Analysis: Case Study One – ISIS

Background

The story of ISIS begins with Abu Musab al-Zarqawi, a Jordanian jihadist who spent several years living in Taliban-controlled Afghanistan affiliating with, but never joining, al-Qaeda. Shortly after the Taliban were ousted from power in 2001, Zarqawi fled to Iraq where, after the U.S. invasion of 2003, he formed his own terrorist group. By 2004 Zarqawi had made a name for himself in the jihadist community and, upon his endorsement from Osama bin-Laden, merged his group with al-Qaeda, renaming it al-Qaeda in Iraq (AQI). Zarqawi's relationship with al-Qaeda quickly soured as he proved less interested in fighting the Americans than in inciting sectarian violence and targeting Iraq's Shia population. In June 2006 however, Zarqawi was killed in a U.S. air strike, and AQI's luck quickly turned as Sunni tribes, upset at AQI's enforcement of a draconian version of sharia law, switched sides and fought along side American forces to oust the group from power in a movement known as the 'Awakening'.[11]

By 2011 AQI had been rebranded as the Islamic State of Iraq (ISI) and was under the control of Abu Bakr al-Baghdadi. While AQI under Zarqawi had consisted mostly of foreign fighters, ISI under al-Baghdadi was a mostly Iraqi organization. Moreover, al-Baghdadi expanded ISI's attacks against Shias into Syria, renaming ISI yet again to the Islamic State of Iraq and al-Sham (ISIS).[12] Having won hard-earned territory and battlefield experience in Syria, al-Baghdadi turned his attention to his home country, launching an operation that culminated in the capture of Mosul in June 2014. After taking Mosul, al-Baghdadi declared the rebirth of the Caliphate with himself as Caliph and his group rebranded as simply the Islamic State (IS), signaling his ambition of spreading his rule beyond Syria and Iraq.[13]

Territorial Claims

As of the time of this papers submission, ISIS is in control of huge swathes of territory in Iraq and Syria, ranging from Fallujah and Ramadi right outside of Baghdad to the outskirts of Aleppo.[14] ISIS also made gains in the post-revolution turmoil of Libya, capturing the city of Derna in the autumn of 2014 using its Libyan fighters recently returned from battle in Deir Ezzour and Mosul.[15] By June of 2015 rival militias expelled ISIS's Libyan wing, the Islamic State in Libya (ISL), but the group has since captured Sirte, the hometown of the late Qadhafi, and other towns in the region.[16] Moreover ISIS has attracted pledges of allegiance from insurgent groups and terrorist cells around the world, including those of former members of this paper's second case study, the Afghan Taliban, and the head of the third case study, Boko Haram in Nigeria. However, most of the groups that have aligned themselves with ISIS do not control territory and it is questionable how much direct influence Al-Baghdadi and the heads of ISIS have over them.[17] Therefore this paper will focus on the geographic region ISIS has focused most of its attention on: Iraq and Syria.

By rebranding his group as simply the Islamic State and declaring himself Caliph, al-Baghdadi signaled his ambition

of sovereignty beyond the physical borders he controls. Scholar Reza Aslan notes that while ISIS has declared itself a state the group is, in a way, the very anti-thesis of a state. ISIS's declaration of a caliphate was inspired by its ideology, which seeks to reunite the Muslim world by force under the guidance of an "imagined Islam," as Aslan calls it, which reimagines the original Muslims through an ultra-puritanical lens.[18] The original Caliphate was formed after the death of the Prophet Muhammed as a means of allowing his successors to assume a degree of the political and religious authority that Muhammed had played in his lifetime.[19] The Caliphate was eventually disbanded with the creation of the Turkish state in 1924, however, as early as the 8th century the Caliphate had ceased to have any significant political authority over the whole of the Muslim world. Still, the recreation of the Caliphate which would reunite the *ummah* is an idea which continues to hold sway with many Muslims. By declaring the return of the Caliphate, ISIS hopes to tap into that dream and use that authority to create a new world order under its leadership.[20] As unrealistic of a goal this is, and despite the fact that Muslims the world over have rejected al-Baghdadi's claim, it does reveal that in many ways the authority ISIS seeks goes beyond that of the state.

