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Membership of the Islamic State and Other Forms of Involvement

Beyond Material Support: Promoting ISIL Accountability for Atrocity Crimes

Drawing primarily on internal Islamic State documents, this study examines the different levels of personal involvement in the Islamic State during the years of its territorial caliphate in Iraq and Syria. Specifically, the article highlights the distinctions drawn between formal members ('brothers'), 'supporters' (Arabic: munasirun) and employees of the organisation. The article also explores questions of expulsion from and quitting the organisation, as well as whether all male foreigners who entered the group's territory with the intention of residing there had to join the organisation. Finally, the study examines the issue of women's involvement in the organisation.

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Introduction: Legal Interest in Membership Status

In legal proceedings against people suspected of involvement in the Islamic State during the time of its territorial caliphate in Iraq and Syria (2014-2019), the question of membership of the organisation is naturally one of great interest. In the United States, for example, any establishment of membership of the Islamic State will almost certainly lead to conviction under the charge of providing and attempting to provide 'material support' to a designated foreign terrorist organisation, since joining such an organisation is deemed to be providing material support in the form of personnel.[1] Indeed, there have already been convictions precisely along these lines in the United States.[2] Elsewhere, merely having entered Islamic State territory can lead to criminal charges.[3]

Questions of involvement in the Islamic State also have relevance in proceedings against those who sent money to family members and friends in Islamic State-held territory. One well known case in this regard is the conviction of Sally Lane and John Letts for terrorism funding on account of their sending money to their son Jack, who had gone to Syria and joined the Islamic State.[4] In that particular case, the defence was that they believed their son to be acting as "a translator and a civil administrator" for the Islamic State. A similar recent case of terrorism financing in the UK involved two women- Stella Oyella and Vanessa Atim- sending money to their relative Joseph Ogaba, who similarly went to Syria and joined the Islamic State.[5]

It is important then that legal proceedings that pertain to the question of personal involvement in the Islamic State have the most complete and accurate factual basis possible about the different ways in which someone could be involved in the organisation during the period of its territorial caliphate in Iraq and Syria. To explore these issues, this study primarily relies on internal documents and records of the Islamic State- the most reliable and objective avenue of inquiry. Although there is the potential to gain insight on these matters from conducting interviews with civilians who lived under Islamic State rule and those who were personally involved in the organisation, there are limitations in that civilians themselves may not have understood the nuances of involvement with organisation, while those who were actually involved with the organisation may lie about their involvement out of fear of incriminating themselves in ongoing or potential legal proceedings.[6] Even so, it must be admitted that the documentary evidence is limited in the sense that what has been unearthed and can be cited may still only represent a small fraction of the paperwork that was ever produced, and further insights may be uncovered through future releases of documents into the public domain.

1 See "Terrorist Material Support: An Overview of 18 U.S.C. §2339A and §2339B," Congressional Research Service (updated August 15, 2023): https://crsreports.congress.gov/product/pdf/R/R41333

2 E.g. "Michigan Man Sentenced to Prison for Providing Material Support to a Terrorist Organization," U.S. Attorney's Office, Eastern District of Michigan, June 15, 2023 (https://www.justice.gov/usao-edmi/pr/michigan-man-sentenced-prison-providing-material-support-terrorist-organization)

3 E.g. "Returned ISIS wife Mariam Raad sentenced over charges of entering terrorist-controlled region," ABC, June 12, 2024 (https://www.abc.net.au/news/2024-06-12/mariam-raad-sentenced-for-joining-isis-fighter-husband-in-syria/103960256)

4 "Sally Lane and John Letts sentenced for sending money to Daesh supporting son," Crown Prosecution Service, June 21, 2019 (https://www.cps.gov.uk/cps/news/sally-lane-and-john-letts-sentenced-sending-money-daesh-supporting-son)

5 "Mother and daughter who sent money to Daesh member jailed after Met counter terrorism investigation," Metropolitan Police, March 19, 2024 (https://news.met.police.uk/news/mother-and-daughter-who-sent-money-to-daesh-member-jailed-after-met-counter-terrorism-investigation-481290)

6 For example, in December 2021, this author interviewed a Swedish national of Palestinian origin being held in detention by the U.S.-backed Syrian Democratic Forces. This individual was described as having been involved in an Islamic State battalion named after the jihadist cleric Anwar al-Awlaki. While he said as such during his interview with me, he denied having been a member of the Islamic State, aware that any such admission might incriminate him.

This study begins by identifying different categories of adult male involvement in the organisation that can be discerned from documents, with an adult male being identified as any male aged 15 and above. Three distinct categories are identified: one being formal full-on members, another being 'supporters' (Arabic: munasirun) and a third being employees. The study then explores the question of what it meant for a person to be 'expelled' from the organisation and whether it was possible for someone to simply leave the organisation. The study then turns to the issue of male foreigners, asking whether entry into Islamic State territory automatically meant becoming a member of the organisation.

Finally, the study considers more closely the question of women's involvement in the organisation. This is because the existing documentary evidence exhibits a strong gender bias in that it generally attests to adult male participation in the organisation with a lack of exact female analogues: in particular, there is no evidence yet that females became formal members or 'supporters' in the way that males did with entitlements such as salaries. There is also a general lack of documentary evidence for females becoming 'employees' of the Islamic State. Nonetheless, there is evidence of women performing Islamic State-specific functions (such as Hisba enforcement) and roles that might be considered to amount to employment (such as working in health and education). Further, by the latter half of 2016, some women received military training and were organised into at least one identifiable combat battalion. Female members of immediate households headed by an Islamic State member (i.e. wives and daughters of Islamic State members) also enjoyed certain entitlements denied to women of households not headed by an Islamic State member, such as the ability to barter with slaves.

