

# SEXUAL SLAVERY IN ISLAM AND THROUGH THE ISLAMIC STATE

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The paper is inspired by Edward Said's Orientalism, where it is emphasized that the Occident feels the need to liberate the Orient. The reasonings of why Islam is perceived as the Orient today will be discussed, which will lead to a discussion of the Islamic State of Iraq and Syria's (ISIS') oppression of the Yezidi women in Iraq and Syria.

In a New York Times article, "ISIS Enshrines a Theology of Rape," Rukmini Callimachi reports several accounts of Yezidi women who successfully escaped the Islamic State of Iraq and Syria, where they were raped in the name of religion. The Islamic State of Iraq and Syria claim that sexual slavery is supported by the Quran, the holy book of Islam. Based on their claims of Quranic support, "the Islamic State [of Iraq and Syria] codifie[d] sex slavery in conquered regions of Iraq and Syria" (Callimachi, 2015).

Therefore, ISIS' claim that Islam allows such an inhumane behavior towards females will be questioned while exploring Islam's actual stance on the subject of sexual slavery. First, the Islamic stance on sexual slavery will be explored, the emergence of the Islamic State of Iraq and Syria will be examined, followed by a thorough investigation of the perception of sexual slavery in Islam by the Islamic State of Iraq and Syria, ending with a comparison and contrast among the two stances.

## I. Introduction

The research paper's idea is partially inspired by Edward Said's *Orientalism*, in which it is emphasized that the Occident feels the need to liberate the Orient. Today, the Orient is generally associated with Islam. Many scholars may corroborate the statement; for instance, Dr. Hatem Bazian, in his book *Annotations on Race, Colonialism, Islamophobia, Islam, and Palestine*, mentions that the world perceives that Islam is "uniquely situated as the source of the problem and supposedly rooted in a refusal to conform to the precepts of the modern world" (Bazian 2017). One of the primary aspects of Islam that the West criticizes is female oppression. The image of the female gender in the Orient constructed by the West is that of an "oppressed, and passive Muslim women dominated and violated by a violent, barbaric, and uncivilized Muslim male" (Bazian 2017).

Islam has been the target of Western criticism for centuries- generating the above-mentioned negative image. Said in his book, *Orientalism*, states that "[o]nly the source of [the] rather narcissistic Western ideas about the Orient [in this case Islam] changed in time, not their character" (Said 1978). The Occident has been unyieldingly attempting to express themselves as superior by inferiorizing Islam through various means such as by judging Islam "to be a fraudulent" and "misguided version of Christianity" (Said 1978). There has been a long and complex history of the Occident utilizing negative frames against Islam and using them as an excuse to target the Muslims. Throughout history, there exist innumerable examples of Islam being projected as the lamentable religion whose followers are an abomination and deserve to be persecuted. More recently, the entire Muslim population has been held accountable for an extremist Islamic group's atrocious behavior— to generate the perception that Islam as a whole is regressive and oppressive towards women.

The extremist group called the Islamic State of Iraq and Syria (ISIS<sup>1</sup>), among other barbaric activities, oppressed the Yezidi women in Iraq and Syria. In a New York Times article, "ISIS Enshrines a Theology of Rape," Rukmini Callimachi reports several accounts of Yezidi women who successfully escaped the Islamic State of Iraq and Syria, where they were raped in the name of religion. The Islamic State of Iraq and Syria claims that sexual slavery is supported by the Quran, the holy book of Islam. Based on their claims of Quranic support, "the Islamic State [of Iraq and Syria] codified sex slavery in conquered regions of Iraq and Syria" (Callimachi 2015).

ISIS' oppression of women gained international attention through media and other means. However, the attention garnered has been dwindling, and it is the responsibility of the world community, especially women, to not let the attention subside before seeking a solution. Women throughout history have been bearing the more significant burden of oppression. For instance, in the United States, the fifteenth amendment gave "Black men" the right to vote "while white women were still denied" (Block 2020). Decades later, after the struggle of many suffragist leaders, were the women finally granted the right to vote. Even in the most downtrodden communities, women are further oppressed by their male counterparts, as has been documented throughout history. Even today, women worldwide face violence, assaults, discrimination, and institutional barriers. According to the World Health Organization, "1 in 3 women globally experience violence," "a number that has remained largely unchanged over the past decade" (WHO 2021). To elaborate further, "[v]iolence against women is endemic in every country and culture, causing harm to millions of women and their families" (WHO 2021). The predicament intensifies, as the WHO's (World Health Organization's) director-general asserts that violence against women "has been exacerbated by the COVID-19 pandemic" (WHO 2021). Therefore, it is ever essential to break the vicious cycle of gender-based discrimination<sup>2</sup> by suppressing sexual violence, the most extreme form of oppression.

In order to achieve the goal of human rights for all— through women's liberation from a society where enforced sexual slavery, better termed as rape, is a deeply rooted norm— it is crucial for each individual to play their part. To partake in the liberation effort, one does not necessarily have to enroll in the military and charge at the enemy, as there are several ways to join the effort. For instance, spreading awareness by writing an analysis on the flaws of the proclamations of the oppressors may seem futile but indeed plays a significant role in the effort

1 The group is known by many other names including, "Islamic State, ISIS (Islamic State of Iraq and Syria), ISIL (Islamic State of Iraq and wa- Sham or Levant), [and] by its Arabic abbreviation, Da'esh" (Gerges, 2017). The paper will frequently use ISIS and Islamic State.

2 Though there are also males who have been sexually harassed/assaulted, cases of male harassment/assaults are not as prevalent as women getting assaulted or harassed.

of moving forward towards the goal. The idea, no effort made is worthless may be reflected in the well-known hadith<sup>3</sup>, which records that the Prophet at one occasion has said that: whoever sees something wrong being done, let him/her change it by hand (which means by force); but if he is unable to do so, then with his tongue; but if he is unable to do that, then with his heart. In essence, every bit counts, as little drops of water make the mighty ocean.

Though in the Spring of 2019, “the physical caliphate of the world’s most notorious terrorist group in Iraq and Syria” was dismantled by the United States and coalition allies, studying the sexual enslavement of Yazidi women by ISIS still holds significant importance (Berman 2020). One of the main reasons is summarized by the well-known phrase, those who cannot remember the past are condemned to repeat it. If society ignores the occurrence of the Yezidi sexual enslavement by ISIS merely because the group itself has been dismantled, then we would not be learning from the past and will be prone to repeating it in the future. Only about two hundred years ago, people across “Europe, Africa, and the Americas saw nothing wrong in the idea” of owning a slave, who “had no rights” (Abolition project 2009). These slaves were forced into all sorts of tasks, from labor to sexual activities. According to Lindsay, Mauritania was the last country to abolish slavery in 1981; having said that, all other countries across the globe had abolished slavery by then. Despite the universal consensus of the abolition of slavery, “20th century would witness German Nazis’ use of slave labor in industry ... In 1954, China began allowing prisoners to be used for labor in the Lagoni prison camps. In 1989, the National Islamic Front took over the government of Sudan and [enslaved] inhabitants” (Lindsay 2019). The most influential country of the world, the United States, the land of the free, under the thirteenth amendment in section I allows the use of slavery “as a punishment for crime,” which has been exploited ever since, resulting in the United States, “home to five percent of the world’s population... having twenty-five percent of the world’s prisoners” (DuVernay 2016). As may be observed, despite universal condemnation and abolition, horrendous acts of slavery have been carried out and continue to be carried out across the globe. Hence, what is the guarantee that no new group will appear and follow the footsteps of the most powerful countries in the world, or radical or extremist institutions? Let alone a new group rising and committing such atrocities, it is possible for ISIS itself to re-introduce slavery, just as it did in Iraq, as it has been “indicated that ISIS, though diminished, is still viable — and dangerous” (Berman<sup>4</sup> 2020). Berman’s statement is reinforced by the fact that ISIS “emerged from remnants of al-Qaeda in Iraq (AQI)... It faded into obscurity for several years after the surge of U.S. troops to Iraq in 2007. But it began to reemerge in 2011” (“Timeline” 2019). If the group is capable of reemerging once, it has the potential to do so again. The aforementioned reasoning is among the many reasons why the world community should not just forget and move on but strive to get to the root of the problem and fashion a permanent solution so that no more humans fall victim to such horror.

Therefore, the scope of this paper is questioning ISIS’ claim that Islam allows such an inhumane behavior towards females while exploring Islam’s actual stance on the subject of sexual slavery. The paper is intended to explore the Islamic stance on sexual slavery, examine the emergence of ISIS and thoroughly investigate their perception of sexual slavery, and compare and contrast the two believes regarding sexual slavery.

## I. Islam and sexual slavery

### A. Islam

Primary textual sources Muslims rely on for any matter in Islam include the Quran, Sunnah, and Hadiths. The Quran, the sacred book, is believed to be God’s word dictated to Prophet Muhammad through angel Gabriel. The Sunnah is the normative practice and example of Prophet Muhammad’s life, and Hadiths report what the Prophet (Peace Be Upon Him) has said. “Both the Hadith and Sunnah must adhere to a strict chain of narration that ensures its authenticity, taking into account factors such as the character of people in the chain and continuity in narration. Reports that fail to meet such criteria will be disregarded” (BBC, 2011). Though the Sunnah and the Hadiths follow stringent guidelines, there still exists a concern about their authenticity, as even a slight change in the narration may completely change the moral of the information provided. Also, there exists disagreement regarding the authenticity and structure of many of the hadiths and Sunnah among the various sects and the schools of Islam. “Muslim scholars realized that swaths of Hadiths were being forged in order to promote various

3 Saying of the Prophet Muhammad (Peace Be Upon Him)

4 Ilan Berman is senior vice president of the American Foreign Policy council in Washington, D.C.

political, sectarian, cultural, or legal agendas among the burgeoning Muslim populace of the early Islamic Empire” (Brown 2019). Although different schools of thought were developed and used different methodologies to sift “forgeries from what they concluded were reliably the words of the Prophet,” no one knows which traditions remain untouched, leading to a lack of consensus (Brown 2019).

