



# Pseudolegal Manipulation of Islamic Law by Extremist Groups: Comparative Analysis of ISIS and Boko Haram

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## Article History:

Submitted: September 21, 2025 | Revised: November 2, 2025; December 20, 2025; December 27, 2025 | Accepted: December 29, 2025 |  
Published: December 31, 2025

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## Citation format (APA Style):

Gumel, S. M. (2025). Pseudolegal Manipulation of Islamic Law by Extremist Groups: Comparative Analysis of ISIS and Boko Haram. *Munakahat: Journal of Islamic Family Law*, 2(1), 1-16.

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## ABSTRACT

**Background:** Extremist organizations such as ISIS and Boko Haram systematically manipulate Islamic legal discourse to legitimize violence, territorial control, and political authority. Their use of pseudolegal interpretations often targets both Muslims and non-Muslims, distorting authentic Islamic jurisprudence.

**Methods:** This study employs a qualitative comparative case study approach, analysing speeches, publications, and declarations of ISIS and Boko Haram. Due to limited primary sources, the analysis is supplemented with secondary literature and contextualized within classical Islamic law to critically evaluate their claims.

**Results:** Both groups selectively reinterpret Islamic concepts, including *takfīr*, *jihād*, and *hudūd*, to justify actions such as killing civilians, taking captives, and expropriating property. These pseudolegal interpretations primarily serve ideological and political objectives rather than genuine religious guidance. The scarcity of primary evidence constrains the generalizability of the findings.

**Discussion:** The findings highlight the urgent need to reclaim Islamic legal discourse from extremist misuse. Proper application of Islamic jurisprudence prohibits intra-Muslim violence and illegitimate warfare, in stark contrast to the distortions propagated by these groups.

**Conclusion:** Effective responses require a combination of military, legal, and theological strategies. Strengthening religious education, promoting counter-narratives grounded in mainstream Islamic law, and reinforcing ethical jurisprudential authority are critical to dismantling extremist ideologies.

**Novelty:** This research provides a comparative legal-religious perspective on the pseudolegal manipulation of Islamic law by extremist groups while explicitly acknowledging the limitations posed by scarce primary sources. It offers critical insights into the mechanisms these groups use to justify violence.

**Keywords:** Pseudolegal interpretation, Islamic extremism, *takfīr*, *jihād*, ISIS, Boko Haram

## INTRODUCTION

Religious extremism has become a significant threat to global security, political stability, and interfaith relations (Celso, 2015; Juergensmeyer, 2003). Over the past two decades, violent movements claiming religious legitimacy, particularly Islamist extremist groups such as ISIS and Boko Haram, have intensified, launching campaigns that destabilize states and inflict severe harm on civilian populations (Abdullah et al., 2025; Adelaja & George, 2019). These groups manipulate Islamic legal concepts to justify armed violence, framing their actions as



divinely sanctioned while pursuing strategic political and territorial goals (Abduljabbar et al., 2025). Such exploitation highlights the deliberate distortion of religious texts and jurisprudential principles, raising pressing concerns about the misuse of Islamic law to legitimize terror (Brown, 2014; Abdullah et al., 2025).

ISIS, also known as Daesh, capitalized on post-invasion instability in Iraq and the Syrian civil war to declare a caliphate in 2014, presenting itself as the sole legitimate Islamic authority. The group promoted militant interpretations of sharia, jihad, and Islamic history to justify territorial expansion and violent control over populations (Saada, 2023; Mohammed & Neuner, 2022). Similarly, Boko Haram, originating in northeastern Nigeria, combined anti-Western rhetoric with a puritanical mission to “purify” Islam. It evolved into a violent insurgency that pledged allegiance to ISIS in 2015, leveraging local grievances and socio-political instability to gain influence (Thurston, 2018; Ishaku et al., 2021). Both groups demonstrate how extremist movements exploit fragile state structures and societal vulnerabilities to entrench their authority.

In operational terms, ISIS and Boko Haram established brutal systems of governance, including courts, enforcement of hudud punishments, and the reintroduction of slavery, particularly targeting women and marginalized communities (Bélanger et al., 2023; Eteng et al., 2021). These practices were cloaked in Islamic legal terminology but stripped of scholarly context, ethical safeguards, and adherence to foundational jurisprudential principles (George, 2015; Jalili et al., 2024). A central mechanism of these legal distortions is *takfīr*, the excommunication of other Muslims, which was employed to legitimize violence against soldiers, civilians, and religious authorities alike (Mohammed & Neuner, 2022; Winter, 2015). By selectively citing marginal or historical *fatāwā*, extremist leaders manufactured a veneer of legitimacy to mobilize followers and instill fear.

