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WORKING PAPER

Virtual Leadership in Radical Islamist Movements: Mechanisms, Justifications and Discussion

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A. Introduction

The Internet is the main arena for the dissemination of radical Islamist discourses serving Jihadist propaganda and motivation. Virtual leadership and decision-making are part of this discourse nexus. It can be observed that radical Islamist activists are currently adapting classical Islamic mechanisms of decision-making to the virtual space, so called "virtual leadership".

Definition of "Virtual Leadership"

Islamic authority and leadership rely on certain Islamic legal rules and mechanisms. In Islamist networks, movements and groups, leaders are often personally elected. Moreover, group members take part in, pass on and execute decisions oriented at classical Islamic processes of consultation, election and advice. Interpretations of Islamic law and adoptions of Islamic decision-making have worked especially well in radical Islamist groups. They are smaller than popular Islamist movements. Therefore, the group cohesion is stronger. Moreover, it is drastically strengthened through classical election rituals such as the *bay'a*. But since 9/11, traditional group structures have become difficult to maintain. There are now more independent cells with different command structures, sometimes virtual as much as physical. Radical Islamist activists are systematically adapting classical Islamic processes of decision making, advice and mobilization to the Internet. They create "virtual Islamic states", take "virtual pledges of allegiance" and give "virtual consultation" to radical Islamists in the real world. This leads to vivid discussions among them. And it means that an internet-based discourse around Islamic leadership and cyber-authority evolves.

"Virtual leadership" means leadership and guidance through the internet. It lacks a hierarchical chain of command and direct contact and has come into existence out of the need for compartmentalization and secrecy of radical Islamist movements.

To understand "virtual leadership" and "cyber-authority" we have to analyze three main factors; its mechanisms, its Islamic legal justifications; its applications; and the discourses around it.

In a state military, a strict hierarchy exists. A military chain of command is formal, official and legitimate. A typical chain of command would go from general to major, colonel, captain, lieutenant, and staff-sergeant. Every authority receives orders (personally) from the next higher authority. "Virtual leadership", in contrast, is a result of and answer to a state of anarchy. If the surrounding world looks anarchic, in a state of chaos and threatens the existence of a movement, it may become clandestine. Very similar to the idea of "virtual leadership" is the command mechanism of communist and Trotskyist movements of the 1940s. Such movements built clandestine cells. Obedience depended upon a set of codes. Underground members received encoded orders by somebody they had either never met, or were not able to keep meeting personally due to security risks. A similar process took place in Islamist movements in the 1980s. Some groups, such as the Syrian Muslim Brotherhood, were divided into outside and inside leaderships. The exiled leadership sent encoded orders to the local leadership. This bears some resemblance to "virtual leadership" via the internet. However, when we discuss "virtual leadership", we have to add the factor of Islamic tradition to the analysis. Western political culture and movements seem to be less friendly toward the idea of indirect leadership. They prefer direct contact. Islamic tradition, however, is strongly textually based and leans on chains of authority like X said on the strength of Y said on the strength of Z. Motivation and decisions often rely on judgments of long-gone authorities. Some radical Islamists have

legitimized terror attacks with statements, *fatwas* and tractates of classical Muslim authorities. Moreover, scriptural, i.e. virtual authority in Sunni Islam is exceptionally strong. For example, the practice of issuing of *fatwas* (religious scholarly opinions) does not require direct contact between an inquirer and an authority. Why do some Muslims accept rulings and guidelines via the internet and listen to persons they have never seen or met? Thus, it needs to be researched if radical Sunni Islamism is traditionally more open to “virtual leadership” than Western political culture.

Characteristics of Virtual Leadership

- 1) No direct contact
- 2) No formal chain of command
- 3) Authority may be dead or fictive

Factors Causing Virtual Leadership

- 1) The need to compartmentalize, need for secrecy
- 2) Anarchic circumstances, lack of hierarchy and traditional organization
- 3) Clandestine activity
- 4) Islamic political culture?

Topics to Be Researched to Explain Virtual Leadership and Cyber-authority

- 1) Mechanisms of virtual leadership in terms of guidance, order, advice, counsel, incitement
- 2) Discourses around virtual leadership among radical Islamists
- 3) Islamic legal justifications of virtual leadership
- 4) Applications and cases of virtual leadership

This preliminary analysis shall shed some light on the following questions:

- How do radical Islamists discuss virtual leadership?
- What is virtual leadership? How does it function?
- Who are virtual leaders and what are their characteristics? (alive/dead, classical/ modern, real-fictive, personal-textual)
- What are the differences between virtual and classical Islamic leadership and is Islamic political culture more open to virtual leadership than Western political culture?
- How is virtual leadership justified in Islam legally?
- How have classical Islamic legal mechanisms been adapted to the internet?
- Are radical Islamist discourses also a form of virtual leadership? (textual guidance) and what are the main doctrines?
- Is virtual leadership an alternative to traditional organizational structures?

B. Radical (Sunni) Islamist Movements

1. Theological and Ideological Basis: Salafism

This analysis is concerned with virtual leadership in radical Islamist movements and among activists that belong to the Salafi-Jihadi strand of Sunni Islam. Salafis are Sunni Muslims whose theological doctrine (*‘aqida*) is based on the principle of emulating the correct Islamic example of the first three generations of Muslims, called the “pious forefathers” (*al-salaf al-salih*). Salafi-Jihadists try to realize this by violent means. The first three Muslim generations are seen by Salafis

as epitome of the golden age of Islam in terms of piety, morality, spirituality, strength, and guidance. The self-reflection of modern Salafis as pious elite among corrupted Muslim masses is, among others, based on the Prophetic saying: “One sect (*ta’ifa*) of my *umma* remains that stands up for truth until the Hour of Resurrection.”¹

The Salafi movement is fractionalized, disunited and – within the limits of its own ideology – informed by a shady kind of egalitarianism – un-egalitarian in the sense that non-followers are despised, pressured and excommunicated, yet pondering on the argument that Islamic reform and change is a moral and religious obligation based on the principle of consensus. But who is authorized to initiate reform or, for example, close an agreement of loyalty (*bay’a*) with an *amir*, *imam*, *khalifa*? Regime clerics, popular scholars and radical preachers have quite different ideas about these questions.

While *‘aqida* refers to the sectarian theological doctrine, *minhaj* means the adherence to certain methodological principles. Salafis deduce where possible from the Qur’an and the *sunna* - religious legislation can be derived directly from the Qur’an or indirectly from the *sunna* on the basis of precedence, i.e. analogy (*qiyas*) or consensus (*ijma*). They favor transmitted dogma (*naql*) from the Qur’an and *sunna* over reasoning (*‘aql*), and reject voluble interpretation (*ta’wil*) as well as personal opinion (*ra’y*) and dialectic debate on Islamic theology (*kalam*), which in their view leads to innovation (*bid’a*) and is seen as the opposite of the *sunna*. In spite of their rejection of opinion and debate Salafis are heavily opinionated on religious, political and social issues and defend their fundamentalist views in heated debates. Main differences concern how strictly monotheism (*tawhid*), deviations from it like sin (*kufr*) and idolatry (*shirk*), and the principle to follow Muhammad’s example (*ittiba*) are to be interpreted and judged.²

This in turn affects how sects and their leaders behave in reality. Salafis may follow an orthodox strategy of acquiescence and support Muslim regimes, they may be quietist, religiously, politically or violently activist or even totally isolate themselves from the surrounding Muslim society which they regard as unbelievers who live in a state of ignorance (*Jahiliyya*).

Thus, Salafis are roughly split into three groups according to the method (*minhaj*) by which their doctrine is put into practice. Quietist Salafi-Sheikhs want to proselytize Muslim society; political Salafi-Ikhwanis try to participate in the political systems of their home countries; and violent Salafi-Jihadists wage revolutionary and terrorist struggles – respectively, for instance, Jama’at al-Tabligh, or the al-Albani movement; the Muslim Brothers; and al-Qa’ida. Statements, however, even by moderate followers, give reason to believe that all three strands follow a Jihadist long-term strategy, that is, if their power is consolidated, they will wage jihad.³ But a strict methodological distinction does not apply since also regime or popular clerics often follow Salafi principles, which are regarded as the basis of orthodox Islam. Moreover, a radical Salafi must not necessarily appear of behave like a pious Salafi. In terms of dress code, prayer and social etiquette he may hide all outward signs of his belief. Thus, he will not be discernable as a Salafi at all in his environment.

It might also be useful to distinguish between a more open form of Salafism, by which scholars try to derive the “spirit” of the *Shari’a* according to their understanding of the *al-salaf al-salih*, called interpretive Salafism (*salafiyya ijthadiyya*), and a more puritan and literal form of Salafism (*al-salafiyya al-nassiyya*). Interpretive Salafism certainly exists, although it is in the minority and refers mainly to the late 19th century Islamic reform efforts to reconcile Western scientific and technical advance with an enlightened form of Islam by scholars like Muhammad ‘Abduh and Jamal al-Din al-Afghani. Modern representatives of this trend, who mix(ed) extremist opinions with a popular approach, are, for example, the Qatar-based Sheikh Yusuf al-Qaradawi, or the late Egyptian Muhammad al-Ghazali (1917-1996). Today, literal Salafism (*al-salafiyya al-nassiyya*), based on the exact emulation of the example of the *al-salaf al-salih*, dominates the Salafi scene. It is based on radical elements of the jurisprudence of the 13th century Damascene Hanbali scholar Ibn Taymiyya. Moreover, it is associated with today’s ultra-literal Saudi-Wahhabism, a radical Salafi

¹ “La tazal ta’ifa min ummati zahirin ‘ala al-haqq hatta taqum al-sa’a”, quoted in: Abi Usama Salim bin ‘Aid al-Hilali, *Al-Jama’at al-Islamiyya fi daw’ al-Kitab wa-al-Sunna bi-Fahm Salaf al-Umma* (Islamic movements in the light of the Qur’an and the *sunna* according to the forefathers of the *umma*), (Al-Dar al-Athariyya: Amman, 2003), p. 45.

² Al-Hilali, pp. 558-562.

³ Interview of the author with Jordanian Salafi, Amman, Jordan, March 2006.

sect which has heavily influenced Salafi thought over the last 20 years.

The most radical Salafi-branch is Salafi-Takfir (a sub-sect of the Salafi-Jihadists). *Takfir* means to excommunicate another Muslim which equals a death sentence. Takfirists have waged ferocious terrorist campaigns against fellow Muslims regarded as sinners (*kuffar*), like in the Algerian civil war in the 1990s and in Iraq. Yet, the line between Salafi-Jihadists and Salafi-Takfirists cannot be drawn clearly since the doctrine of the former is based on the selective excommunication of Muslim rulers and their entourage. An especially dangerous radicalization process within Jihadist movements happens if the pendulum swings over from a selective to an indiscriminate *takfir*.

Salafis consider themselves as “Salafi” without qualifications and use the description *minhaj* to decry other sects. But the reference to their method is also used as a tactic by some Salafi movements to distinguish themselves positively. For example, the al-Albani movement in Jordan undertakes great efforts to present itself as a moderate (*mu’tadili*), not a “*jihadi*” branch of the Salafis in order to avoid government repression. Yet, the common discourse of Salafism (shared by all strands) is informed by a paranoid, apocalyptic, salvatory, anti-Semitic, anti-Western, and Jew-hating tone, which should be taken into consideration if we use the term “moderate”.

Common to all Salafis, radicals and moderates, is the idea of being more qualified than common Muslims to interpret Islamic law and to participate in electing leaders and advising them (or, respectively, dethroning and killing them). After all, it is a “divinely ordained” task to remember and guide the “corrupted” *umma* until Judgment Day: “Then let those beware who withstand the Messenger’s order, lest some trial befall them, or a grievous penalty be inflicted on them” (Qur’an 24:63). Salafis, thus, introspect themselves as successors of the classical “victorious sect” (*al-ta’ifa al-mansura*) or “surviving group” (*al-firqa al-najiya*), which unlike 71 other sects will not be perished in the Hereafter. A complementary self-view is that of “disciples of the *sunna*” (*ahl al-hadith*), who adhere to the body of traditions on Muhammad’s exemplary life (*sira*) and his deeds (*athar*). As the “moderate” Salafi-Sheikh al-Hilali states:

The majority [of Muslims] have no idea of the *Shari’a*. And Islam is not a republican or public religion, nor about a democratic majority, which is ruled according to the opinion of the public. Islam settles the rule of Allah in every matter.

