



OIC's CONFLICT RESOLUTION APPROACH: THE IRAN AND IRAQ WAR (1980-1988) AS A CASE STUDY



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ABSTRACT

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A survey of Islamic history reveals that Muslims have a tradition of engaging in conflict resolution. Hence, it was no surprise that OIC actively engaged in resolving conflicts involving Muslims during its formative years in line with the mandate of its charter. This essay examines the OIC involvement in conflict resolution by using the Iran-Iraq war (1980-1988), which was a case of inter-state conflict involving two Muslim countries, as a case study. Its aim is to discuss OIC's involvement by examining its methods and approaches of resolution that were applied to bring about peace between the two nations. Following the 1979 Islamic revolution in Iran, and the establishment of the Islamic Republic, lack of cooperation led to growing tensions between Iran and its neighbour, Iraq, eventually leading a devastating decade of war. In examining OIC's diplomatic method of bringing about peace, the essay employs document analysis and adopts an interpretivist approach. From this approach it will highlight the successes, challenges and lessons that were learnt. It concludes that in spite of OIC's failure to bring about an end to the Iran and Iraq war, the organization was the "ideal mediator" in the said conflict; and therefore recommend for it to draw upon these lessons and apply these strategic conflict resolutions (for existing ones such as the intra-Gulf states conflict or potential conflicts).

Contribution/ Originality: This study contributes to existing literature and is one of very few that investigated OIC's involvement in Muslim inter-state conflict resolution. The paper's primary contribution is finding that OIC had great potential to make peace during devastating Iran-Iraq war had it been able to curb influences of some Arab Members.

1. INTRODUCTION

Muslims have a tradition of engaging in conflict resolution as noted in previous works (Gassama, 2007). The OIC began to actively participate in resolving conflicts involving Muslims during its formative years. As observed in these works, the early advocates of the OIC such as King Faisal of the Kingdom of Saudi Arabia sought to respond to the narrow but formidable Arab nationalism (Brynen *et al.*, 1995)¹ and the Beatification (Ajami, 1992;

¹There was a growing phenomenon of Pan-Arab nationalism in the 1950s to the 1960s led by a wave of radical "populist" military regimes (Syria, Egypt, Iraq, Sudan, Yemen, Algeria, Libya, Mauritania, and Somalia) most of which regimes came power through military coup against a monarchy and therefore causes unease among

Kedourie, 1992)² of the Arab world spear-headed by their foremost leader, Jamal Abdul Nasser ³ This nationalism cloaked in militant revolutions that overthrew conservative monarchies in Egypt, Iraq, and Libya among others proved a grave threat to the oil-rich Gulf monarchies. Therefore, a Muslim international organisation that would transcend such a nationalist movement while at the same time re-enforcing the role of Saudi Arabia as the guardian of the two holy mosques (Mecca and Medina) was a great coup for Saudi Arabia's King Faisal. The abolition of the Caliphate by Turkey's Kemalists during 1924 served as the initial rallying point. Nevertheless, the final catalyst for this to happen was the Israeli arson attack on the holy mosque of Masjid al-Aqsa (Moinuddin, 1987) which galvanised leaders of Muslim nations to come together to form the OIC in 1969.

Shortly after the signing of the OIC Charter (Al Ahsan, 1988) the OIC got involved in conflict resolution especially in those cases that affected minority Muslims who were living in non-Muslim countries. These categories of Muslims were seen to be vulnerable with little or no rights at the expense of their regimes. When the OIC started receiving various reports about the plight of Muslim minorities, the Islamic Council of Foreign Ministers (ICFM) responded by drawing up detailed reports and statistical index about the Muslim minorities in non-Muslim countries. In a 1972 resolution, ICFM lamented that: "Muslim minorities in some countries do not enjoy the political and religious rights guaranteed by international law and norms." Hence, the ICFM appealed to such countries "to respect those minorities and their culture and beliefs and grant them their rights in accordance with the UN Charter and the Universal Declaration of Human Rights (Khan, 2002)." From 1972 onwards, the OIC took it upon itself to champion the cause of these minorities outside member states; it, for example, took up the cases of, among others, Muslims of Southern Philippine, Southern Thailand, Kashmir, Myanmar (formerly Burma), and Cambodia.