Members, Supporters and Employees

MEMBERS

As illustrated by documentary evidence, it is possible to identify those who can be described as having actually 'joined' the organisation in the sense of becoming full-blown, adult male members of the organisation. These members are regularly identified in documentary evidence as "brothers"[7]: a wording that bears an inherent male bias, with no corresponding reference in those same documents to "sisters" (i.e. female members). A specimen document from the Islamic State's Hijra Commission, issued in 2014, provides "notices and regulations to join the Islamic State," specifying conditions for formal membership of the organisation. Most notably, membership requires swearing allegiance to the group's caliph (at the time, Abu Bakr al-Baghdadi),[8] with a willingness to "hear and obey the caliph and amirs [one's superior commanders] in what does not constitute disobedience against God."[9]

7 E.g. A circular from the department of war spoils is addressed to "all the brothers in the Islamic State," and asks that "any brother" (i.e. member of the Islamic State) who knows the name of "a brother that has been martyred or taken prisoner and has a right to war spoils should inform us of his name and how to convey the sum to his heirs." See "Circular from the Diwan al-Ghana'im wa al-Fay' on Distributing War Spoils," Islamic State Archives, November 9, 2023 (https://islamicstatearchives.com/2023/11/09/circular-from-the-diwan-al-ghanaim-wa-al-fay-on-distributing-war-spoils/)

8 It is often stated casually that allegiance is given to the Islamic State, and some Islamic State propaganda publications give the same impression in speaking of "allegiance to the Islamic State." See e.g. "Islamic State Report on Russian Prison Riot," Aymenn's Monstrous Publications, August 29, 2024 (https://www.aymennaltamimi.com/p/islamic-state-report-on-russian-prison). However, formal allegiance is not given to the organisation or institution of the caliphate but rather to the person who occupies the position of caliph. Thus, in Islamic State videos and photo releases that record allegiance pledges, the allegiance pledge is always declared as being given to whoever is the caliph at the time. See e.g. the Islamic State attack in Solingen, Germany. "The Islamic State and the Attack in Solingen," Aymenn's Monstrous Publications, August 24, 2024 (https://www.aymennaltamimi.com/p/the-islamic-state-and-the-attack)

9 "General Rules and Regulations for Foreigners Seeking to Join Islamic State (Iraq and Syria/2014)," Islamic State Archives, July 30, 2023 (https://islamicstatearchives.com/2023/07/30/general-rules-and-regulations-for-foreigners-seeking-to-join-islamic-state-iraq-and-syria-2014/)

The same document notes that the joining process involves an initial assignment that comes about after a 60-day timeframe in which one goes through a "Shari'i camp" (i.e. a camp course for religious instruction), a military training camp course, and a period of ribat (frontline-manning duty). While the 60-day period may not have been exactly adhered to, it is attested in other documentary evidence and other open-source information that actual members swore allegiance to the caliph and that they attended religious and military training camps. For example, in the case of Ibraheem Izzy Musaibli (from Detroit) who was convicted of material support for terrorism, it is noted that he "travelled to Syria in the fall of 2015, where he attended an ISIS-run religious training camp before undergoing ISIS military training...upon graduation from the ISIS military training camp, Musaibli swore allegiance to ISIS and its leader."[10]

Following the initial period of training and assignment, the organisation would then decide what specific role should be allocated to the new member, depending on performance and skills. These roles could be military or non-military in nature, with examples of the latter including work in various Islamic State departments like the Hisba,[11] judiciary, da'wa, education, zakat taxation and distribution, and healthcare. However, there was also the possibility of interchange between military and non-military roles, with the potentiality of non-military personnel being mobilised to perform military functions if necessary,[12] or someone being transferred from a frontline role to a non-military administrative role. A transfer of role might be imposed by an organisation on the member, or a member might request such a transfer, though it seems that after formally joining the organisation, the member could not object to the initial assignment or request a transfer until six months had elapsed.[13]

A distinguishing feature of formal membership of the Islamic State was having a unique ID number (aka 'survey number'). The existence of ID numbers for members first surfaced in documents compiled in the author's archives, though the system behind was not fully understood at the time.[14] Subsequently, an analysis and documents released by West Point's Combating Terrorism Center (CTC) showed that the ID numbers were generally classified according to the Islamic State province of Iraq and Syria in which a member registered, with variation of the first three digits in this regard. Thus, for instance, a member registered in the Islamic State's 'Fallujah province' would have an ID number beginning 107, while a member registered in 'Ninawa province' would have an ID number beginning 117.[15] Documents published in the Archive of Islamic State Administrative Documents and the Islamic State Archives corroborate the ID system as outlined in the CTC documents and analysis.[16]

10 "Michigan Man Sentenced to Prison for Providing Material Support to a Terrorist Organization."

11 See e.g. "List of Hisba Personnel, Wilayat Halab," Islamic State Archives, May 9, 2024 (https://islamicstatearchives.com/2024/05/09/list-of-hisba-personnel-wilayat-halab/)

12 See e.g. "Letter to the Wali of Aleppo on Military Personnel in Various Administrative Roles (August 2016)," Islamic State Archives, October 28, 2023 (https://islamicstatearchives.com/2023/10/28/letter-to-the-wali-of-aleppo-on-military-personnel-in-various-administrative-roles-august-2016/)

13 "General Rules and Regulations for Foreigners Seeking to Join Islamic State (Iraq and Syria/2014)."