Impersonal Structures of Power

If ISIS has reservations about the territorial divisions that come with the state-system, it seems to have no problem implementing state-like impersonal structures of power. Descriptions of ISIS in the media often include phrases such as 'corporate-like' and 'bureaucratic' and upon a close examination of the group it is easy to see why. In an effort to track and advertise their progress ISIS regularly releases annual reports, one of which, published in March of 2014, was nearly 410 pages long and included data tables and info-graphics calculating statistics such as the number of suicide attacks performed in the past year.[21] Much of this bureaucracy pre-dates al-Baghdadi's ascent to power, and analysts from the think tank RAND have argued that it was this meticulous record keeping that allowed ISIS to survive counter-terrorism efforts during the U.S. occupation of Iraq.[22]

With ISIS now in control of territory al-Baghdadi has turned to the organization's bureaucracy to aid in governance efforts. ISIS demonstrates a complex, well defined, and impersonal administrative division of power within the territory it rules. ISIS divides governing projects into two categories, administration and Muslim services. Within each category lie different departments including sharia institutes, courts, and law enforcement under administration, and water and electricity under Muslim services.[23] On a local level however, residents of Raqqa have reported that a shortage of skilled administrators has prompted ISIS to pay or threaten local skilled workers to remain in their posts and simply replace managers with ISIS ideologues.[24] ISIS's leadership seems to have recognized the need for more skilled workers as ISIS's media wings have been issuing calls for doctors, engineers, and professionals to immigrate to the Islamic State.[25]

At the macro-level ISIS has adopted a well-developed leadership structure that features a division of power and focus on positions rather than personalities. At the top of ISIS's hierarchy is the caliph, al-Baghdadi, who along with his deputies Abu Ali al-Anbari and Abu Muslim al-Turkmani are known as "the Emirate" and are in charge of making key policy decisions. Al-Anbari and al-Turkmani are in charge of ISIS's activities in Syria and Iraq, respectively, and both were generals under the Hussein regime.[26] Below the Emirate are twelve governors of the twelve *wilayat* (states), who report to al-Anbari and al-Turkmani. In addition, nine councils, including the *shura* council, the military council, and the leadership council (which in theory can depose the caliph), report to al-Baghdadi's deputies.[27]

In March, after unconfirmed reports that he had been seriously wounded in a coalition airstrike began to spread, sightings of al-Baghdadi became increasingly rare. Security analysts, such as Aaron Balshan of the Levantine Group, reported that al-Baghdadi was limiting his movements and that in his isolation a new deputy, the extremely charismatic Abu Ala al-Afri, was taking a larger role in the organization and possibly positioning himself to unofficially take control of the group. The coalition's bombardment continues to take a toll on ISIS's leadership however, as the Iraqi government has announced that both al-Turkmani and al-Afri have been killed in airstrikes. However, Balshan points out, ISIS has been able to maintain a degree of flexibility which allows it to replace eliminated officials quickly.[28] Intelligence captured in May during a raid by US special forces suggests that, recognizing the threat the airstrikes play to ISIS's leadership structure, al-Baghdadi has delegated more authority and autonomy to his deputies and regional commanders.[29] This strategy of decentralization speaks to ISIS's ability to divorce its administrative hierarchy from the role of charismatic leaders and instead focus on an impersonal and bureaucratic system of rule.

Rule of Law

Providing law and order to territories under its control serve the dual purposes of, as Held described, generating a monopoly on violent force and institutionalizing an impersonal rule of law. In countries like Syria and Iraq, where civil conflict has led to a total lack of security, it can also win over a significant portion of the population. To enforce law and order ISIS has created two police forces, a local police force in charge of internal security, and a religious police force known as *al-Hisbah*.[30] During a three-week period embedded with ISIS in Raqqa, Vice News journalist Medyan Dairieh accompanied al-Hisbah officers patrolling the streets. While on patrol the Hisbah chided store owners for displaying pictures of Westerners, and one man for allowing his wife to leave home in a *niqab* that was revealing by ISIS's standards. The officers also took the time to inspect shops to ensure the owners were not employing unfair business practices.[31] While this footage should be taken with a grain of salt, ISIS has taken a considerable amount of time and money documenting the activities of the Hisbah, indicating that they are very serious about using them to reshape society.[32]