On the other hand, the Quran was revealed unto the Prophet and is believed to be the word of God Himself. Although the codified Quran that exists today is believed to have been “established shortly after the death of the Prophet by the Caliph Uthman,” it is unanimously consensed (by all the existing sects of Islam) that it exists in the exact form as it was revealed unto the Prophet and no changes have been made to the message (BBC 2011). Hence, it is the most reliable source of information to study the religion of Islam and its stance on sexual slavery.

Nevertheless, using the Quran to grasp an understanding of any matter has its limitations. The Quran was revealed in Arabic and is written in the old Arabic dialect, and it is almost impossible to translate the true essence of the Quran into another language. Thus far, translating the Quran contains an element of interpretation by the translator, which implies the loss of meaning of the Quranic text to some extent. Nonetheless, the lack of understanding of the Arabic language impels us to use the English translation of the Quran<sup>5</sup> for this research. Also, it is worth acknowledging that the arrangement of the chapters of the Quran “does not correspond to the chronological order in which they were revealed” (BBC, 2011); and does not provide the context for why and what reason a particular verse or chapter was revealed. Hence, one can not unequivocally state one verse to be abrogating another. Due to the lack of contextuality, scholars tend to correspond with the Quran’s verses, certain parts of the *As-Seerat an-Nabawiyyah* (Prophet Muhammad’s biography), which was written after the death of the Prophet. The association of the verses with certain parts of the *As-Seerat an-Nabawiyyah*, written after the Prophet’s death, is at best educated-guesses made by the scholars with no unanimous consensus. Therefore, the paper will attempt to solely analyze the Quranic text and understand the actual stance of Islam on sexual slavery.

## B. *Quran and Sexual Slavery*

Without further ado, the Quranic verses<sup>6</sup> will be analyzed to understand and develop a stance on sexual slavery.

### 1. Marriage With Slaves

In chapter four, *An-Nisa*, verse twenty-three mentions a list of women forbidden to men to take into marriage (or to have coitus with). The list continues into verse twenty-four, which states that “Also (forbidden are) women already married, except those (slaves) whom your right hands possess. Thus has Allâh ordained for you. All others are lawful, provided you seek (them in marriage) with Mahr (bridal-money given by the husband to his wife at the time of marriage) from your property, desiring chastity, not committing illegal sexual intercourse, so with those of whom you have enjoyed sexual relations, give them their Mahr as prescribed; but if after a Mahr is prescribed, you agree mutually (to give more), there is no sin on you. Surely, Allâh is Ever All-Knowing, All-Wise.” The first half of the verse indicates that it is acceptable to marry a woman who is already married but is now one’s captive slave, as the phrase “your right hands possess” is a direct reference to a war captive. In other words, the acceptance of marrying an already married slave woman only applies to a slave captive who had been previously married to someone on the other side of the war. Though such permission is granted, no context is provided regarding whether it is acceptable to force marriage on her or whether it is to take place with mutual consent. In other words, the verse confirms the neutral point that it is permissible to marry an already married captive woman. The other half of the verse asserts that “all others are lawful, provided you seek (them in marriage) with Mahr...” Now, the Quran is believed to be the medium of complete knowledge, which means the words of the Quran were carefully put together (which is not debatable, as Quran is the word of God, and God is omniscient and cannot

5 For the purpose of this paper, I will be using <https://quran.com/> for the translation of the Quran and will be using the translation by Muhammad Taqi-ud-Din al-Hilali & Muhammad Muhsin Khan

6 Due to the lack of understanding of the Arabic language, I will be using the site, Islam and the Quran (which compiled all the verses that are related to the concept of sexual slavery in Islam) to track down all the verses that will help develop a better understanding of what the Quran has to say about sexual slavery. However, in order to avoid bias, I will be using the site to only track the verses and then will be using Muhammad Taqi-ud-Din al-Hilali & Muhammad Muhsin Khan’s translation from quran.com.

make a mistake). With the perfection of the Quran in mind, the verse uses “all other,” putting the slaves and the free woman in the same category- asserting that they are lawful, “provided you seek (them in marriage) with Mahr (bridal-money given by the husband to his wife at the time of marriage),” which can be interpreted as the idea that free women, as well as slave women, are lawful to marry with, as long as you provide them with Mehar. The verse seems to be stressing the right of Mehar upon marriage. Though many may interpret the verse to imply that coition, even with slave women, is only lawful/permitted if one marries them. It will be a fallacy to perceive it to be discussing extramarital sexual relations because the Quran does not explicitly state so, and the subject of discussion in the verses are the women one is allowed to marry, not the ones he must marry. Hence, the mentioned verse is only providing the information that marriage with slaves is permissible.

An-Nisa continues in verse twenty-five to express the following, “And whoever of you have not the means wherewith to wed free, believing women, they may wed believing girls from among those (slaves) whom your right hands possess, and Allâh has full knowledge about your Faith; you are one from another. Wed them with the permission of their own folk (guardians, Auliyâ’ or masters) and give them their Mahr according to what is reasonable; they (the above said captive and slave-girls) should be chaste, not committing illegal sex, nor taking boy-friends. And after they have been taken in wedlock, if they commit illegal sexual intercourse, their punishment is half that for free (unmarried) women. This is for him among you who is afraid of being harmed in his religion or in his body; but it is better for you that you practise self-restraint, and Allâh is Oft-Forgiving, Most Merciful.” In this verse, it is clear that Allah provides permission to marry a slave, given that they are not involved in fornication. However, one aspect that is unclear in the mentioned verse is that, though it is allowed to marry a slave, it is mentioned that one is to “wed them with the permission of their own folk (guardians, Auliyâ’ or masters).” The obligation to ask the “master’s” permission implies that the mentioned slave/captive is not one’s own slave. However, the preceding statement states, “they may wed believing girls from among those (slaves) whom your right hands possess,” implying that one can marry one’s own captive slave. Hence the question, whether or not it is allowed to marry one’s own slave, remains unanswered. Another aspect is that the verse prohibits from committing “illegal sex” and taking “boy friends.” Any man taken in by a woman would be considered her “boy friend.” Therefore, it is only appropriate to extract the verse’s meaning to be that a slave one marries should be chaste and not have any sexual relations with any man, including her master. On the other hand, slaves are required to refrain from having “boy-friends,” and “illegal sex,” in order to be eligible to marry someone. Illegal by definition means not in accordance with the law, in this case, the law of God. Considering the terminology “illegal,” it is safe to say that sexual relations among a master and his slave, outside the wedlock, are considered illegal; therefore, not allowed in Islam if the slave is betrothed. Although it has been developed that it is illegal for a slave who is to be married (with someone other than her master) to have intercourse with her master, it has not been mentioned that coitus with a slave who is not intended to be married off is illegal. In short, the verse discusses that a slave one intends to take as a wife must be chaste but does not provide a verdict on carnal relations among a master and his slave in general.

## 2. Sex (with slaves) Without Marriage

In chapter four, Surah An-Nisa (women), verse three, Quran, while discussing the rights of the orphans, mentions, “And if you fear that you shall not be able to deal justly with the orphan-girls then marry (other) women of your choice, two or three, or four; but if you fear that you shall not be able to deal justly (with them), then only one or (the slaves) that your right hands possess. That is nearer to prevent you from doing injustice.” The mentioned verse may be interpreted in two ways. One way would be that the Quran indicates one to marry free women to satisfy themselves so that he will not do injustice, which is sexually enforcing themselves, on the orphan female(s) under their care. Though if one feels that he will not be able to maintain balance among his wives, he should marry only one free woman or marry a slave woman he owns. The other way of interpreting the verse would be based on the wording used in the verse: “then only one or (the slaves) that your right hands possess.” This implies that the verse is suggesting that if one cannot afford to treat multiple wives justly, then he should only marry one

woman, or<sup>7</sup> satisfy his needs from a slave of his (without having to marry her) so that he is not tempted to violate the orphan(s) under his care. The verse, in other words, does not answer the question, whether or not sex with a slave without marriage is acceptable, but rather is a starting point.

Verse thirty-two of chapter seventeen, Al-Isra (The Night Journey), restates that it is a sin to commit unlawful sexual intercourse by stating, “And come not near to unlawful sex. Verily, it is a Fâhishah (i.e., anything that transgresses its limits: a great sin), and an evil way (that leads one to Hell unless Allâh forgives him).” Islam allows, rather encourages, sexual intercourse with one’s lawfully married wife; therefore, anyone having coitus with someone he/she is not married to is committing a sin. However, it has not been explicitly mentioned whether or not slaves are an exception to the condition of limiting sexual relations with only those to whom one is married.

To answer the question of whether or not sexual relations are allowed with slaves one is not married to, chapter twenty-three, Al-Mu’minun (the Believers), while discussing the traits of a successful believer, in verses five and six, states that the successful ones are “those who guard their chastity (i.e. private parts, from illegal sexual acts). Except from their wives or (the slaves) that their right hands possess, - for then, they are free from blame.” The revelation is reiterated in chapter seventy, Al-Ma’arij (the Ascending stairways), verses twenty-nine and thirty while listing those who will not be punished by the hellfire. The two chapters explicitly express that it is not a sin for one to have sexual intercourse with one’s slaves, with whom he is not married. Hence, it is allowed for a master to have carnal knowledge of his slave.

### 3. (Unmarried) Slave’s Consent for Sex

Considering the nature of the research, understanding the aspect of seeking the slave’s consent<sup>8</sup> for intercourse is essential. Verse thirty-six of An-Nisa unveils Allah’s command to “Worship Allâh and join none with Him (in worship); and do good to parents, kinsfolk, orphans, Al-Masâkîn (the poor), the neighbour who is near of kin, the neighbour who is a stranger, the companion by your side, the wayfarer (you meet), and those (slaves) whom your right hands possess. Verily, Allâh does not like such as are proud and boastful.” The verse commands individuals to “do good to” slaves. It is not defined what “do good” would include, so assumptions, such as raping the slaves would not be doing “good” to them, may not be developed<sup>9</sup>. Thence, whether or not a slave’s consent is required for sexual intercourse remains unanswered.

