JIHADISTS' CODE OF CONDUCT IN THE ERA OF ISIS

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SUMMARY

The rise of ISIS post-2013 changed how we perceive jihadism, but it also transformed how jihadists perceive themselves and how they behave. ISIS's brutality and indiscriminate violence created unprecedented fragmentation within the jihadi movement, leading to critical self-reflection and changes in codes of conduct. This paper examines how three different jihadi groups – the Afghan Taliban, al-Qaeda in the Indian Sub-Continent, and Tehreek-e-Taliban Pakistan (or the Pakistani Taliban) – responded to the challenges presented by ISIS. All three groups issued new guidelines in 2017-18 to their fighters to provide direction and distance themselves from the perceived excesses of ISIS to protect their political and religious projects. These codes of conduct underscore the critical importance of internal dynamics within the broader jihadi movement and illustrate how different groups act to protect the image of jihad and preserve their legitimacy.

INTRODUCTION

The world has always viewed jihadism with fear and apprehension, afraid of its destabilizing effects both locally and globally. While the rise of ISIS in its post-2013 iteration changed how we perceive jihadism, its abilities, and ambitions, it also transformed how jihadists perceive themselves and how they behave.

In the late 2000s, al-Qaeda seemed to be on the ropes, with its network suffering severe setbacks as a result of liquidations, imprisonment, and a lack of theaters of conflict. In an effort to change how it was perceived, al-Qaeda's leadership initiated an internal reform process that aimed to win the hearts and minds of people. To do this, Osama bin Laden wrote in internal letters, the group did not need to change its beliefs, but it did need to change its behavior, including limiting the number of fronts on which it fought and avoiding excessive violence.

Evidently ISIS did not heed bin Laden's advice when, in 2013-14, the renegade group embarked on a campaign of brutality and terror against all the enemies it could identify — including other jihadists. In September 2013 an early response from al-Qaeda's new leader, Ayman al-Zawahri, entitled *General Guidelines for Jihadi Work*, aimed to convince ISIS of the error of its ways,

but to no avail. The following years were characterized by an unprecedented level of enmity and fragmentation within the broader jihadi movement, prompting jihadists opposed to ISIS to engage in critical self-reflection.

This paper studies how three jihadist groups, namely the Afghan Taliban, al-Qaeda in the Indian Sub-Continent (AQIS), and the Pakistani Taliban (Tehreek-e Taliban Pakistan, or TTP), responded. In the years 2017-18 each issued internal guidelines, or codes of conduct, to its fighters with the aim of providing direction and correcting their behavior. While this could be considered a normal part of any organization's continuing evolution, these codes of conduct should be read in the light of the rise of ISIS and rival jihadists' need to distance themselves from the group.

AFGHAN TALIBAN

"Jihad is not an unlimited action or audacious killing, but like every other religious practice shari'a has set special jurisprudence for jihad; by following only that path and compliance with those terms, orders, and instructions is the possibility of actual jihad done. Like before starting other worships, it is compulsory to learn and understand their shari'a instructions and manners. Similarly, before anything a mujahid should understand the important instructions and manners

of jihad. These instructions are presented to the mujahedeen from the leader of Islamic Emirate Amir al-Momineen Mullah Haibatullah Akhundzada. The mujahedeen should try to read these instructions, understand them, and act accordingly."

Haibatullah Akhundzada, "Guidance to the Mujahideen," Taliban's Commission for Cultural Affairs, May 2017

The Afghan Taliban was the first of the three groups to publish an internal guidance document. In May 2017, its leader, Haibatullah Akhundzada, published a lengthy document — totaling approximately 130 pages — entitled *Guidance to the Mujahedeen*. The organization printed 5,000 copies and distributed them among Taliban members and supporters alike. Haibatullah's background as a religious scholar is evident throughout the document, which is mainly a compilation of Quranic references and hadith used to exemplify and support specific themes.

