

The Problematic Concept of Sovereignty Within the Islamic State of Iraq and Syria (ISIS)

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Abstract

The Islamic State of Iraq and Syria (ISIS or Daesh) was established on June 29, 2014. The ISIS leader Abu Bakr Al Baghdadi declared the creation of a caliphate stretching from Aleppo in Syria to Diyala in Iraq. By 2017 most of its territories were lost including the two bastions Mosul (in Iraq) and Raqqa (in Syria). Then in 2019 finally ISIS was defeated in the city of Baghouz, its last holdout. This study will examine the concept of sovereignty within the establishment of the caliphate from 2014 up to now. Al Baghdadi announced a new state based on Sharia Islamic laws and principles. Nevertheless, the international community rejected this newly formed entity which was one of the compulsory conditions for a state to receive recognition. ISIS ceased to exist in 2019 and is now functioning only through its affiliates in other parts of the world. They try to constitute a permanent presence in some areas like the Sahel in Africa or the Khorasan province in Central Asia. The research will compare the initial strategy of having sovereignty by ISIS in the beginning with the one today as viewed by its branches. The hypothesis put forth is that ISIS has always had problems with achieving sovereignty, back in 2014 and even now. Therefore, the local units pursue other strategies such as suicide attempts, bombings, and guerrilla warfare and have abandoned the initial purpose of territorial expansion.

Keywords: Problematic Concept, Sovereignty, Islamic State, Iraq and Syria

Introduction

First, this article starts with the concept of 'sovereignty' in general as coming from the Treaty of Westphalia in the 17th century. This term signals the beginning of the modern state system as state entities have the monopoly of force within their recognized territories. This represents the foundation of the field called international relations. Second, the study delves into the concept of sovereignty interpreted by the leaders of the Islamic State of Iraq and Syria (Daesh or ISIS) in particular. ISIS has rejected the Westphalian model but to an extent copied it illustrated in the attempt to gain recognition from the international community in 2015. Third, the paper discusses the end of ISIS from 2019 to contemporary times. The terrorist organization does not exist anymore but it has established several affiliates throughout the world such as in the region Sahel in Africa, Central Asia, and other places.

The study supports the hypothesis that the Islamic State has never accomplished the foundation of a state. It was near that level as it contained some of the attributes to function as a single country but something was yet missing. That was exactly the international recognition. It was viewed as a terrorist group without real values and exercising violence and brutality. In present times its affiliates are even farther away from being sovereign and autonomous. To a certain extent, they still act as independent entities in a certain region (like the Islamic State Khorasan Province or ISK in Central Asia) but cannot be called sovereign actors. They have even given up on this matter and aim to destabilize governments and other religious regimes. Thus, the vision of sovereignty has always been a mirage for ISIS, before and now.

Literature Review

Before going to this topic, one should explain what ISIS is. It appeared from the leftovers of Al Qaeda in Iraq (AQI), a local branch active during the war in Iraq under the leadership of Abu Musab Al Zarqawi in 2004 (Celso, 2015) who was killed two years later. AQI was not very profound in the consequent years but came to the horizon again in 2011. The Syrian war broke out in that very year which led to many jihadist groups opposing the Syrian president Bashar Al Assad's regime. Abu Bakr Al Baghdadi was then the leader of AQI who was against Assad and sent some jihadist fighters to Syria to build a group (Byman, 2015). Syria was in a mess and the new organization set security bases there, raised money, and appealed to recruits to their cause. It enlarged and had the desire to comprise both countries of Iraq into a single one. To the surprise of many, important cities of Iraq were captured, namely Tikrit and Mosul. In Syria, ISIS took over Aleppo and chose Raqqa as its capital (Rosenblatt & Kilcullen, 2019).

In the summer of 2014, the organization acquired the name Islamic State and declared the establishment of a caliphate (Wilson Center, 2019). Al Baghdadi claimed to be the supreme ruler or caliph. He also called for all Muslims to emigrate to this area and take part in the common fight against unbelievers (Bunzel, 2016). The primary doctrine that is pursued is that of Salafism. It is strictly Sunni and is designed to purify Islam of the devastating Western impact that has continued for centuries (Olidort, 2015).

The following several years were a huge success where the organization conquered new territories, tried to form a state (Walt, 2015), and used massive media communication (Mohamedou, 2022). In terms of the 'statehood' project the aim was to crush all other state and non-state actors and divide the lands. The caliphate ought to augment adding new areas and forces. Local branches known as 'wilayats' popped out in different continents, provinces, and countries (Leigh et al., n.d.). On an internal level, the roads were fixed, banking services were offered, the police force was very active, and even had its currency. As a whole within several years, ISIS was already functioning as a nascent state (European Parliament, 2017).