The manipulation of Islamic law by these groups extends beyond legalistic rhetoric; it is strategically embedded in social and psychological dimensions to appeal to susceptible populations. Extremist narratives thrive in contexts of low religious literacy, limited access to authentic scholarship, and socio-economic marginalization (Honnvall et al., 2019; McCauley & Moskalenko, 2008). Political instability, identity crises, and social grievances magnify the resonance of such distorted legal frameworks, facilitating radicalization and ensuring organizational cohesion (Abdullah et al., 2025; Vicente & Vilela, 2022). This underscores that extremist influence operates not only through direct violence but also through ideological and legal manipulation.

The repercussions of pseudolegal interpretations on governance and societal structures are profound. Extremist groups impose rigid systems that disrupt social cohesion, limit personal freedoms, and undermine ethical jurisprudence (Zuhdi et al., 2025; Berebon, 2025). Women, children, and minority groups are disproportionately affected, illustrating how the misuse of religious law can exacerbate inequality and perpetuate cycles of violence (Eteng et al., 2021; Amberi, 2023). These phenomena demonstrate that extremist exploitation of legal authority is not only a matter of ideology but a mechanism for social control, legitimizing coercion and suppressing dissent.

Addressing such challenges requires more than security measures. Reclaiming Islamic legal discourse necessitates rigorous scholarly engagement, theological clarity, and public education



(Abdulrahman & Walusimbi, 2024; Azizah & Shalihah, 2025). By contrasting ISIS and Boko Haram’s pseudolegal claims with mainstream Sunni and Shia jurisprudence, researchers and policymakers can illuminate discrepancies between extremist assertions and authentic Islamic law. Initiatives in legal literacy, institutional reform, and authoritative religious guidance grounded in *maqāṣid al-sharī‘ah*—emphasizing justice, protection of life, and social welfare—are essential (Azizah & Shalihah, 2025; Abduljabbar et al., 2025).

Ultimately, dismantling the ideological and intellectual scaffolding of extremist movements is critical for restoring the integrity of Islamic jurisprudence. By promoting an understanding of Sharia that prioritizes ethical governance, societal welfare, and interfaith harmony, Islamic law can serve as a force for peace and social justice rather than a tool of coercion and violence (Abdullah et al., 2025; Jalili et al., 2024). This study seeks to contribute to such efforts by examining the pseudolegal strategies of ISIS and Boko Haram, highlighting the divergence between extremist claims and authentic legal and moral principles, and offering pathways for scholarly, legal, and societal interventions.

## LITERATURE REVIEW

The manipulation of Islamic legal doctrines by extremist groups has emerged as a central concern in contemporary studies of terrorism, legal anthropology, and Islamic jurisprudence (Brown, 2023; Juergensmeyer, 2003). Scholars increasingly recognize that groups such as ISIS and Boko Haram deliberately distort Islamic law to construct ideological narratives that legitimize violence. These pseudolegal interpretations mimic the formal structure of Islamic jurisprudence, including the use of sharia terminology, yet they lack substantive grounding in its ethical and moral principles (Brown, 2014; Cook, 2015). Juergensmeyer (2003) conceptualizes such extremism as a “cosmic war,” framing militant actions as part of an apocalyptic struggle between good and evil, where legal concepts such as jihad, takfīr, and hudūd are reinterpreted to serve militant agendas. Consequently, instruments originally intended for justice are transformed into tools of coercion and domination.

Classical Islamic jurisprudence is frequently decontextualized by radical ideologues to create a veneer of legitimacy (Brown, 2014; Cook, 2015; Wiktorowicz, 2005). Extremists extract rulings from historical fatāwā and apply them to contemporary contexts without regard for consensus, interpretive principles, or the higher objectives of Islamic law (*maqāṣid al-sharī‘ah*) (Abdullah et al., 2025; Maftuhin & Muflihah, 2022). The doctrine of takfīr—the declaration of Muslims as unbelievers—has been particularly exploited to justify violence against civilians, government officials, and other religious authorities. This rigid, exclusionary ideology aims to “purify” Islam by eradicating perceived innovations (*bid‘ah*) and re-establishing a mythologized social and religious order, demonstrating a clear departure from traditional jurisprudential ethics (Abidah & Subhi, 2024; Eteng et al., 2021).