And for the intelligible: The people of truth (*ahl al-haqq*) are only a few compared to the people of falsehood. This is an existential Prophetic tradition which means that the multitude does not have any weight in this course. An explanation of the “victorious sect” and “surviving group” as the majority of the populace, masses, or common people cannot last under the scrutiny of [religious legal] scientific critique. There is no evidence for this, it lacks proof, and it depreciates the right evidence (*dalil*; i.e. evidence from the Qur’an and *sunna*).⁴

2. Authority and Leadership

The medieval Muslim sociologist Ibn Khaldun defined the caliphate (*khalifa*) as “representation of the Lord of Allah’s law in protecting the religion”.⁵ The caliph shall administrate the Islamic empire, enforce the *Shari’a* and emulate the customs of Muhammad (*sunna*) in his political leadership. Ideally, the Muslim leader is both a political and religious authority, expressed in the dual character of the term “Prince of the Faithful”. In classical Sunni theory, the election of the ruler (*khalifa*, *imam*, *amir al-mu’minin*) is based on consensus (*ijma*) and takes place through a pledge of allegiance (*bay’a*), which is a contract of obedience between the ruler and the ruled that, according to Ibn Khaldun, resembles a sales contract.⁶

Orthodox Sunni Islam follows the doctrine that it is better to stand united behind a ruler, even if he is corrupted, than to be disunited and in a state of civil strife (*fitna*). This is best illustrated by the Qur’an injunction: “Obey God, and obey the Apostle, and those charged

with authority among you” (4:59).⁷ Sunni Islam stands for supporting state structures and central authority over religious dogma. Sunni clergy have over centuries adapted their ideology and jurisprudence to ruling regimes. Thus, Sunni Islam became accepted as mainstream religion, defined as *din*. In parallel, other – non-mainstream- Muslim communities have adopted rebellious ideologies rejecting state structures. They have assumed a peripheral, sectarian position.⁸ Among them are today’s radical Islamist movements.

The Sunni claim for unity, even if it does not exist in reality, has led to the suppression of Islamic sects (*ta’ifa*, pl. *tawafif*) throughout Islamic history. Today’s presidential “elections” in Sunni-Muslim Arab countries with a turn-out 99.9 percent in favor of the candidate reflect a “should-be-in-consensus-society”. There is no place for sects in Sunni Islam which deviate from this construed vision of unity. The orthodox mainstream (Sunni) claims not only to have the right to elect the caliph, but also to represent the whole Islamic *umma*, which is imagined as a universal community of brothers (“The faithful are brothers”, 49:10). The *hadith* “My *umma* does not agree on an error” is often cited as proof for the infallibility of the Sunni community in the choice of its leader, which is based on consensus (*ijma*).⁹

The questions of leadership and authority are heavily discussed issues among radical Islamists. Radical Islamists despise the orthodox Sunni concept of authority. They hold the ruler and their supporters, in the best case, or even the whole Muslim community for sinners and reject a regime co-optive approach.¹⁰ Their concept of authority and consensus, then, is in no way connected to the Sunni mainstream approach. To legitimate authority, they use the mechanisms of consultation (*shura*) and pledge of allegiance, which we will further discuss in the section on “*virtual bay’a*”.

However, some “moderate” Salafis adapt the orthodox Sunni approach to authority (“Obey God, and obey the Apostle, and those charged with authority among you”, 4:59). A *fatwa* collection of Saudi Arabian Wahhabi and Jordanian Salafi scholars illustrates this. It is mandatory to obey Muslim rulers, one must refute suicide bombings and *takfir*, they claim, which is a good example of a common stance against radical Islam.¹¹ They have adapted their jurisprudence and ideology to central authority.¹² Yet, it remains unclear if this is merely tactical, or really a call for moderation. It could also be seen as Salafi propagation with the goal to become better accepted by the Sunni-mainstream, i.e. the orthodox “consensus society”.¹³

7 The disposal of the ruler is seen as creating *fitna*, which must be prevented by all means, and there is no possible excommunication of the ruler as long as he has professed faith (*shahada*).

8 *Din* means religion in the sense of “judgment”; “faith”, and “law” (*Shari’a*). See Fouad I. Khuri, *Imams and Emirs: State, Religion and Sects in Islam* (London: Westbourne Grove, 1990), p. 34.

9 “*La tajtami’ ummati’ala al-khata’*”, *hadith* cited by the medieval Islamic theologian Muhammad al-Ghazali (1058-1111), quoted in Iyasa A. Bello, *The Medieval Islamic Controversy Between Philosophy and Orthodoxy: Ijma’ and Ta’wil Between Al-Ghazali and Ibn Rushd*, (Leiden: Brill, 1989), p. 35.

10 This is due to their radical interpretation of what constitutes sin (*kufr*). *Takfir* means to label the judgment of apostasy on a Muslim, which is punishable by death. In the radical Islamist discourse, the *takfir* doctrine became popular with ‘Abd al-Salam Faraj’s manifesto *Al-Farida al-Gha’iba* (the neglected duty) for justifying the assassination of Egyptian President Sadat in 1981. Faraj compared Sadat and other contemporary Muslim rulers to the 13th century Mongol invaders of the Abbasside Caliphate, who converted to Islam, yet were eventually excommunicated. He based this on a legal edict of the medieval Hanbali scholar Ibn Taymiyya. Faraj’s was a selective *takfir*, yet he opened the gates for much more radical interpretations. Nowadays, the doctrine is stronger connected to the question of *al-wala’ wa-al-bara’* (loyalty toward Muslims and taking distance from *kuffar*) due to the influence of Salafi and Wahhabi thought into the Jihad-movement since the 1980s. It promotes a dichotomous worldview and facilitates a broad interpretation of *takfir*, not only of rulers and their entourage, but also of ordinary Muslims who cannot keep up with the strict Islamic behavioral standards laid down by the doctrine.

11 The former stand more or less for a form of ultra-orthodox Salafi mainstream, officially integrated into the Saudi regime, and the latter for a popular “moderate” Salafi-sectarian tendency. The collection *Al-Fatawa al-Muhimma* (“The important *fatwas*”) contains religious opinions by – among others – the Saudi State-Mufti ‘Abd al-Aziz bin Baz, the Saudi scholars Ibn ‘Uthayman and al-Sheikh Salih bin Fauzan al-Fauzan, as well as the late Jordanian based scholar Muhammad al-Albani. Besides authority questions they deal with issues like the overthrow of the ruler (*al-khuruj ‘ala al-hakim*) excommunication (*takfir*), and suicide-attacks (*‘amaliyat intihariyya*). Jamal bin Farihan al-Harithi, *Al-Fatawa al-Muhimma fi Tabsir al-Umma* (“The important *fatwas* in educating the Nation”) (Cairo: Dar al-Minhaj, 2003).

12 It is also important to remember that Saudi Arabia is a fundamentalist state built on the tenets of ultra-literal Wahhabism, which cannot be compared to Sunni-Arab states led by secular regimes. Moreover, both the Saudi-Wahhabis regime clerics and the “moderate” Jordanian al-Albani sect despise democracy or liberal interpretations of Islam.

13 This way the *Salafi-mu’tadili* and *Salafi-Wahhabi* scholars (among them the prominent Saudi cleric Sheikh bin Baz (1910-1999) may have tried to get rid of their negative Salafi image is connected to fundamentalism and sectarianism.

4 Al-Hilali, p. 46.

5 “*Al-niyaba ‘an sahib al-shari’a fi hafz al-din*”, Ibn Khaldun, *al-Muqaddima* (Cairo: Dar al-Fajr li-al-Turath, 2004), p. 244.

6 *Bay’a* and *mubaya’a* (proclamation) are derived from the root *ba’a*, which means to sell. Ibn Khaldun observes that shaking hands between Muslims and a newly proclaimed leader resembles the conclusion of a sale between a seller and a buyer. Ibn Khaldun, *al-Muqaddima*, p.266.

But even if some moderate Salafis support Muslim regimes, they are far away from exerting any real influence over their rulers. Expert delegations (“men of resolution and contract”), who are supposed to elect leaders on behalf of the population or to determine state-policies based on the *Shari’a* through consultative councils (*majlis al-shura*), do not really matter as the Saudi example shows. The same goes for official clerics in other Sunni countries. Sunni states prevent this and keep their clerics tightly under control.¹⁴

C. Factors Facilitating Virtual Leadership

1. Changes in Islamic Authority and Knowledge Production in the Islamic World

Modern Sunni Islam, theologically and institutionally, is in a state of virtual anarchy.¹⁵ Among the root causes are the lack of central authority and hierarchy and the reduction of the clergy’s legitimacy. Regarding the lack of authority and hierarchy, four causative factors come to mind. First, the egalitarianism of Sunni Islam also extends to equal rights to interpret religion. Second, Different sects and schools of jurisprudence compete with each other. Third, there is no formal hierarchy of scholars. Individual scholars can issue religious edicts. Fourth, numerous religious-judicial centers bolster different state policies. This leads us to the second root cause, the reduction of the clergy’s legitimacy. Modern Sunni Muslims do not believe in the independence and trustworthiness of official clerics. Among the reasons are: Muslim states have co-opted the clergy and transformed them into salaried employees. They control the religious endowments (*awqaf*) that once sustained the clergy. And states use the pulpits of the clergy as a forum to present their own policies, making official scholars look as corrupt as themselves, dependent from and aligned with an all-consuming imperialist West.

As early as in the 11th century the Seljuk *wazir* Nizam al-Mulk created his own school (*madrasa*, pl. *madaris*) for religious scholars in Baghdad and kept it under administrative control. The independence of scholars ceased to exist. This process continued all over the Islamic world. By installing moderate and regime-friendly scholars as official ‘*ulama*, Muslim governments have always tried to indirectly exercise power over religious authority and its political dimension. With the increasing proximity of religious scholars to worldly affairs also popular mistrust towards the scholars developed, all of which further contradicts the Sunni myth of unity. The nationalization and integration of religious institutions into socialist Arab states in the post-independence era since the 1950s led to the creation of alternative and informal centers of learning where ordinary Muslims can acquire religious education. First, these were mosques; nowadays the internet has become a virtual mosque and alternative centre for learning.

Since the raise of political Islam in the second half of the 20th century, ever more independent scholars have filled the gap created by the lack of trusted official religious institutions. As Lindholm observes, the authority of the learned “has never been completely accepted by the egalitarian masses. Suspicion of the *faqih* (scholar) has been metaphorically expressed in popular discourse through a comparison with secular leadership. Sultans and princes are viewed as frankly self-interested individuals reliant on their personal abilities in their eternal struggle to gain and hold power. Their values are the values of

manly warriors: bravery, generosity, honor, autonomy, power. Religious figures present themselves as the opposite, that is, as servants of God emptied of personal ambition. But they can also be accused of being the converse, namely effeminate, cowardly, miserly and dishonorable.”¹⁶

The reduction of the clergy’s legitimacy has been accompanied by significant changes in Islamic authority and knowledge production. Traditional (Sunni) religious authority is based on textuality, i.e. the Qur’an and the *sunna* and discursive method, i.e. norms of juridical theory and praxis within Islamic jurisprudence (*fiqh*). This is complemented by the personification and localization of authority and knowledge, which are linked to reputed scholars and schools of learning. Modern Islamic authority, however, is based on new forms of textuality, i.e. discursive method based on philosophical ideas, modern populism, an ultra-literal reading of the Qur’an and *sunna* out of historical context, personal pious narratives and political ideas. Personification and localization have given way to virtualization of authority via the internet and the development of hybrid forms of authority centered on transnational thematic networks and charismatic New Islamist Intellectuals (NII), i.e. laymen who are not authoritative in the classical sense.¹⁷

The revolutionary increase in knowledge production is also connected to rising literacy rates and mass education in the Muslim world, the emergence of new technologies and modes of communication, especially the internet and satellite television. Moreover, a shift from “traditional” to “modern” attitudes has contributed to a revolution in Islamic authority, which is more and more dominated by laymen (NII), or alliances of (radical) laymen and jurists.

According to Mandaville (2007), the effects of the digital age on Islamic authority can be summarized as follows¹⁸:

1. Functional pluralization: Changes in social purpose and ends of knowledge seeking
2. Spatial pluralization: Changes of spaces in which Muslims seek authority
3. Mediative pluralization: Changes of textual forms and figures through which Muslims seek authority

2. Fragmentation of Traditional Organizational Structures of Radical Islamist Movements

There are two major reasons for the fragmentation of traditional organizational structures: The global War on Terrorism and strategic Jihadi self-critique in the sense that traditional organizations do not work anymore. First, since the beginning of the War on Terrorism, international security campaigns have led to the break-up of many radical Islamist networks and groups. This impedes traditional organizational structures and personal guidance within groups. It created the need to search for new organizational structures on the side of radical Islamists. Radical Islamists have recognized that they cannot keep on fighting guerrilla struggles, especially not against the superior aerial power of western states, first and foremost the U.S.. Neither can they maintain secure bases in most Muslim countries which cooperate with western powers. Nor can they rely anymore on open networks abroad, for example in Europe.

The awareness of vulnerability has led to intensive strategic self-critique by Jihadi thinkers. This literary output that originated from this trend has been coined “Jihadi strategic studies”. Radical Islamists have formulated new strategic guidelines for the third generation of Jihadi activists (following the first of the 1960-70s and second of the 1980-90s). Among them is the call for the fragmentation of organizational structures and individualization of action, yet globalization of common ideology. Virtual leadership is one of the solutions offered by Jihadi strategists. Via the internet, global jihad shall run under a common ideological umbrella (Global Islamic Resistance), claims the al-Qa’ida strategist Abu Mus’ab al-Suri. He radically breaks with hierarchical

¹⁴ Supportive clerics serve as puppets whose task it is to bolster states policies. If they fall out of line, which frequently happens over issues like militancy and resistance connected to the Israeli-Palestinian conflict and US-intervention in the Muslim world, they are replaced or reprimanded. Within the Wahhabi milieu of Saudi Arabia, it might be useful to remember that, “in an ironic twist, Ibn Baz’s disciples included al-Ikhwan’s Juhayman al-Utaybi as well as the Salafiyyun of the 1990s, both of which parted company with their elder teacher for his support of the government.” R. Hreir Dekmejian, *Islam in Revolution: Fundamentalism in the Arab World* (New York: Syracuse University Press, 1995), p.146.