In addition to the Hisbah, ISIS has installed a series of sharia courts within its territory. While in Raqqa, Dairieh documented to inner-workings of the courts, which dealt with major crimes and simple arbitration, the latter of which drew a large crowd of locals eager to have their cases heard.[33] The Institute for the Study of War noted that by the summer of 2014 ISIS has expanded the number of courts, the scope of the cases they hear, and the severity of their punishments, suggesting that ISIS was becoming more comfortable imposing its will on the population.[34] For much of the Syrian population in ISIS occupied territory, ISIS's court system is less prone to corruption and more uniform than alternatives, and the particularly strict interpretation of sharia law is still better than the chaos and anarchy of the rest of Syria.[35] In Iraq as well many find ISIS's emphasis on law and order a breath of fresh air compared to the corruption of the Iraqi government.[36] However ISIS, in its previous incarnation as AQI, has isolated populations with the brutality of its interpretation of sharia. It is worth wondering if the increasing number of harsh punishments, such as amputations for theft, handed down by the courts, and the use of torture by ISIS's local police forces, will prompt a similar backlash from the community.[37] However, as will be discussed later, the alternatives to ISIS, or lack thereof, for Iraq and Syria's Sunni community may give the group a free hand in employing harsher tactics.

Provision of Services

Along with its bureaucracy, religious overtones, and emphasis on law and order, the provision of services is at the core of ISIS's governance strategy. As with other aspects of its governance, ISIS practices different state-like functions in different geographic locations. In areas that are strategically important, urban, and where ISIS is well established and militarily dominant, such as the *wilayat* of Aleppo and the group's capital city of Raqqa, ISIS invests in infrastructure and humanitarian aid. In areas that are less important strategically, are rural, and where ISIS is not the dominant military force, such as Homs and Damascus, ISIS invests in less intensive governance activities.[38]

One of the hallmarks of ISIS's provision of services, which falls under ISIS's 'Muslim Services' division, is humanitarian aid. In areas where ISIS is not yet well established this often takes the form of distributing food, gasoline, and medicine, usually in concert with the kind of *da'wa* programs described by Zelin. This both establishes goodwill for ISIS among populations ravaged by war, and can lead to a dependence on the aid, and hence on ISIS itself.[39] In urbanized areas where ISIS is more dominant, the jihadi group has invested in more industrial service projects. At one point ISIS ran three industrial bread factories, the yields of which were sent to ISIS-subsidized markets in Raqqa, and distributed for free in Aleppo. In addition ISIS was able to maintain three dams and two power plants, one of which alone, a thermal power plant west of Aleppo, required dozens of skilled employees to operate.[40]

ISIS has also engaged in providing other services. In areas it is more highly invested in, ISIS has opened public schools, although thus far they only go up to the elementary level and only teach the Islamic sciences.[41] Other service related activities of ISIS include fixing potholes, providing bus services, collecting *zakat* (alms tax) and distributing it to farmers, and managing polio-vaccination campaigns.[42] This isn't to imply that ISIS's provides all necessary services perfectly. ISIS's overuse of Tabqa Dam to generate electricity for its citizens has caused the water levels of Lake Assad to drop dramatically, threatening the water supply for Raqqa and Aleppo.[43] In addition,

even with these measures drinking water and electricity is out up to 20 hours a day in Raqqa.[44]

Assessing ISIS's Success in Context

Having investigated ISIS's governing functions, including its impersonal structure of power, provision of services, promotion of law and order, and claims to sweeping tracts of territory under the auspices of renewing the Caliphate, it is clear that the group has enjoyed unprecedented success in the realm of state-building. Why, given how frequently jihadists have failed in their attempts at governance, has ISIS been successful, at least in the short term? The answer to that question may lie in the context of ISIS's rise.

As discussed in the background, ISIS was born in the anarchy that engulfed Iraq after the U.S. invasion and thrived in war-torn Syria. Even for those who disagree with ISIS's ideological message, their ability to fill this vacuum of power, and to provide needed order and services may help explain their ability to conquer large tracts of territory with little resistance. In addition to improving their military prowess, ISIS's nearly decade long experience in Iraq prior to expanding into Syria gave it necessary public relations and governing experience. Their experience of losing the loyalty of Sunni tribes during the 'Awakening' may be the reason ISIS has developed a more gradual approach to governance, starting off with *da'wa* and humanitarian aid first and introducing harsher sharia punishments at a slower pace.