The selective appropriation of historical scholars further illustrates extremist strategies. Ibn Taymiyah (Taimiyah, 1976; Jalili et al., 2024), for example, wrote in response to specific historical crises, yet groups like ISIS and Boko Haram selectively invoke his positions on apostasy, rebellion, and jihad to justify contemporary acts of violence (Darden & Estelle, 2021; Ishaku et al., 2021). Boko Haram demonstrates a localized adaptation, blending Salafi-puritanical teachings with socio-political grievances to rationalize attacks on civilians, including women and children. This shows that ideology, rather than poverty or



marginalization alone, drives radical behavior, consolidating organizational cohesion and legitimizing brutality through pseudo-legal reasoning (Abdullah et al., 2025; Adelaja & George, 2019).

ISIS, in contrast, illustrates a more systematic bureaucratic deployment of pseudolegal discourse. Through propaganda outlets like *Dabiq* and *Rumiyah*, the group disseminated legal justifications for slavery, warfare, and governance, presenting itself as a legitimate caliphate with divine authority (Winter, 2015; Mohammed & Neuner, 2022). These publications construct a pseudo-legal and theological order that attracts foreign fighters and consolidates control. Across these examples, literature shows that extremist groups fabricate alternative moral and legal universes, wherein violence is not only permitted but considered obligatory. Selective citation, doctrinal revisionism, and the rejection of scholarly consensus underpin these narratives, which thrive in contexts of religious illiteracy, political instability, and weak state institutions (Sabic-El-Rayess, 2020; Celso, 2015).

Understanding the manipulation of Islamic law is crucial for designing effective counter-radicalization strategies. Extremists exploit the coexistence of multiple normative systems, including state law, religious law, and customary law, to establish parallel legal structures claiming legitimacy while serving authoritarian purposes (Vicente & Vilela, 2022; Tahir, 2022). These systems include courts, judges, and enforcement mechanisms, but they operate independently of ethical foundations and classical interpretive methods (Honnavalli et al., 2019; Harahap et al., 2023). Their primary function is to consolidate ideological control and legitimize violence rather than deliver justice, creating a façade of Islamic governance that violates the core principles of jurisprudence (Zuhdi et al., 2025; Mahfud, 2023).

Radicalisation Theory, particularly the “pyramid model” by McCauley and Moskalkenko (2008), complements the legal pluralism perspective by illustrating how ideological commitment progresses toward violent extremism. At the apex, individuals justify or enact violence through religious-legal reasoning (Anggraeni, 2023; Azizah & Shalihah, 2025). Extremist doctrines such as takfir allow militants to redefine opponents as apostates, circumventing prohibitions against intra-Muslim violence. Integrating Legal Pluralism and Radicalisation Theory demonstrates that extremist legal discourse is both a strategic adaptation to contested political and social realities and a mechanism for institutionalizing control, mobilization, and legitimacy (Irawan et al., 2025; Harahap et al., 2023; Zuhdi et al., 2025).

This dual-theoretical lens underscores the importance of robust theological, legal, and educational responses. Reclaiming Islamic jurisprudence from extremist misuse requires engagement with authentic scholarship, public education, and promotion of *maqāṣid al-sharī‘ah*, emphasizing justice, protection of life, and communal welfare (Abdulrahman & Walusimbi, 2024; Azizah & Shalihah, 2025). By analyzing the doctrinal manipulations of ISIS and Boko Haram, scholars and policymakers can better understand how pseudolegal interpretations enable violence, while developing counter-narratives and institutional strategies to restore the ethical integrity of Islamic legal thought (Bélanger et al., 2023; Saada, 2023).

## **METHODS**

This study adopts a qualitative, comparative case study design to examine two prominent Islamist extremist organizations: the Islamic State (ISIS) and Boko Haram. These groups were selected for their global influence, distinctive yet parallel patterns of weaponising Islamic legal



discourse, and establishment of alternative governance structures. The comparative approach allows for a detailed exploration of both shared strategies and contextual differences, showing how each group constructs ideological legitimacy and justifies violence in its respective sociopolitical environment (Bogdan and Biklen, 1992; Qorib and Afandi, 2024; Ahmed et al., 2025).