Discussion and Conclusion

Westphalian sovereignty

The foundation of the international system that we know today has its roots from the Treaty of Westphalia in 1648 (Osiander, 2001) which ended the Thirty Years War between catholics and protestants (Ghervas & Armitage, 2020). The outcome was a large devastation in terms of population losses and material destruction. The treaties carry out the principles of balance of power, collective security as well as the non-intervention (Armstrong, 2003) of one state

in the affairs of another one. This was an essential benchmark giving birth to a sovereignty-based international system (Gesley, 2017) where the state was regarded as the most powerful actor (Salawu & Ojo, 2021). It can exercise political authority over its defined territories (Krasner, 1995). Relations between states then happen through official diplomatic channels between their representatives in the form of state officials and/or governments. Countries mutually recognize each other on an equal basis and agree not to get involved in the domestic matters of other ones (Havercroft, 2012).

The Westphalian model possesses several features. First, it conceives the sovereign state as the legitimate political unit. Second, the government should be able to control its territory. Third, it removes all legitimate restrictions on the state's operations in this distinct area (Philpott, 1995). Krasner (1999) in turn classified four instinctive attributes of this phenomenon. International legal sovereignty stands for the international recognition of states. Westphalian sovereignty signifies the principle of non-interference. Domestic sovereignty refers to the capacity of the state to use violence over its borders. The last one is interdependence sovereignty, meaning the ability of a government to manage intra-border movements of any kind. Although all states contain some of these characteristics, they indeed do not exhibit all of them. It seems that international legal sovereignty has been the most important one (Zellman, 2008).

Nowadays, however, we witness many international organizations which go beyond the concept of sovereign states. Vergerio (2021) lists some international organizations such as the UN, the EU, and the African Union together with vicious non-state actors in the name of ISIS, Boko Haram, and the Taliban. One should bear in mind multinational corporations among others Facebook, Google, and Amazon. The twenty-first century is quite different from the European environment back in the seventeenth century. The Westphalian model has already been eroded (Van Staden & Vollaard, 2002), and some scholars doubt if it is still relevant today for characterizing the globalized world (Castro, 2011).

An intriguing effect of globalization on state sovereignty has been the changing nature of war. Before there were conflicts between states. Now, nonetheless, one sees tensions between sovereign states and ideological entities, namely terrorist groups. The Irish Republican Army (IRA), for example, was a terrorist organization situated in a single state with grievances against that state (Hogan, 2012). Radical groups today, conversely, consist of members from different countries and ethnicities being active globally. This is caused to an extent by the predominance of Western liberal values which may threaten disadvantaged societies and/or cultures. The latter assume that the only way to break the status quo is to use violence against those Western powers (Kiras, 2011). This is also the case for the Islamic State of Iraq and Syria (ISIS) discussed in the next section.

Sovereignty within the vision of ISIS

The Islamic State of Iraq and Syria had the ambition to create a 'state' governed by Sharia law (Kumar, 2018). Eventually, it was supposed to be a caliphate starting from Iraq and Syria and then expanding to the neighboring countries. It was not just a jihadist organization as formations such as Al Qaeda but a complete state having its administration, laws, territory, and population. This comes to the issue that has been analyzed above, i.e. the concept of sovereignty. To what extent does ISIS possess sovereignty? Does it include all the necessary

elements for achieving this? Is it an entire state, a weak state, or even a failed state? Does the international community recognize it as a state? These questions are given further insight below.

Some Islamic divisions even before ISIS have tried to form a place where the pure Muslims can live peacefully and harmoniously away from the Western decadence. They have mentioned the central role of borders that separate these true Muslim believers from the non-Muslim ones with the example of Jews, Christians, or fake Muslims like the Shia. Islam has to be recovered and all those people have to be placed into a unified body which can be a country with well-defined territory and borders. The previously established borders within the Middle East have been used by the enemies of Islam to ruin its traditions. European powers colonized the Arab world and brought false political ideologies. Thus, the new Islamic state needs to rise and revive again. ISIS will redraw the contemporary map (Waheed & Kiyani, 2017) according to the laws of pure Islam practiced in the seventh century AD.

This is a caliphate founded upon a geographical area under a supreme authority known as 'umma' (Piscatori & Saikal, 2019). It is both a religious and political notion appertaining to the oneness of Muslims (Dikici, 2020). Jihadists are attracted by this theory as it fosters a collective identity among Muslims cutting across national and ethnic differences. Al Baghdadi stated that the caliphate would reach Spain and conquer Rome (Weiss & Hassan, 2016). Followers are invited to come and help with the realization of this Islamic utopian vision (Low, 2016). The central elements of ISIS beliefs are to convalesce this lost identity, to aspire to new frontiers as well as fight aggressively against the modern status quo which brings the perceptions of caliphate, border, and sovereignty. The new state is called 'dar al-Islam' (Sparks, 2018), the abode of Islam, and the places inhabited by the non-believers are known as 'dar al kufr' (Badar & Nagata, 2017) which need to be conquered and submerged.