Though verse thirty-three of chapter twenty-four, An-Nur (the Light), does not provide an explicit answer to the question, it leads towards the right direction. The verse says, “And let those who find not the financial means for marriage keep themselves chaste, until Allâh enriches them of His Bounty. And such of your slaves as seek a writing (of emancipation), give them such writing, if you find that there is good and honesty in them. And give them something (yourselves) out of the wealth of Allâh which He has bestowed upon you. And force not your maids to prostitution, if they desire chastity, in order that you may make a gain in the (perishable) goods of this worldly life. But if anyone compels them (to prostitution), then after such compulsion, Allâh is Oft-Forgiving, Most Merciful (to those women, i.e. He will forgive them because they have been forced to do this evil act unwillingly).” As hinted earlier, the verse does not answer whether the consent of the slave is required for intercourse among the master and the slave, but it undoubtedly asserts that the slave’s consent is required for the master to be able to enter them in the business of prostitution. Prostitution,<sup>10</sup> by definition, is the idea of sexual relations in return for monetary compensation. Since, while discussing consent for prostitution, master and slave sexual relations are not discouraged, it may be interpreted that the consent of a slave is not required to have coitus. However, the consent for coitus not being required by the slave’s master is not supported by an explicit assertion of the Quran. Therefore, the answer remains equivocal.

In answering the question of consent, many perceive it as a plausible approach to juxtapose the following:

7 As the verse uses OR and does not mention the term marry again before mentioning the slaves- “then only one or (the slaves) that your right hands possess”

8 It is important to note the stance on forceful sexual intercourse, as the majority, if not all, of the women under ISIS enslavement are being forced into sexual intercourse.

9 Because such an assumption will be made through contemporary moral and legal lenses, as it was the norm across the globe back in the days, so it would not be a prima facie reading of this Quranic verse.

10 Prostitution also implies having relations with multiple men, not just one.

the Quran encourages freeing<sup>11</sup> slaves and maintaining a merciful behavior but does not explicitly declare it forbidden- hence, acceptable. Pertaining to the logic of deeds being acceptable unless explicitly forbidden, it may be derived that the lack of explicit prohibition of enforcing oneself on his slave implies that it may be discouraged, but it certainly is not forbidden.

In essence, the lack of explicit assertion, and the presence of ambiguity, encourages ambivalent perspectives. Because the answer is not crystal clear, it is not feasible to proclaim the Quran's stance on the question. Hence, the need to interpret, which leads to innumerable perspectives.

## II. Emergence of ISIS (Relevant History)

Before delving into the oppression of Yazidi women at the hands of ISIS, it is worthwhile to glance over some related history of the group to understand the situation better.

It all began in December of 1979 when the Soviet Union invaded Afghanistan to defend a figurehead against the rebels. Osama Bin Laden, a well-educated<sup>12</sup> young Sunni Muslim of Saudi origin, was advised by Abdullah Azzam, a "radical Palestinian professor," on the significance of uniting Muslims from all across the globe to defend Afghanistan against the godless Soviet Union (Post 2002). In the 1980s, Bin Laden, in assistance with Azzam, established the Makhtab al-Khidamat, an international recruitment network which "channel[ed] fighters and money to Afghanistan" (United Nations 2010). Makhtab al-Khidmat did not only advertise across the Arab world to recruit young Muslims to fight the Afghanistan conflict but "recruitment booths were set up in the United States and Europe," as well, bringing in Muslims from across the world to fight for the Afghan cause (Post 2002). These recruited Muslims were collectively referred to as the Mujahideen and later as the Afghan resistance movement. Many of the Mujahideen came forward with the genuine intention of helping Afghanistan, as they perceived the effort as a religious struggle and took the responsibility upon themselves to fight for a religious cause. Bin Laden regularly preached to the Mujahideen about their holy mission and made them believe that "with substantial American aid [they were] sure, to triumph over the Soviet Union... surely confirm[ing] for Osama bin Laden and his followers the correctness of bin Laden's vision" (Post 2002).

In 1989, the Soviets withdrew from Afghanistan, and all the mujahadeen returned to their respective homes. Bin Laden was "outraged when the kingdom joined the Persian Gulf War coalition against Iraq and allowed U.S. troops on the Arabian Peninsula" ("Bin Laden, Osama" 2018). On the other hand, bin Laden was dedicated to the "International struggle" while Azzam focused all his attention on building Afghanistan as a model Islamic state leading the two to split in 1988 (Post 2002). Influenced by the political atmosphere and following his split with Azzam, bin Laden developed al-Qaeda to become a global network, showcasing itself as an Islamic army fighting against Islam's so-called enemies. In 1989, Azzam died, and bin Laden "continued to utilize Makhtab al-Khidamat and the Al Kifah<sup>13</sup> branches before absorbing them into Al-Qaida" (United Nations 2010). In addition, Ayman al-Zawahiri, a physician and the founder of the Egyptian Islamic Jihad, merged his organization with al-Qaeda in 1998.

Bin Laden, who was declared a fugitive by the United States in September 1996, found refuge in Afghanistan by allying with the Taliban. Ever since the newly formed alliance, a series of constant attacks and counter-attacks occurred among the United States and al-Qaeda. Essentially, in September 2001, al-Qaeda attacked the United States, killing nearly 3000, by hijacking four airplanes, two of which flew into the twin towers of the World Trade Center in New York City, one hitting the Pentagon just outside Washington, D.C., while the fourth plane crashed in a field in Shanksville.

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11 Verses ten and eleven of chapter ninety, Al-Balad (the City), of the Quran assert that Allah has "shown him [the man] the two ways (good and evil)? But he has not attempted to pass on the path that is steep (i.e. the path which will lead to goodness and success)." Verse twelve then asks the rhetorical question, "And what will make you know the path that is steep?" In response to which verses twelve through sixteen each state an action which may be undertaken to follow the "steep" path. Verse twelve, states, "(It is) freeing a neck (slave)," as one of the actions that will position one on the "steep" path. In short, freeing the slaves is the right thing to do, for one's own sake, but certainly is not a mandate for the followers of Islam.

12 Osama Bin Laden was "a certified civil engineer, and was working toward a degree in business management ( although it is not clear that he completed his course work)." (Post, 2002).

13 The alias under which Makhtab al-Khidamat established offices worldwide

In due course, the United States invaded Afghanistan, but bin Laden fled to Pakistan. Two years later, Saddam Hussein, a dictator and a Sunni Iraqi revolutionary leader whose rule and government infrastructure was based on the Baath Party ideology (Arab Socialism) with a hostile attitude towards religion, was overthrown by the United States. Following the fall of Saddam Hussein in 2003, “[o]n May 16, CPA<sup>14</sup> Administrator Bremer outlawed the former ruling Baath Party and ordered Iraq institutions to ‘de-Baathify,’” and on “May 23, Bremer dissolved the Iraqi military” (Hamasaed 2020). The disbanding and demobilization of the Iraqi army- a decision the U.S. came to regret later<sup>15</sup>- left countless Sunni Iraqi soldiers unemployed. With former soldiers equal or above the rank of colonel banned from serving under the new government, many of the frustrated unemployed men joined the Sunni insurgency. The so-called Sunni jihadist groups perceived the situation as a repeat of Afghanistan’s invasion by the Soviet Union in 1979. The perception developed that history is being repeated, so similar actions were taken as individuals came together to fight what they believed to be a holy war. Among these newly gathered “mujahadeen” was Abu Musab Zarqawi, a semi-literate and a former street thug of Jordanian origin who had served in Afghanistan. By 2004, Zarqawi had become a well-known jihadist. His group eventually became the most ruthless among the groups, which deliberately attacked the Shii Muslim community of Iraq.

In 2004, Al-Qaeda allied with Zarqawi’s group, formally becoming Al-Qaeda in Iraq (AQI). By 2006, the Iraqi Sunnis rose against Zarqawi, leading to the United States air strike and killing Zarqawi on July 7, 2006. Abu Ayyub al Masri takes Zarqawi’s place and, under the leadership of Omar al Baghdadi, declares the establishment of the Islamic State in Iraq (ISI). By 2008, membership of the group ISI diminished strongly, leaving the group primarily defeated. However, in 2009, “Iraqi Prime Minister Maliki targeted Sunni leaders, [which increased] sectarian tensions,” and Sunni tribal areas began to, increasingly, support ISI (“Timeline” 2019). Later in 2010, “U.S.- Iraqi operations [killed] Abu Omar al Baghdadi and Abu Ayyub al Masri,” and their positions were filled by Abu Bakr al Baghdadi becoming the leader (“Timeline” 2019).

In 2013, after consolidating control in Syria, the ISI merged with the Nusra Front in Syria- while cutting ties with al-Qaeda- and became the Islamic State in Iraq and Syria (ISIS). On June 29 of 2014, after expanding its territory for a while, ISIS announced: “the establishment of a caliphate and [rebranded] itself as the ‘Islamic State’”(“Timeline” 2019). Only two months later, on Aug 2-3, ISIS conquered the Kurdish towns of Sinjar and Zumar and enslaved numerous Yazidi women<sup>16</sup>. After a long series of attacks by ISIS across the world and the U.S. and its coalition allies’ retaliation, it was proclaimed in 2019 that the physical caliphate had been destroyed. It was also announced that Baghdadi died during a “U.S. special operations raid in Idlib, Syria” (“Timeline” 2019).

### III. ISIS and Sexual Slavery

Until ISIS published a pamphlet followed by a fatwa clarifying its position on the issue, many scholarly assumptions were made about ISIS’ stance on sexual slavery, based on the group’s activities. In late 2014, ISIS published a five-page pamphlet consisting of thirty-two questions and answers in Arabic, titled “Questions and Answers on Captives and Slaves.” Through the pamphlet and the fatwa, ISIS elucidated its interpretation of the Islamic law on slaves and captives. In other words, the entirety of ISIS’ perception of sexual slavery, that is known, is encompassed in the pamphlet and the fatwa below.