In contrast to the documents put out by AQIS and the TTP (discussed below), Haibatullah's tone is much less direct and his guidance does not come in the form of orders, but rather as advice on good behavior. The document primarily discusses abstract issues such as sincerity in intentions, piousness, and morals, but the most intriguing section is that on authority, discipline, and unity. Haibatullah writes that power and authority lie in religion and in the position of *amir* (leader). Writing that "Obedience to the shari'a amir is obligatory," he attempts to instill respect for his position, which had been challenged both by dissatisfied Taliban members and by dissidents who left to join ISIS's local branch, the Islamic State – Khorasan Province (ISKP). He warns about the responsibility that accompanies power, as well as the greed that may consume those who pursue it. Since dissidents who left the Taliban or the TTP to join ISKP were often rewarded with positions of power in the new group, Haibatullah's comment is likely a thinly-veiled critique of those seeking power for its own sake, without true qualifications.

On discipline, he emphasizes that moral behavior must be grounded in religion and offers the issue of prisoners — a recurring theme in all three documents — as an example. Prisoners should be treated well and in accordance with shari'a. While shari'a permits killing certain categories of prisoners, it is not mandatory as they can also legitimately be exchanged for imprisoned Muslims or used to extract ransom. ISIS has become infamous for beheading prisoners and publicizing pictures or videos of the executions. While the widespread publicity these executions gained likely played an important role

in the West's decision to intervene militarily against ISIS, it is also clear that they tarnished the reputation of Islam on the global stage — which is a concern for the Taliban and likeminded groups.

The issue of unity is arguably the most important. ISIS's rise to global prominence, its rebellious nature, and bellicose attitude toward other jihadi groups have resulted in an increasingly fragmented jihadi movement and a normalization of intra-jihadi infighting. Over the years, the Taliban has proved to be a pragmatic group that has strived to facilitate alliances and collaboration as opposed to disunity. Thus, it comes as no surprise that Haibatullah writes, "It is obligatory for mujahedeen to be united, harmonized, and disciplined in their works. … Mujahedeen shouldn't have disagreements in a matter; if any differences emerge, these will be either regarding shari'a or political matters. They should consult Islamic scholars for shari'a matters and for political matters should refer to their respective amirs." This not only establishes that internal disagreements, not to mention actual infighting, should be avoided, but it also identifies mechanisms, albeit in vague terms, to help manage potential conflict. Haibatullah finishes the document with a sort of checklist of 23 pieces of advice, listed in bullets, to ensure good manners among jihadists.

AL-QAEDA IN THE INDIAN SUB-CONTINENT (AQIS)

"The major objectives of issuing the Code of Conduct are as follows: Putting forward for the mujahedeen of AQS [AQIS] the scope of their jihadi work, to prevent them from un-Islamic operations, and to keep them from attacking even those targets that are permissible in shari'a, but at the same time are either harmful or not beneficial for the jihadi movement. Extending a sincere invitation to all mujahedeen active in the battlefield of jihad to get on the same page and unite and synchronize their efforts in the selection of their targets, and in their modus operandi."

AQIS, "Code of Conduct", As-Sahab Media, June 24, 2017

Afghan Taliban militants take to the street to celebrate a ceasefire in Jalalabad on Hune 16, 2018. *(NOORULLAH SHIRZADA/AFP/Getty Images)*

Al-Qaeda's newest affiliate, AQIS, was established in September 2014, likely in an attempt to ensure a long-term al-Qaeda presence in the Afghanistan-Pakistan region in the face of the emerging challenge from ISIS. On June 24, 2017, the group's as-Sahab Media Foundation issued a comprehensive code of conduct document in four different languages: Arabic, Bengali, English, and Urdu. It is hard not to see the guidelines as a reaction to changes in the militant environment resulting from the rise and actions of ISIS.

Compared to those of the Afghan Taliban and TTP, the AQIS code of conduct is arguably the most elaborate. It carefully details the scope and limits of group behavior, identifies and prioritizes the group's enemies, and explains how they can be targeted. It also outlines why certain enemies — despite being legitimate targets under shari'a — should not be targeted. As such, the document aims primarily to establish a hierarchy of authority between jihadi groups in the region and to protect the image of jihad from ISIS's efforts to distort it.