¹⁵ We can associate Western political thought at present with (relative) hierarchy and order and Sunni Islam with anarchy and disorder. Heterodox Islam is much more hierarchically organized than orthodox Sunni Islam. This concerns all its sects, movements, brotherhoods and sheikh-cults, but also radical Islamist movements. In terms of anarchy versus hierarchy, we can also speak about underdevelopment, social quarrels and civil strife in the Muslim world in contrast with political, social and economic order in the Western world. If Western colonial, political, economic and military intervention in the Muslim world are the root cause for this situation is a matter of heated debate.

¹⁶ Charles Lindholm, *The Islamic Middle East: Tradition and Change* (Oxford: Blackwell Publishing, 2002), p.163.

¹⁷ Gilles Kepels, *Muslim Extremism in Egypt: The Prophet and Pharaoh* (Los Angeles: University of California Press, 2003), p.14.

¹⁸ Peter Mandaville, “Globalization and the Politics of Religious Knowledge: Pluralizing Authority in the Muslim World”, *Theory, Culture and Society*, Vol.24, No. 2, pp. 101-115 (2007).

organizations and advocates individualization. Guidance is mainly based on the internet (See table 1). Factors that can facilitate the development of virtual leadership are manifold. For example, Islamic counsel is very textual and letter-based (*istifta'*); also Islamic authority is strongly based on textuality, i.e. religious-political texts can govern the behavior of Muslims as strong as personal guidance does in western political culture. Moreover, the possibilities of information distribution in the digital age strengthen the idea to transform elements of Islamic leadership to the virtual level.

Table 1

Al-Suri's comparison between traditional Jihad groups and the system of Global Islamic Resistance (GIR: *al-Muqawama al-'Alamiyya al-Islamiyya*) cells

Feature	Traditional Organizations	System of GIR Squadrons
Size	up to several thousands	10–1
Objective	overthrow of the government and formation of an Islamic regime in a specific state	resistance against occupiers and their allies wherever possible
Program	Jihad organization	Global Islamic Resistance Call
Leadership	central <i>amir</i> and leadership	general informational guidance for squadrons globally and a specific <i>amir</i> for each squadron
Financing	often interest-bound financing from abroad, donations	primarily self-financing, donations; at a later stage distribution of foreign assets and treasuries of overthrown regimes
Allegiance	pledge of allegiance (<i>bay'a</i>) to a central <i>amir</i>	unmediated contract (<i>'ahd</i>) with Allah and contract of obedience to a squadron's <i>amir</i>

Source: Al-Suri, *Da'wat al-muqawama*, Chapter 8, subsection 5.

D. Mechanisms of Virtual Leadership

1. The Virtual Bay'a

The Classical Bay'a and Its Discussion among Radical Islamists

According to classical Sunni legal theory, the election of the ruler is based on consensus (*ijma'*) and takes place through a pledge of allegiance (*bay'a*), which is a contract of obedience between the ruler and the ruled. The includes consultation (*shura*) and proclamation (*mubaya'a*), ritualized by a handshake (*musafaha*) and exercised by "the men of resolution and contract" (*ahl al-hall wa-al-'aqq*), who are those qualified to elect or depose a caliph or *amir* or sultan on behalf of the Muslim community (*umma*).¹⁹ In the eyes of the medieval scholar Ibn Khaldun, the ritual of shaking hands between Muslims and a newly proclaimed leader resembles the conclusion of a sales contract between a seller and a buyer. Both "*bay'a*" and *mubaya'a* are derived from the verbal root *ba'a*, which means to sell.²⁰ Islamic historiography narrates that the *bay'a* means to follow Muhammad or another Muslim leader under all conditions until death. The ritual was sometimes repeated before battle to strengthen the fighting spirit of Muslims (*mubaya'a 'ala al-maut*). In battle, the pledge was also given

19 "Ahl al-Hall wa'l-'Aqd," in: John L. Esposito (ed.) *The Oxford Dictionary of Islam, Oxford Islamic Studies Online*. 18 February 2009. <<http://www.oxfordislamicstudies.com/article/opr/t125/e73>>. In medieval political theory, the term refers to legal scholars whose task it was to offer the caliphate to the most qualified person. Because, in practice, most rulers designated their successors, the task was generally a mere formality. Some modern thinkers have tried to accommodate this task to that of a parliament.

20 Ibn Khaldun, *al-Muqaddima*, p. 266.

to field commanders.²¹

While the *bay'a* ritual is a mere formality in many Sunni Muslim states to legitimize the election of a secular ruler, it plays an important role in Radical Islamist movements.²² The *bay'a* translates into a tight and personal knitting together of a group and strong relationship between its followers and leaders. For radical Islamists, the *bay'a* agreement creates an island of hierarchy within the anarchy of Sunni Islam with its multitude of rivaling trends, power centers and heterodox sects.

In radical Islamist groups, the *bay'a* leads to the election of an ordinary person as the group's military leader (*amir*). An *amir* has much less power than a classical *imam* or sultan. His authority is limited to the group and does not expand to the Islamic *umma*. A major question among Islamist thinkers is, if a *bay'a* may be pledged under such circumstances. The Jihadi ideologue 'Abd al-Qadir bin 'Abd al-'Aziz answers this question affirmatively and claims that the *bay'a* and thus the nature of leadership (*imara*) in Islamist groups is fundamentally different from the classical pledge of allegiance to a Muslim *imam* or caliph. 'Abd al-Qadir makes a clear distinction between pledges of allegiance to people (*bay'at al-nas*), which he also calls agreements of obedience (*'uhud 'ala al-ta'a*); and pledges of allegiance to the *imam* (*bay'at al-imam*).²³ The legitimization of *imara* in Islamist groups is thus based on the distinction between *bay'at al-nas* and *bay'at al-imam*. 'Abd al-Qadir cites the following differences between the classical and modern uses of *bay'a*:

1) "Contractors": The *bay'at al-imam* is exercised by "people of resolution and contract", while for the Islamist groups a relevant adoption of *bay'at al-nas* is exercised by group members.

2) Duties: The *imam* must fulfill certain qualifications to be elected and oblige himself to enforce Islamic law universally and with all its aspects in the Islamic *umma*, which in turn is obliged to follow the *imam*. The *amir* of an Islamist group has no control beyond his group, or over the Islamic *umma*. Moreover, obedience to the *amir* is voluntary under *bay'at al-nas*, whereas obedience to the *imam* under the *bay'at al-imam* – pledged by an expert delegation on behalf of the *umma* – is obligatory for all Muslims.

3) Time-span: The *bay'at al-imam* is in theory valid until the death of the *imam*. The *bay'at al-nas* is timely restricted and elections within an Islamist group enable a change of leadership.

Several difficulties are connected to the *bay'a* in radical Islamist movements and should be mentioned. The al-Qa'ida ideologue Abu Mus'ab al-Suri observes that the nature of the *bay'a* in jihad organizations is very problematic: The rights and duties of the *amir* and the members, or the relationship between *amir*, members and organizations are unclear. At times, different jihad organizations in the same country fight each other over the pledge of allegiance. If a member wants to leave an organization, he may be excommunicated. In addition, the *amir* or a consultative council (*shura*) can also expel a member. Leaders of traditional jihad organizations have altogether too much power.²⁴ In addition, early experiments with virtual, i.e. indirect leadership in clandestine Islamist movements failed, claims al-Suri. In the 1980s, the leadership of the Syrian Muslim Brothers, for example, established itself in Baghdad and Amman, and issued unsuitable encoded military and political directives to the local leadership in Syria. The local leadership obeyed because it needed the money that came

21 Such as before the battle of Yarmuk, where Muslim fighters pledged a "death-bay'a" to a low rank Muslim leader.

22 In orthodox Islam represented by official clerics, the pledge of allegiance to the newly "elected" leader is just a formal issue. The broad population who does not participate can probably not identify with the pledge exercised on its behalf by an expert group of scholars. For example, the Saudi Bay'a Council is made up of sons and senior grandsons of the Kingdom's founder. (<http://www.saudi-us-relations.org/articles/2006/10/061106-turki-succession.html>) Also the political impact of other institutions that seem to give more weight to religious authority are questionable, like the Saudi Shura Council, for example. Nagi observes: "In the early 1990s, Saudi Arabia began a program of political reform, establishing the appointed Majlis al-Shura, Consultative Council. Nevertheless, this step did not lead to a significant shift in authority or more democratic institutions. In 2005, half of the council seats were open for election, and the other half were appointed by the monarchy". See Farouk S. Nagi, "The Rising Conflict For Democracy in the Arab World," honors thesis presented in May 2008 to the Department of Political Science of the University of Colorado at Colorado Springs, 20 February 2009, (<http://ojs.uccs.edu/index.php/urj/article/viewFile/1/3>).

23 'Abd al-Qadir bin 'Abd al-'Aziz, *Al-'Umda fi l-'Udda fi Sabil Allah* ("Laying the foundation for the equipment for jihad in the ways of Allah"), chapter: "*fa-hal yajuz tasmiyat al-'uhud bayn al-nas bay'a?*" ("Can one call agreements between people a 'bay'ah'"), retrieved 17 March 2009 (<http://www.tawhed.ws/a?a=85ud42ss>).

24 Al-Suri, *Da'wat al-Muqawama al-Islamiyya al-'Alamiyya* (Global Islamic Resistance Call), Part 1, Chapter 7, "Structural Mistakes" (*Akhta' fi-al-bunya wa-al-haykal*).

with the orders and felt bound by the pledge of allegiance, which in al-Suri's view was contestable given the mismanagement by the exiles, who had lost touch with reality.²⁵

This offers radical Islamists three possible strategic approaches:

- 1) Sticking to the "classical *bay'a*" that creates a strict hierarchy within a group, according to 'Abd al-Qadir
- 2) Abolishing the *bay'a* altogether and building upon a "contract with Allah", according to al-Suri.
- 3) Creating a middle-way: the "virtual *bay'a*" via the internet

The Virtual *Bay'a* and Its Legitimization

Over the last years the virtual *bay'a* has developed among radical Islamists as an alternative means to gather followers via the internet. The virtual ritual is very different from the classical one (see also above). Yet it is supposed to be a viable alternative and to have the same binding character. The main differences are the following:

- The **classical *bay'a*** ritual is very personal, even physical. This concerns consultation, proclamation, and especially the final handshake (*musafaha bi-al-'aiday*) between an expert delegation ("men of resolution and contract") and a newly elected leader or Jihadist group members and an *amir*. According to the classical ritual, a secondary pledge of allegiance is afterwards supposed to be taken by the Muslim populace in front of their respective *imam* in the mosque. However, this is not the election itself, but a mere confirmation of the decision that has been taken by the "men of resolution and contract".
- The **virtual *bay'a*** ritual is a written proclamation via the internet. The classical ritual (consultation (*shura*) - proclamation (*mubaya'a*) - final handshake (*musafaha*) has been drastically shortened. While the primary electorate commission ("men of resolution and contract") is missing, the secondary electorate-pool and those qualified to pledge allegiance and proclaim has been drastically enlarged. An undefined number of Muslims can "proclaim" directly via the internet by a simple blog entry stating "I pledge allegiance" (*ubayi*). Consultation and final handshake are probably supposed to be included into the written proclamation.

Case: The internet *Bay'a* to Usama bin Laden – the "Death-*Bay'a*" (*Bay'at al-Maut*) on 24 April 2006 (26 Rabi' al-Awwal 1427 H)

In April 2006, a chatter named "alyasa" called for a "death-*bay'a*", i.e. a pledge to follow Usama bin Laden until death, on the Islamist internet forum *al-Buraq*. The author offered a detailed instruction for the mechanisms of internet-*bay'a*, which he justified in Islamic legal terms. Within a one-month period as many radical Islamist internet users as possible should consent to kill themselves for the cause of Bin Laden and al-Qa'ida; "Alyasa" referred to "the month of the greatest *bay'a*" (*shahr al-bay'a al-kubra*) and chose for special significance the month Rabi' al-Awwal of the Islamic calendar which is also the birth month of Muhammad (*shahr al-mawlid*). The two clearly defined goals of the *bay'a* were to pledge allegiance to Usama bin Laden as "leader of the Muslim armies" (*qa'id juyush al-muslimin*) and his terrorist campaign against the West; and to consent to die for this cause. The "death-*bay'a*" is a very illustrative example of virtual leadership: Nobody knows the author, or was in touch with him. Yet, several visitors of the site enthusiastically declared their consent. The call has clear terrorist implications, since it must be expected that some of those who declared their consent will sooner or later "sacrifice themselves" in terrorist operations.