14 E.g. See Specimens 16X and 17H in my Archive of Islamic State Administrative Documents (https://www.aymennjawad.org/2016/01/archive-of-islamic-state-administrative-documents-1), featuring documents from the Islamic State's 'Fallujah province' (Wilayat al-Fallujah) and listing ID numbers beginning with four digits 1070.

15 "List of Geographic Identifiers for IS Identification Numbers," CTC (https://ctc.westpoint.edu/harmony-program/list-of-geographic-identifiers-for-is-identification-numbers/). For the accompanying report, see Daniel Milton, "Structure of a State: Captured Documents and the Islamic State's Organizational Structure," CTC, June 28, 2021 (https://ctc.westpoint.edu/structure-of-a-state-captured-documents-and-the-islamic-states-organizational-structure/)

16 See e.g. "The Personnel of the Omar bin al-Khattab Battalion: West Mosul," Islamic State Archives, April 22, 2021 (https://islamicstatearchives.com/2021/04/22/the-personnel-of-the-omar-bin-al-khattab-battalion-west-mosul/)

Two special ID categories were made for registering with a diwan[17] (beginning 100) and the 'military administration' (beginning 120). It would appear that a large number of foreign members of the group were assigned the 'military administration' code, though it is not wholly clear why, or what the 'military administration' code denotes. [18] I t should also be noted that not all those who had the military administration were necessarily foreigners.[19]

Membership was also distinguished by a particular salary scheme, which depended not on the rank and position of the member but rather his personal circumstances. Personnel rosters and other documents show that during the period of 2014-2016 in Iraq and Syria, the basic salary for the member was $50 per month, with an additional $50 per month for each wife and then $35 per month for each non-adult child,[20] with possible additional allowances for the support of dependent parents and ownership of slaves and their children. However, as will be seen below, at some point in the latter half of 2016, a 20% cut was made to these salaries, contrary to earlier reports of a 50% reduction in late 2015.[21]

SUPPORTERS

A category below that of the full-fledged member was the so-called 'munasir'[22] ("supporter" of the Islamic State). The concept was first mentioned in Michael Weiss and Hassan Hassan's book ISIS: Inside the Army of Terror. According to them, the organization devised this category:

> *For existing local forces it did not trust...the munasir has to pledge allegiance to ISIS without having access to its structure. These second-tier members receive salaries and mostly work to fill low-level municipality and police roles in their areas...ISIS can call on such forces to serve as reinforcement to its troops on the front lines, such as in Kobane, according to residents in Raqqa.*[23]

A review of the documentary evidence confirms the existence of the munasirun as a category of individuals. It would appear that this category was particular to locals in Iraq and Syria, since all the individuals described as munasirun in the documents are either Iraqi or Syrian. It is questionable whether the description of their primary role and status as given by Weiss and Hassan is correct. A list of personnel for a battalion stationed in west Mosul reveals several individuals listed under the category of 'munasir,' and they notably lack an ID number.[24] In so far as duties can be discerned in the personnel list, they are listed as performing ordinary front-line manning duty (i.e. they are so-called 'murabitun').[25]

17 A ministry of the Islamic State. A number of diwans were formalised following the establishment of the caliphate, including one for da'wa (religious outreach) and control of mosques, one for public morality enforcement (the Hisba), and a military department/ministry of defence (the Diwan al-Jund).

18 Milton, "Structure of a State: Captured Documents and the Islamic State's Organizational Structure."

19 E.g. In "The Personnel of the Omar bin al-Khattab Battalion: West Mosul," it will be observed that two personnel assigned to deal with "oil matters" have ID numbers beginning 120 have names suggesting they are local Iraqis from the Ninawa area.

20 See e.g. "Islamic State Salary Schemes and Financial Endowments in July 2016," Islamic State Archives, November 9, 2023 (https://islamicstatearchives.com/2023/11/09/islamic-state-salary-schemes-and-financial-endowments-in-july-2016/) and Specimen 14U in Archive of Islamic State Administrative Documents (https://www.aymennjawad.org/2016/01/archive-of-islamic-state-administrative-documents-1)

21 The main evidence adduced to support this contention of a 50% reduction is a document that was published by the local outlet Aleppo 24 in early 2016. It can be found archived at Specimen 12Q in Archive of Islamic State Administrative Documents (https://www.aymennjawad.org/2016/01/archive-of-islamic-state-administrative-documents-1). However, there are reasons to doubt its authenticity. To begin with, it conflicts with the earlier cited document on salary schemes and financial endowments. Second, it is marked as coming from 'Wilayat al-Raqqa' but is supposed to be a general announcement. There is also no marking beneath the Islamic State stamp to indicate the department.

22 Plural: munasirun.

23 Michael Weiss and Hassan Hassan, ISIS: Inside the Army of Terror, (Regan Arts, 2015), pp. 497-498 (e-book edition).

24 "The Personnel of the Omar bin al-Khattab Battalion: West Mosul."