While AQIS is an official affiliate of al-Qaeda and thus under the authority of Zawahiri, it is also subservient to the Afghan Taliban. AQIS fighters fight in the ranks of the Taliban and declare their allegiance to both its amir and

that of al-Qaeda. The document argues that this should be the case for all jihadi groups in the region, as such a hierarchical structure would ensure cohesion within the broader jihadi movement. This aligns with Zawahiri's emphasis on jihadi unity and identification of the Taliban as the symbolic center of authority. The document identifies the Taliban amir as the region's leading authority, clearly challenging the ISKP and its allegiance to Abu Bakr al-Baghdadi, the leader of ISIS, who remains an outsider in the eyes of most militants in South Asia.

The code of conduct is especially focused on setting out guidelines for military operations on both a strategic and tactical level. Echoing the al-Qaeda leadership, it stresses that the group should not engage in peripheral battles. For example, the code states that the Shi'a, whom the group consider unbelievers, should not be targeted unless they actively fight Sunnis. Similar reservations were forwarded by Zawahiri and other senior al-Qaeda figures to Abu Musab al-Zarqawi, ISIS's founding figure, back in 2005. According to AQIS, this measure aims to "avoid all such military operations that are beyond the understanding of common Muslims or repulse them away from the mujahedeen."

On a tactical level, it prohibits any attack in public where there is a risk of "hurting common Muslims." Even attacks against symbols of polytheism, such as tombs and shrines, are considered impermissible as such *shirk* (polytheism) should be countered through *dawa* (proselytization), meaning through words and not violence. This is in stark contrast to ISIS's indiscriminate brutality. Throughout the document, AQIS attempts to portray itself as the defender of Muslims. If any transgression is carried out against a Muslim, the group should issue an apology and the perpetrators be held accountable while *diyah* (blood money) will be offered to the victims. Even in cases where ordinary Muslims fight against the mujahedeen, the objective should be to avoid conflict. The document stresses that sensitive topics, such as declaring somebody an unbeliever, are only for the group's *'ulama* (religious authorities) and that regular members are prohibited from discussing such matters.

Interestingly, the AQIS code of conduct also contains a section on ties with other jihadi groups, which it generally describes in fraternal terms. It promotes an "environment of mutual constructive criticism" and a process of internal reform to correct any potential mistakes. To achieve this, it advises all other jihadi

groups in the region to pledge allegiance to the Taliban as a way of uniting groups and ensuring a coherent strategy.

TEHREEK-E-TALIBAN PAKISTAN (TTP)

"Since the goal of Tehreek-e Taliban Pakistan is to implement the code of life given by Allah in the individual and social life of Muslims and to defend from enemies attacking the religion and lands of Muslims under the guidance of Islamic law, therefore the structure of Tehreek-e Taliban Pakistan must be an Islamic one and every member of the Tehreek is obliged that, after being Muslim, his character, attitude, lifestyle, and his struggle must also be according to the Islamic code of conduct. … In these guidelines it is tried to envision the destination of Tehreek because travelers with a goal do not go astray. A movement whose goal is not clear usually runs into chaos during its journey and falls apart while deviating from the right path."

Tehreek-e-Taliban, "Operation Manual for Mujahideen of Tehreek-e-Taliban Pakistan," Umar Media, September 2018

In September 2018, the TTP, known as the Pakistani Taliban, issued a 13-page operational manual to its fighters, published in both Urdu and in English on its website and distributed through Telegram channels. While the manual is, on the one hand, an attempt by the group's newly appointed leader, Mufti Noor Wali Mehsud, to impose his authority after the death of the charismatic Mullah Fazlullah, it also functions, on the other, as an effort to rebrand and reform the group to counter the challenge from ISKP. Around the same time, the group unveiled a new flag that resembled the ISIS banner, but in reverse colors with a white background, similar to that of the Taliban. While some analysts understood this to be a move toward ISIS, it is more accurately perceived as a way to challenge its rival while showing its affiliation to the Afghan Taliban.