#### A. *The Five Page Pamphlet*

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14 Coalition Provisional Authority (CPA)

15 General Ray Odierno, the U.S. Army chief of staff, in an interview in 2015 said that “We could have done a lot better job of sorting through that and keeping the Iraqi army together.” “We struggled for years to try to put it back together again” (Hamasaed, 2020).

16 Which is the focus of this research.

Of the thirty-two total, twenty-five<sup>17</sup> questions were translated<sup>18</sup> into English by the Middle East Media Research Institute (MEMRI)<sup>19</sup>. “MEMRI has been criticized for presenting a biased picture of contemporary Muslim and Middle Eastern perspectives by, for instance, cherry-picking unrepresentative texts” (Ali, 2016). Therefore, the excerpt of the pamphlet below, which was originally published in Arabic, should be read with the acknowledgement that the “recognitions of the common humanity of slave owners and enslaved people are largely absent from the partial translation of the pamphlet” (Ali, 2016).

- Question 1: What is al-sabi?  
Al-Sabi is a woman from among ahl al-harb [the people of war] who has been captured by Muslims.
- Question 2: What makes al-sabi permissible?  
What makes al-sabi permissible [i.e., what makes it permissible to take such a woman captive] is [her] unbelief. Unbelieving [women] who were captured and brought into the abode of Islam are permissible to us, after the imam distributes them [among us].
- Question 3: Can all unbelieving women be taken captive?  
There is no dispute among the scholars that it is permissible to capture unbelieving women [who are characterized by] original unbelief [kufr asli], such as the kitabiyat [women from among the People of the Book, i.e., Jews and Christians] and polytheists. However, [the scholars] are disputed over [the issue of] capturing apostate women. The consensus leans toward forbidding it, though some people of knowledge think it permissible. We [ISIS] lean toward accepting the consensus....
- Question 4: Is it permissible to have intercourse with a female captive?  
It is permissible to have sexual intercourse with the female captive. Allah the almighty said: “[Successful are the believers] who guard their chastity, except from their wives or (the captives and slaves) that their right hands possess, for then they are free from blame [Koran 23:5–6].”...
- Question 5: Is it permissible to have intercourse with a female captive immediately after taking possession [of her]?  
If she is a virgin, he [her master] can have intercourse with her immediately after taking possession of her. However, if she isn’t, her uterus must be purified [first]....
- Question 6: Is it permissible to sell a female captive?  
It is permissible to buy, sell, or give as a gift female captives and slaves, for they are merely property, which can be disposed of as long as that doesn’t cause [the Muslim ummah] any harm or damage.
- Question 7: Is it permissible to separate a mother from her children through [the act of] buying and selling?  
It is not permissible to separate a mother from her prepubescent children through buying, selling, or giving away [a captive or slave]. [But] it is permissible to separate them if the children are grown and mature.
- Question 8: If two or more [men] buy a female captive together, does she then become [sexually] permissible to each of them?  
It is forbidden to have intercourse with a female captive if [the master] does not own her exclusively. One who owns [a captive] in partnership [with others] may not have sexual intercourse with her until the other [owners] sell or give him [their share].
- Question 9: If the female captive was impregnated by her owner, can he then sell her?

17 “Recognition of common humanity of slave owners and enslaved people”- such as queries regarding integration of female slaves into households, families, and communities; or regarding the right of the female slave to her owner’s time, as each wife in a polygynous marriage would - “are largely missing from the partial translation of the pamphlet published by the Middle East Media Research Institute” (Ali, 2016).

18 The translations are adopted by Middle East Media Research Institute, which has a reputation of producing generally accurate Translations, and is used for the understanding of the pamphlet by well established news and research outlets (Ex: New York Times).

19 Kecia Ali states, “[t]hough MEMRI has been criticized for presenting a biased picture of contemporary Muslim and Middle Eastern perspectives by, for instance, cherry-picking unrepresentative texts, its translations are generally accurate.” Hence, its translation has not only been used by well known news and research outlets (Ex: New York Times), but scholars (such as Kecia) as well.

He can't sell her if she becomes the mother of a child....

- Question 10: If a man dies, what is the law regarding the female captive he owned?  
Female captives are distributed as part of his estate, just as all [other parts] of his estate [are distributed]. However, they may only provide services, not intercourse, if a father or [one of the] sons has already had intercourse with them, or if several [people] inherit them in partnership.
- Question 11: May a man have intercourse with the female slave of his wife?  
A man may not have intercourse with the female slave of his wife, because [the slave] is owned by someone else.
- Question 12: May a man kiss the female slave of another, with the owner's permission?  
A man may not kiss the female slave of another, for kissing [involves] pleasure, and pleasure is prohibited unless [the man] owns [the slave] exclusively.
- Question 13: Is it permissible to have intercourse with a female slave who has not reached puberty?  
It is permissible to have intercourse with the female slave who hasn't reached puberty if she is fit for intercourse; however if she is not fit for intercourse, then it is enough to enjoy her without intercourse.
- Question 14: What private parts of the female slave's body must be concealed during prayer?  
Her private body parts [that must be concealed] during prayer are the same as those [that must be concealed] outside [prayer], and they [include] everything besides the head, neck, hands, and feet.
- Question 15: May a female slave meet foreign men without wearing a hijab?  
A female slave is allowed to expose her head, neck, hands, and feet in front of foreign men if fitna [enticement] can be avoided. However, if fitna is present, or if there is fear that it will occur, then it [i.e., exposing these body parts becomes] forbidden.
- Question 16: Can two sisters be taken together while taking slaves?  
It is permissible to have two sisters, a female slave and her aunt [her father's sister], or a female slave and her aunt [from her mother's side]. But they cannot be together during intercourse, [and] whoever has intercourse with one of them cannot have intercourse with the other, due to the general [consensus] over the prohibition of this.
- Question 17: What is al-'azl?  
Al-'azl is refraining from ejaculating on a woman's pudendum [i.e., coitus interruptus].
- Question 18: May a man use the al-'azl [technique] with his female slave?  
A man is allowed [to use] al-'azl during intercourse with his female slave with or without her consent.
- Question 19: Is it permissible to beat a female slave?  
It is permissible to beat the female slave as a [form of] darb ta'deeb [disciplinary beating], [but] it is forbidden to [use] darb al-takseer [literally, breaking beating], [darb] al-tashaffi [beating for the purpose of achieving gratification], or [darb] al-ta'dheeb [torture beating]. Further, it is forbidden to hit the face.
- Question 20: What is the ruling regarding a female slave who runs away from her master?  
A male or female slave's running away [from their master] is among the gravest of sins....
- Question 21: What is the earthly punishment of a female slave who runs away from her master?  
She [i.e., the female slave who runs away from her master] has no punishment according to the sharia of Allah; however, she is [to be] reprimanded [in such a way that] deters others like her from escaping.
- Question 22: Is it permissible to marry a Muslim [slave] or a kitabiyya [i.e., Jewish or Christian] female slave?  
It is impermissible for a free [man] to marry Muslim or kitabiyat female slaves, except for those [men] who feared to [commit] a sin, that is, the sin of fornication....
- Question 24: If a man marries a female slave who is owned by someone else, who is allowed to have intercourse with her?  
A master is prohibited from having intercourse with his female slave who is married to someone

else; instead, the master receives her service, [while] the husband [gets to] enjoy her [sexually].

- Question 25: Are the huddoud [Koranic punishments] applied to female slaves?

If a female slave committed what necessitated the enforcement of a hadd [on her], a hadd [is then] enforced on her—however, the hadd is reduced by half within the hudud that accepts reduction by half....

- Question 27: What is the reward for freeing a slave girl?

Allah the exalted said [in the Koran]: “And what can make you know what is [breaking through] the difficult pass [hell]? It is the freeing of a slave.” And [the Prophet Muhammad] said: “Whoever frees a believer Allah frees every organ of his body from hellfire.”

## B. Fatwa Number 64

A fatwa is an Islamic legal opinion provided, by a scholar or jurist of Islam, in response to a question. Following is the fatwa that was issued by the Islamic State theologians concerning the treatment of female slaves.

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### ISIL COMMITTEE OF RESEARCH AND FATWAS FATWAS No. 61, 62, and 64-68

Fatwa Number: 64  
Date: 29 JAN 2015

Question: Some of the brothers have committed violations in the matter of the treatment of the female slaves. These violations are not permitted by Sharia law, because these rules have not been dealt with in ages. Are there any warnings pertaining to this matter? May Allah protect you.

Praise be to Allah, prayer and peace be upon our Prophet Muhammad, his household and all of his companions.

One of on the graces which Allah has bestowed upon the State of Caliphate is the conquest of large surface areas of the country and one of the inevitable consequences of the jihad of establishment is that women and children of infidels will become captives of Muslims. Consequently, it is necessary to clarify some rules pertaining to captured prisoners to avoid any violations in dealing with them.

Therefore we say, and may Allah grant us success:

- It is not permissible for the owner of a female captive to have intercourse with her until after she has had her menstrual cycle and becomes clean.
- If she does not menstruate and is pregnant, he is not allowed to have intercourse with her until after she has given birth.
- It is not permissible to cause her to abort if she is pregnant.
- If the owner of a female captive releases her, only he can have intercourse with her and he is cannot allow someone else to have intercourse with her.
- If the owner of a female captive, who has a daughter suitable for intercourse, has sexual relations with the latter, he is not permitted to have intercourse with her mother and she is permanently off-limits to him. Should he have intercourse with her mother then he is not permitted to have intercourse with her daughter and she is to be off-limits to him.
- The owner of two sisters is not allowed to have intercourse with both of them; rather he may only have intercourse with just one. The other sister is to be had by him, if he were to relinquish ownership of the first sister by selling her, giving her away or releasing her.
- If the female captive is owned by a father, his son cannot have intercourse with her and vice versa. Moreover, intercourse with his wife's female captive is also not permissible.
- If a father had intercourse with his female captive then gave her away or sold her to his son, he is not longer permitted to have intercourse with her.
- If the female captive becomes pregnant by her owner, he cannot sell her and she is released after his death.
- If the owner releases his female captive then he is not permitted to have intercourse with her afterwards because she has become free and is no longer his property.
- If two or more individuals are involved in purchasing a female captive, none of them are permitted to have intercourse with her because she is part of a joint ownership.
- It is not permissible to have intercourse with a female captive during her menstrual cycle.
- It is not permissible to have anal sex with a female captive.
- The owner of a female captive should show compassion towards her, be kind to her, not humiliate her, and not assign her work she is unable to perform.
- The owner of a female captive should not sell her to an individual whom he knows will treat her badly or do unto her what Allah has forbidden.