25 Murabit being connected to the word ribat.

Reference to the munasirun also arises in a 2016 monthly report of an Islamic State brigade stationed in eastern Syria, in which they are praised for their steadfastness "at a time when mujahidun" [i.e. fully-fledged members] who have a "long history of jihad" have been tested.[26] However, the same report urges for a "review of the procedure for accepting recruitment into the ranks of the mujahidun." In a late 2016 Islamic State monthly expenditure budget from Aleppo province, the munasirun are listed as a separate category from the "soldiers" of the Islamic State. Notably, while the soldier (i.e. a fully-fledged member) is entitled to a salary of $40 per month (with salaries at this point having been cut by 20%), the munasir's salary is 20% less, at $32 per month.[27] Similarly, while each member's wife and each member's child lead to additions of $40 and $28 per month respectively, the munasir's wife and child lead to additions of only $32 and $24 per month respectively. There are also judicial documents attesting to munasirun who gave witness statements in Islamic State courts.[28]

Some further insight on munasirun emerges from a document that was published by CTC, further suggesting that the category was specific to Iraqi and Syrian locals: namely, a November 2016 letter from the "Central Administration for Human Resources" to the Delegated Committee (the general governing body that was assigned by the caliph to oversee the administration of Islamic State-held territories).[29] The letter gives instructions on how to deal with "new munasirun," noting that sectors should receive their own local munasirun because these munasirun are more familiar with their own local areas. Their personal data are to be recorded when they sign up and join the ranks of the Islamic State, and if they continue to work in the ranks of the group for more than 30 days, they are given the right to "request to pledge allegiance, have an ID number issued for them and have monthly sponsorship [salary] disbursed to them." This would therefore suggest that the munasir does not pledge allegiance, but rather could request to do so after a certain period of operating within the Islamic State's ranks, and in pledging allegiance would become a full-fledged member with receipt of an ID number and a full membership salary. Thus, the munasir category could effectively be seen as a 'probation' status for local recruits.

EMPLOYEES

A further category below that of the munasir was that of the employee, who could perform municipal and other administrative functions within the Islamic State's state project, receiving remuneration for their jobs and not being considered a member or even necessarily a supporter of the Islamic State. The employee is normally identified by the Arabic term muwaẓẓaf (the regular term for "employee")[30] and the employee is clearly distinguished in the documentary evidence as a separate category from the fully-fledged member and the munasir. For example, in the earlier mentioned budget from Aleppo province, a category of expenses

26 "Detailed Monthly Report on the Omar bin al-Khattab Brigade," Islamic State Archives, May 5, 2024 (https://islamicstatearchives.com/2024/05/05/detailed-monthly-report-on-the-omar-bin-al-khattab-brigade/)

27 "Monthly Budget in Wilayat Halab (October-November 2016 CE)," Islamic State Archives, November 11, 2023 (https://islamicstatearchives.com/2023/11/11/monthly-budget-in-wilayat-halab-october-november-2016-ce/)

28 See e.g. Specimen 34J in Archive of Islamic State Administrative Documents (https://www.aymennjawad.org/2016/09/archive-of-islamic-state-administrative-documents-2)

29 "Islamic State memo for dealing with new recruits (Arabic)," CTC (https://ctc.westpoint.edu/wp-content/uploads/2021/06/NMEC-2017-415185_Arabic.pdf)

30 Plural: muwaẓẓafun.

for "employees' salaries" is listed, giving a total expenditure of $79,440 for that month.[31] In addition, a set of documents outlining the administrative system of zakat (the alms tax) notes that for the zakat offices in a given Islamic State province, the province is to be responsible for the expenditures of those offices, "including salaries of the employees who are not affiliated with the Dawla [Islamic State]."[32] In a given province, the employees are to be appointed "by agreement of the amir of Zakat" in said province, with a contract and wage specified for them. These employees are distinguished from the "brothers" working in Zakat who are actual members of the organisation.

It is likely that the existence of Islamic State 'employees' reflects a merging of two phenomena: (i) the continuation of work by locals who performed various specialised functions within the governing systems that existed prior to the Islamic State's takeover, and (ii) local people taking up employment opportunities with the Islamic State. With regards to (i), there is evidence that in areas seized by the Islamic State, the group urged those who performed municipal, medical and various other specialised jobs in those places to return to work, especially if those functions could not simply be replaced by the group's members or other locals.[33] Indeed, it would seem that the group was particularly keen to ensure that those with medical skills remained in the group's territory, threatening to confiscate the property of doctors, nurses and others who did not return.[34]

However, it did not necessarily follow that all employees in the prior systems could simply perform their functions without any changes imposed by the Islamic State. Most notably, in dealing with the education system in Syria, the group required for a comprehensive program of 'repentance' to be undertaken by (Sunni Muslim) educational personnel, on the basis that the Syrian government and its education system constituted a system of disbelief (kufr).[35] The group also introduced a new curriculum in keeping with the group's ideological vision, which began to be taught in the 2015-2016 academic school year.[36] Further, as will be discussed below, gender segregation was enforced in the realm of healthcare.

With regards to the phenomenon of people seeking and taking up employment with the Islamic State, some documentary evidence gathered by this author attests to the existence of an "employment office" (Arabic: Maktab al-Tashghil) in Islamic State bureaucracy- specifically part of the department of personnel records and human resources. One could then submit an application for employment with the Islamic State via this office. For example, an "employment request" from Aleppo province under the name of Maktab al-Tashghil, features a local requesting

31 "Monthly Budget in Wilayat Halab (October-November 2016 CE)."

32 "The Administrative System of Zakat," Islamic State Archives, June 14, 2021 (https://islamicstatearchives.com/2021/06/14/the-administrative-system-of-zakat/)

33 E.g. Specimen 10Q in Archive of Islamic State Admnistrative Documents, which followed the group's takeover of al-Raqqa city and urged doctors and other medical stuff at al-Raqqa National Hospital to return to work (https://www.aymennjawad.org/2015/01/archive-of-islamic-state-administrative-documents); so also Specimen 4E following the group's takeover of Hit in al-Anbar province in Iraq, with the group declaring that employees in various departments- including municipal, electricity, water, civil defence, health and agriculture- to return to work.