Daesh chased the idea of a state which means that this state needs to be a sovereign actor with its territory and population and other states cannot interfere in its internal affairs. The group came up with its version of sovereignty which was identical to the one of the pre-Westphalian world order. It professed to own sovereignty but at the same time, it rejected it. People shall live in this autonomous unit related to their religious belonging (Altuntaş-Çakır, 2020). ISIS viewed itself as an actual non-traditional participant in a world characterized by nation-states and by doing so presented a challenge to the Westphalian model (Delahunty, 2018).

ISIS could not be accepted as a sovereign state even in the time when it existed which lasted a few years (2015-2019). It denied the right of other countries to rule their subjects and did not concede the validity of their borders as said before. On the other hand, other states would also not acknowledge ISIS in the same way. The organization was formed over other states, in this case, Iraq and Syria. It suppressed the locals with the use of violence (Belanger-McMurdo, 2015) and caused panic and fear. The Westphalian supporters did not allow the formation of a new state on already existing ones. ISIS manifestly did not conform to the criteria of acceptance. It rejected global codes framing politics for a long time and was not appreciated well by the global community (Salazar, 2017).

A very important point here is the Montevideo Convention. The Montevideo Convention is a treaty signed in the capital of Uruguay, Montevideo, on December 26, 1933, during the Seventh International Conference of American States (Organization of American States, 2024). At this conference, American President Franklin D. Roosevelt and Secretary of State Cordell Hull declared a policy of non-military interference in the internal matters of other states from both North and South America. The Convention refers to four attributes of a state. It has to have a permanent population, a defined territory, a government, and a capacity to enter into relations with other states (University of Oslo., n.d.). If an entity has all of those characteristics, then it can claim to be a state. Islamic State, however, does not realize all these components. It could be associated with the first three but not the last one. It did not establish any relations with other nations (Novogrodsky, 2018) but provoked them and desired to be their enemy. They had to be destroyed and added to its caliphate. Thus, it was an unreal player in the international sphere. A state that is founded upon terror and does not acknowledge the sovereignty of other states shall in turn not be acknowledged by others too.

Guerrilla Tactics and the Absence of Sovereignty Today

ISIS ceased to exist in 2019. It lost its territories in Iraq and Syria and now relies on its regional governorates to continue the struggle. Territorial control gave leverage to the group but nowadays given the circumstances, it is better to operate as a covert network (Al-Hajj, 2022). There are wilayat (provinces) in Libya, Nigeria, West Africa, Tunisia, Egypt, Yemen, Central Asia, and Southeast Asia (Gambhir, 2015). The group still can adjust to new conditions and apply new tactics in the form of sabotage and guerrilla activity, terrorist attacks, suicide attempts, and others. It strikes during major events like political or religious rallies. Very relevant examples can be given with the attack in the Iranian city of Kerman in January 2024 commemorating the assassination of Qasem Soleimani (Jadoon et al., 2024). The plot was directed against the Shias and resulted in dead people and many injured. Another assault in Moscow in March 2024 during a concert further indicated that ISIS might be still dangerous (Jadoon, 2024).

ISIS transformed from a 'quasi-state' into a global terrorist organization operating regionally (Yashlanskii, 2018). It does not have the primary purpose of acquiring lands but rather operates on a cell level as previous organizations namely Al Qaeda. The initial vision to have a caliphate was proved to be unachievable and unrealistic. ISIS had many enemies and therefore could not last as a single entity. It evolved into a jihadist organization trying to remove regimes in different parts of the world.

One example is the Islamic State Khorasan province known also as ISK. It is active in Central Asia, especially in Afghanistan and Pakistan (Yashlanskii, 2023). It has declared war on the Taliban and has killed many of its members in suicide bombings. ISK is an autonomous unit that is somehow related to the mother organization but acts independently with its command (Jadoon, 2023). All those provincial directorates chase the same goal but have just changed their strategies. They want to destabilize governments and establish their version of Islamic extremism.

One should therefore look at the issue of sovereignty. In 2014 in Iraq and Syria ISIS established a self-reliant state which managed to exist in the short run. It had its own economy, military, political governance, and other organs. Nevertheless, it did not last for long. On a global level

no one recognized it due to many reasons as the most important one was the practice of terrorism and violence. So sovereignty was a mirage. What about now? Now we cannot even allude to this term anymore as ISIS has not endured the international pressure and had to abandon its initial objectives. The notion of sovereignty is totally absent today and cannot be materialized anymore. Nevertheless, the provincial cores still remain dangerous.

In conclusion in the initial stages ISIS pursued the maintenance of a state with its own administrative structure. It managed to be a self-governing country and conquered large territories notably in Syria and Iraq. This links to the issue of sovereignty dating from the Treaties of Westphalia in the 17th century. To an extent ISIS fulfilled the principles of sovereignty but had a lack of international recognition which was a problem. In 2019 the group was consequently weakened and defeated. Now it has modified its behavior and does not conform to land expansion but rather on autonomous sleeping cells worldwide. Therefore sovereignty is dropped out of its agenda. Both before and now there was a lack of sovereignty within ISIS' presence. The primary hypothesis stating that ISIS was never near the accomplishment of sovereignty is true.

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