The author presents himself like a simple intermediate who acts on behalf of al-Qa'ida. Even though he tries to appear as if he is irrelevant, he plays a crucial role in calling up conscripts for al-Qa'ida. He himself is a virtual leader, probably autonomous and self-motivated, highly

aware of the propaganda effects of the internet.

"Alyasa's" goal is to support Usama bin Laden's build-up of an "enormous army", he says. In addition to the two "armies in Afghanistan and Iraq" a third army shall be created via the internet, consisting of conscripts "on a waiting list all over the internet". He clearly tries to revive the tradition of the classical death *bay'a* that was pledged before battle to strengthen the fighting spirit of Muslims. It is indeed very symbolical to choose this name. Isn't it a global, large scale battle without distinction between civilians and warriors before the end of times that he wishes? The "death-*bay'a*" is also a test-run: For future purposes, a statistic shall be drawn up at the end of the month to analyze the participation in detail.

The Importance of the Internet: "The Only Gateway to Inform the Fighters" (*al-manfadh al-awhad li-i'lam al-mujahidin*)

"Alyasa" knows about the strategic-organizational problems that inform the radical Islamist movement. Security apparatuses focus internationally on detecting radical Islamist terror cells and groups. This bears a direct effect on direct leadership and guidance. Therefore, the Internet is like a blessing for the purpose of coordinating global jihad, he claims. His frantic laudation on the Internet in a poetic style is an example that shows us how much effort radical Islamists may put in developing the Internet into a virtual command tool:

This Internet was created miraculously by Allah to serve
jihad and the fighters.

It became their benefit,

Since half of the battle of the fighters

Takes places on the pages of the Internet,

Since it is the only gateway to inform the fighters

Glory and strength to Allah

The Islamic Legal Justification for the Virtual *Bay'a*: the *Bay'a* in the Written Form (*Kitaba*)

"Alyasa" justifies the virtual *bay'a* with an analogy to another classical case that refers to a pledge of allegiance in written form (*al-kitaba*). Accordingly, the ritual can be adapted to the Internet, argues "Alyasa". After he has explained the need to support global jihad and die for its cause, he introduces the Islamic legal argument on the importance of *bay'a*. Then he follows up with an argument on its different forms. To prove his case, he goes through four simple steps: He stresses the *shari'atic* importance, definition, description and possible forms of the ritual.

According to Muslim, a famous classical *hadith* transmitter, the Prophet Muhammad said: "Who dies without a pledge of allegiance in his throat, dies an ignorant death" (No. 1851). This proves the *shari'atic* importance of the ritual, so "Alyasa". "Ignorant" refers to the pre-Islamic era of tribal infighting (*Jahiliyya*), which is an appeal to every "true" Muslim that he must give a pledge of allegiance to Bin Laden. Otherwise he is a sinner and behaves like in pre-Islamic times. The technical details of the classical *bay'a* ritual as per Ibn Khaldun's standard work *Muqaddima* (meaning: the *bay'a* exercised through hand-shake as quasi sales-contract, see above) are less important than its implications: it translates into total obedience to an *amir* and binds forever, which is also the major point "Alyasa" wants to convey to possible radical followers: The *bay'a* is an integral part of the Islamic leadership, authority and command complex. For the consenter, it means the strict following of orders until death, may they be bad or good in his view. In this case, the order is simply to be prepared to die for Bin Laden, probably in an autonomously planned terror attack.

The rest of "Alyasa's" argument is concise and simple. He does not want to overdo it with the Islamic legal argument. After all, his target audiences are not Islamic clerics, but operatives who need a simple explanation.

Similar to 'Abd al-Qadir, he describes two different levels of the pledge. Yet, in slight contrast to 'Abd al-Qadir, he stresses the order in which the rituals have to follow more than their meanings. These are the primary **pledge of convention** (*bay'at al-in'iqaad*) and the secondary **general pledge** (*al-bay'a al-'amma*), which he also calls **pledge of**

²⁵ Al-Suri says he experienced this first-hand as member of the Syrian al-Tali'a al-Muqatila (Fighting Vanguard). He claims that exiled leaderships lose touch with the local reality. Al-Suri, *GIRC*, Part 1, Chapter 7.

obedience (*bay'at al-ta'a*). The pledge of convention is the task of the "people of resolution and contract" (*ahl al-hall wa-al-aqd*), who had to resolve the dispute around the succession of the caliph. The most famous example is the election of the four Rightly Guided Caliphs (*al-Khulafa' al-Rashidun*), says "Alyasa". The secondary, general pledge is a **popular pledge** (*bay'a sha'biyya*). Traditionally, claims "Alyasa" Muslims confirmed the choice of the Muslim leader with a pledge in their local mosque. The fact that modern Arab thinkers already describe the internet as the "new mosque"²⁶ gives ample hint at the possible future popularity of the virtual *bay'a*.

In the last part of his Islamic legal justification, "Alyasa" lists three possible forms to pledge allegiance. The question is not only how people exercised the ritual in the lifetime of the Prophet, but how it evolved historically. "The observer of history from the aspect of our Lord Muhammad – may Allah bless him – until the beginning of this Christian century when the caliphate was abolished - must comprehend that there are numerous forms of the *bay'a*." Only the third form is interesting for the author, since it serves him to prove the Islamic legality of the virtual ritual:

- Handshake and speech (*musafaha wa-kalam*), traditional and most common way.
- Speech only (*kalam faqat*), mainly for women, who are not allowed to touch men.
- Writing (*al-kitaba*), a form that is adaptable to the Internet

"Alyasa" quotes a letter from a Muslim convert to Muhammad as proof for the written pledge of allegiance (*al-kitaba*):

The best example for this proclamation can be found in the writing of al-Najashi to the Prophet – may Allah bless him – where he said: "In the name of Allah, the most merciful compassionate, to Muhammad, the Prophet of Allah – may Allah bless him – from al-Najashi, peace be upon You, Prophet of Allah, and may the mercy of Allah be with the horse of Allah who has no gods beside him and who led me to Islam. Your letter surely arrived me, oh Prophet of Allah, in which you mentioned the matter of 'Aysa' ... until he [al-Najashi] said: 'I pledged you allegiance, and I pledged allegiance to the son of your uncle, and your companions, and I submitted myself under the hand of Allah, Lord of the worlds.'

Preliminary Conclusion on the Nature of the "Death-Bay'a"

Technically, it is a popular pledge adapted to the internet in the form of a "death-pledge". The death-pledge in its classical form is neither a pledge of allegiance to a general Muslim leader, nor to the leader of a simple terror cell, organization or medium-sized group, but to a battlefield commander before a single battle. However, our example is a hybrid, an adaption oriented at the classical Islamic battle pledge. Instead of a single specific battle, the pledge is to the worldwide organization and ideology of al-Qa'ida led by Bin Laden. Pledging allegiance and membership are equivalent with death according to the martyr-cult of al-Qa'ida.

The role of Bin Laden seems evident from what "Alyasa" has written on him in the introduction to his blog entry. Yet, Bin Laden's true role is difficult to look through. Bin Laden is pictured as "*sheikh*" and "*qa'id juyush al-mu'minin*", not however, as "*amir*". The role of "*amir al-mu'minin*" is attributed to Mullah Omar, former leader of the Islamic Emirate of Afghanistan. But since Bin Laden is neither an ordinary battlefield commander, nor al-Qa'ida's fight a simple battle, there is more meaning to the virtual pledge. Bin Laden, as we remember, has already been hailed as "*mujaddid*" (divinely ordained reformer) in some Salafi circles, a characteristic that is attributed only every hundred years to a Muslim with *mahdi*-like powers.²⁷ It also shows that a formal hierarchy exists in the mind of the author. The internet author "Alyasa" presents the roles of Mullah Omar as *amir* and Bin Laden as *qa'id* like facts. Only the (primary) *bay'at al-in'iqaad* determines the succession of Muslim leaders. However, Mullah Omar was bestowed with the title in Kandahar 1996 by gowning him in a coat attributed to Muhammad. The ritual symbolized the succession of the caliphate.

²⁶ 'Abdallah el-Tahawy, "The Internet is the New Mosque - Fatwa at the Click of a Mouse," <http://www.arabinsight.org/aishowarticle.cfm?id=188>, retrieved 1 May 2009.

²⁷ See Abu Jandal al-Azdi, *Usama bin Ladin ... Mujaddid al-Zaman wa Qahir al-Amrikan* (Usama Bin Ladin ... Reformer of our times and defearer of the Americans) (<http://www.abu-qatada.com/a?a=6sbw2ch>), retrieved 24 May 2009.

This way the Taliban supported their claim to be the only Islamic state.²⁸

The Role of the Internet Participants

The role of the internet participants is to confirm by proclaiming their submission and agreement. They are common "*muba'iyun*" (pledgers) and therefore excluded from the election process. This reminds us of the classical rules of the *bay'a* election ritual, divided into "primary" and "general pledge". They form an electorate pool without the power to choose. Theirs is not the task to elect a leader of choice according to democratic rules, but to confirm the choice of a representative leader according to a "divine nomocracy". The actual choice takes place according to tribal electoral mechanisms (*shura*); moreover, they have to execute the orders that come along with this choice (here: to give their life for the sake of Bin Laden's battle against the West). In addition, says "Alyasa", they may not break their pledge, which is a crime and sin punishable by death.

The Role of the Expert Commission

The "people of resolution and contract" formed the first guard of the classical Islamic electoral system. They chose a new leader. However, "Alyasa" is unclear about their present role. In his description, they lure in the background like an invisible, perhaps imaginary administrative expert elite. We learn that they should exist and what their task is, but yet, do not find them taking part in the virtual scenario. Mullah Omar, for example, according to his role as "Leader of the Faithful", must theoretically have been elected in agreement with classical rules by an expert commission. But he was elected by a different ritual (see above) As far as the virtual "death-*bay'a*" is concerned, no expert commission is mentioned.

Possible Weakness of the Islamic Legal Argument: The Missing Primary Pledge

"Alyasa" ponders on the argument that the "death-*bay'a*" to Bin Laden is like a battlefield pledge. This makes a primary pledge by an electoral commission unnecessary. All the fighters have to do is to confirm their willingness to execute a certain action and order (to go to battle and die). But this line of argumentation may be inconsistent in view of the authority attributed to Bin Laden.²⁹ Muslim jurists with adverse political opinions might be able to refute the Islamic legal argument on such grounds. If this detail will be perceived as a weak point in internal Islamic discussions on virtual *bay'a* needs to be further researched.

"On a final note: In a survey on the jihadist forum al-Hesba in 2006, 171 persons voted in favor of the death-*bay'a* - However, it seems that no-one put it into effect."³⁰ (reference: Hanna Rogan, Jihadism Online - A study of how al-Qaeda and radical Islamist groups use the Internet for terrorist purposes")

2. The Virtual Fatwa: The Mechanisms of Radical Islamic Jurisprudence

The Islamic *Shari'a*, or system of Islamic law, is considered by Muslims as divinely revealed law regulating all religious, political, social, domestic and private aspects of Muslim life. Due to the detailed code of *shari'atic* laws governing the private and public spheres, Islam can be described as a *nomocracy*. A dispute between academic and common understanding of the *Shari'a* has prevented a clear definition of it. Strictly seen, the *Shari'a* consists of the Qur'an and the *sunna*, which are the immutable basic codes of Islamic law. They are extended by the ever-evolving and human-interpreted Islamic jurisprudence (*fiqh*). However, often, the *Shari'a* is defined as Qur'an, *sunna* and *fiqh* altogether. Critiques say that this definition generates the impression that the revealed and the unrevealed are equal. This in turn creates the assumption that scholarly interpretations are as sacred and beyond

²⁸ Rüdiger Lohker, *Dschihadismus – Materialien* (Wien: Facultas Verlag, 2009), 37-38.

²⁹ "Alyasa" does not contend himself with presenting Bin Laden as a simple battlefield commander. His true role in the global Salafi-Jihadi hierarchy needs to be further researched.

³⁰ Hanna Rogan, Jihadism Online - A study of how al-Qaeda and radical Islamist groups use the Internet for terrorist purposes"

revision as the Qur'an and the *sunna*.³¹ It is important to keep this in mind, when thinking about the directives of radical Islamists issued via the internet.

The *Shari'a* is put into practice through Islamic jurisprudence (*fiqh*), and its mechanisms are called *fatwa* (Bar, 2005). Technically, a *fatwa* is a written or oral religious legal opinion on a specific subject that requires clarification based on the principles of Islamic jurisprudence (*usul al-fiqh*). These principles are in authoritative order the Qur'an; the *sunna*, i.e. the practice of the Prophet as transmitted through his sayings and laid down in the literary genre of *hadith* (oral transmission, which was later written down); scholarly consensus (*ijma'*); and analogical deduction (*qiyas*). Within *usul al-fiqh*, the Qur'an and *sunna* are considered as primary sources and divine principles, while consensus and analogy are human interpretation by religious scholars. A classical *fatwa* consists of a request (*istifta'*) posed by a petitioner (*mustafti*, pl. *mustaftun*) and a reply (*jawab*) issued by an authorized Islamic scholar (*mufti*).