ISIS's position as a Sunni militant group largely targeting Shiites, has also won it a large degree of legitimacy and loyalty. Since the U.S. invasion, a Shiite led government has taken over in Iraq and in the process persecuted and disenfranchised Sunnis. In Syria as well the largely Shiite government of Bashar al-Assad has been locked in battle with largely Sunni rebels. This Sunni-Shia conflict raging across the region has allowed ISIS to win the support of large numbers of Sunnis, including the tribesmen formerly aligned with the U.S. during the Awakening.[45] Moreover, the actions of regional actors, such as former Iraqi Prime Minister Maliki who purged and persecuted Iraq's Sunni politicians, violently put down Sunni protests, and empowered extremist Shia militias, essentially destroyed and discredited moderate Sunni voices who would otherwise have competed with ISIS for power.[46]

One of the groups ISIS has managed to win over are the secular but majority Sunni Baathists who were purged from the Iraqi government and military after the U.S. invasion.[47] The Baathist-ISIS alliance has given ISIS a level of military expertise that allowed it to transform from a terrorist group to a well-oiled conventional military force.[48] It may also be that ISIS's Baathist allies have given them not only military expertise, but governance expertise as well. After all former Baathist officials from the Hussein regime make up a large portion of ISIS's leadership, including al-Baghdadi's two top deputies. Moreover, it has been noted that after the capture of Mosul, ISIS fighters were quickly replaced with Baathist soldiers and officials.[49] It is worth questioning, given the powerful positions Baathists hold in ISIS, how much of ISIS's success at governing can be attributed to the group itself, or to its Sunni allies.

Case Study Two – The Afghan Taliban

Taliban: Background

Long before ISIS declared the rebirth of the Caliphate, the Taliban formed the first Salafi-Jihadist state in the post-Cold War era. Afghanistan in the 1990s, where the Taliban would form their state, in many ways resembled contemporary Syria and Libya where ISIS would later find success. Once the heroes of the war against the Soviets, and later against the communist President Najibullah, the Mujahedeen of Afghanistan quickly tore the country apart, creating dozens of fiefdoms in the ensuing civil war.[50] For the students and clerics of the *madrassas* of southern Afghanistan, a region that was dominated by ethnic Durrani Pashtuns and suffering heavily from the corruption and brutality of dozens of bickering warlords, the moment was ripe for action.[51] Local folklore claims that one day in 1994 a low-level cleric named Mullah Mohammed Omar was approached by his neighbors for help after two teenage girls had been kidnapped and raped by a local warlord. With 30 *talibs* Omar captured the warlord's base and hung him from the barrel of a tank.[52] Later that year, with support from Pakistan's intelligence service, which had grown tired of supporting its own losing Pashtun warlord, Mullah Omar and the Taliban captured the regional capital of Kandahar.[53] Initially claiming they only wanted to restore order to Afghanistan and then hand over power to a new

government, the Taliban eventually captured Kabul in 1996 and consolidated their rule.[54]

Territorial and pan-Islamist Claims

The Taliban maintained a territorial foothold in Afghanistan from their capture of Kandahar in 1994 until their ouster by American and Afghan anti-Taliban forces, known as the Northern Alliance, in 2001, controlling up to 90 percent of the country at the height of their power.[55] The Taliban invoked a mixture of Pashtun nationalism and extreme Salafism as the basis of their rule.[56] Unlike ISIS, the Taliban never sought territorial gains outside of the traditional borders of Afghanistan, although loose talk of spreading Islamic revolution would often put them at odds with their neighbors.[57] In addition The Taliban dubbed their state 'The Islamic Emirate of Afghanistan', the term 'emirate' seeming to differentiate the group's ultimate administrative goals from those like ISIS seeking to recreate a Caliphate.[58]

Despite seeming to limit their pursuit of power to Afghanistan, the Taliban did at times dabble in pan-Islamist thought. In the spring of 1996, having failed in his early attempts to capture Kabul, Mullah Omar summoned over a thousand clerics to Kandahar. There he was declared by supporters to be the "Amir al-Momineen" or 'Commander of the Faithful' a title he took by wrapping himself in a cloak believed to have belonged to the Prophet Muhammed. Through these actions, Mullah Omar directly compared himself to the first Caliphs, and declared, at least rhetorically, his right to command not just all Afghans, but all Muslims.[59] Such an act not only gained the Taliban leader a further degree legitimacy among his followers, it also called into question the scope of his ambitions.