34 See in particular Specimen 5I in Archive of Islamic State Administrative Documents (https://www.aymennjawad.org/2015/01/archive-of-islamic-state-administrative-documents), which features an ultimatum issued in May 2015.

35 "Islamic State Treatise on the Syrian Education System: Full Text, Translation & Analysis," aymennjawad.org, March 12, 2016 (https://aymennjawad.org/18600/islamic-state-treatise-on-the-syrian-education)

36 For an analysis, see Sara Zeiger et al., "Planting the Seeds of the Poisonous Tree: Establishing a System of Meaning Through ISIS Education," George Washington University Program on Extremism, February 2021 (https://isisfiles.gwu.edu/concern/reports/j3860694x?locale=en)

"employment in one of the centres of the Islamic State's diwans in Aleppo province." The form lists various details such as the applicant's photo, name, marital status, contact number and employment specialities and skills, but does not specify a request for employment with a specific department. It also does not feature any suggestion of giving allegiance to the Islamic State's leader as a condition of employment. The top of the document, in handwriting, says: "Tractor driver for al-Ra'i services," suggesting that the applicant became employed in this capacity with the Islamic State's services office in the Aleppo locality of al-Ra'i.

In short then, a three-way distinction can be drawn for (adult male) involvement in the Islamic State: those who gave allegiance and became fully-fledged members (mubayi'un), those who were 'supporters' and did not give allegiance but were in some kind of probation status where they could request to give allegiance and become members after serving in the group's ranks for a long enough period (munasirun), and employees who performed various sorts of functions (specialised or menial) in return for remuneration specified in a contract but without giving allegiance or necessarily being considered a member or munasir.[37]

Expulsion of a Member from the Islamic State and Quitting the Group

Now that the various categories of involvement in the Islamic State have been elucidated, it is worth asking whether it was possible for an (adult male) member to 'leave' the Islamic State, and if so how. In the existing literature and review of prior documents, it has already been clearly established that if someone came to reside in Islamic State territory, whether through already living in an area that was then taken over by the Islamic State or through coming to the group's territories from outside in order to dwell in the 'caliphate,' then it was not allowed for that person to 'leave' the Islamic State in the sense of abandoning its territory.[38] Only temporary leave permits were allowed for reasons of necessity such as medical treatment that was not available in Islamic State territory, with various consequences threatened for failure to return, including confiscation of property. However, this section of analysis is not concerned with that particular issue, but rather whether a member who actually joined the organisation (i.e. in the first category of involvement outlined) could subsequently leave, and if so in what sense.

Per the documentary evidence, it would appear that there were in fact two mechanisms by which a member could lose membership of the Islamic State: either by being forcibly expelled from the group's ranks, or through resigning of one's own accord. The phenomenon of expulsion is attested, for example, in a series of general notifications from September-October

37 It should be noted that this three-way distinction differs from Matthew Bamber's analysis, in which he suggested that there were two kinds of "Islamic State employees": namely, the mubayi'un and the munasirun. Bamber's analysis primarily drew on interviews with "former Islamic State civlian employees.". However, the monthly budget referenced above and other documentary evidence would suggest that munasirun and muwaẓẓafun were not necessarily one and the same. For Bamber's analysis, see Matthew Bamber, "'Without us, there would be no Islamic State': The role of civilian employees in the Caliphate," CTC Sentinel, November 2021 (https://ctc.westpoint.edu/without-us-there-would-be-no-islamic-state-the-role-of-civilian-employees-in-the-caliphate/)

38 See Daniel Milton and Muhammad al-'Ubaydi, "Welcome to the Hotel Caliphate: You Can Check-Out Any Time You Like, But You Can Never Leave," CTC, October 7, 2016 (https://ctc.westpoint.edu/ctc-perspectives-welcome-to-the-hotel-caliphate-you-can-check-out-any-time-you-like-but-you-can-never-leave/). The main exception in the sense of permission for inhabitants to leave was the Christian population of Ninawa, which was offered the choice of departure, conversion to Islam or living as dhimmis (second-class citizens with the right to life and property but on stipulation of paying a poll tax and living under various restrictions). Departure meant confiscation of property by the Islamic State. See Specimen S in the Archive of Islamic State Administrative Documents (https://www.aymennjawad.org/2015/01/archive-of-islamic-state-administrative-documents)

2015, in which it is noted that "the walis [provincial governors of the Islamic State] are not allowed to expel one of the soldiers of the Dawla without referral of the case to the Delegated Committee to approve it. The wali is obliged to meet the expelled soldier and hear him out."[39] Expulsion might logically occur for reasons such as 'extremism' and treason against the Islamic State, which would of course lead to a member becoming wanted and liable for execution, but a member could also be expelled for offences falling short of 'extremism' and conspiracy against the Islamic State, such as persistent disobedience of orders, corruption and abuse of one's position.

The latter scenario of expulsion is implicitly suggested by the aforementioned notification on the issue of expelling a 'soldier' of the Islamic State. Expulsion also emerges in a June 2015 document issued by the public security department, which notes that per a decision by the General Governing Committee (which later became the Delegated Committee), an individual residing in the Aleppo locality of Maskana has been expelled for exploiting his position for personal gain, and thus the document notifies that there is to be no reception or dealing with him by any department of the Islamic State. The document however does not say that he is wanted as a fugitive or liable to execution. Rather, he has simply been expelled from the organisation.