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The fatwa above reinforced what was disclosed in the pamphlet and additionally discussed the care female slaves receive. In conjunction, the two documents explain who is considered a slave, when and how a female slave's sexuality may be approached, and by whom. Towards the ending of the fatwa, it is explicitly stated that the female slave one owns must be treated with compassion and kindness and must not be exploited. She must also not be passed on to anyone who might bring her harm.

#### IV. Legitimacy of ISIS' Perspective

Quran is considered the cornerstone of Islam, revealed in Arabic in the seventh century C.E. Despite being revealed hundreds of years ago, "Muslims believe that it is actually timeless. ... The exquisite beauty of its language and wisdom of its sublime message are considered beyond compare and impossible to imitate." The complexity of the Quran may be comprehended by the fact that twenty-nine suras of the Quran are preceded "by a letter or brief series of Arabic letters, whose meaning is unclear" (Sonn 2015). Throughout centuries, scholars have attempted to decipher the meaning of these letters that are part of the revelation, but to no avail. It is then understandable that Islam, as a consequence of the complex message of the Quran, is a religion based on various interpretations adopted by many scholars over time, which are, at best, scholarly estimates. Many individuals will use the aforementioned information as evidence to justify the position of Bernard Haykel — a Professor of Near Eastern Studies and the Director, Institute for Transregional Study of the Contemporary Middle East at Princeton University— that "[the Islamic State] have just as much legitimacy as anyone else" (Wood 2015). However, Hykel's stance is problematic and unsustainable because the Quran is an immensely sophisticated text, and even the slightest misinterpretation can entirely change the message. Hence, only Islamic scholars who have engaged in a comprehensive study of the Islamic traditions and holy scriptures are best suited to handle the matters of Quranic interpretations. In other words, ISIS has no legitimacy when interpreting or offering rulings based on the Quran because their scholars have not undertaken an exhaustive study of the Quran and Islam. Denying the legitimacy of ISIS' interpretation is the only practical approach, for no one would cite a Ku Klux Klan leader, representative of a terrorist faction that cherry-picks words and phrases out of the religious scripture to defend their interests, as an authority on the Bible and state that he has "as much legitimacy" as the Pope— then why subject Islam to such absurdity.

##### A. *Rejection of ISIS' Islam, a form of Epistemic Racism?*

In "The Long-Durée Entanglement Between Islamophobia and Racism in the Modern/Colonial Capitalist/Patriarchal World-System: An Introduction," the authors Grosfoguel and Mielants study Islamophobia and describe how the "West," or the Occident, inferiorizes Muslims by downgrading Islam as spirituality and an epistemology. In their essay, Grosfoguel and Mielants define Epistemic Racism to be "the inferiorization and subalternization of non-Western knowledge" and thoroughly present the case of Tariq Ramadan as an example of epistemic racism. Through the use of double discourse, the Occident made Tariq Ramadan, a victim of epistemic racism. Is it possible that similar to what is being done at a greater level —Occident inferiorizing the Orient (in this case Islam)— (mainstream) Islam is further inferiorizing and subalternizing an equally legitimate perspective of ISIS?

Though the thought of ISIS' perspective of Islam falling victim to the epistemic racism at the hands of mainstream Islam is merely speculation, Bernard Haykel provides a possible confirmation. Haykel asserts that though the "Islamic State has distorted the texts of Islam as preposterous, sustainable only through willful ignorance," Muslims who claim Islamic state to be "un-Islamic" are typically "embarrassed and politically correct, with a cotton-candy view of their own religion" (Wood 2015). The basis of Hykel's approach of ISIS' Islam being equally legitimate is summarized by his assertion: Islam is "what Muslims do, and how they interpret their texts" (Wood 2015).

Hykel's framing of the matter is impractical, as what Muslims do is not necessarily the same as Islam and may not be reduced to it. If each individual's actions were to represent Islam, then there would not have been a criterion to measure the veracity of Islam as a legal and systematic tradition. By the stated standard of Hykel, anything and everything will be Islam. For instance, many Muslims' deeds, including eating pork, drinking

alcohol, murdering, and engaging in fornication —actions explicitly prohibited in Islam— will all be considered “Islamic” per Hykel’s statement.

Not all interpretations of Islam are admissible. For example, Jonathan Brown, in his book, asserts that the claims that Mariya the Copt was Prophet Muhammad’s wife, not his slave, “is a denial of history, not an interpretation of it. Apart from modern Muslim authors, there is simply *no evidence* that Mariya was *not* a slave woman of the Prophet who bore him a son” (Brown 2019). The perspective of these modern Muslim authors may not function as proof of the stance being sanctioned by Islam. Likewise, the assertions of ISIS may not serve as proof of their interpretations being sanctioned by Islam either.

It is no secret that “the interpretation of the original sacred scriptures were hijacked by men throughout the history of Islam,” and what exists as the mainstream Islam is the “patriarchal versions of Islam [that] are not inherently Islamic but represent the colonization of Islam by patriarchy,” then why, if the various forms of oppression against women practiced by the many factions of Islam remain unchallenged,<sup>21</sup> are the enslavement and sexual exploitation of Yazidi women at the hands of ISIS any different —especially when the ISIS members are instructed to treat these women with respect, care, and protect them from harm and exploitation (Grosfoguel and Mielants 2006). The answer is that mainstream Islam is the closest to the original Islam as revealed, and knowingly allowing ISIS to hijack the religion further will be like dancing with the devil. As far as ISIS’ instructions to treat women with respect, care, and protection from harm and exploitation are concerned, such instructions are to incorporate some legitimate aspects to appeal to a broader audience. On the other hand, if their so-called religious leaders are indeed trying to interpret the Qur’an to the best of their ability without having the interest of the group in mind, even then, statistically speaking, they ought to get some of the innumerable principles correct. In essence, accepting all aspects of ISIS’ Islam as a legitimate interpretation will be knowingly deviating from the original Islam, as it was revealed.

## V. Mainstream Islam versus ISIS’ Islam

Scholars of Islam from across the globe assembled an “Open letter to Baghdadi,” showcasing the stance of mainstream Islam and countering the stance of the Islamic State. The letter which was signed by one hundred and twenty-six self-identified scholars of Islam, addressed to Dr. Ibrahim Awwad Al-Badri, Alias’ Abu Bakr Al-Baghdadi’ and to the fighters and followers of the self-declared ‘Islamic State’ contains refutations towards the ‘Islamic State’ and al-Baghdadi.

The letter begins with the reminder that it is “not permissible to ignore any part of” the Quran, for it “prevent[s] words from their contexts...” implying that the Islamic State tends to take the Quranic verses and other Islamic scriptures out of context to support their claim. The letter then continues to highlight the importance of having a command over an extensive list of skills to understand and interpret the Quranic scripture as accurately as possible. In the open letter, the emphasis on the need to master a set of skills to interpret the Quran appropriately implies that the Islamic State’s interpretation of the Islamic scriptures is far from the actual message. The Islamic State lacks the mastery of Arabic grammar, syntax, morphology, rhetoric, poetry, etymology, exegesis, and parsing, among others, and “without mastery of these disciplines, error will be likely, indeed inevitable.” When analyzing the claims in the Islamic State’s written documents, it is evident that the correct terminology has not been utilized. The inability to use the correct terminology shows that the Islamic State does not possess the mastery needed to interpret the Islamic scriptures faithfully. It would be illogical to argue that the Islamic State —incapable of understanding the Islamic jargon— can further utilize the above-stated sets of skills to decipher the message. It would be like having a non-native English speaker explain English poetry.

Based on similar explanations and elaborations, the collective body of Islamic scholars from across the globe asserts various facts of mainstream Islam that challenge the Islamic State’s position. Some of the viewpoints pertaining to sexual slavery include the following: First, it is stated that there exist strict subjective and objective prerequisites for the issuance of fatwas, to which the Islamic State does not comply, nullifying the fatwas that the

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21 Women across the Muslim world are faced with various forms of oppression. For instance, the hijab ban in Turkey, or the enforcement of veiling/hijab in Iran and Saudi Arabia, or preventing women to serve as Judges in Iran, or the inability of women to conduct any aspect of life without male guidance in Saudi Arabia.

Islamic State has issued. Secondly, they state that “it is forbidden in Islam to ignore the reality of contemporary times when deriving legal rulings” (“Open Letter to Baghdadi” 2014). Alluding to the fact that a universal consensus in contemporary times has abolished slavery, and reviving it is ignoring the reality of contemporary times, which is forbidden in Islam, making the legal ruling of the Islamic State invalid. The letter goes as far as categorizing the Yazidis as “People of Scripture.” Such consideration forbids to mistreat or harm the Yazidis, as it is “forbidden in Islam to mistreat or harm- in any way- Christians or any ‘People of the Scripture.’” The letter further elaborates that torturing people and denying women their rights is forbidden in Islam, in case the above consideration was not enough to acknowledge the invalidation of the Islamic State’s principles and actions.

Lastly, the letter reminds us that Jihad is a “defensive war,” implying that the Islamic State’s war was uncalled for and is therefore not defensive. It is also not permissible to wage Jihad without the right cause, purpose, and rules of conduct. The Islamic State’s so-called “Jihad” does not observe any of the mentioned characteristics and thus may not be referred to as Jihad by definition. Reasonings for such invalidation include the fact that “armed insurrection is forbidden in Islam for any reason other than clear disbelief by the ruler and not allowing people to pray” and because “it is forbidden in Islam to declare a caliphate without consensus from all Muslims,” the caliphate developed by the Islamic state is therefore void. By the rules of the transitive property, if the caliphate itself is void, then any codification executed by the so-called caliphate in the name of Islam—in this case, codification of sexual slavery—is also null.