Data collection focuses on textual and discourse analysis of primary sources, including ISIS propaganda magazines (*Dabiq* and *Rumiyah*) and speeches and communiqués from Boko Haram leaders, particularly Abubakar Shekau. These materials are analysed against classical Islamic jurisprudence to identify patterns of distortion, selective citation, and decontextualization of legal concepts such as takfīr (excommunication), jihād (religiously sanctioned struggle), and ḥudūd (fixed legal punishments). Complementary sources from international human rights organizations and multilateral institutions, including Amnesty International and the United Nations, provide contextual information on governance practices, extremist behaviors, and regional socio-political conditions (Solihah et al., 2024).

The analysis is guided by Legal Pluralism and Radicalisation Theory. Legal Pluralism explains how weak state authority allows non-state actors to establish parallel legal systems that mimic Islamic courts, while diverging from ethical and jurisprudential norms to enforce obedience and consolidate power. Radicalisation Theory, particularly the pyramid model, clarifies how legal and theological justifications normalize violence, enabling extremists to classify opponents as apostates and cast atrocities as sacred duties. Data triangulation ensures analytical validity, while careful attention is given to ethical engagement with extremist texts, avoiding sensationalism and distinguishing manipulated doctrines from authentic Islamic jurisprudence. This methodology provides a robust framework for understanding the intersection of law, religion, and violence, supporting the development of credible counter-narratives grounded in ethical Islamic scholarship (Hosen, 2017; Mahfud, 2023; Irawan et al., 2025).

## RESULTS

This study finds that both ISIS and Boko Haram systematically exploited Islamic legal discourse to justify violence, territorial control, and governance outside legitimate authority. Both groups employed “pseudolegalism,” selectively interpreting Islamic texts and rulings to manufacture religious legitimacy. ISIS, emerging amid the instability of Iraq and Syria, proclaimed a Caliphate in 2014 under Abu Bakr al-Baghdadi. Its legal apparatus mimicked historical caliphate structures, positioning takfīr—the declaration of apostasy—as a central tool to target political opponents, military personnel, and civilians. By framing intra-Muslim violence as religiously and legally sanctioned, ISIS circumvented traditional jurisprudential safeguards while consolidating ideological authority and administrative control (Winter, 2015; Mohammed & Neuner, 2022).

The operationalization of ISIS’s pseudolegal strategy relied heavily on propaganda outlets such as *Dabiq* and *Rumiyah*. These publications disseminated theological essays, legal justifications for enslavement, imposition of jizyah, and executions of perceived enemies, all presented as fulfillment of ḥudūd punishments. In practice, however, these acts contravened basic jurisprudential conditions, including evidentiary standards, due process, and the authority of legitimate courts. Classical scholars such as Ibn Taymiyyah and Al-Māwardī were selectively cited, often out of context, to legitimize continuous warfare and ideological dominance (Jalili

et al., 2024; Brown, 2014). Courts in ISIS-held territories primarily functioned as instruments of fear and social control, creating a pseudo-legal façade rather than genuine judicial authority. Boko Haram, by contrast, developed within a distinct socio-political and theological environment in northeastern Nigeria. Founded by Mohammed Yusuf and later led by Abubakar Shekau, it evolved into a violent insurgency that applied takfir to categorize opponents—including civilians—as apostates. The 2014 Chibok abduction exemplifies Boko Haram’s pseudolegal reasoning, framing abducted girls as legitimate war captives, a position widely rejected by Islamic scholars (Thurston, 2018; Eteng et al., 2021). Boko Haram established informal courts and public punishments, such as flogging, stoning, and beheadings, which were inconsistently applied due to decentralized command structures. Despite lacking ISIS’s bureaucratic sophistication, Boko Haram’s selective use of legal rhetoric was similarly effective in legitimizing violence and instilling fear.

When Boko Haram pledged allegiance to ISIS in 2015, it partially adopted the Caliphate model, integrating more structured military and propaganda tactics. Comparative analysis highlights a divergence in organizational approach: ISIS presented itself as a proto-state with codified laws and functioning institutions, whereas Boko Haram operated as a guerrilla network, tactically deploying legal discourse. Both groups, however, relied on takfir to sanction intra-Muslim violence, subverting historical safeguards embedded in Islamic jurisprudence regarding warfare, justice, and governance (Celso, 2015; Darden & Estelle, 2021).

A core finding of this research is that pseudolegal frameworks were instrumental in recruitment and political legitimization. Invoking divine law enabled both groups to construct moral certainty and a narrative of historical restoration, appealing particularly to marginalized populations in contexts of poverty, state neglect, and social instability (Abdullah et al., 2025; Abduljabbar et al., 2025). By conflating religious obedience with militant loyalty, these narratives distorted the public understanding of Shariah and associated Islamic law with violence. Misappropriated concepts such as jihād, ḥudūd, and takfir contributed to widespread misconceptions, amplified by media sensationalism and political rhetoric.