The concept of *fatwa* developed as an answer to corruption and bad governance under the Umayyad and Abbasid caliphates in the 9th century AD. It must be seen as an integral part of the nascent Islamic legal system and the scholarly institutions connected to it (*madrasa*, pl. *madaris*). Thus, the famous early *hadith* collectors al-Bukhari (AD 810-870, H 194-256) and al-Hajjaj (AD 821-875, H 206-261) started collecting prophetic traditions in order to reconstruct the form of governance customary under Muhammad and the four Righteous Guided Caliphs following Muhammad. They initiated a scholarly trend called *ahl al-hadith*, which gained popularity among Muslims who regarded the luxury and worldliness of their rulers with critical eyes. Gradually, a relationship of trust developed between Muslims and *ahl al-hadith* scholars, who were able to answer pressing questions regarding religion and life according to customs of the Prophet Muhammad. This initially paved way for a division between political-administrative and religious-scholarly authority. Yet, religious schools and scholarly institutions soon became incorporated into Muslim states. As early as in the 11th century their independence ceased to exist. (For more on this process see section C.1 Factors Facilitating Virtual Leadership - Changes in Islamic Authority and Knowledge Production in the Islamic World of this paper (pp. 9)

Unlike in Shiite Islam, a Sunni *fatwa* is a non-obligatory religious opinion that can be disputed (*ikhtilaf*) since there is no central authority for issuing *fatwas*, religious learning, or central hierarchy of scholars.³² The nature of authority in radical Islamist movements, i.e. the subordinate status of followers under their leaders, and the direct pledge of allegiance (*bay'a*) often enhances the binding character of *fatwas*. Also the massive proliferation of virtual *fatwas* via modern mass media like the internet and satellite television makes it increasingly difficult for petitioners to discern authentic from spurious legal opinions. Moreover, it facilitates the issuing of extremist *fatwas*.

Islamic legal discourses are experiencing a massive proliferation via the Internet. The Internet-hype also concerns the giving of *fatwas*. An ever increasing number of websites offer *fatwa*-services, for example *IslamOnline.net*, *Fatwa-Online.com*, *Ask-Imam.com*.³³ They compete with traditional *fatwa*-institutions such as the Egyptian Dar al-Ifta', which has doubled the number of *fatwas* it issues per day to 1,000 and runs a telephone-hotline. Also in India we find a strong competition between the afore mentioned transnational online-*fatwa* services and traditional institutions like the 141 years old Dar al-Ulum in Deoband, or the Islamic Peace Foundation of India, which itself has started an online-*fatwa* service, the "Onlinefatwa.org". Alarmed by the ever growing independent digital *fatwa* services, the Fiqh Academy of the Saudi Muslim World League convened in late January 2009 an international conference to regulate the uncontrolled issuing

31 Ali Khan, "The Second Era of Islamic Creativity", *University of St. Thomas Law Journal*, Vol.1, p.341, 2003.

32 Shiites, in contrast to the Sunni concept, see no division between political and religious authority. This goes back to the *ahl al-bayt* concept within the main Twelver Shiite doctrine (the lineage of the Twelve *Imams*). *Ahl al-bayt* are Muhammad's daughter Fatima, his son-in-law 'Ali and their descendants up to the twelfth Shiite *Imam*. They are, according to Shiite view, endowed with special spiritual knowledge about the matters of Allah and the only ones who can apply this knowledge to guide the Islamic *Umma*. In Principle, only Shiite-scholars descending from the line of Fatima and 'Ali are authoritative to give *fatwas*, which in contrast to Sunni *fatwas*, are obligatory and binding edicts (*marsum*).

33 The *fatwa* bank of "IslamOnline.net" alone contained about 12,000 Arabic and 3,000 translated English *fatwas* in 2008. See Dalia Yusuf, IslamOnline.net's European Muslims managing editor, "Online Fatwas and Concerns of Muslims in Europe" on www.islamonline.net, http://www.islamonline.net/serivet/Satellite?c=Article_C&cid=1212394804591&pagename=Zone-English-Euro_Muslims%2FEMELayout, retrieved 2 February 2008.

of *fatwas*. 170 scholars participated in the conference and issued a "fatwa-charter" consisting of 41 articles dealing with the abuse and violent impact of spurious *fatwas*.³⁴ But it is doubtful that this will have an impact on the radical scene.

Some researchers claim that the phenomenon of digital religious guidance through *fatwas* can be positive. Online *fatwas* have the potential to change and reform the theology of Islam, claims Egyptian sociologist Saad Eddin Ibrahim. Yet, Ibrahim himself has been the focus of violent denunciation by radical Islamists via the Internet.

In addition, so-called "tele-*imams*" have become additional prominent figures, adding to official jurists, virtual *fatwa*-services and free-lance sheikhs. In the 1980s, tape-recorded sermons of Sheikh Kishk could be heard all over the streets of the Arab world. Nowadays, "tele-*imams*", who preach on the internet and Arabic satellite stations (like the Egyptian 'Amr Khaled and the Saudi Muhammad al-Shanqiti), represent a new form of clergymen who weaken the influence of the "classical" Islamic establishment.

Online *fatwas* and digital religious propaganda have also hyped in the Salafi-Jihad scene. While there was only a handful of websites in the late 1990s, their number had already increased to more than 4,000 websites, chat-rooms, forums and blogs by 2006.³⁵ Online-ideologues seem to have influenced the radicalization-processes of Jihadi-terrorists like Richard Reid, Zacarias Moussaoui, Asif Hanif. Especially alarming is the example of the impact of radical contents in the internet on the German "suitcase-bombers". Two radical Islamists were looking in the internet for a *fatwa* to legitimize the killing of civilians in 2006. After they had found such a *fatwa*, they put two bombs on regional trains in Cologne.³⁶

Observing these processes, the Israeli researcher Shmuel Bar states that: "The age of information revolution has opened up a new venue for Muslims to acquire religious instruction without coming in direct contact with the consulting Sheikh. The internet now allows a Muslim to send a query to any learned Sheikh by e-mail and to receive his ruling either directly or in the public domain of websites dedicated to such *fatwas*."³⁷

Online *fatwas* are an important element of virtual leadership. Sometimes, it may mean that fictive, only digitally present characters assume authority. It becomes obsolete to ask if they are fictive or real characters. What matters is the virtual presence that can have the gravest effect on reality. Virtual leaders do not only issue commands, but also influence distant followers in religious-spiritual, ideological and tactical matters. Although two poles, issuer and receiver, are physically disconnected, an asymmetric and authoritative relationship seems to exist between them. A major research question is if this relationship is endogen to Islamic political culture and the organization and leadership of its movements.

It is especially interesting that that the issuing of a *fatwa* has never required direct contact between an inquirer and the consulting Sheikh. If we imagine an historical case, it may have happened that an inquirer sent his request in the middle-ages from Spain to Cairo and received the answer months, maybe a year later. During this time, the *mufti* may have died from a disease, for example. Nevertheless, his *fatwa*, if

34 For a summary of the conference and the covenant see the forum *Islam Message*, "170 'aliman wa-faqihan yasdaran awwal mithaq li-al-fatwa fi-al-ta'rikh" (170 scholars and jurists issue the first fatwa-covenant in history), <http://muntada.islammesssage.com/showthread.php?t=6125>, retrieved 13 March 2009. Organizer of the conference was Sheikh Salih bin Zabin al-Marzuqi, the Secretary General of the Fiqh Academy of the Muslim World League, host was the Saudi King 'Abd al-Aziz. See also "Al-Amin al-'amm li-al-majma' al-fiqhi al-islami li «al-Sharq al-Awsat»: Mu'tamar al-fatwa yas'a li-ijad mithaq yuwahhid al-muslimin fi-al-qadaya al-'amma" (The secretary general of the Fiqh Academy to «al-Sharq al-Awsat»: The Fatwa-Conference aims to draft a covenant that unites Muslims behind common questions), *al-Sharq al-Awsat*, 13 January 2004; *Mu'tamar Mecca yabhath wada' "mithaq fatwa" yuwahhid al-ifta' lada al-muslimin* (The Mecca-Conference seeks to outline a "fatwa-covenant" that sets common principles for the issuing of *fatwas* among Muslims), Moheet.com, http://www.moheet.com/show_news.aspx?nid=211209&pg=1, retrieved 12 February 2009.

35 Akil N Awan, "Virtual Islamo-Jihadist media and the Ummah as transnational audience: Function, legitimacy, and radicalising efficacy [Work in progress, March 2006]", retrieved 25 April 2009 (http://www.mediatingsecurity.com/documents/_private/March%2010%20chapters/Akil.doc).

36 Alev Inan, "Cyber Islam und Online Fatwas" (Cyber Islam and Online *fatwas*), Qantara.de, retrieved 14 April 2009 (http://de.qantara.de/webcom/show_article.php?_c=469/_nr=912/i.html).

37 Shmuel Bar, "Jihad Ideology in Light of Contemporary *Fatwas*", Hudson Institute, 2006, retrieved 12 January 2009 (<http://www.futureofmuslimworld.com/research/detail/jihad-ideology-in-light-of-contemporary-fatwas>), p.4.

it arrived, was valid and the inquirer acted according to it. That is, he did not even know if the consulted cleric was still alive. Our example is further supported by the fact that the *fatwas* of deceased authorities are highly respected. The greater the authority of a scholar, the more reliable and respected his religious opinions. We only have to think of often cited scholars like al-Shafi'i, al-Tirmidhi, al-Shawkani, and in the radical Islamist discourse al-Hanbali, Ibn Taymiyya and 'Abd al-Wahhab. Their legacy is textual, i.e. virtual. But the discursive power of their texts and their influence are unquestioned and still valid. Even though they are not alive, classical clerics can influence the radicalization of Islamist terrorists via the internet, as our next example will show.

Two Virtual *Fatwa*-Cases: Bouyeri and the German Train Bombers

Classical and modern *fatwas* calling for violence are like highly selective shrapnel of Islamic jurisprudence. For a radicalized Muslim, they seem to explain perfectly how to deal with present problems. He or she seldom questions the difference between the historical and the present context. Blindly following religious authority depends on a strong socio-religious conditioning, which is particularly characteristic for young Islamist militants like Muhammad Bouyeri and the German train bombers of Lebanese origin. Not only circles of radical friends, but also the Internet guidance played a decisive role in their radicalization.

This can be partly explained if we look at Islam with its highly developed codices of law as a quasi-legislative religion. The judgments of reputed scholars and schools are being followed for centuries. An intermediary virtual leader can exploit such cultural-historic and socio-religious characteristics to guide followers with classical *fatwas*. He throws a directive into the vast virtual space hoping that someone will execute it. In the Bouyeri-case, the classical text underwent redaction by a radical Muslim cleric, was uploaded on the internet and – that is the assumption – played an important role in the assassination van Gogh.

First Case: The Theo van Gogh Murder by Muhammad Bouyeri

Main Question: Was the assassin of Dutch filmmaker Theo van Gogh, Muhammad Bouyeri, guided by a classical *fatwa* on the internet?

In November 2004, Dutch filmmaker and political activist Theo van Gogh was brutally murdered in the Netherlands. The perpetrator, Muhammad Bouyeri, belonged to an independent local network, the Hofstadgroep or Hofstadnetwerk, which was influenced by a radical preacher. But he acted autonomously. Over a period of years, he developed from a well-integrated second-generation Muslim immigrant into an ultra-radical Salafi *takfiri* militant.³⁸ Bouyeri chose to strike at a person critical of Islam in order to deliver a political message, namely a warning to all people expressing adverse comments about Islam, especially to the Dutch politician Ayan Hirsi, who worked closely together with Van Gogh. His attack on van Gogh was part of the Salafi-Jihad strategy of exemplary punishment (*tankil*), applying the tactic of assassination (*ighthiyal*) based on a Salafi-Jihad hero-ethos. Terrorists are called upon to identify with the Muslim Ibn Maslama who volunteered to kill Muhammad's critic Ka'b bin al-Ashraf. Pamphlets about this proto-assassination are widely distributed on the Internet.

The *Fatwa*: The *fatwa* exists in two forms. One is a shorter 37-pages tractate containing the concise Islamic legal argument for assassinations by the medieval jurist Ibn Taymiyya.³⁹ The other one is a book-length exhortation on the same topic by the Saudi cleric Abu Jandal al-Azdi, who has been incarcerated in Saudi Arabia since 2003. We will summarize al-Azdi's text, which also contains the legal argument of Ibn Taymiyya.

Al-Azdi's "Incitement of the Heroic Believers to Revive the Tradition of Assassinations – Who will for me (kill another) Ka'b bin al-Ashraf" was first uploaded in 2002 on the Jordanian Salafi scholar al-Maqdisi's website *Minbar al-Tawhid wa-al-Jihad* ("Pulpit of Monotheism and Jihad"). Until today, it has been downloaded 12,717 times.⁴⁰ The

³⁸ His radicalization was probably caused by personal problems. His mother died of cancer during this period and Bouyeri was unable to realize the establishment of a youth center for immigrants in his community. See Annieke Kranenberg, "Nachbarsjunge, Gotteskrieger," *Die Zeit* (28 Juli 2005) (http://nurtex.zeit.de/2005/31/Van_Gogh_31).