Collectively, mainstream Islam declares that the very foundation of the Islamic State is situated on the very concepts forbidden in Islam, leading to the inevitable conclusion that the Islamic State is in an inadmissible state to represent Islam. Mainstream Islam deems the Islamic State unworthy of representing Islam, as its very existence is un-Islamic, and its values and beliefs contradict mainstream Islam. ISIS is perceived by the mainstream Islam to be evil, as it proclaims that “it is forbidden in Islam to attribute evil acts to God,” implying that the Islamic State is “evil” and all its acts and beliefs are a demonstration of evil, making the very act of ISIS claiming to be following the God’s path forbidden and un-Islamic (“Open Letter to Baghdadi” 2014).

#### A. *Mainstream Islam in clash with ISIS’ Historical Tradations*

The religious genealogy of the Islamic State “comes from ‘Jihadi Salafism’... [, and] Muhammad ibn Abd al-Wahhab is in that Salafist tradition” (BBC 2015). Abd al-Wahhab revived and reformed the religion of Islam in the 1700s, resulting in the formulation of the interpretation of Islam referred to as “Wahhabiyah” or “Wahhabism.” In his teachings, Abd al-Wahhab called for the use of *ijtihad*.<sup>22</sup> In his view, jurists should rely on their own interpretations of the fundamental sources of Islam, the Quran and the Sunnah of the Prophet Muhammed, to develop doctrine and behavior guidelines. According to al-Wahab, the jurists should not rely on practices of religious scholars evolved over generations. Abd al-Wahhab “wrote a number of short books [encapsulating his version of the faith, and these books are being used] by ISIS today” (BBC 2015).

In a clash with Abd al-Wahhab, the mainstream Islam contends al-Wahhab of lacking the appropriate credentials and addresses his version of *ijtihad* as vulgar. “A lot of scholars of the period started writing treatises against [al-Wahab’s] ideas. They felt that he was not sufficiently educated to teach” (BBC 2015). Their perspective is based on the idea that the Quran, as described above, is ambiguous, and even religious scholars are prone to making mistakes in interpreting the meaning of it; then, how can one correctly interpret without relying on the jurisprudences of generations of scholars. The mainstream standpoint may be summarized by Mehdi Evazpour and Hamdallah Akvani, who in their paper state: “Muhammad bin Abdul Wahhab made the *ijtihad* personal and vulgar. In his point of view, people must be self-educated and trained in order to extract correct practices and behaviors from religious texts, and thus, they won’t be trapped by scholars’ mistakes. Too Many of Salafi students, based on such justifications, prefer to study for a year or less, to rid themselves of the labor of chewing over the books of jurisprudence; and then, according to *ijtihad* method, they issue statements and write books, while they

<sup>22</sup> According to Oxford Islamic Studies Online:

‘The Arabic term *ijtihad* means “the utmost effort an individual can put forth in an activity.” “The Wahhābīs reject the idea that the doors of *ijtihād* are closed. Although they follow the Hanbalī school, they do not accept its precepts as final. If any Hanbalī interpretation can be proven wrong, then it must be abandoned. In support of their argument, the Wahhābīs quote Qur’ānic verses that imply that the Qur’an and the traditions constitute the only bases of Islamic law.”

lack scientifically appropriate tools for such a critical matter” (Evazpour and Hamdallah 2019).

One may contend with the above-mentioned perspective of mainstream Islam and assert that one does not require jurisprudential knowledge to interpret Islam correctly. Suppose the Quran is so complex that its true essence may not be interpreted, as even religious scholars are prone to making mistakes. What difference does it make whether that mistake is made by the so-called religious scholars who have acquired the “scientifically appropriate tools” by studying the books of jurisprudence or the individuals who indulge themselves only in the study of Quran and Hadiths/Sunnah?

The difference between a scholarly interpretation and a non-scholarly interpretation is that scholarly interpretation (the mainstream Islam) uses jurisprudence books, which are the essence of generations of religious experts’ knowledge who had invested their entire lives in understanding all aspects of the religion. Generations of religious experts reviewing the works being passed down reduces the possibility of an error. Suppose an error does occur in a scholarly interpretation. In that case, it is most likely that the error is a minor one with no significant diversion from the actual message. Not only does the knowledge gathered over centuries guide the scholars, but generations of scholars have been reviewing the material—resulting in a slim margin of error. However, it is incredibly complicated to use *ijtihad* today to interpret a text revealed hundreds of years ago, as the language itself is highly sophisticated and archaic, as discussed earlier. Hence, an individual in current times is likely to misinterpret and misunderstand the text compared to the religious scholars who have established their interpretation based on the knowledge of scholars who had lived during times that were relatively closer to the time of revelation.

## VI. Why is Mainstream Islam on a collision course with ISIS’ Islam?

As mentioned above, the religion Islam is based on several interpretations developed over time. The statement is corroborated by Jonathan A.C. Brown in his book *Slavery and Islam*, where he states that “various schools of thought or sects have long disputed who has accurately preserved [the] ‘true Islam.’” Brown further elaborates that “there is not one, essential Islam that can be pointed to without objection,” which makes it important to “acknowledge the role played by human beings in shaping and contesting that revealed message.”

Keeping in mind that there does not exist one interpretation of “Islam that can be pointed to without objection,” there exists the possibility that the Islamic State’s Islam has aspects which may be viewed as legitimate.<sup>23</sup> Many might argue that the Islamic State’s Islam is motivated by a political agenda- which is true. However, it does not qualify as a sound argument to deem the perspective entirely illegitimate, for even mainstream Islam has been tempered with various political, sectarian, cultural, and legal agendas throughout history and continues to be affected by such agendas. For instance, Ottoman Muslims, the mainstream Islam at the time, broke the “clear and categorical rule that no Muslims could be enslaved” by declaring the extremist Shiite followers of the Safavid Shah Isma’il as unbelievers and enslaving them (Brown 2019). Though it is accurate that the “Safavid forces very arguably were not Muslims, since they believed their Shah was God incarnate on earth,” but “many of the arguments proffered by [the Ottoman scholars] applied to orthodox Imami Shiites as well” (Brown 2019).

The mentioned arguments suggest that while some of the Islamic State’s documented practices might represent the “true Islam,” the entirety of it does not, just like it would be too extreme to deem the entirety of their documented practices as un-Islamic. However, with the ever-present Islamophobic sentiments across the globe, scholars of mainstream Islam are afraid to even nod to a single point practiced or documented by the Islamic State, as agreeing to even a single aspect of ISIS’ Islam will feed ammunition to the robust Islamophobia industry, and an estimated 1.8 billion<sup>24</sup> would have to pay for the actions of thousands. Therefore, the two are on a collision course, and it is unfeasible for them to coexist or merge, even for a brief moment.

## VII. The Root of the Problem

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<sup>23</sup> As discussed above, even statistically speaking some aspects of their interpretation may be seen as legitimate perspectives, but not entirely.

<sup>24</sup> According to [nationsonline.org](http://nationsonline.org), “An estimated 1.8 billion or more than 24% of the world population identify themselves as Muslims”

The Islamic State of Iraq and Syria is unquestionably problematic and must be dealt with in order to prevent the advancement of sexual slavery and other inhumane activities, but it certainly is not the root problem. As discussed in the introduction section of the paper, the root problem needs to be taken into consideration to make progress in counter-attacking the issue. Many will argue the lack of need to investigate the situation as the apparent problem, physical caliphate, has been dismantled in Spring 2019 by the United States and the coalition allies. Such individuals, nations, and institutions perceive that the elimination of the group was the solution, so the issue has been resolved and no further attention is required. However, despite the fact that the group was thought to have been taken care of in 2007, it re-emerged stronger than ever and caused a lot more harm than the first time around. Likewise, the reason that the physical caliphate has been dismantled and its followers are now out of plain sight is even more worrisome because individuals, behind the scenes, could be regaining alliances and strengthening their army to strike when least expected, leading to a catastrophe. Hence, further investigation is needed to recognize the possible origin of the problem and to combat the original diseases instead of exhausting resources treating the symptoms.

One of the leading causes for the existence of groups such as the Islamic State is the presence of latent and manifest Orientalism, which translates to Islamophobia. Many scholars refer to the development of the Islamic State as the “clash between and the merger of modernity and tradition” (Oosterveld and Bloem 2017). Because the world perceives Islam to be “uniquely situated as the source of the problem and supposedly rooted in a refusal to conform to the precepts of the modern world” and causing “lack of material progress,” Islam and Muslims, as a group, are seen as a “threat that must be confronted” (Bazian 2017). In order to mitigate the threat, there are constant efforts by the Occident to bring the “irrational and backward Muslim into enlightenment,” for they “lack the capacity to know what is good for themselves” (Bazian 2017). An example of such effort includes viewing Hijab as a sign of anti-modernity, anti-secularity, and as an “epitome of backwardness and symbol of irrationality,” and the “forceful removal of the piece of cloth [is] posited as a prerequisite to entering into ‘real’ modernity and achieving progress” (Bazian 2017). The notion of Hijab removal as a prerequisite to entering “real” modernity leads to societies attacking Hijab-wearing women. The hypocrisy of the Occident is evident when the Occident depicts Muslim veiling as a “symbol of archaic, gender-oppressive practices within Muslim societies”, yet similar practices are normalized outside the bounds of Muslim society (Wagner 2012, 522). For instance, a Muslim woman wearing a hijab is depicted as either oppressed or associated with terrorist activities, whereas a nun’s similar behavior is defined as her devotion to God. This perspective is also concurred by Wagner, a social psychologist, who in his study states that while “the veil remains as a romantic and traditional gesture within a Christian wedding ceremony;” the similar gendered practices and traditions of Islamic society are “assumed [to] represent a civilization deficit (Razack, 2004) which needs to be modernized and corrected” (Wagner 2012).