Impersonal Structure of Power

The top governance bodies during Taliban rule were, in theory, the *shuras*, councils that drew from early Islamic models of establishing consensus among believers, and traditional Pashtun tribal *jirgas*.[60] Based in Kandahar, the Supreme Shura consisted of ten members, mostly Mullah Omar's close Durrani Pashtun friends, and was the main decision making body in Afghanistan. A second shura, the Kabul Shura, dealt with the day to day issues of running a government and reported to the Supreme Shura and Mullah Omar. Finally a military Shura also reported the to Kandahar Shura. At a more local level, Taliban appointees, mostly Pashtuns from Kandahar, served in posts such as governors, mayors, and police chiefs. The Taliban kept governors on a tight leash, limiting funds available to them, and constantly moving them around to prevent the establishment of power bases outside of Mullah Omar's control.[61]

From the beginning the Taliban's shura system was fraught with problems. Mullah Omar rarely left his home in Kandahar, leaving the Kabul Shura unable to establish the close connections with him necessary to play a part in ruling the country. Frequently the Kabul Shura would issue policy decisions only to have them rebuked by the Supreme Shura with little explanation.[62] After 1996, the Supreme Shura also found itself out of favor as Mullah Omar began making more decisions unilaterally with the advice of close friends in Kandahar and the religious police in Kabul.[63] In addition, nearly all high-level ministers remained military commanders after the Taliban took power. This allowed Mullah Omar to keep any minister from becoming too powerful by sending them to the front if need be. Unfortunately it also meant that little work was done in ministries whose head was off fighting.[64]

At the more local level things were even more dysfunctional. The Taliban's worldview led them to distrust Afghan intellectuals and technocrats, dismissing them as products of Western and Russian cultures.[65] Such an attitude was not conducive to the creation and management of a modern bureaucracy. Moreover the Taliban's ethnocentrism led to a purge of Kabul's bureaucracies of Tajiks, Uzbeks, and Hazaras, who were replaced with unqualified Pashtuns. The lack of direction from top Taliban leadership, lack of qualification of middle managers, and a lack of work ethic which led to offices remaining open only four hours a day, meant Kabul's ministries were effectively useless for the duration of the Taliban's rule.[66]

Rule of Law

After capturing Kabul, the Taliban took former communist President Najibullah and his brother, tortured and

executed them and then hung them in front of the Presidential Palace, placing unlit cigarettes between their fingers and Afghani notes in their pockets to signify the former official's corruption.[67] Both this incident, and the fable of Mullah Omar's first raid, described earlier, illustrate the Taliban's vision of themselves. The Taliban portrayed themselves as a movement of pious individuals seeking to purge Afghanistan of the lawlessness and corruption that reigned during the rule of the Mujahedeen warlords. To this end the Taliban enforced the traditional Pashtun social code known as *Pashtunwali* intertwined with an extreme interpretation of sharia law.[68]

To carry out the implementation their new laws the Taliban created the Ministry of the Promotion of Virtue and Prevention of Vice.[69] The ministry itself was based on a similar organization in Saudi Arabia, and employed thousands of religious policemen who wandered the streets with whips and clubs, beating those who disobeyed the Taliban's laws.[70] Nearly all forms of entertainment were banned, images of living things were destroyed, men were required to grow out their beards, and public executions of women accused of adultery took place in stadiums. In many ways Taliban jurisprudence was more puritanical, if not more brutal, than ISIS's is today. For many city dwelling Afghans the imposition of such laws fermented opposition. In other regions of Afghanistan the laws were met with less resistance, as they did have some basis in rural Afghan social values.[71] In addition to drawing the ire of some Afghans, Taliban legislation, especially those regarding the treatment of women, drew the condemnation of the international community.

Provision of Services

By the time the Taliban emerged, Afghanistan had not seen peace since before the Russian invasion in 1979. Decades of war had left Afghanistan with the highest infant mortality rate in the world, a life expectancy of 43-44 years for Afghan men and women, and a population of whom only 12 percent had access to clean water.[72] In the face of such a disaster no government could have reasonably been expected to solve Afghanistan's many problems. The best they could do was facilitating international aid and assistance and put the country on the right track in terms of development. Unfortunately for the Afghans, the Taliban proved not only incompetent, but also outright obstructive when it came to facilitating that assistance.