The TTP is arguably suffering the most from ISIS's emergence and declaration of a caliphate, especially in terms of defections. In 2014-15, hundreds of TTP fighters shifted their allegiance, and among them were many senior figures who now comprise the backbone of ISKP, including Hafez Saeed Khan (the first ISKP amir), Abdul Rahman Ghaleb (the third ISKP amir), and Shahidullah Shahid (late ISKP spokesperson). Hence, the TTP has great incentives to counter ISIS — a reality made clear from the operational manual's themes and its presentation of them not as guidelines, but as laws whose strict adherence is imperative.

The two central themes in the manual are strategic concerns and internal discipline and unity. On a strategic level, the manual stresses the necessity of reducing the number of enemies the group is actively fighting, echoing the al-Qaeda leadership's own guidelines. The manual then defines legitimate targets, a category which excludes other religious actors, apostate sects (unless they actively fight the TTP), and education and health care institutions. This is a significant change of course from previous practices. The group's policy regarding suicide operations also changed drastically to align with the recommendations offered by senior al-Qaeda figures back in 2010. According to the new policy, suicide operations should only be carried out against highly important targets and are subject to decisions by the group's military council or *shura*. No suicide operations should be carried out in public places like markets. Furthermore, if these rules are not followed, those responsible for the attack will be punished. This categorizes suicide operations as a last resort, similar to the views of al-Qaeda and Abu Muhammad al-Maqdisi, the influential jihadi ideologue.

In terms of internal discipline, the manual states that fighters should be obedient to their amir both in military and theological

Pakistan Taliban members, part of the committee nominated to hold talks with the Pakistan government, speak to media in Akora Khattak in 2014. *(BASIT SHAH/AFP/Getty Images)*

affairs. If a conflict erupts, internal reconciliation mechanisms should be put in place on the local, regional (regulatory shura), and national (supreme shura) levels to address the issue. Disputants are to be divided among other factions of the group and cannot hold a position of responsibility. Fighters are furthermore prohibited from having any contact with people or groups that differ in ideology from the TTP, while fighters who already left the group but want to rejoin must appeal to its supreme shura to decide.

CONCLUSION

Since early 2014, many jihadi groups around the world have suffered from the emergence of ISIS as a global phenomenon. Battling the organization militarily, these groups also must establish ways of ensuring their own stability and protecting the integrity of the religious and political projects for which they are fighting. The three strategic documents, or codes of conduct, issued by the Afghan Taliban, the AQIS, and the TTP between 2017 and 2018 are of great interest as they represent serious

efforts by these three groups to adapt and correct internal and external behavior in response to a changing global and regional view of jihadism. In the case of the Afghan Taliban and the TTP, where new leaders were recently appointed, the documents are part of an effort by these leaders to make a mark on their followers. However, considering the timing of the documents and recent events in the region, it is hard not to interpret them also as a direct response to the threat and challenge from ISIS.

Both Taliban groups have suffered critically from defections to ISKP and the guidelines are thus a useful instrument to lay out the differences between the groups, how current members should behave, and how they can expect to be treated should they defect. The TTP has historically been chastised for its indiscriminate violence, which, to some extent, resembles that of ISIS. Thus, in the aftermath of mass defections, the new leadership found it imperative to moderate the group's tactics and align it more closely with al-Qaeda and the Afghan Taliban.

By issuing these guidelines the three groups:

- Intend to position themselves in opposition to the behavior of ISIS

- Impose strict restrictions on their own members

- Promote their own authority

- Promote intra-jihadi unity

- Identify mechanisms to manage emerging disagreements

The codes of conduct demonstrate the critical role that internal dynamics play within the broader jihadi movement. Through these documents, we can better understand how acutely aware jihadists are of the vulnerability and fragility of their project, both religiously and politically. They know how easily the image of jihadism can be tarnished and they understand, as bin Laden did prior to his death, that they must protect the image of jihadism to protect their respective groups. The documents also provide a rare glimpse into the groups' self-image and how they view themselves vis-à-vis other militant Islamists, as well as how the behavior of one group can change that of another. All three documents have a strong emphasis on structure, authority, cohesion, and discipline, and — especially for AQIS and TTP — illustrate a move toward increasing micro-management to counter external

challenges. While the implementation of these rules and guidelines in practice are yet to be observed, this could present an intriguing case study of how one group's extremism can result in a tendency toward greater moderation among others.

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