The study also finds that ISIS’s bureaucratic structures enhanced the legitimacy of its pseudolegalism. By codifying laws, establishing enforcement mechanisms, and controlling the narrative through digital and print media, ISIS institutionalized a parallel legal system that mirrored state authority while subverting traditional jurisprudential ethics (Winter, 2015; Mohammed & Neuner, 2022). Boko Haram, while less formalized, leveraged decentralized enforcement and community intimidation to achieve similar outcomes on a local scale. Both demonstrate that organizational sophistication is not a prerequisite for pseudolegal influence; ideological clarity and strategic dissemination of selective jurisprudence suffice to consolidate control.

Efforts to counter such pseudolegalism include the development of counter-narratives grounded in classical jurisprudence. Initiatives such as the 2006 Amman Message and advocacy by scholars like Yusuf al-Qaradawi, Sherman Jackson, and Tariq Ramadan emphasize ijtihād and *maqāṣid al-sharī‘ah* to restore ethical interpretation (Bélanger et al., 2023; Saada, 2023). In Nigeria, clerics utilize sermons, media, and educational programs to delegitimize Boko Haram’s claims, promoting a return to orthodox legal reasoning and communal reconciliation (Ishaku et al., 2021; Shittu et al., 2022). However, such interventions

require systemic support, including judicial reform, religious education, and socio-economic development, to effectively counter the structural appeal of pseudolegal extremism.

The comparative analysis shows that while ISIS and Boko Haram differ in scale, operational sophistication, and territorial ambitions, they share key pseudolegal strategies: selective interpretation of texts, deployment of takfir to sanction violence, and the creation of alternative governance structures. Table 1 summarizes the key distinctions, highlighting how both organizations weaponize Islamic legal discourse to achieve political and social objectives. The findings underscore that pseudolegalism is a deliberate political tool rather than an accidental doctrinal deviation, deeply intertwined with organizational strategy, recruitment, and the maintenance of ideological authority (Abdullah et al., 2025; Celso, 2015).

In conclusion, the study demonstrates that ISIS and Boko Haram strategically manipulate Islamic law to consolidate power, legitimize violence, and attract followers. Their pseudolegal frameworks distort ethical jurisprudence, enabling acts that contravene classical legal principles while maintaining a veneer of religious legitimacy. Effective countermeasures require reaffirming the ethical foundations of Shariah, empowering credible religious authorities, strengthening legal institutions, and enhancing community resilience to resist extremist ideologies (Vicente & Vilela, 2022; Harahap et al., 2023; Zuhdi et al., 2025). Only through comprehensive, multi-level interventions can the structural appeal of pseudolegal extremism be mitigated.

**Table 1. Comparative Analysis of Pseudolegal Strategies: ISIS vs. Boko Haram**

| <i>Aspect / Indicator</i>    | <i>ISIS</i>  | <i>Boko Haram</i>   |
|------------------------------|--|---|
| Legal Structure              | Formalized, codified courts with administrative bureaucracy; regularized enforcement of punishments                    | Informal, decentralized courts; decisions made locally by commanders; inconsistent enforcement                                  |
| Use of Takfir                | Systematic, global application; targets Muslims who oppose authority   | Selective, local application; focuses on northeastern Nigeria Muslims, civilians, and officials                                 |
| Media / Propaganda           | Highly structured ( <i>Dabiq</i> , <i>Rumiyah</i> , online media); global dissemination of pseudo-legal justifications | Limited initially; post-2015 more structured propaganda influenced by ISIS; mainly local broadcasts                             |
| Violence Against Non-Muslims | Systematic campaigns including enslavement, executions, and ḥudūd punishments justified as religious law               | Sporadic attacks, influenced by local ideology and tactical considerations; occasionally justified under pseudo-legal reasoning |
| Strategic Goal               | Establish a pseudo-state governed by its version of Shariah; attract global fighters                                   | Strengthen insurgency, intimidate local populations, assert territorial influence   |
| Recruitment Strategy         | Uses pseudo-legal discourse, global ideological appeal, and social media to attract foreign fighters                   | Primarily local recruitment; leverages community grievances, selective religious rhetoric                                       |