Expulsion could also occur for reasons such as chronic illness preventing a person from undertaking his duty. An example of this sort of expulsion can be found in the case of one Abu Hafs al-Qurashi, who, via the Central Office to Track Grievances, lodged an appeal to return to the ranks of the Islamic State, having been expelled from the group's ranks by the military administration in Aleppo province supposedly because he could not undertake military duties on account of illness.[40] Here again, there is no suggestion of an impending legal case against Abu Hafs regarding his expulsion from the organisation: he was simply expelled and thus no longer considered a member of the Islamic State.

It would also appear that it was possible to 'leave' the Islamic State in the sense of simply quitting the organisation while being obliged to remain in the territory controlled by the group. I first came across the possibility of this scenario in the course of online interactions and conversations in the period 2016-2018 with two people who had been involved with the Islamic State-affiliated group Liwa Shuhada' al-Yarmouk (Yarmouk Martyrs Brigade), which subsequently became part of an Islamic State-affiliated merger called Jaysh Khalid bin al-Walid ("The Army of Khalid bin al-Walid"), based in southwest Syria on the borders with Jordan and the Golan Heights.[41] Both of these individuals told me that they had quit Liwa Shuhada' al-Yarmouk, and consequently were reckoned among the civilian population of the area controlled by Liwa Shuhada' al-Yarmouk and its successor Jaysh Khalid. One of them mentioned to me in late 2017 that he had been asked by Jaysh Khalid to enlist, but he turned down the offer.

Subsequently, documentary evidence points to some members who are described as having "left the Islamic State" in the sense of having quit the organisation. For example, a letter from the southern sector of Raqqa province to the wali of Raqqa addresses the case of a member called Abu Ali al-Taheri, who was requesting a "marriage grant," which was a financial

39 Specimen 25J in Archive of Islamic State Administrative Documents (https://www.aymennjawad.org/2016/09/archive-of-islamic-state-administrative-documents-2)

40 "The Case of Abu Hafs al-Qurashi: Expelled from Islamic State (2)," Islamic State Archives, November 2, 2023 (https://islamic-statearchives.com/2023/11/02/the-case-of-abu-hafs-al-qurashi-expelled-from-islamic-state-2/)

41 Conversations, 2016.

disbursement granted to members upon marriage, subject to certain conditions.[42] One of the conditions was that a year had to have already passed since the member gave allegiance to the caliph. Abu Ali, as it turns out, had not fulfilled this condition, "because he left the Dawla and then did the camp again." This would suggest that he had quit the organisation and then rejoined. Similarly, in a December 2016 document giving a list of Islamic State Hisba personnel in Aleppo province, one person is noted as having "left the Dawla."[43]

Yet giving up full-fledged membership of the Islamic State did not come without consequences. Besides losing entitlements such as a salary and the possibility of rent-free or subsidised accommodation, a former member was apparently not allowed to become an employee of the Islamic State. In a letter from the Oil and Gas Commission[44] to the office of the wali of Raqqa, it is noted that a certain individual was previously mubayi', but now no longer had this allegiance (i.e. had quit formal membership), and so in accordance with regulations, that person could not be employed.[45]

In short, it was possible for a person to be expelled from the Islamic State or quit full-fledged membership, but it was not allowed for that individual to leave the territorial caliphate.

Did All Adult Male Foreigners Necessarily Join?

An important question on membership is whether all adult foreign males who arrived in Islamic State necessarily became members of the Islamic State. It has been suggested that this was indeed the case. For example, in 2022, Florence Gaub- a German analyst who has served as an expert witness in a number of court cases pertaining to Islamic State membership- suggested to a court in Ireland that going to Islamic State-controlled territory in Iraq and Syria was tantamount to becoming a member of the Islamic State.[46] In other words, for Gaub, there is no such thing as an adult person- whether male or female- merely travelling to the Islamic State and residing in its territory. For adult male foreigners facing legal proceedings on suspicion of having become members of the Islamic State, it might be invoked as a line of defence that they might have travelled with the intention of only residing there, but they were somehow 'compelled' to join against their will.

To be sure, it seems likely, on the mere basis of logic, that the majority of adult male foreigners who went to Islamic State territory joined the organisation as members. This is because support for the Islamic State's project was surely a powerful motivating factor for foreigners who went, and in its own propaganda, the Islamic State emphasised the idea of migration to the Islamic State for the purpose of contributing to its state project in various ways, whether through fighting on the frontlines or performing non-military functions.

42 "Note on conditions for marriage grant," Islamic State Archives, May 18, 2024 (https://islamicstatearchives.com/2024/05/18/note-on-conditions-for-marriage-grant/)

43 "List of Hisba Personnel, Wilayat Halab," Islamic State Archives, May 9, 2024 (https://islamicstatearchives.com/2024/05/09/list-of-hisba-personnel-wilayat-halab/)

44 Administratively, this body appears to have been the successor administrative body to the departments of oil and gas in the Diwan al-Rikaz.

45 "Prohibition on Employing an Ex-Member of the Islamic State," Islamic State Archives, October 30, 2023 (https://islamicstatearchives.com/2023/10/30/prohibition-on-employing-an-ex-member-of-the-islamic-state/)

46 "People who travelled in support of Islamic State were Isis members, Lisa Smith trial told," Breakingnews.ie, March 9, 2022 (https://www.breakingnews.ie/ireland/people-who-travelled-in-support-of-islamic-state-were-isis-members-lisa-smith-trial-told-1271406.html)

But do these facts mean that any adult male foreigner who went necessarily joined the organisation as a member? Some documentary evidence in fact suggests otherwise. Specifically, there exists a letter to the Raqqa wali's office in December 2016 from a foreigner who describes himself as part of the "Muslim masses" (Arabic: 'awwam [al]-muslimin)- that is, the wider Muslim population under the Islamic State's rule as opposed to the actual members of the organisation.[47] This individual claims that he had migrated to the Islamic State "two and a half years ago as part of the Muslim masses" and did not give allegiance (i.e. did not become a member of the Islamic State). He adds that he worked in the Jazira province (centred in the Tel Afar area of northwest Iraq) as a teacher of the Qur'an but then came to Raqqa province, likely because of the Iraqi forces' campaign to retake Ninawa. He then requests employment to obtain a salary, and adds that he has no house of his own but rather lives with "one of the brothers" (i.e. a member of the Islamic State).