This essay examines the OIC approaches to conflict resolution by drawing on the Iran-Iraq war, which as a case of inter-state conflict involved two Muslim countries. The essay's aim is to examine OIC's methods of resolution that were applied in order to bring about peace between these two states. After Iran's 1979 Islamic revolution, tension grew between Iran and Iraq and this eventually led to a devastating ten-year war (1980-1988). The essay thus focuses on the OIC's efforts in mediating this conflict and it assesses its diplomatic process of peaceful resolution; it does so by recording its successes and challenges, and it notes the lessons that were learnt.

the conservative camps (Saudi Arabia, Morocco, Kuwait, Bahrain, and Jordan); Saad Eddin Ibrahim, "Liberalization and Democratization in the Arab World: An Overview," in Brynen, Korany and Noble (1995).

² The Ba'th Party was founded by Aflaq and Salah al-Din al-Bitar in 1940-41 in Damascus, Syria. The word Ba'th means "Resurrection" or "Renaissance" referring to the notion of rejuvenation of Arabism and the determination to glorify Arab national identity and independence from internal domination. The Ba'th Party, according to Article VII of its constitution, aimed to "liberate the Arab fatherland completely" from "foreign colonialism"; to unite "all the Arabs in a single independent state" by "the overthrow of the present faulty structure...which will include all the sectors of intellectual, economic, social, and political life." The agenda of violent overthrow of the existing Arab system, mainly autocratic monarchies, enshrined in the Ba'th manifestos became a real threat to the conservative Arab monarchies. The Ba'thist also aimed to liberate Palestine, which they saw as part of the Arab fatherland. The ideology of the Ba'th Party predominated the Arab world between 1955 and 1967 during the reign of Gamal Abdul Nasser who developed his ideas in a document called *The Philosophy Revolution*. This period was characterised by the Suez crisis (which was perceived as a triumph to the Arab Nationalism), the overthrow of the Hashemite King in 1958, the fervent resistance against foreign interference especially against the West and the promotion of non-alignment in the Arab world. The radical approach of the Ba'thists under Nasser in alliance with Syrian Ba'thists aimed strengthening Arab national identity and power. It was not surprising that its rhetoric captivated the Arab world; Kedourie (1992); Fouad (1981).

³ It should be noted that Jamal Abdul Nasser was also very instrumental in Pan-Africanism which resulted in the foundation of the Organisation of African Unity (OAU) in 1963- later African Union (AU) in 2000.

2. THE IRAN-IRAQ WAR (1980-1988)

The victory of the Islamic revolutionaries in overthrowing the Shah of Iran in 1979 and the eventual establishment of the Islamic Republic in that country sent shock waves across the world especially in the Gulf States. The initial attempts of the Iraqi government to establish direct relations with the Islamic Republic were rebuffed. The Iraqi government sent a memorandum to the interim government of Iran by outlining the Iraqi policy towards Iran which they claimed aimed “to pursue friendly relations with neighbours based on the principles of respect for sovereignty, non-interference, in domestic affairs, and the right of nations to achieve their legitimate national aspirations (Khadduri, 1988).”⁴ Iran did not reciprocate to such Iraqi initiatives of official communications with similar attitude except Ayatollah Khomeini’s brief cable whose original version to Iraq was amenable to constructive engagement between the two countries but the edited version that appeared in the Iranian press differed in content and spirit. The Iranians were apprehensive of the Ba’thist regime in Iraq (Khadduri, 1988). Hence the lack of direct diplomatic communication between Iran and Iraq at the initial stages of the Islamic Republic served as a source of mistrust, which became a primary source of the conflict.

Iraq considered Iran’s rejection of its offer for direct diplomatic communication (or negotiation) between the two countries as the new Islamic Republic’s lack of the political will to honour the 1955 Algiers Agreement as a means of peaceful settlement of the contentious issue of Shat al-Arab (King, 1987; Abdulghani, 2012; Donovan, 2012). Aside from the Shatt-al-Arab issue, a key source of the disagreement is the centuries old dispute over their 300 miles border at Kurdistan, and Khuzestan which became the subject of international disputes among a host of Gulf States. Iraq also claimed jurisdiction over the Iranian province of Khuzestan popularly referred to as ‘Arabistan’ (Amin, 1982).⁵ Iraq detested being referred to as oppressive, anti-religious, and corrupt by the new political leadership in Iran; and it was, expectedly, suspicious of the Iranian territorial ambitions especially in the light of the notion of exporting the Islamic Revolution abroad. Saddam Hussain saw the Iranian hostilities towards Iraq as a direct challenge to his leadership as well as to secular Ba’th ideology. Similar sentiments and fears were expressed among the Gulf’s conservative monarchies and other Arab states (Dawisha, 1983). Iraq protested against Iran’s encroachments over Iraqi areas around the disputed Iraq-Iran border. The Iraqi government’s failure to get the Islamic Republic to endorse the Algiers Agreement made Saddam Hussain to unilaterally declare it null and void:

“The Iranian rulers’ attitude, since assuming office, has confirmed their violation of the relations of good neighbourliness and their non-commitment to the clauses of the March Accord (Algiers Agreement). They therefore, fully bear the legal and de factor responsibility of rendering this Accord null and void (Khadduri, 1988).”