The international community, concerned over a variety of human rights violations but primarily by the Taliban's support for and harboring of Osama bin Laden and al-Qaeda, put increasing pressure on the Taliban. The Taliban responded by becoming more confrontational, passing laws that made it more difficult for Western aid agencies to deliver relief to Afghans and outright ending certain programs such as Western run hospitals and polio-vaccination campaigns.[73] This isn't to say that the international community was bending over backwards to help Afghanistan. Between 1996 and 1999 the U.S. failed to deliver even half the aid requested of it for Afghan relief by the United Nations.[74] However, the Taliban's stubbornness and ideological fervor made the delivery of necessary aid from foreign sources next to impossible. Recently declassified U.S. State Department memos reveal how much the growing humanitarian crisis threatened the Taliban's hold on power. In May of 2001, a memo sent to Secretary of State Madeline Albright noted how the international crackdown on smuggled goods coming into Afghan markets, the worsening economy which had prompted the Taliban to fire thousands of civil servants, and the prospect of future U.N. sanctions were all contributing to growing opposition to Taliban rule.[75]

Assessing the Taliban's Performance in Context

It is plain to see many aspects of the Taliban's rule of Afghanistan mimicked Gartenstein-Ross and Magen's critique of jihadist governance. The Taliban were able to dominate, militarily, a war-torn Afghanistan and instill their own vision of law and order into Afghan society. They failed however, as other jihadists have, to create a functioning administrative service and provide needed humanitarian relief and development to the Afghan people. Eventually the Afghan people, who had, like the people of Syria and Iraq, turned to jihadists for relief from anarchy and corruption, came to resist the group's draconian legislation and administrative failure.

Much of the Taliban's emphasis on a particularly brutal interpretation of sharia law and their lack luster approach to administration can be explained by the upbringing of the groups members. Most of the rank and file of the Taliban were young men who had been made refugees at an early age from the constant fighting in Afghanistan. They found

themselves in Deobandi *madrassas* in Pakistan. There they learned from Salafi clerics of an idealized Pashtun homeland across the border, and an idealized, or 'imagined' as Aslan would put it, Islam that could redeem that homeland. Their segregation from their traditional communities and indoctrination by illiterate and radical clerics inspired their chauvinistic and idealistic movement to reform Afghan society through force.[76] The poor education and limited worldliness of the Taliban's leadership also damaged their ability to perform the most basic tasks of governance.[77] Moreover, unlike ISIS's relationship with its Baathist allies, the Taliban was never able to transform the diplomatic relations they received from Saudi Arabia and the United Arab Emirates and military aid they received from Pakistan and al-Qaeda into developmental and administrative assistance.[78]

Case Study Three – Boko Haram

Background

Around the same time as the rise of ISIS in Iraq another jihadist movement in Nigeria began to receive international attention. The group refers to itself as *Jama'at Ahl al-Sunna li al-Da'wa wa al-Jihad* or "Sunni Muslims for Preaching and Jihad." However, it is more commonly referred to as *Boko Haram*, *boko* meaning "deceit" in Hausa and colloquially associated with the colonial era Christian missionary education system, and *haram* meaning forbidden in Arabic.[79] There are many conflicting stories of the groups origins, but the most common tells of a group of radical youth, know as the "Nigerian Taliban" from Maiduguru in northern Nigeria that left to set up a separatist Salafi community in Kanama near the border with Niger in 2002.[80] After coming into conflict with the police most of the members of the group were killed, but the survivors returned in 2004 to join a youth group at their former mosque led by a cleric named Muhammed Yusuf.[81]

Yusuf preached withdrawal from modern society and criticized the governments of twelve northern states that had adopted sharia legal codes in 2000 for not implementing them strictly enough. Eventually he moved his congregation to a new mosque where he constructed a "state within a state" complete with religious police, a cabinet, and a large farm.[82] In 2009 however, a group of Yusuf's followers were stopped by police, a fight began, and after riots ensued the Nigerian military stepped in, killing 800 Boko Haram members including Muhammed Yusuf. For a year, remaining Boko Haram followers laid low, until 2010 when the group reemerged under the leadership of Yusuf's former second-in-command, Abu Bakr Mohammed Shekau, and began conducting terrorist attacks.[83]