Targeting hijab is one of the countless manifestations of Islamophobia. Tired of being oppressed and tyrannized over, the exasperated Muslims would hold onto any glimpse of light they see. For instance, following Iraqi Prime Minister al-Maliki’s attack on the Sunni leaders, including the vice-president Tariq al-Hashimi, sectarian tensions were raised, and support for ISIS began to “increase in Sunni tribal areas” (“Timeline” 2019). Many individuals move forward to become the leader, either with the intention of or eventually giving in to their impulse to exploit power and authority. Self-motivated leaders then capitalize on the emotions of the empathizing Muslims, who, following the Islamic guidelines, are willing to wage war for their rights, most of whom are uneducated and follow and believe in the path that is preached to them. The self-motivated “leaders” then interpret the Islamic guidelines permitting to wage war “in self-defense, when other nations have attacked an Islamic state, [or] if another state is oppressing its own Muslims-” in a manner befitting them and exploit the followers (BBC “War” 2009).

In addition to strategically implanted attacks against the Muslim community, many direct attacks have also been conducted, leading to Muslim retaliation. For instance, the United States invaded Iraq under the pretense that Saddam had under his possession weapons of mass destruction (WMD), but no such weapons were discovered following the invasion. In reality, “the Iraq war was motivated by a desire to (re)establish American standing as the world’s leading power,” as even before the invasion, the evidence pointed towards the lack of WMD (Butt 2019). The excuse made later was a reception of “faulty intelligence” when indeed “the White House distorted the data to fit its already fixed intention to invade Iraq” (Starr 2004). The act of subordination did not stop at the invasion of

a Muslim country; many civilians were tortured. Individuals were not just tormented physically but emotionally destroyed. Torture at the hands of the Americans “rang[ed] from prisoners on leashes to bodies piled atop each other in pyramid structure to prisoners standing in crucifixion like postures,” and majority, “approximately 70-90 percent,” of the ones being tortured were innocent people “mistakenly detained, according to the Red Cross in a 2004 report” (Hilal 2017). Major Ian Fishback of the U.S. Army also reported regarding the systematic abuse inflicted on the so-called “prisoners” in both Iraq and Afghanistan by listing “death threats, beatings, broken bones, murder, exposure to elements, extreme forced physical exertion, hostage-taking, stripping, sleep deprivation and degrading treatment” to be some of the abuses used by the U.S. forces “to compel [the ‘prisoners’] to reveal intelligence — or, in some cases, simply to amuse the soldiers” (Fishback 2005) (Roberts 2021). Such monstrosity of the Occident unleashed on the innocents for sheer amusement leads civilians to seek refuge under groups such as ISIS, which depicts itself as the savior of Islam and Muslims. The war in Iraq and the U.S. invasion in 2003 is the most proximate war for ISIS’ development, as many of those who joined ISIS came out of U.S. torture in Iraq’s prisons post 2003 invasion. The Iraqis continue to be tormented despite the war having ended years ago, as the U.S., with its invasion policies, “unleashed a massive sectarian civil war that... has no end in sight” (Overview: The Iraq War 2007). As a result of sectarian tensions, violence has intensified, with Sunni, Shiite, Kurdish, Christians, Arabs, Turkmen, and other groups in conflict.

The aforementioned instances are not the only ones, nor are these the ones that caused the most distress. The instances are only several of the countless manifestations of Islamophobia that have taken place and continue to occur across the globe. Present-day Muslim persecution across the world includes: in China being put into concentration camps, in Myanmar being slaughtered en masse, in India being targets of systematic pogroms, in Israel being mowed down on a daily basis, in Europe and the United States Muslims are subject to increasing demonization and persecution. The oppression does not just stop there and continues even within the Muslim world, “Muslims – in Iran, Syria, Egypt, and Saudi Arabia in particular – live under tyrannical regimes, ruthless dictators, murderous military juntas, with their most basic civil liberties and human rights denied. In Yemen, they are being slaughtered and subjected to man-made famine by the Saudis and their partners” (Dabashi 2018). In the face of such tyranny, many individuals, whether Muslim or non-Muslim, see no way out but to join a group that advertises itself as the “savior.”

In essence, military defeat is not enough, as the movement will thrive. Suppose one person or even the leader is taken down. In that case, another will emerge: just as when Zarqawi died, Masri and Omar al Baghdadi took over, and Abu Bakar al Baghdadi filled the position when Masri and Omar al Baghdadi breathed their last. Therefore, eradicating the movement on a long-term basis requires the end of Orientalism and oppression and “positive engagement with the region on the basis of trust, respect, commitment, and credibility” (Oosterveld and Bloem 2017). Addressing and extirpating the long-standing grievances and providing people with a perspective of potentially constructing a prosperous future is the key to getting out of this rut. Darkness cannot be fought with darkness, and it is necessary to bring in the light of liberation by putting an end to Orientalism, antisemitism, xenophobia, and all other means of exclusion and discrimination against the various religious and ethnic groups across the globe.

### VIII. Reasoning Behind ISIS’ Perspective

ISIS’ sexual exploitation of women is often presented as evidence for Islam’s sexist and patriarchal representation. However, “female slaves should be sexually available for their male masters looms throughout wide expanses of the human past as normal and morally unproblematic” (Brown 2019). Islam is not the only sexist or patriarchal religion; most world religions are. For instance, “patriarchal oppression of women [is] sustained and practiced by Judaism[,] Christianity,” and Hinduism, etcetera. Other religions share misogynistic beliefs to the extent that “You can find as many patriarchal and sexist arguments in the Bible as in the Koran” (Grosfoguel and Mielants 2006).

ISIS is by no means the only institution implementing systematic rape. In times of conflict, hyper-masculine characteristics are adopted by men, and females are often seen as sacrosanct. Thus, “violating the sanctity of females” disempower, dishonor, emasculate, humiliate, shame, degrade, and terrify the entire community of the

‘enemy’ (Sverdlov, 2017). Therefore, rape has been used as a weapon to channel hostility against the ‘enemy’ in areas of war and conflict. For instance, when war erupted, Serbians raped Muslim Bosnians in a planned campaign to degrade, destruct, and eliminate the Muslim nation by inseminating Bosnian women “with Serbian seed” (Sverdlov, 2017). Myanmar’s military systematically raped Rohingya Muslim women, where “women and girls [as young as seven years old] reported being raped by five or more soldiers. They described being raped in their homes and while fleeing burning villages” (Gladstone, 2017). Hutu, during the Rwandan Genocide, also used rape as a weapon and raped Tutsi women. A woman who was raped “testified that when a Hutu raped her, the rapist told her that the Hutus did not want to kill all the Tutsi women on the spot, but rather to let them die of grief” (Sverdlov, 2017). After allying with the Hutu, the Democratic Republic of Congo (DRC), started attacking the Tutsi population, and the extent of Tutsi women being raped in the Democratic Republic of Congo elevated so much so that “Margot Wallstrom, the UN Special Representative on Sexual Violence in Conflict, has termed the DRC ‘the rape capital of the world’” (Seyley 2011). “During World War II, rape was used against women in Europe and Japan alike” (Seyley 2011). “Under US control, Abu Ghraib prison continued to be a site for sexualized torture of suspected terrorists” (Ahram 2015). Similarly, the Islamic State of Iraq and Syria implemented the use of rape to humiliate and degrade its opposing community, as “ISIS even provided one victim a cellular phone to call her family and inform them of her fate” (Ahram 2015).

As has been foreshadowed above, Muslim women, too, have been targeted by groups of other religions and have been victims of systematic rape for decades across the globe. For instance, Australian soldiers violated, killed, and raped Egyptians at the end of World War One. While on the other hand, Bosnian Serb soldiers, policemen, and members of the paramilitary groups subjected Muslim women in Foca to a brutal regime of gang rape, torture, and enslavement. Rohingya Muslim women, too, were raped en masse by not disparate individuals or soldiers coincidentally deciding to rape, but by intentional execution of Myanmar. Furthermore, the military personnel and CIA operatives of the United States — a nation that has “the protection of fundamental human rights” as its “foundation stone” — “committed acts of torture, cruel treatment, outrages upon personal dignity, rape and sexual violence” in Afghanistan (“Human Rights...” 2021) (AP., 2017). India, especially in Jammu and Kashmir (a Muslim majority region), continues to use rape to violate Muslim women to the extent that “major cases of rape committed by security forces in the border areas, in far-flung areas, and in areas beyond the searchlight of the press and human rights organisations have become non-events” (India *Human Rights Watch*). The above-stated examples are merely the tip of the iceberg. How come systematic rape of Muslim females not garner as much attention and coverage as those being exploited at the hands of Muslims or the so-called Muslims?

Rape as a weapon in war is not bound by religious affiliation, as history is filled with examples of Christians raping other Christians, Muslims raping other Muslims, etcetera. For instance, Pakistani soldiers systematically raped Bangladeshi women in Bangladesh during the Bangladeshi war for independence. Thousands of Iraqi families were raped and tortured at the hands of the Iraqi government after the Islamic Revolution in Iran in 1979. “Iraqi secret police videotaped their own sexual violations of prisoners so as to blackmail victims into becoming informants” (Ahram, 2015). Systematic rape was employed during the Rwandan genocide despite the two groups, Hutus and Tutsis, belonging to the same religion. A more current phenomenon is the use of systematic rape in the ongoing war between Russia and Ukraine.

Rape as a weapon of war is not a modern-day phenomenon either. Historically, rape and war have become synonymous, as it has been utilized as a battle tactic for as long as one can remember. For example, there exist military codes by Richard II in 1385 and Henry V in 1419, which “punished rape by soldiers during wartime with capital punishment” (Seyley 2011). The existence of such codes proves the fact that soldiers undertook the practice in their respective periods.

Systematic rape is even more recurrent than one would like to believe, as it is neither unique to ISIS nor wars and conflict. The practice lives in every human society, whether openly or secretly, as “many countries [continue] to have a huge underground tourist trade in child prostitution” (Letters 2016). When other religious and non-religious groups are committing sexual violence, both openly and secretly, then why is Islam the only one being castigated?