³⁹ On the same website there was also a pdf-version in leaflet-form in 2007, which has been substituted by the 37-pages tractate. The title is "The drawn sword against those who insult the Prophet" (*Al-Sarim al-maslul 'ala shatim al-rasul*) (<http://www.tawhed.ws/a?a=syed5680>) (retrieved and 7534 downloads as per date: 7 May 2009).

⁴⁰ Abu Jandal al-Azdi, *Tahrid al-Mujahidin al-Abtal 'ala Ihyay Sunnat al-Ighthiyal*, (Incitement of the heroic believers to revive the tradition of assassinations),

text is divided into two parts. The first part contains an Islamic legal explanation. We find opinions of classical jurists like Ibn Taymiyya and modern jihad ideologues such as 'Abdallah 'Azzam on jihad and assassinations, as well as political-ideological statements of the author himself. The main argument to kill everyone who insults or harms Islam is based on the example of the assassination of the Medina Jew Ka'b bin al-Ashraf. The center of the jurisprudential debate is a *fatwa* on the assassination by the classical jurist Ibn Taymiyya. The second part of the 120-pages long text details assassination techniques such as strangling, shooting and stabbing. The text is part of the ideology and strategy of global Jihad, a mixture derived from the doctrines of the Egyptian Jihad, Saudi neo-Tawhid, and the globalization of jihad propagated by 'Abdallah 'Azzam, as well as the strategic post 9/11 guideline to form small independent terror cells.⁴¹

Al-Azdi is very clear about the strategic-operational purpose of his "assassination-guide". Although it was originally probably thought for Islamists in the Saudi scene, the van-Gogh murder has proven that it applies also worldwide and fits into the strategy of global jihad. This strategy is based on the idea to learn as much as possible from the enemy and act autonomously in smallest possible cells. It seems that the Islamist militant Bouyeri modified and adapted the Islamic legal justification and operational advice to his own situation.

In the "Definition of Assassinations" al-Azdi explains the strategic goals and build-up of terror cells:

The assassination is a surprising kill executed against a specific hostile target with the goal to prevent it from inflicting damage on the Muslims or to deter other criminals...

Technically, assassinations are military operations. Yet, in their nature they are security operations and belong to the activities of secret services (special units). They must be exactly organized, and it needs elements with special abilities to form a special apparatus that is not linked to other organizational matters to secure that it remains undetected.

Assassinations belong to the executions-department (*qism al-tanfih*) and the number of members should not exceed seven persons. No one should know them personally but the responsible for general security matters of the fighters. The general leader and the assassinations-apparatus are directly subordinated under the military leader. There are not more than two in every main region (*mintaqa ra'isiyya*) and they are directly subordinated to the responsible of the main region – if the fighters have power and influence [over their matters]. However, in our present situation there is more to the issue than has been mentioned and the young men must act [autonomously], yet with all precautions according to what will be explained in the study.

The job of the assassination-apparatus is to assassinate influential and harmful elements in the apostate-states, among them the leaders of unbelief and the original unbelievers (non-Muslims), which will be described in detail in the study.

The Islamic legal argument of Al-Azdi centers on a *fatwa* by the medieval Hanbali jurist Ibn Taymiyya. First al-Azdi quotes *shari'atic* evidence from the Qur'an to justify surprise tactics. Then he turns toward the specific argument. His main Qur'anic evidence for the legality (*mashru'iyya*) of assassinations is to "fight and slay the Pagans wherever ye find them, and seize them, beleaguer them, and lie in wait for them in every stratagem (of war);" (9:5).⁴² The second *shari'atic* evidence is a *hadith* attributed to Jabir bin 'Abdallah, "[the Prophet Muhammad] said, may Allah bless him, who is responsible for Ka'b bin al-Ashraf. He has insulted Allah and his Prophet? Then Muhammad Bin Maslama stood up and said: 'Oh Prophet of Allah, I would love to kill him. [The Prophet] said 'yes'."⁴³

<http://66.45.228.133/~tawhed/a?a=6sbw2ch>, retrieved 7 May 2009.

⁴¹ On the worldview of global jihad see an excellent paper by Reuven Paz, "Sawt al-Jihad: New Indoctrination of Qa'idat al-Jihad, The Project for the Research of Islamist Movements (PRISM) - Series of Global Jihad, Volume 1 (2003), No.8, (October 2003).

⁴² Qur'an translation by Yusuf A. Ali, <http://www.sacred-texts.com/isl/quran/00901.htm>, retrieved 7 April 2009.

⁴³ Different classical transmitters have narrated that Muhammad sent an assassin to kill the Jewish tribal leader al-Ashraf. Probably, the power-game between the

Regarding the assassination of al-Ashraf, al-Azdi turns toward the medieval Hanbali jurist Ibn Taymiyya, who concludes by analogical reasoning (*qiyas*) that an insult “makes it necessary to kill the insulter of Allah, He is exalted, and His Prophet, even to kill a man who has a pact with the Muslims (*mu’ahid*). It is known that insulting Allah and his Prophet damages both of them...insulting Allah and His Prophet constitutes a reason (*’illa*) to send the Muslims to kill the perpetrator among the contracted people. This proof (*dalil*) is obvious (*zahir*).

The text calls for terrorist assassinations, using the Islamic legal argument as a pretext. Yet, in Islamic legal terms there is no obligation to kill an insulter. There are five Islamic legal categories of human actions - individual obligation (*fard ’ayn*) and collective obligation (*fard kifaya*); recommended action (*mansub*; *mustahabb*; *sunna*); permitted action (*mubah*); condemned action (*makruh*), and forbidden action (*haram*).

The description “*sunnat al-ightiyal*”, which is part of the title, indicates that assassinations are “recommended actions”. According to Islamic law they are being rewarded. Refraining from recommended actions, however, is not being punished. Killing an insulter is mentioned as *mubah* at another place in the text, a legal category according to which the individual may decide by himself if he omits or fulfils the deed. In this case, Islamic law neither stipulates award nor punishment. It should be researched if this may be a starting point for a debate of moderate jurists to refute the inciting argument.

Before Bouyeri murdered van Gogh, he must have downloaded and studied the tractate attentively. Shortly before he killed van Gogh, he circulated the theological tractate on the “heroic deed” of Ibn Maslama per e-mail to his friends.⁴⁴ It is one of 56 texts Bouyeri wrote or distributed. The *fatwa* of Ibn Taymiyya was among them also in a short leaflet-form downloadable from www.tawhed.ws titled “The drawn sword against the insulter of the Prophet” (*al-sarim al-maslul didda shatim al-rasul*).⁴⁵ It is likely that the text influenced not only Bouyeri’s decision to assassinate van Gogh, but also his method.

The text details how and why to kill targets, first of all because of insult (*shatm*, *sabb*, *adhan*) of Islam. Bouyeri tried to sever van Gogh’s head with a big knife after he had shot him several times. In the text we find the following passage: “the cutting of the head without mercy is legal if the Prophet does not disapprove it.” Moreover, the text advises multiple times to use the assassination as an act of deterrence. The slaughter of van Gogh in open daylight seems like a one-to-one translation into reality of the directives we find in the text (the shorter, but especially the longer version).

A Note on the Circulation: The “Incitement of the Heroic Believers to Revive the Tradition of Assassinations” by the Saudi al-Qa’ida ideologue Abu Jandal al-Azdi and Ibn Taymiyya’s “The drawn sword against the insulter of the Prophet” have been downloaded thousands of times.⁴⁶ Moreover, the al-Qa’ida ideologue al-Suri treated it extensively in his work Global Islamic Resistance Call (GIRC), and in April 2006 al-Qa’ida leader Bin Laden used the example of al-Ashraf to call for assassinations worldwide to take revenge for the Muhammad caricatures.⁴⁷

Second Case: The German Train Bombers

In July 2006, the Lebanese students al-Hajj Deeb (22) and Jihad Hamad (21) tried to bomb two German trains with improvised firebombs. The trigger was the publication of the Muhammad caricatures in two German newspapers in the spring of 2006. The instructions for building the bombs had been downloaded from the Internet. The material for each bomb cost less than 300 Euro. The time span

nascent Muslim community and other tribes in the Medina area were the background of the assassination.

44 Kranenberg, “Nachbarsjunge, Gotteskrieger”.

45 See Rudolph Peters, *Overzicht teksten geschreven of vertaald door Mohammad B. - Opgesteld door R.Peters als bijlage bij het deskundigenrapport “De ideologische en religieuze ontwikkeling van Mohammed B.”*. The Dutch title of the translation of the tractate is “Verplichting van heet doden van degene die de Profeet (allahu alaihe wa sallam) uitscheld.”

46 Abu Jandal al-Azdi, *Tahrid al-Mujahidin al-Abtal ’ala Ihya’ Sunnat al-Ightiyal* (Incitement of the heroic fighters to revive the tradition of assassinations), <http://www.tawhed.ws/files/802.zip>.

47 Usamah bin Laden, *Qatilu A’immat al-Kuffar; La’allahum Yuntahun*, (Kill the leaders of the unbelievers; maybe they will stop [insulting the Prophet]) <http://www.tawhed.ws/r?i=3872>; Eng. trans.: “Arab Reformists Under Threat By Islamists: Bin Laden Urges Killing of ‘Freethinkers’,” *The Middle East Media Research Institute* (MEMRI) No. 1153 (3 May 2006), <http://memri.org/bin/articles.cgi?Page=subjects&Area=reform&ID=SP115306>.

between radicalization and planning, as well as between preparation and execution, was very short. and Hamad first met in April 2006. They immediately started searching the Internet, and preparing terrorist acts. The preparation of the improvised explosive devices took about two weeks, from the beginning of July. Then the attack was delayed for two weeks because the Israeli bombardment of Beirut Airport had blocked the escape route. In addition, the suitcase bombs on two trains did not explode because of a minor technical flaw.⁴⁸ At no point did Hajib or Hamad plan a suicide operation.

The two perpetrators were not members of a radical group or network. But both come from northern Lebanon, the area around Tripoli, where a lot of radical Islamists live. Al-Hajib’s family is connected to the Hizb al-Tahrir, a proselytizing Salafi movement. “Therefore, one can assume that they had already experienced a yearlong radicalization in the family environment.”⁴⁹ However, the real process of radicalization probably occurred in Germany, where al-Hajj Deeb and Hamad, the two perpetrators, downloaded jihad propaganda from the Internet.⁵⁰

According to Professor Rotraud Wielandt, an expert advisor to court during the trial of al-Hajj Deeb and Hamad in Düsseldorf, a *fatwa* served the terrorists for ideological guidance.⁵¹ The terrorists searched the internet for a *fatwa* to justify the massive killing of civilians. They found a religious opinion by the Palestinian-Jordanian Salafi cleric Muhammad al-Maqdisi from 1994. The *fatwa* calls for the killing of anyone who insults Islam, Allah or the Prophet. The Islamic legal argument is the same as in the Bouyeri-case. The context in the attempted double-train bombings was the re-publication of the Danish Muhammad caricatures in German newspapers in early 2006. Together with the *fatwa*, it served as motive for the attacks.

Al-Maqdisi has not distanced himself from the *fatwa*. He has put a similar *fatwa* on his website titled “Erroneous legal arguments around the excommunication of an insulter who hurts the religion”.⁵² The text contains the same legal argument described above and deals with killing Muslims. But it can be applied to non-Muslims and Muslims alike. An excerpt of al-Maqdisi’s “apologetic” approach shows that the judgment will always be in the eye of the beholder:

Insult without intent is not judged as a sin. But intentional insult counts as belligerent act and there is no excuse for it in the interpretation of the jurists. Sheikh Ibn Taymiyya repeatedly states in this book “The drawn sword against the insulter of the Prophet” that it [intentional insult] is weighted with slaughtering (*dhabab* – i.e. cutting of the throat)

The German train bombers followed, at least partly, virtual leadership. They probably used a *fatwa* for ideological guidance. It does not mean that they did not have real contact to other radicals. But what does “virtual leadership” in this case mean? Ibn Taymiyya is dead, but al-Maqdisi is alive. Moreover, was it a person or an idea that influenced them? Virtual leadership becomes more complex if we try to divide into different elements.

Virtual authority is a command complex with a number of elements. The train bombers, for example, followed a form of posthumous-authority insofar as Ibn Taymiyya is dead. However, his *fatwa* is the basis of the legal argument around assassinations. The *posthumous virtual leader* requires an intermediary who uploads his classical directive on the web, or quotes him in a text. Al-Maqdisi, with his website and as a jurist-ideologue, fulfils two roles. He is an *intermediate-manipulative virtual leader* who uses texts of others to serve his radical goals. And he is a *direct-personal virtual leader* who runs a website under his own “brand-name”. Finally, we know that the motive of the train bombers sprang out of an idea. They needed ideological guidance. The Islamic text itself has a certain power. It is an interpretation of divinely revealed law, and therefore not human. We may speak – according to the power of the text itself – about *textual-*

48 Focus, “Bombe getestet,” 30 October 2006, pp. 46–48.

49 Author’s interview with Guido Steinberg, senior researcher on radical Islam at the *Stiftung für Wissenschaft und Politik* (SWP), Berlin, 25 January 2006.