| <i>Aspect / Indicator</i> | <i>ISIS</i>  | <i>Boko Haram</i>  |
|---------------------------|--|--|
| Territorial Control       | Maintained de facto governance over large areas in Iraq and Syria (2014-2019)                | Operates as guerrilla network; limited territorial control; intermittent occupation of villages                |
| Court Function            | Enforce ideological conformity, intimidate populations, simulate legal legitimacy            | Primarily punitive and symbolic; inconsistent jurisprudential application                                      |
| Doctrinal Sources         | Selectively cites Ibn Taymiyyah, Al-Māwardī, classical fatāwā for pseudo-legal justification | Selectively references classical scholars, but less systematic; mostly uses local Salafi-puritanical teachings |

A detailed comparison of ISIS and Boko Haram reveals both convergences and divergences in the use of Islamic legal discourse for political and ideological purposes. ISIS established a formalized legal structure, creating codified courts and administrative offices that mimicked historical caliphate governance. These institutions provided written procedures, legal documentation, and regularized enforcement of punishments, creating a sense of bureaucratic legitimacy. Boko Haram, in contrast, relied on informal and decentralized courts with ad hoc enforcement mechanisms, where decisions were made locally by commanders and often varied from one territory to another (Thurston, 2018; Eteng et al., 2021). Despite these structural differences, both organizations used courts primarily to intimidate and enforce ideological conformity rather than to deliver justice consistent with classical Islamic law.

In terms of takfīr, ISIS implemented a systematic, global application, targeting both local and foreign Muslims who opposed or failed to submit to its authority. This approach transformed intra-Muslim dissent into a punishable offense under a manipulated legal framework. Boko Haram, by contrast, employed takfīr selectively, focusing primarily on local populations in northeastern Nigeria, including civilians, religious leaders, and government officials (Celso, 2015; Darden & Estelle, 2021). Both groups, however, exploited this doctrine to justify acts of violence that classical jurisprudence would prohibit, including attacks on non-combatants.

Media and propaganda were central to ISIS's strategy. Publications such as *Dabiq* and *Rumiyah* offered extensive theological and legal justifications for acts of terror, slavery, and governance, effectively institutionalizing pseudolegal reasoning for a global audience. Boko Haram initially lacked such organized media, relying on oral declarations and local broadcasts. After pledging allegiance to ISIS in 2015, Boko Haram began to adopt more structured propaganda, albeit still less sophisticated and widespread than ISIS's digital and print operations (Winter, 2015; Mohammed & Neuner, 2022).

Regarding violence against non-Muslims, ISIS carried out systematic campaigns, including enslavement and execution, framed as fulfillment of ḥudūd punishments under pseudo-Islamic legal reasoning. Boko Haram's attacks against non-Muslims occurred more sporadically and were often influenced by local grievances or tactical considerations rather than a codified legal rationale (Eteng et al., 2021). Nonetheless, both groups used the veneer of Islamic law to legitimize brutality, demonstrating that the function of their pseudolegal discourse extended beyond doctrinal interpretation to encompass political control.



In terms of strategic goals, ISIS aimed to establish a pseudo-state governed by its interpretation of Shariah, complete with administrative, military, and judicial systems. Boko Haram, while influenced by the caliphate model post-2015, primarily sought to strengthen its insurgency and intimidate local populations. Both organizations leveraged legalistic rhetoric to mobilize supporters, consolidate power, and rationalize violence, illustrating how pseudolegal strategies function as instruments of recruitment, governance, and ideological legitimation (Celso, 2015; Darden & Estelle, 2021; Thurston, 2018).

In summary, the comparative analysis demonstrates that while ISIS and Boko Haram differ in scale, institutional sophistication, and territorial ambitions, they share key methods in exploiting Islamic law. These include selective text interpretation, doctrinal revisionism, and the strategic use of takfir to sanction violence. Both manipulate legal and theological discourse not as an end in itself but as a political and social instrument to establish control, enforce compliance, and attract followers (Abdullah et al., 2025; Winter, 2015; Mohammed & Neuner, 2022).