The rationale of the above arguments is not the vindication of ISIS’ oppression and persecution; instead, it is to highlight the presence of political and social forces behind the scenes. The practice of rape at the hands of

ISIS is fueled by political and economic purposes and is not a mere manifestation of Islam, as often presented. One of the many non-religious motives to the “availability of sex, whether with captive women or through marriages arranged by a marriage bureau, [is that it] serves as an incentive for recruiting fighters,” as the idea of readily available sexual pleasure entices marginalized men from various communities (Ali 2016). Once recruited, an individual is “married” into the group by partaking in gang rape or sodomy as a mandatory ritual of assimilation. These engagements are videotaped, and the recordings later function as “evidence for blackmail should the recruit try to desert or escape” (Ahram 2015). Simultaneously, such engagements serve as a bonding activity because “group participation helps build fraternal bonds among perpetrators” (Ahram 2015). On the other hand, another non-religious motive of sexual slavery is that it solidifies the hegemony, for “human trafficking, alongside oil smuggling and hostage ransoms, [serve as a] major [source of] revenue” (Ahram 2015). The “captured women and girls have been forced into brothels and are sold on the street,” further contributing to the revenue for the group (Ahram 2015).

## IX. Summary and Conclusion

In this research paper, it was identified that the Quran is the only reliable source on which the foundation of Islam is based, which by no means is effortlessly intelligible. Due to the complexity of the Quran, no one<sup>25</sup> is capable of understanding the revealed message in its entirety. Thus, the understanding of the religion, Islam, is based on the interpretation of the text, and everyone perceives and interprets it based on one’s experience and knowledge. Such an acknowledgment regards the interpretations of the various sects to hold an approximately equal legitimacy. However, the interpretation must adhere to the scholarly protocol, and ISIS does not follow the protocol. Hence, extremist factions like ISIS, which came into being due to the ever-present Islamophobia and the inferiorization and oppression by the Occident, are not entirely legitimate.

As far as sexual slavery is concerned, it is more of a social and political phenomenon that has existed throughout human history as normal and morally unproblematic. That is not to say that the ever-presence of sexual slavery justifies ISIS’ enforcement of sexual slavery on Yazidi women. The mere indication is to realize that exploiting power is in human nature regardless of social identity or group affiliation- such as race, religion, or nationality- so no one classified identity should be held responsible for individuals’ or small group’s actions. The idea may be summarized by the incident following 9/11 when heavyweight champion boxer Mohammed Ali visited the World Trade Center, and reporters asked him how he felt about the suspects sharing his Islamic faith. Ali supposedly responded, “How do you feel about Hitler sharing yours?” Hence, it is unfair to label all Muslims as terrorists for the actions of an extremist group as it is to label the entire white population or the Christian population as white supremacists or terrorists for the actions of the Ku Klux Klan or the Nazis.

The fact that exploitation of power is in human nature has been proven time and time again. For example, the nation that is perceived as the most civilized, the United States, violated human rights in the Abu Ghraib prison in Iraq, where individuals were tormented via sexual abuse, rape, sodomy, and murder, among other tactics. Another evidence is the Stanford prison experiment, which turned “good” college students into pure evil solely as a result of being in a position of power in a mock prison. Only the illusion of power caused the horror to escalate to the extent that the experiment had to be closed on the sixth day. The situation got so life-threatening that one prisoner had to be released only after thirty-six hours into the experiment on account of acute emotional distress. The second day into the experiment, there was a rebellion by the “prisoners,” which led to more extreme torture methods. The real-life representation of the experiment is when the Soviet Union and later the United States invaded Afghanistan and inflicted oppression. Many of those oppressed and marginalized, under uncontrolled grueling circumstances, were motivated to join and support the extremist groups as a way out. Losing hope and joining the extremist groups out of frustration is parallel to the idea of the “prisoners” rebelling in the Stanford prison experiment. The powerful nations’ troops and citizens acting on their Islamophobic and orientalist beliefs lead to the development of groups like ISIS that further torment others due to their traumatic experiences. Hence, if one needs to eliminate the threat of the emergence of new groups, or the re-emergence of ISIS, which will lead

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25 Only Prophet Muhammed was able to grasp a complete understanding of the Quran, but sadly we do not have Him present to interpret the message for us.

to the suffering of many more, the best bet is to rid the society of anti-semitic, Islamophobic, xenophobic, racists, and orientalist beliefs.

## X. Lingering Possibilities

Something to ponder over is the fact that the Quran is exceptionally ambiguous, requiring individuals and groups to deploy a multitude of strategies to understand its message. One practice similar among the ISIS members and the mainstream Islam followers is that both tend to cite instances from Prophet Muhammed's life and treat the two time periods as parallel universes when interpreting the Quran. It would be accurate to do so if the only thing that had changed was time and everything else remained constant between the two time periods. However, such is not the case, let alone the practices and circumstances the terminology itself has evolved. A good case in point is the term "slave." Dr. Jonathan Brown asserts, "if we were to apply the definitions of modern slavery to the past, then vast swaths of humanity throughout recorded history who have always been seen as free would be categorized as slaves" and vice versa. For instance, "even the white wife of an eighteenth- or nineteenth-century plantation owner would be classified as a slave today" (Brown 2019). Likewise, through "the late 1800s, the upper administration of the Ottoman Empire had been in the hands of a bureaucratic class called 'slaves' (kullar). But these 'slave' bureaucrats were 'slaves' in name only" (Brown 2019). Such a knowledge gap hinders one from grasping the actual meaning and purpose of the practices and wisdom of the Prophet and the revealed message. Inability to truly decipher the meaning of the sacred scriptures often leads to the development of misconceptions that might harm society.

A prevalent example of this is the allowance of four marriages in Islam, which by many is perceived to serve for the pleasure of men. On the contrary, the permission<sup>26</sup> was to exclusively serve the women in a time of crisis. Mirza Tahir Ahmad writes, "it is evident from a study of the Holy Quran that a special situation of a post-war period is being discussed. It is a time when a society is left with a large number of orphans and young widows, and the balance of the male and female population is severely disturbed. A similar situation prevailed in Germany after the Second World War... There were a large number of virgins, dejected spinsters and young widows for whom it was impossible to get married." Therefore, the solution was to allow a man to marry up to four women—if he could afford to keep an equal balance among them in all aspects of life—in order to provide the widows with protection and the ability to carry on with a family. Thence, it would be interesting to explore to what extent the interpretations of the Quran regarding sexual slavery will change after acknowledging the changes that have occurred ever since.

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26 According to the common interpretation of the religious scriptures

### **Author's Note**

Momal Afzal graduated from the University of California, Berkeley, in the Fall of 2021 with a bachelor's degree in Economics and Near Eastern Civilizations (Middle Eastern Languages and Cultures). The paper was written for the Honors Thesis program of the Near Eastern Civilizations department under the guidance of Dr. Hatem Bazian as the thesis adviser and Dr. Asad Ahmed as the second reader.

This paper is neither intended to criticize Islam or any other religion nor portray ISIS as a legitimate faction. The sole purpose of the paper is to follow a logical pattern based on the information available and discover the underlying problems that drive the institution of sexual violence. Also, the paper analyzes the written interpretations of Islam, as the practice of the interpretations varies across individuals, regions, and over time and may not be studied efficiently. Even ISIS' fatwa mentions that "some of the brothers have committed violations in the matter of the treatment of the female slaves," implying that the individuals do not necessarily follow the interpretation they hold dear.

## XI. Appendix

Fatwa Number: 64

Question: Some of the brothers have committed violations in the matter of the treatment of the female slaves. These violations are not permitted by Sharia law, because these rules have not been dealt with in ages. Are there any warnings pertaining to this matter? May Allah protect you.

Praise be to Allah, prayer and peace be upon our Prophet Muhammad, his household and all of his companions.

One of on the graces which Allah has bestowed upon the State of Caliphate is the conquest of large surface areas of the country and one of the inevitable consequences of the jihad of establishment is that women and children of infidels will become captives of Muslims. Consequently, it is necessary to clarify some rules pertaining to captured prisoners to avoid any violations in dealing with them.

Therefore we say, and may Allah grant us success:

- It is not permissible for the owner of a female captive to have intercourse with her until after she has had her menstrual cycle and becomes clean.
- If she does not menstruate and is pregnant, he is not allowed to have intercourse with her until after she has given birth.
- It is not permissible to cause her to abort if she is pregnant.
- If the owner of a female captive releases her, only he can have intercourse with her and he is cannot allow someone else to have intercourse with her.
- If the owner of a female captive, who has a daughter suitable for intercourse, has sexual relations with the latter, he is not permitted to have intercourse with her mother and she is permanently off-limits to him. Should he have intercourse with her mother then he is not permitted to have intercourse with her daughter and she is to be off-limits to him.
- The owner of two sisters is not allowed to have intercourse with both of them; rather he may only have intercourse with just one. The other sister is to be had by him, if he were to relinquish ownership of the first sister by selling her, giving her away or releasing her.
- If the female captive is owned by a father, his son cannot have intercourse with her and vice versa. Moreover, intercourse with his wife's female captive is also not permissible.
- If a father had intercourse with his female captive then gave her away or sold her to his son, he is not longer permitted to have intercourse with her.
- If the female captive becomes pregnant by her owner, he cannot sell her and she is released after his death.
- If the owner releases his female captive then he is not permitted to have intercourse with her afterwards because she has become free and is no longer his property.
- If two or more individuals are involved in purchasing a female captive, none of them are permitted to have intercourse with her because she is part of a joint ownership.
- It is not permissible to have intercourse with a female captive during her menstrual cycle.
- It is not permissible to have anal sex with a female captive.
- The owner of a female captive would show compassion towards her, be kind to her, not humiliate her, and not assign her work she is unable to perform.

The owner of a female captive should not sell her to an individual whom he knows will treat her badly or do unto her what Allah has forbidden.

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