This letter, to be sure, is exceptional in terms of the available documentary evidence, but there is no reason to doubt its authenticity. As such, it is reasonable to infer that there was not in fact an obligation for all adult foreign males to become full-fledged members upon entering the group's territory. This point also becomes understandable when one considers the Hijra Commission's 2014 notices and regulations on migration to the Islamic State. While the document says that it considers migration to the Islamic State (i.e. to its territory) to be obligatory, the document does not say that becoming a full-fledged member of the Islamic State is itself obligatory, but rather separately specifies the conditions for joining its ranks.

However, if this analysis is correct, then it also follows that such foreigners who did not give allegiance were not entitled to the earlier mentioned benefits of membership, but rather would have had to rely on their own means to support themselves. It thus also follows that if a foreigner should claim that he did not join the organisation but somehow received benefits like free housing, then such testimony is to be doubted.

In addition, on the basis of the preceding section discussing expulsion from the Islamic State and the possibility of quitting the organisation's ranks, one must also conclude that it was possible for foreign members to be expelled or quit the ranks of the Islamic State.

Women's Involvement in the Islamic State

There is already a considerable amount of literature on women and their relationship with the Islamic State- which has importantly emphasised that women's relationship with the group was not merely passive, but could rather entail actively abetting the group's broader project in various ways.[48] Yet it is important to assess what the observations and data tell us about women's involvement in relation to the three categories of involvement that are delineated above and which are been clearly related to adult males. In other words, does the same tripartite classification of member, munasir and employee apply to women's involvement in the Islamic State? The issue is of considerable importance given legal proceedings against women who travelled or attempted to travel to Islamic State territory and local Iraqi and

47 "Request for Employment with the Islamic State," Islamic State Archives, May 5, 2024 (https://islamicstatearchives.com/2024/05/05/request-for-employment-with-the-islamic-state/)

48 See most recently Devorah Margolin and Joana Cook, "The Agency and Roles of Foreign Women in ISIS," Center for Justice and Accountability, August 2023 (https://www.washingtoninstitute.org/sites/default/files/pdf/margolin-foreign-women-isis-CJA-AugSept2023.pdf)

Syrian women who became married to Islamic State members,[49] as well as the earlier noted contention of Gaub that any adult person travelling to the Islamic State should be considered as having become a member of the Islamic State.

Previous literature has highlighted some specific non-military roles that women could carry out under the Islamic State's rule, similar to some non-military roles undertaken by male members of the Islamic State. In particular, it has been noted that women could undertake Hisba and da'wa roles, which would correspond respectively to serving under the Diwan al-Hisba and the Diwan al-Da'wa wa al-Masajid. While there is no doubt about women actually performing Hisba and da'wa activities on the ground, it must be noted that no documentary evidence has been found yet to show that women performing these non-military roles were accorded the earlier noted features of membership that were possessed by Islamic State male members who were in those same roles: namely, a unique ID number and a salary. The lack of such evidence to date thus raises doubt about whether women in such roles were therefore considered formal members of the Islamic State. In the absence of further evidence, one may instead wish to call a woman's performance of such roles de facto Islamic State membership rather than de jure membership. Nor is there any evidence that women in these roles were designated munasirat ('female supporters'): indeed, there is no evidence at all in the existing documents that such a term was ever used for women.

The question of possible military roles for women in the Islamic State has proven to be more controversial in the literature. Scholars such as Devorah Margolin, Joana Cook and Charlie Winter suggest that combat roles eventually became open to women as military pressure increased on the group,[50] whereas others such as Nelly Lahoud have cast doubt on the idea. The best evidence supports the contentions of Margolin, Cook and Winter. In particular, witness testimonies[51] and documentary evidence attest to the creation of the Nusayba Battalion in the al-Raqqa area at the turn of 2016-2017. The battalion was named for Nusayba bint Ka'b who fought at the Battle of Uhud.[52] The idea of the battalion was to train women not only in the use of arms, but also to be able to conduct suicide bombings – though it would appear that the use of female suicide bombers was only intended to be a last resort tactic in the event of being unable to prevent a siege and assault on Raqqa. While documents attest to a number of women registering with the battalion, there is no definitive evidence that records a member of this battalion conducting a combat operation, whether in internal documents or propaganda.

It is also to be noted that in relation to the tripartite delineation of involvement with the Islamic State, the women who registered with this battalion similarly did not receive ID numbers and salaries unlike their male counterparts who fought for the group. However, it may be argued that given time constraints and military pressure, there was simply no time to

49 For example, see the controversial legal back-and-forth involving Zainab Abdirahman-Khalif. Arrested by police as she tried to board a flight from Australia to Turkey, Zainab was convicted of membership of the Islamic State in a 2018 trial, only for the conviction to be overturned in 2019 and for the acquittal to be quashed in 2021. See "Islamic State supporter Zainab Abdirahman-Khalif released from Adelaide jail," ABC, May 7, 2021 (https://www.abc.net.au/news/2021-05-07/terror-supporter-zainab-abdirahman-khalif-released-from-jail/100123296)

50 See "The Agency and Roles of Foreign Women in ISIS," and Charlie Winter and Devorah Margolin, "The Mujahidat Dilemma: Female Combatants and the Islamic State," CTC Sentinel, August 2017 (https://ctc.westpoint.edu/the-mujahidat-dilemma-female-combatants-and-the-islamic-state/)

51 "American Woman Who Led ISIS Battalion Pleads Guilty," United States Department of Justice, Office of Public Affairs, June 7, 2022, https://www.justice.gov/opa/pr/american-woman-who-led-isis-battalion-pleads-guilty (cited by Margolin and Cook).