Iran responded to this “unilateral abrogation” by writing to the UN Secretary-General. Not only did Iran protest against the purported Iraqi abrogation of the treaty but it also asserted that Iran “respected” its provisions

⁴ The memorandum emphasised the Islamic and historic connections between Iraq and Iran as well as the shared experience under foreign domination and oppression; that Iraq appreciates the announcements of the revolutionary leader Khumayni and its condemnation of Zionism and good intentions for the Aeabs; and that Iraq looks forward to cooperating with Iran to maintain regional peace and stability. Khadduri (1988).

⁵ Relying upon the 1937 Treaty between Iran and British Mandated Territory of Iraq, the latter claimed the entire Shatt-al-Arab, disputed by Iran which claimed the Treaty was born out of British pressure on Iranian weakness and called for the application of “thalweg or median line principles.” The “median line” and the “thalweg” are rules of demarcation of river boundaries between or among neighbouring countries. The “median line” rule runs through the middle of the river, and is applicable to “non-navigable rivers as well as to highways, fisheries and civil boundaries defined along rivers”. The thalweg which was defined in 1908 between Great Britain and the USA as “the main channel of the river” runs along the track taken by boats in their course down the stream. Hence thalweg, therefore, which is “most suitable channel for downstream navigation at the normal lowest water levels....[and] cannot be fixed once and for all and remains subject to change owing to natural causes.”

and that it was bound by it. The relation between the two states deteriorated and it was further complicated by the Iraqi invasion of Iranian territory on September 21, 1980 which marked the beginning of the decade old war between Iran- and Iraq. In the succeeding section, the essay analyses OIC's role in mediating the Iran-Iraq conflict and it assesses the efficiency of its methods of resolution.

2.1. OIC's Diplomatic Search for Peaceful Settlement between Iran and Iraq

The OIC was quick to respond to the outbreak of the war between Iran and Iraq. Within a week of the Iraqi invasion of Iran on 20 September, the OIC foreign ministers meeting at the UN headquarters in New York constituted a fact-finding and a good-will mission on 26 September 1980 for Iran and Iraq. The Islamic Council of Foreign Ministers regularly meets at the UN Assembly to discuss matters affecting the OIC (Gassama, 2007). This high level mission was put under the leadership of Zia al-Haqq, former president of Pakistan and then President of the OIC. Zia al-Haqq explained the objective of the mission as "peaceful settlement [of disputes] in the spirit of Islamic solidarity (Khadduri, 1988)."

It should be noted that Article II of the OIC Charter encouraged peaceful settlement of disputes. Zia al Haqq and his team visited Tehran and Baghdad on September 27 and 28 respectively. While the Zia Mission was away in Iran and Iraq, the UN Security Council passed a resolution calling for a peaceful settlement of the disputes on September 28. Even though, the mission was undertaken on behalf of the OIC (Souresafil, 1989) Zia raised the issue in his report to the UN General Assembly when he stated that he has conveyed the position of both parties regarding cessation of hostilities to each other. Zia also notified the Assembly about the Iraqi offer of a four-day ceasefire. Not only did Iran reject the Security Council demand for a cease-fire but it also rejected the Iraqi unilateral offer of four day cease-fire. It is important to note that there were other international organizations such as the UN and Non-Aligned Movement (NAM) that too proposed peaceful solutions to the conflict. The UN called for a ceasefire between the warring parties. The NAM under the Chairmanship of Fidel Castro of Cuba, sent a foreign ministerial delegation to Iran and Iraq, comprising Foreign Ministers of The Gambia, India, Pakistan, and a representative of Palestine Liberation Organisation. Though, some of these countries also featured in the OIC delegation as well, the OIC peace mission and proposals were more comprehensive than NAM or UN (Souresafil, 1989).