50 Focus, “Ein ernster Warnschuss,” interview with Jörg Ziercke, Präsident, Bundeskriminalamt, 4 September 2006, pp. 42–44.

51 “Kofferbomber beriefen sich auf islamische Fatwa,” <http://www.blubrry.com/pinews/260175/kofferbomber-beriefen-sich-auf-islamische-fatwa/>, retrieved 28 April 2009.

52 Al-Maqdisi, “*Shubuhāt hawla Takfir Shatim Sab al-Din*,” (Erroneous legal arguments on the excommunication of the one who insults the religion) <http://www.tawhed.ws/r?i=k6u8vwzm>, retrieved 8 May 2009.

discursive virtual leadership. In radical Islamist discourses, persons are not more important than the ideological power of the text itself.

3. Topics for Further Research

a. The Development of Virtual *Shura*

Until now, we have spoken about *bay'a*, which is based on the idea of *shura* and consultation. Consultation can take a lot of forms and influence many decisions, not only in the electoral field. Virtual *shura*, i.e. consultation via the Internet is steadily developing among radical Islamists, for example when they discuss plans and actions by storing them in draft folders of common email accounts. However, it is much more difficult to research on this mechanism than on virtual *bay'a* and *fatwa*.

b. Virtual *Dawla*, *Imama* and *Imara*

In light of the proclamation of the "Islamic State of Iraq" and the development of the virtual pledge to install its *amir*, further research should focus on the construction of "virtual Islamic state" (*dawla elektroniiyya*), virtual imamate and emirate as well as the construction of virtual institutional structures for command and propaganda purposes.

E. Example: The Islamic State of Iraq and Abu 'Umar al-Baghdadi

In October 2006 the Shura Council of Mujahidin (*Majlis Shura al-Mujahidin*) announced the establishment of the Islamic State of Iraq (*Dawlat al-'Iraq al-Islamiyya*). The Shura Council of Mujahidin is supposed to be the umbrella for a coalition of Iraqi and foreign Sunni insurgent groups allied with al-Qa'ida. The Islamic State of Iraq would be its political and institutional manifestation. Much has been written on the Council and State. This part of the analysis will deal with the electoral mechanisms that led to the confirmation of its supposed leader, Abu 'Umar al-Baghdadi via the internet.

With the Shura Council, the chief-planners of the Islamic State of Iraq have tried to create an Islamic legislative body. Western parliaments are mainly based on the Westminster System. But *shura* is based on pre-Islamic tribal mechanisms of consultation and election. A Shura Council as understood by radical Islamists has not only monitorial and legislative, but also electoral powers.⁵³ It also fulfils the task of the "people of resolution and contract" (*ahl al-hall wa-al-'aqd*), who are authorized to elect and proclaim a new leader.

This allegedly happened in the case of al-Baghdadi. He was elected *amir* by the Majlis Shura al-Mujahidin. Yet, a secondary pledge of allegiance took place via the internet, which reminds of the "death-*bay'a*" to Bin Laden (see above pp.14). A great deal of al-Baghdadi's authority was thus created virtually. The pledge to al-Baghdadi took place in a two-steps process, adopted from the classical ritual, in which the Shura Council of Mujahidin did the primary pledge (actual election, *'aqd al-in'iqaad*). The secondary virtual pledge followed via the internet. With the primary pledge supposedly confirmed, the secondary pledge gained strength in Islamic legal terms.

In April 2009 Iraqi authorities announced al-Baghdadi's arrest like several times before.⁵⁴ But it still remains unclear if al-Baghdadi really exists, or not. This, too, has caused a big debate among radical Islamists since his "election" in 2006. It directly touches upon the question of his legitimacy and the legitimacy of the announced state. Do they exist or not, how are leadership and state justified and how does the debate around them approximately look like? We will try to shed some light on those questions.

The Discussion of the Virtual *Bay'a* to al-Baghdadi – Supporters and Opponents

In September 2007 an anonymous "from one of the Jihadi media-platforms" announced the "*bay'a* to the leader of the faithful" (*amir al-mu'minin*) in a discussion forum of www.aljazeeraatalk.net.⁵⁵ The discussion that followed gives us important insight into the justification of virtual leadership and its electoral mechanisms. Physical contact, acquaintance or knowledge of a virtual leader is not necessary according to the jurisprudence of radical Islamists. The call for allegiance to al-Baghdadi by the anonymous says:

We strongly request from our fighting brothers in the border regions (*thughur*) to gather under the flag of the Islamic State of Iraq and under the command of the caliph of the Muslims, the leader of the faithful, Abu 'Umar al-Baghdadi.

Oh Allah, we pledge allegiance to the leader of the faithful Abu 'Umar al-Baghdadi, may Allah protect him, we shall be soldiers under his command, so Allah wishes, in the arena of the media and fighting.

Let us all sign here the proclamation (*mubaya'a*) and remove [what obstacles are] in the souls and unite against the enemies of the religious community and monotheism.

A group by the name of Ansar Allah (Supporters of Allah) added a graphic which depicts an old brownish linen document that hangs on a golden stick and is surrounded by a Victorian-style frame. The kitschy-ancient graphic contains a text similar to the one above that shall be copy-pasted to confirm the proclamation of al-Baghdadi.

Most of the 17 Jihadi chatters confirmed the pledge of allegiance to al-Baghdadi and used the exact wording proposed in the introduction by anonymous. Some used the wording of the graphic or a slight modification. One of the chatters even asked if it was legal to pledge allegiance via SMS. Every proclamation started with "Oh Allah, we pledge allegiance to the leader of the faithful Abu 'Umar al-Baghdadi" and contained the classical phrase "to the command" (*'ala al-sam' wa-al-ta'a*). Some added "*fi-al-manshat wa-al-mukrah* (in good and bad times). However, one participant expressed doubts. Ibn al-Imarat wrote:

I want to proclaim him (*ana uridu mubaya'tahu*)

But I do not know who this is, Abu 'Umar al-Baghdadi and who will be [the *amir*].

And how the Islamic State of Iraq will look like, what its borders are and its characteristics among the states?

And if it is like the states of the Prophet, may Allah bless him and how!!

The Justification of the Virtual *Bay'a* to al-Baghdadi

Al-Jarmani, a discussion-participant under the flag of Senegal, responded immediately to Ibn al-Imarat. He seems to know the Iraqi radical Islamist scene well and explains in length why it is not necessary for every Muslim to know his leader personally. This also applies to the pledge of allegiance and proclamation of al-Baghdadi, he claims. His argument is central to the justification of virtual *bay'a* and virtually created leadership. Similar justifications resurface in other Internet discussions around the topic. Al-Jarmani writes (translated in excerpts; important sections underlined):

My dear brother, in terms of Islamic law you do not need to know the *amir* or make his acquaintance at any time. This does not invalidate the *bay'a*.

There is no doubt that Abu 'Umar al-Baghdadi is known. Thus, it has been negated that he is unknown, praise be to Allah. There are people who pledged allegiance to him – the Majlis Shura al-Mujahidin, the Alliance of the Anointed⁵⁶, and others. With them the ignorance (*jahala*) about the *amir*

⁵³ In many Muslim countries the parliament is called *Majlis al-Shura*, although the way it functions is closer to the Western models.

⁵⁴ *Al-Quds Al-Arabi*, 29 April 2009, p. 1.

⁵⁵ <http://www.aljazeeraatalk.net/forum/showthread.php?t=77767v>, retrieved 1 May 2009.

⁵⁶ In 2006, Zarqawi's alleged successor Abu Hamza al-Muhajir, meanwhile also believed to be dead, tried to reverse Zarqawi's policy of brutal intimidation. He integrated armed groups from friendly Iraqi Sunni tribes into an Alliance of the Anointed / Good People (*tahalluf al-mutayyabin / al-mutayyibin*). *Al-sharq al-Awsat*, 13 October 2006, p. 1.

stopped, because the ignorance stops with the knowledge (ma'rifa) of some. The knowledge of the whole community is not necessary. Neither is it necessary that everyone, who pledges allegiance to him, knows him.

As far as I know, no jihad group mentioned that the *amir* is unknown. No group apologized for the *bay'a* with this invalid excuse, because Abu 'Umar is known by some of the Jihad groups. This means: The heads and *amirs* and leaders of the Jihad groups. The soldiers, however, are retinue and do not need to know the *amir*.

It is also known that the other groups may get to know him if they want to proclaim Abu 'Umar al-Baghdadi. They will not be told: "pledge allegiance to an anonymous man!" On the contrary, they know him without a doubt. And it is also known that the *amir* Abu 'Umar al-Baghdadi established the Shura Council with three persons from every group that joined the State [and that the influence was being distributed] according to their number and the size of their operations. ...The State did not tell them: Pledge allegiance without knowing me!

But rationally, it is neither possible, nor Islamic legally (shar'an) correct that all the people of Iraq must know the amir completely (ma'rifa kamila). Al-Mawardi said in "The rules of power" (al-ahkam al-sultaniyya): The masses should know that knowing the imam is obligatory for a sufficient number out of the entirety [of Muslims] without further detail. Not everyone must know him by his eye and his name [see him and know him].

The *amirs* and leaders of the Islamic State of Iraq are the most known of all the Iraqi groups. The Islamic Army (*al-Jaysh al-Islami*), for example, does not even know the *kunya* (nom de guerre) of its *amir*. He did not appear with a voice-message a single time, but his statements are read by one of the fighters. The famous leaders are unknown, except for Dr. Ibrahim al-Shamri, the speaker of the group. The voice and the *kunya* of the leader of the Ansar al-Sunna (Supporters of the *Sunna*) is known. The same goes for groups that are less famous. But the leaders of the State [Islamic State of Iraq] even appear with their voices and their bodies, and perhaps they sometimes also uncover their faces.

In a specific period and under certain circumstances the bay'a may be sort of concealed (nau' min al-khafa'), like it happened in the bay'a of 'Umar bin 'Abd al-'Aziz, may Allah have mercy with him. The people pledged allegiance to who is in this book without knowing his name [sic] . . . We are in a state of war with the enemy, our lands were conquered and our homes occupied. There is no state on earth that governs according to the Shari'a of Allah and Islam...This requires some changes in some questions [regarding the process of bay'a]

In conclusion, not knowing (*al-jahala*) according to the *Shari'a* is divided into ignorance of state (*jahalat hal*) and ignorance of eye (*jahalat 'ayn*), and both do not apply to Abu 'Umar, may Allah the Exalted protect him. He is free of the ignorance of eye without doubt for everyone knows that there is a man with the *kunya* "Abu 'Umar al-Baghdadi", which is a truth that is not imagined. He is a leader who fights the unbelievers and leads the Muslims.

Concerning the ignorance of state, he is free of it, too, by way of the bay'a of the people of resolution and contract (ahl al-hall wa-al-'aqq) from the groups that pledged allegiance to him and by way of the knowledge of other groups which did not proclaim him...

Concerning the condition that the *imam* of the people must step outside and get to know them by himself and that they see him, so he will not be unknown (*majhul*): The [fulfillment of this] condition is impossible in the present circumstances where the House of Islam is occupied. Moreover, it is no necessary because the ignorance [as explained above] has stopped without it, blessings to Allah!

Al-Jarmani understands the problem of the inquiring chatter. Ibn al-Imarat is highly motivated to participate in jihad and is looking for authority via the internet. Yet, he feels helpless. The problem is that the virtual pledge to al-Baghdadi sounds striking, but there is nothing physical to it. He does not even know who al-Baghdadi is. But al-Jarmani wants to make him feel perfectly comfortable in accordance with his Islamic belief system. He simply relaxes him and gives him the

feeling that "Your doubts are understandable, but believe me, the way you describe your ignorance is perfectly legitimate. You do not need to change anything. You do not need know your leader!"

Conclusion on the Islamic Legal Justification Proposed by al-Jarmani

It is quite difficult to refute the Islamic legal argument of al-Jarmani. It centers on the questions of "ignorance" (*jahala*) and knowledge (*ma'rifa*). They are solved by the classical argument that "not every Muslim needs to know the *imam* with his eye and by his name". The virtual pledge is the secondary pledge for confirmation and submission. Al-Jarmani states that the primary pledge was already given by the "people of resolution and contract", mainly members of the Shura Council of Mujahidin.⁵⁷ This invalidates the argument that al-Baghdadi is "unknown", since he is known by "some", namely the "people of resolution and contract". Chatters are equated with "soldiers who are retinue". They must not know their leader in order to submit themselves according to classical rules.

A second, very important argument to justify virtual *bay'a* is practical. "In a specific period and under certain circumstances the *bay'a* may be sort of concealed (*nau' min al-khafa'*)...This requires some changes in some questions [regarding the process of *bay'a*]." Al-Jarmani thus admits that it is not a classical *bay'a*, but a highly modified version. It is "concealed" in the sense that it is secretive. Thus, the ignorance about the leader (*jahala*) is intentionally created and not comparable to the classical condition (but rather caused by the security situation). In this light it remains to be asked if the questions of ignorance (*jahala*) and knowledge (*ma'rifa*) have truly been solved as al-Jarmani proposes. It may sound punctilious, but the question is central to justifying virtual leadership.