## **DISCUSSION**

The findings of this study reveal a complex and deliberate interplay between ideology, political ambition, and the strategic distortion of Islamic legal discourse in the operations of ISIS and Boko Haram. Both groups systematically constructed pseudolegal frameworks that legitimised acts of violence, asserted territorial control, and demanded obedience from followers under the veneer of Islamic law. A central mechanism in this approach was the use of takfir, which enabled militants to declare opponents—including fellow Muslims—as apostates. This theological instrument allowed both groups to bypass classical prohibitions on intra-Muslim violence, effectively expanding the scope of legitimate targets under the pretext of religious obligation. As Wiktorowicz (2005) and McCauley & Moskalenko (2011) explain, such absolutist legal reasoning is not purely theological; it is a calculated instrument of ideological mobilisation that reinforces loyalty and group cohesion through both fear and moral obligation. Viewed through the lens of legal pluralism (Merry, 1988), ISIS and Boko Haram exploited the fragility of state institutions to create parallel “legal fictions” that mimicked formal courts, judges, and legal codes without adhering to the ethical and jurisprudential principles of classical Islamic law. ISIS, benefiting from territorial control and highly structured propaganda outlets such as *Dabiq* and *Rumiyah*, projected a pseudo-state legal system that appeared internally coherent and historically continuous. This gave the group an aura of legitimacy that attracted both local and foreign recruits (Berebon, 2025). Boko Haram, in contrast, operated within a decentralised command structure, deploying performative violence and selective legal rhetoric to intimidate local populations. In both cases, the distortion of Islamic law was deeply intertwined with socio-political grievances—Sunni disenfranchisement in Iraq, and marginalisation and poverty in northern Nigeria—highlighting how religion and political rationality are inseparable in these insurgencies (Alfano, 2022; Maruf, 2025; Abduljabbar et al., 2025).

A key observation is that pseudolegal discourse functions not only as a doctrinal tool but also as a mechanism for recruitment, governance, and consolidation of authority. By framing violence and coercion as divinely mandated, extremist groups create moral certainty that appeals to marginalized or disaffected populations. Terms such as jihād, ḥudūd, and takfir are co-opted to produce a distorted understanding of Shariah, conflating Islamic law with brutality.



This has profound consequences for both Muslim communities and global perceptions of Islam, as media sensationalism and political rhetoric amplify misconceptions (Abdullah et al., 2022; Winter, 2015).

The manipulation of historical scholars, particularly Ibn Taymiyyah and selected classical *fatawā*, illustrates the calculated nature of these reinterpretations. While these sources addressed specific historical and contextual issues, extremists selectively extract legal opinions to justify ongoing campaigns of violence, effectively detaching texts from their original ethical and societal purposes (Jalili et al., 2024; Cook, 2015). Boko Haram's localized adaptation of these doctrines demonstrates how pseudolegalism can be tailored to regional contexts, providing ideological cover for attacks on civilians, government officials, and rival religious leaders (Thurston, 2018; Ishaku et al., 2021).

These dynamics underscore the importance of restoring the ethical and jurisprudential foundations of Islamic law. Counter-extremism strategies must go beyond condemnation to engage in proactive religious education, judicial reform, and intra-faith dialogue, reinforcing the principles of *ijtihād* and *maqāṣid al-sharī'ah*, which emphasize justice, protection of life, and community welfare (Shittu et al., 2022; Muhammad et al., 2023, 2024; Juzwik et al., 2022). Media campaigns, community outreach, and international cooperation are also critical in neutralising the appeal of pseudolegal narratives and providing alternative frameworks of moral and legal reasoning (Erawati et al., 2023; Muhdi et al., 2024; Syibly, 2024).

Importantly, these pseudolegal frameworks are self-reinforcing. Socio-political grievances—such as economic deprivation, political exclusion, and state failure—create fertile ground for radicalisation, which is then legitimised through *takfir*-based pseudo-legal reasoning. This facilitates the establishment of parallel institutions, including courts and enforcement mechanisms, that simulate Shariah while bypassing ethical safeguards. The resultant system is both rhetorically persuasive and operationally coercive, embedding a distorted version of Islamic law into governance and daily life, and perpetuating cycles of violence and control (Abdullah et al., 2022; Abdulrahman and Walusimbi, 2024; Akmal and Usmani, 2024).

Ultimately, ISIS and Boko Haram exemplify how the strategic manipulation of Islamic legal discourse transforms religious norms into tools of political power and social control. By understanding these mechanisms, policymakers, scholars, and religious authorities can develop targeted interventions to reclaim Islamic law as a source of justice, social cohesion, and ethical governance. These interventions must integrate theological clarity, institutional reform, and community empowerment to dismantle the structural appeal of pseudolegal extremism and prevent the entrenchment of distorted legal ideologies.