Declaration of a State without Functioning as One

In the late summer of 2014, Boko Haram altered its hit-and-run terrorist tactics and began to capture and occupy territory. Throughout August, Boko Haram forces captured towns throughout the northern Nigerian states of Borno, Yobe, and Adamawa. This campaign culminated in the conquest of Gwoza, after which Abu Bakr Shakau declared, on a video released by the group, the creation of an Islamic state. Security analysts warned that the Borno capital of Maiduguri, where Boko Haram was founded, was under imminent risk of siege by the jihadists.[84]

As time has drawn on however Boko Haram's luck seems to have changed. After months of accusations of inaction in the face of Boko Haram's rise and of conducting its own campaign of brutality against civilian populations the Nigerian military launched an offensive which pushed Boko Haram out of Gwoza in March.[85] Seeing an opportunity to assure his reelection, and fearing the voters reaction if he did not act, President Goodluck Jonathan delayed the national election and ordered the military's offensive, reinforcing them with private military contractors.[86] Despite losing the election to Muhammadu Buhari, the offensive was largely successful, and Boko Haram has been pushed out of most of its previously held territory.[87] As the war moves into a more traditional insurgency, it is worth looking back to see just how Shekau governed his state.

Despite declaring their domain to be a state, analysis of publicly available information suggests that Boko Haram had not performed even the most basic functions of a state. The group is formally led by an *amir ul-aam* (commander-in-chief) in the form of Shekau, who is advised by a shura council. In areas under Boko Haram's control, a local *amir* was put in charge. However, since the early days of Boko Haram, under the leadership of Yusuf, the movement never had a firm command and control, a tendency that in practical terms has continued.[88] In the past few years, Boko

Haram is believed to have divided into six main factions, each under the control of a charismatic leader, the largest of which is led by Shekau. There have been reports of infighting between Boko Haram's factions, most significantly the attempted assassination of one faction leader, Abu Bakr Shehu, by Shekau.[89] Another faction, known as "Ansaru," has publicly distanced itself from the rest of Boko Haram, accusing Shekau of lacking vision, and preferring to target Western interests rather than Nigerian Muslims.[90] Additionally, Shekau is reported to have very little contact with the rest of Boko Haram, communicating to his subordinates indirectly through a few key cell leaders.[91] Given this level of division, disorganization, and personalized leadership it would seem impossible for Boko Haram to muster the administrative capacity to run a state.

Boko Haram's primary goal is to create an Islamic state in northern Nigeria and, as its spokesman Abu Qaqa put it, "take Nigeria back to the pre-colonial period when Sharia law was practiced."[92] However, according to survivor's accounts, Boko Haram's rule has no legal reasoning or order behind it. Residents from the town of Gamborou-Ngala report jihadists spending days indiscriminately killing all males in the town over the age of eighteen. In Gwoza, shops and markets were pillaged and after the men were killed, local women were forced to attend prayers and were told they would be married off to Boko Haram fighters.[93] Nor has Boko Haram made any attempt to install any kind of administration or provide services to locals. Survivors describe hospitals being shut down, government buildings being occupied by fighters, food shortages, and movement of residents being heavily monitored.[94] In Gwoza, Shekau was reportedly content placing flags with Boko Haram's creed over government buildings, and lounging in the former Emir's palace while wearing the ruler's robes.[95] Shekau's actions are reflective of Boko Haram's which dresses their actions in the rhetoric of a state without performing the functions of one.

Assessing Boko Haram's Failure in Context

Unlike Syria, Iraq, and Afghanistan where our last cases rose to power, Nigeria has not been host to a recent major civil war that inspired the formation of a jihadi group. Nigeria is however a very weak state. Prior to and during the colonial period the various ethnic and tribal groups of Nigeria did not share a sense of national unity. The state tasked with governing this randomly strewn together collection of peoples has, since independence, alternated between elected democracies, authoritarian regimes, and military juntas. This instability has been part of the reason Nigeria, despite having a very large economy, is woefully economically underdeveloped, with poverty rates hovering at seventy percent in 2010.[96] Division and the country's abundance of oil, the sale of which contributes to eighty percent of government revenues, has created a destructive political economy.[97] Since oil wealth travels through the state, politics is an incredibly corrupt undertaking in Nigeria, and politicians are often elected on the understanding that they will distribute as big a slice of the 'national cake' to their constituents as they can muster.[98]