A participant named al-Muqatil al-'Iraqi (Iraqi Fighter) criticized the pledge to al-Baghdadi. "Pledge allegiance to who you want. That is your problem. But do not force any Muslim to pledge this allegiance! Refrain from spilling the blood of Muslims and clerics and fighters! And protect the inviolateness (*hurma*) of the blood of Muslims and innocents! Do not explode the homes of Muslims with explosive belts claiming that an apostate lives in it – according to your thinking! Listen to clerics who are older and wiser and more pious than you!" He immediately received a death-threat from another chatter.

Critical Voices against the Islamic State and the Virtual Pledge to al-Baghdadi

Another interesting discussion on the virtual pledge to al-Baghdadi appeared on www.muslim.net a few months before (August 2007). The jihad-supporter al-Subh al-Mushriq (The Shining Morning) asked for answers to detailed questions on the Islamic legitimacy of *bay'a*.⁵⁸ The unwillingness to discuss the topic critically on Jihad forums made him start a discussion on www.muslim.net: "After I found the topic 'Here is the pledge to the leader of the faithful Abu 'Umar al-Baghdadi' on one of the Jihad forums, I proposed a topic there, but I was surprised that it was deleted and I was stopped."

Internet discussions like this one indicate that some supporters seem to take the Islamic legal aspect very seriously, while others just look for simple justifications for their terrorist activity. The questions of al-Subh al-Mushriq reveal some skepticism. He also points out that the virtual pledge may easily be manipulated. But nevertheless he seems to support the idea of virtual leadership. However, he wants to be very sure about its Islamic legal rules. Let us look at a short excerpt of this important discussion, which is but one exemplary piece that illustrates the treatment of the topic among radical Islamists. Al-Subh al-Mushriq asks:

Must they [the Muslims] actually pledge this *bay'a*?

If someone took this kind of pledge, must he keep his pledge to Abu 'Umar [al-Baghdadi]?

I fear that some intriguing figures may abuse topics like this to announce a pledge for themselves. Sympathizers of jihad will suffer from the illusion that they belong to them

⁵⁷ The primary pledge is the ritual by which the actual election of the leader takes place (*in 'iqad al-khilafa*).

⁵⁸ "Bay'a 'abr al-Internet!!!" (Pledge of allegiance via the Internet!!!) www.muslim.net/vb/showthread.php?t=304962, retrieved 16 April 2009.

while in reality they [the ones who called for the pledge] are enemies of jihad.

The first participant gives an answer based on his own common sense. Muhammad Salim al-Nabil writes: "I believe that this [*bay'a*] is invalid (*batil*) because the names are made-up and it is not known who the pledgers (*al-mubayi'un*) are." The chatter Ibn Khaldun al-Jaza'iri adds: "The ignorant pledger does not know that his pledge - if it were sound in Islamic legal sense - obliges him to emigrate to the Islamic State of Iraq. And if Abu 'Umar al-Baghdadi ordered him to explode himself in his country, then he would have to do it because he has to follow his command unconditionally (in what he likes and hates)..."

Slightly out of context, an Ahmad al-Muharib asks: "Is the *bay'a* via telephone *shari'atically* valid? The commander is in Baghdad, and the pledger in Kirkuk or Ramadi...and there is no means but the telephone to pledge allegiance...?"

In the meantime another chatter frantically pledges allegiance to Abu 'Umar al-Baghdadi but al-Subh al-Mushriq calls him to order and asks for a scientific, not an emotional discussion of the topic. Chatter samy7 is especially critical and comments on the questions of al-Subh al-Mushriq: "The whole issue evolves in the internet, which means completely in the electronic space like the situation of this electronic state [the Islamic State of Iraq] and the situation of this electronic *amir* ...There is no *bay'a*. Even if the one calling for *bay'a* were honest or actually credible with his claim of the existence of his state or the *amir* whose name is al-Baghdadi, he would have to come out [appear, show himself], but..." Al-Subh al-Mushriq accepts the critique against al-Baghdadi. But he vehemently rejects samy7's idea that the Islamic State of Iraq does not exist. On the contrary, it has "might and extend" (*saula wa-jaula*).

Another chatter, al-Radi, has a severe moral conflict with the concept of virtual *bay'a*. On the one hand he supports jihad, but he doubts the validity of virtual *bay'a*. He is aware that the pledge may implicate death and is not sure if such decisions should be decided via the internet:

Now things are tricky . . . you will find that a lot of the members [of the forums] are zealots for jihad and its people and then you will find them in the hereafter.

I will not pledge allegiance because the things are different and not clear. What would be my duties if I pledged allegiance to Abu 'Umar or someone else? I ask Allah that he will assist the fighters to win. But concerning the *bay'a*, the topic is very difficult. With all due respect, those present in the forum do not look credible to me - because some of them may have entered for other reasons. I will not pledge allegiance because the issue is not clear.

The moderator of the topic, al-Sabah al-Mushriq, scolds chatter samy7 for his jihad critical views. This especially concerns samy7's critique of Sunni terrorist attacks against civilians, which, according to the majority of the participants, are merely a US-Shiite-Iranian conspiracy. What is more important, al-Subh al-Mushriq rejects samy7's claim that Abu 'Umar al-Baghdadi is anonymous (*majhul*). According to classical legal theory (mentioned before in *al-Ahkam al-sultaniyya* by al-Mawardi) it suffices that the "people of resolution and contract" know the *imam*. But samy7 counters immediately saying: "Please explain to me who the "people of resolution and contract" are if you mention them and who supposedly know Abu 'Umar al-Baghdadi [personally]!"

Again, the same central Islamic legal argument for the virtual *bay'a* is used. The leader who is known by some must not be known by the masses (see also al-Jarmani in the discussion above, pp.30). The ignorance (*jahala*) of all is canceled by the knowledge (*ma'rifa*) of some. Several months before al-Jarmani uses this argument we can already find it in this thread led by al-Sabah al-Mushriq. A chatter called Abu Yusuf al-Bashir is the contributor. But it is probably also not his pen. Maybe a radical jurist prepared it for distribution via the Internet to legitimize the election of al-Baghdadi, since we can find it in other discussions, too.⁵⁹

59 For example, "La ajidu audah min kalimat al-sheikh bin Laden raddan 'ala al-ba'd hadahum Allah' (I cannot find clearer words than those of Bin Laden with his answer to some who Allah may guide), <http://www.aljazeeraatalk.net/forum/showthread.php?t=136357>, retrieved 28 April 2009.

The argument limps if al-Baghdadi is a fictional character. It has been repeatedly stated in the discussions that "...the *amir* Abu 'Umar al-Baghdadi established the Shura Council..." Should the *amir* be a fictional character, then the Shura Council of Mujahidin and its "people of resolution and contract" would be fictional, too. The whole institutional structure of the Islamic State of Iraq could be a virtual construct.

F. Conclusion and Recommendations

Radical Islamists discuss virtual leadership vividly. This discourse and the discussions on it are part of the development and construction process. Critical voices are silenced or threatened in the Internet forums. Mostly, the discussions turn around the Islamic legal specifics that may be used to justify virtual leadership. However, the discussions also show that some participants have severe doubts about its legality. They see that classical and modern political circumstances are in contradiction. However, most activists look for rather simple explanations. They need a working virtual command structure, which is gradually being offered to them by the "developers" of the phenomenon.

Virtual leadership is contradictory in the sense that it is impersonal, yet personal. The lack of direct contact is a specific characteristic of virtual leadership that derives from the adaption of classical Islamic legal and political mechanisms to the Internet. Virtual leaders may be alive as much as dead, classical and modern figures, real or fictive. Leadership may even be described as "textual" in some cases, since the political culture of Sunni Islam is so heavily text-based that "sacred" texts themselves may be described authoritative.

In this context, we must ask ourselves if Islamic political culture is more open to virtual leadership than Western political culture. It needs further research to answer the question if virtual leadership may even be endogenous to Islamic political culture. Certainly, the differences between classical Islamic leadership and virtual leadership are big. Geopolitical, historical and cultural changes in a globalized world have also changed the multiple faces of Muslim political culture. Yet, virtual leadership is justified by classical rules of Islamic governance. The adaption of classical Islamic legal mechanisms to the Internet works partly, as we have seen. Yet, it would be premature to speak about a viable alternative to traditional organizational structures of radical Islamist movements. Striking are the propaganda effects, the motivational effects and, in some cases, the operative effects of virtual leadership. Even if an "Islamic State", an "*amir*", a "*fatwa*", or a "*bay'a*" are "just" virtual, it does not matter because an action is the child of the idea. The Islamic legal justifications for virtual leadership are elaborate and steadily being developed. They should be countered with a different discourse. Islamic legal arguments for violent virtual leadership and its mechanisms should be invalidated. Therefore, one needs to support different voices. Moderate jurists and western scholars should tackle this task.

1. Forms and Functions of Virtual Leadership

Virtual leadership is a command network with numerous manifestations. They complement each other in a complicated way, yet the network is easy to infiltrate if its threads are known. From the preceding research, we can conclude that some of the forms include:

The *intermediate-manipulative form of virtual leadership*: The upload of an Islamic legal tractate or a *fatwa* requires an intermediary. An intermediary-virtual leader may stay in the background and use texts of others to serve his goals. He can be a programmer, a blogger, chatter or a webmaster who creates an internet platform and may remain anonymous. Together with other ideologues or jurists, who create Islamic legal and ideological substructures, he is a part of the virtual-leadership command.

The *fictive form of virtual leadership*: A real life activist or radical network may create a *fictive virtual character or entity*. In the name of the fictive character or entity, directives, orders and propaganda are being issued. A whole personal cult may be created around the virtual jihad hero who only exists on the internet. Abu 'Umar al-Baghdadi may be such a character. Also the "virtual state", i.e. Islamic State of Iraq may be glorified. It does not matter if it only exists in the virtual space as long as it motivates followers.

The *direct-personal form of virtual leadership*: a real person such as an influential radical jurist creates an internet platform such as a blog or website under his own name. Through the virtual presence he/she acts as an intermediary, ideologue, propagandist and commander with his "brand name". An example is the Palestinian-Jordanian jurist Muhammad al-Maqdisi.

The *posthumous form of virtual leadership*: A dead authority such as Ibn Taymiyya can exercise as much power and influence as a living person. Opinions and directives of classical jurists are used to justify violence. They require an intermediary who uploads the opinion of the classical jurist on a website, a blog, or a forum. Often, a modern ideologue quotes the classical authority as central Islamic legal argument. Thus, the classical directive is embedded into a modern political context uploaded by a fictional and explained by a real character.

The *textual-discursive form of virtual leadership*: The Islamic text itself has a certain power. It is an interpretation of divinely revealed law. Accordingly, the text itself has *textual-discursive* power and is a form of *virtual leadership*. Radical Islamist discourses contain evidence from the *Shari'a*, i.e. pieces of text from the Qur'an, the *sunna*. A virtual command may be issued on the basis of *shari'atic* evidence. This means authority of the text, not of the person. However, the text needs an intermediary who uploads it.

2. Characteristics of Virtual Leaders

The highest ideal of radical Islamist authority, that is, with the strongest attraction, is that of a leader-scholar figure who combines the qualities of a fighter and a learned, such as Muhammad himself, or in modern times, the popular Jihad ideologue 'Abdallah 'Azzam. An attempt to create such a figure virtually was the proclamation of Abu 'Umar al-Baghdadi as *Amir* of the Islamic State of Iraq.

The virtual leader claims to be "unknown" (*majhul*) and known (*ma'ruf*) at the same time. If some people know him and testify to this, the mass of people does not need to know him. This is his big deficit. At the same time, he behaves like a Big Brother who watches every step

of over his fellow Muslims. He assumes the role of an Islamic "Grand Inquisitor" in the tradition of Dostojewski. But this creates doubts in the minds of modern Muslims. They do not live in an anachronistic parallel world, but in the 21st century. Not everything can be justified Islamic legally. It is clear that the security situation does not allow the virtual leader to show up openly and that it forces him to remain anonymous. But this is a political issue. Many Muslims may turn away from virtual leadership if they understand that radicals themselves have caused this situation.

3. Virtual Leadership in Islamic Political Culture

Virtual leadership seems to be more endogenous to Sunni Islamic than to Western political culture. Certain political-cultural and Islamic legal rules support the creation of virtual command structures. These rules have survived over many centuries through jurisprudential and electoral mechanisms like *fatwa* and *bay'a*. The lack of any physical contact between a commander and a follower, for example, is based on the example of an inquirer and a sheikh who gives a *fatwa*. Moreover, a classical rule says that a leader must not be known by the masses, but just by a certain number of people, which has been adapted to virtual leadership. It is stretched so far that a follower shall obey blindly after he has pledged allegiance to a virtual leader. Thus, it may be said that Sunni political culture facilitates virtual command structures via the Internet, which needs to be further researched. Moreover, the authority attributed to texts seems to open venues for virtual Islamic authority and governance.

4. Recommendations

The Islamic legal justification is the weakest link in the construction of virtual leadership. It should be monitored, researched and, perhaps, invalidated. Western scholars can take part in Islamic legal discussions as much as Muslim scholars participate in secular political discussions. Moderate Muslim scholars who refute the Islamic legal reasoning should be encouraged.

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