Ultimately, ISIS and Boko Haram exemplify how the strategic manipulation of Islamic legal discourse transforms religious norms into tools of political power and social control. Before presenting the diagram, it is important to contextualize how these processes interconnect: socio-political grievances, such as marginalisation, economic deprivation, and political exclusion, create fertile ground for radicalisation. Extremist groups then frame these grievances through selective religious interpretations, particularly *takfir*, to delegitimise opponents and justify violence. The establishment of parallel legal institutions—pseudo-courts and enforcement mechanisms—further consolidates authority while maintaining the appearance of

Shariah adherence. This paragraph serves to orient the reader to the sequential and cyclical nature of pseudolegal exploitation, which is visually summarised in the following diagram.



**Diagram 1. Mechanism of Pseudolegal Exploitation by ISIS and Boko Haram**

*Note: Diagram remains as in the original manuscript and illustrates the process by which socio-political grievances and ideological reinterpretations of Islamic law facilitate takfir-based radicalisation, establishment of pseudolegal institutions, and consolidation of extremist authority.*

The diagram illustrates the systematic process by which extremist groups like ISIS and Boko Haram exploit Islamic legal discourse to legitimise violence, consolidate authority, and sustain their insurgencies (Abdullah et al., 2022; Abdulrahman and Walusimbi, 2024; Akmal and Usmani, 2024). It begins with underlying socio-political grievances—such as marginalisation, state failure, economic deprivation, and political repression—which create fertile ground for radicalisation. These conditions are strategically framed through ideological narratives that reinterpret religious texts, selectively invoking doctrines like takfir to label political opponents, government officials, or even fellow Muslims as apostates. Once opponents are dehumanised and delegitimised, violence and coercion are justified as divinely sanctioned acts, bypassing traditional ethical and jurisprudential safeguards. Concurrently, these groups establish parallel legal systems or pseudolegal institutions, including courts and enforcement mechanisms, which



mimic the appearance of Shariah while lacking substantive adherence to its principles of justice, mercy, and communal welfare. These structures serve not only to punish dissenters and intimidate local populations but also to provide an illusion of legitimacy and order, facilitating recruitment and the consolidation of power (Ismail and Hasan, 2020; Amberi, 2023; Hussin et al., 2025). Ultimately, this cyclical mechanism reinforces extremist authority, perpetuates ideological control, and embeds a distorted version of Islamic law into governance, creating a self-sustaining system that is both rhetorically persuasive and operationally coercive, as depicted in the sequential flow of the diagram.

## CONCLUSION

This study demonstrates that extremist groups such as ISIS and Boko Haram systematically employ pseudolegal frameworks to legitimise violence, consolidate authority, and construct religious-political narratives that distort Islamic law. By manipulating doctrines like *takfir*, *jihad*, and *hudud*, these movements do not merely exhibit religious deviation but pursue calculated political objectives. Their legalistic rhetoric acts as ideological camouflage, presenting acts of brutality as divinely mandated and chaotic governance as religiously sanctioned order. While both groups share core features, such as the indiscriminate use of *takfir* and rejection of state legitimacy, they differ in structure and sophistication: ISIS built a formalised legal system with courts, judges, and fatwas to simulate a functioning state, whereas Boko Haram operated as a decentralised insurgent network, using fear and public displays of violence to assert control in Northern Nigeria.

The findings underscore that violent extremism cannot be fully understood through theological analysis alone. Pseudolegal systems thrive in contexts of state fragility, legal pluralism, religious illiteracy, and socio-political grievances. Extremists repurpose Islamic legal terms not to pursue justice but to justify domination and coercion. This distortion has far-reaching implications: it erodes the credibility of Shariah, misrepresents Islam as inherently violent, and undermines traditional religious authority. Addressing these challenges requires both theological clarity and institutional reform, enabling scholars to provide accessible, evidence-based interpretations that counter extremist narratives.

Practical strategies include promoting religious literacy that encourages ethical reasoning, strengthening state judicial systems, and supporting intra-faith dialogue to clarify contested doctrines. Media campaigns and international collaboration are also critical to amplify credible Islamic perspectives and counter extremist propaganda. Future research should explore the emergence of pseudolegal strategies in other extremist movements and investigate their gendered impacts, especially regarding women's rights under such regimes. Ultimately, the perversion of Islamic law by ISIS and Boko Haram highlights the urgent need for integrated, interdisciplinary efforts—combining religious scholarship, legal reform, and community empowerment—to reclaim Islamic law as a force for justice, dignity, and peace in the modern world.

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