To help gain access to the wealth of the state, politicians in Nigeria often mobilize along religious and ethnic lines as a means of uniting potential supporters and inciting violence to disrupt opponents.[99] From the early days of Boko Haram, local politicians latched onto the group, hoping to utilize it for political ends. According to local lore, a wealthy Maiduguri senator named Ali Modu Sheriff cut a deal with Yusuf in the early 2000s to mobilize Yusuf's youth for Sheriff's campaign in exchange for the implementation of sharia law after the election. Sheriff eventually became governor of Borno and used his power to appoint Yusuf's disciples to positions of power and funneled state funds to Yusuf. The two had a falling out however in 2003 when Sheriff reneged on his promise to enforce Yusuf's version of Sharia law.[100] Accusations of Boko Haram's ties to politicians outlived Yusuf. In 2011 a purported Boko Haram spokesman entered a confession implicating another former senator, whom he accused of recruiting Boko Haram to threaten political adversaries.[101]

Thinking they could control the group and tap into its message of Islamic revivalism, Nigerian politicians empowered Boko Haram. However, it wasn't long before Boko Haram broke free from its master's leash. Operating in a region with a disgruntled population and history of Islamic revivalist movements, with no constituency to answer to, and a political culture in which religious tensions are fanned and governments are not expected to govern, Boko Haram has evolved into a threat to the very state which gave it power.[102]

Conclusion

What conclusions can be drawn from this paper's analysis of ISIS, the Taliban, and Boko Haram? To begin, it appears that ISIS has developed governing capabilities that far exceed those of its contemporaries, and could indeed be described as in the process of building a state. The Taliban, while able to dominate Afghanistan militarily and provide a degree of law and order not seen in the country in years, was ultimately unable to follow through with an effective administrative system and agenda of economic development. Boko Haram, in all but rhetoric, proved to be nothing more than a loose confederation of bandits with no demonstrated interest in governance.

Why then did the governing performance of these groups vary? The two more successful jihadi groups, ISIS and the Taliban, evolved in environments of civil war, whereas Boko Haram arose in a nation with a weak and predatory, but existing, state. This analysis would seem to suggest that operating in an environment of anarchy and total state collapse puts more pressure on jihadi groups to perform governing functions. The most successful group, ISIS, also had experience with trial and errors in governing parts of Iraq post-U.S. invasion before finally achieving some success in Syria. The Taliban, while battle hardened by years of resistance to Soviet occupation and the rule of their Communist puppets in Kabul, had no experience with governance. The same holds true with Boko Haram, who may have had experience governing a small compound of like-minded members, but not of ruling cities and towns. This would seem to suggest that jihadi groups with institutional memory and past experiences with governing have a higher chance of successfully performing functions normally performed by a state.

Finally, each of the groups analyzed either formed alliances with, or incorporated into their organization, outside parties, be it Baathists in the case of ISIS, the Pakistani government and al-Qaeda for the Taliban, or power-hungry national politicians for Boko Haram. Only ISIS however was willing to form a coalition with a local partner both with interest in, and experience with, governing. In many ways it was easier for ISIS. Both ISIS and the Baathists, after all, are comprised of Sunni's, and the two were compatible, so long as the Baathists pledged allegiance to al-Baghdadi they could share in the spoils of war. Moreover, with a Shia government in Baghdad persecuting Sunnis, it wasn't as though the Baathists had many good options. International terrorist groups, foreign governments, and local politicians on the other hand may have been interested in helping the Taliban and Boko Haram militarily, but their ultimate goals were to create chaos and dislodge opponents, not govern. Moreover, in the Taliban's case specifically, sectarian differences, and a sense of nationalism precluded cooperation in any meaningful sense with local non-Pashtun actors, thus dramatically narrowing the base from which the Taliban could draw support and expertise. Therefore, this paper's analysis would seem to suggest that jihadi groups able to form coalitions with local partners interested in governing have the best shot at creating a state-like system.

While the security and ideological aspects of these jihadi rebel states deserve study, it is how these groups govern that will ultimately decide their success. ISIS has shown itself to be capable of providing justice, services, and order, to a greater degree than previous jihadi rebel states, and arguably to a greater degree than the alternatives available to its subjects. Whether the group can keep up this momentum will determine whether ISIS is swept into the dustbin of history or maintains a lasting presence. If the United States and its allies are serious about dismantling ISIS and its contemporaries more emphasis must be placed on understanding how and when jihadi groups find success in state-building.

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