52 This documentary evidence was recovered from Raqqa and has been seen by the author. It has not yet been released publicly though.

formalise the women's status as members through assignment of an ID number. In other words, while the women of the Nusayba Battalion might not have had the bureaucratic hallmarks of membership that male counterparts had, it seems hard to argue that these women were not somehow members of the Islamic State, considering that they received military training and were intended to be deployed as part of the Islamic State's armed forces.

In contrast with the arguable ambiguities raised by the documentary evidence with regards to female membership of the Islamic State, there is evidence in documents that women could be Islamic State employees, in particular in the realms of education and medicine, which would necessarily require female participation. That women could be educational employees is attested, for example, in the participation of female teachers in the Islamic State's repentance programs for educational personnel in Syria,[53] the opening of job opportunities in Mosul for female teachers,[54] and a woman serving as director of a girls school in Iraq, ultimately coming under the oversight of the group's education department.[55] Similarly, it is attested that women could serve as medical employees, though not all women performing medical roles would necessarily have been salaried employees of Islamic State-owned medical facilities, as some might have been operating in a private capacity.[56] For instance, in her book Mosul Under ISIS, Mathilde Becker Aarseth noted the vigorous rules of gender segregation imposed at the medical workplace.[57] The existence of gender segregation rules is corroborated by documentary evidence, such as a fatwa from the Fatwa-Issuing and Research Commission on a female nurse and male doctor being present in the same clinic.[58] Further, the group kept Mosul University's medical education facilities open to female students, clearly with an eye to their performing medical jobs following graduation.[59]

Finally, it should be noted that regardless of membership of the Islamic State or employment by the group, the wife of an Islamic State member would enjoy certain privileges from the group over the women whose husbands were not members. In particular, as part of the immediate families of 'brothers' of the Islamic State, these women could come to own and trade in slaves, though strictly with other immediate families of Islamic State members and not the wider populace.[60] Further, if the Islamic State member's husband were to be killed or taken prisoner by the enemy, then the woman would be entitled to pay-outs from the Islamic State's Martyrs and Prisoners Commission.

53 E.g. See Specimens L and 1V in Archive of Islamic State Administrative Documents

54 Specimen 5V in Archive of Islamic State Administrative Documents.

55 "Information on a student's exam performance: Wilayat Dijlah," Islamic State Archives, February 9, 2023 (https://islamicstatearchives.com/2023/02/09/information-on-a-students-exam-performance-wilayat-dijlah/)

56 The existence of private hospitals and clinics (i.e. hospitals and clinics where the staff would not have been on the payroll of the Islamic State) is suggested by a 2015 document from Aleppo province. See "A Gazan Provincial Governor fort he Islamic State," aymennjawad.org, March 5, 2017 (https://aymennjawad.org/2017/03/a-gazan-provincial-governor-for-the-islamic-state)

57 Mathilde Becker Aarseth, Mosul Under ISIS, (IB Tauris, 2021), pp. 103-108. Indeed, it is those very rules on gender segregation that would serve as part of the rationale for keeping and encouraging women to perform medical jobs where necessary.

58 Specimen 2L in Archive of Islamic State Administrative Documents.

59 Specimen 8X in Archive of Islamic State Administrative Documents.

60 That women could own slaves is noted by the question-and-answer pamphlet published by the Islamic State's al-Himma Library. See "Islamic State Question and Answer Pamphlet on Slavery and Slave-Women," aymennjawad.org, March 30, 2021 (https://aymennjawad.org/2021/03/islamic-state-question-and-answer-pamphlet-on); it is also suggested by Specimen 44B in Archive of Islamic State Administrative Documents, which mentions some women who have purchased slaves, apparently from the war spoils and booty department (https://www.aymennjawad.org/2016/01/archive-of-islamic-state-administrative-documents-3). On confinement of slaves to the Islamic State and its members (and by implication their immediate families), see Specimen 25J in Archive of Islamic State Administrative Documents (https://www.aymennjawad.org/2015/01/archive-of-islamic-state-administrative-documents-2).

Conclusion

Hopefully, this paper has provided some new and up-to-date nuances on personal involvement with the Islamic State, which should assist legal proceedings in providing the most accurate factual basis possible so far. In particular, this paper points to a very clear three-way distinction of involvement for adult men, ranging from full-fledged membership to munasir status and then employee status. Further, the paper highlights that it was possible for members to be expelled from the organisation or quit membership while still being allowed to reside in Islamic State territory, and that entering Islamic State territory did not automatically mean becoming a full-fledged member of the group. Finally, some further light has been shed on women's involvement with the Islamic State, suggesting that while women may not have attained the formal membership status of males, they could nonetheless become de facto members in certain military and non-military roles. Women could also become employees of the Islamic State. More generally, wives of Islamic State members enjoyed certain privileges over women who were not married to Islamic State members, and even if Islamic State members' wives did not themselves become members of the group, they could nonetheless be involved in trafficking and abuse of slaves.

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