While the OIC mediation was in process, certain imminent neutral leaders such as Yasir Arafat, the PLO's chair, also joined the mediation process by visiting both Iran and Iraq. It should be noted that both Tehran and Baghdad were staunch supporters and defenders of Palestinian cause, which put Arafat in good stead as an impartial mediator; this is unlike most Arab leaders from countries such as Saudi Arabia, Kuwait, Bahrain, and Jordan that supported Iraq both morally and materially (Gibson, 2013).

3. THE OIC ISLAMIC PEACE COMMITTEE

The OIC, as an advocate for peaceful settlement, was not daunted by the apparent failure of the Zia al-Haqq Mission to secure a ceasefire as a prelude to a peace process. Hence, OIC established the *Lajnat al-Masa'I al-Hamida* (Islamic Peace Committee or Good Offices Committee) which included the original Zia Mission as its nucleus. This enlarged Islamic Peace Committee (was constituted by nine eminent members under the chairmanship of President Ahmad Sekou Toure of Guinea. Other members included the Presidents of Pakistan, the Gambia and Bangladesh. The Peace Committee was dispatched to Iran and Iraq on 28 February 1981 with the objective of preparing and submitting proposals to both warring parties for consideration. The President of Iran, Bani-Sadr and Prime Minister, Raja'i met the Peace Committee on February 28 who arranged a meeting with the Supreme Defence Council of Iran in order to ascertain their views on the war. This meeting was noted for its exchange of views between the leader of the Peace Committee, Ahmad Sekou Toure and Bani-Sadr.

Sekou Toure stated that the objective of the Peace mission was to seek “truth and justice” and not to act as a court since giving “judgement on the existing differences would be a very difficult job.” The Islamic committee aimed to promote peaceful coexistence among all Muslim countries. Sekou Toure warned that “the devil [Satan] separates the human beings from each other, but Islam unites them...” Toure’s statement was picked up by Bani-Sadr who requested that the devil in this war should be identified, that the mediating committee should investigate “who the aggressor is...then after it is determined who the aggressor is...to punish him according to Islamic principles (Khadduri, 1988).” Such Iranian proposition was perceived by the OIC Islamic Peace Committee as tantamount to being the judge, jury and the executioner which was beyond their mandate as expressed by Sekou Toure, the mission’s chairperson.

“We are not here in order to answer you questions, but rather to give you this message that we want peace and an end to this war... We implore you to go beyond touching on the problem and feel assured that no act of sacrifice and effort done in the cause of Islam can be called deceit... This war is on no account limited to Iran and Iraq but rather other nations and other Muslim brothers are also suffering from the affliction touching them in this war. A Peace between Iran and Iraq will undoubtedly make the Muslim Umma [nation] happy (Khadduri, 1988).

In spite of the pleas for peace of Sekou Toure in the interest of the Ummah, President Bani Sadr insisted that “as long as the aggressor [in reference to Iraq] remains in our territory we cannot agree to a ceasefire (Khadduri, 1988).” The Iranian position was reiterated by Ayatollah Khomeini who met the OIC *Lajnat al-Masa’i al-Hamida* on March 1 1981 to discuss how to make peace. Khomeini demanded that the Committee decide based upon Qur’anic teachings as to who was the aggressor in the war and punish the aggressor according to Islamic Law. In a lengthy speech delivered in Persian to the Committee, Khomeini stated that Iran was defending her territory against Iraqi occupation and he challenged the Committee to go see the occupation by themselves or send their own representatives. Khomeini further challenged the committee to investigate and decide based on Qur’anic teachings and principles:

“...A verse says that if a group of Muslims...attacks another group of Muslims, all the Muslims are religiously bound to fight against the aggressor. If you practice this very verse, we do not expect anything more from you. Probe into the aggression and if you do not have the time yourselves, appoint some representatives to go to the border areas which had been subjected to aggression. Send them to the grave yards which have been formed for us by them (the enemy troops)... If they find out that we began the aggression, then you can wage a war against us. And if you recognise that they (the Iraqi forces) aggressed, you wage a war against them (according to the Qur’an)...

If you are assigned to put an end to this war, which is the ultimate goal of all Muslims, you should bring the aggressor to stand court trial and punish the invader. You should...force Saddam to withdraw his forces from our country and his army to stop its invasion. After the aggression is stopped by him, then an international body can be held somewhere to probe into the crimes which have been committed. If we are criminals, we should be punished and if Saddam is, then he should be punished. This is the method of Islam (Khadduri, 1988).”⁶

Whilst the specific verses were not cited in the aforementioned statement but presumably referred to Sura 49: 9-10 (Ali, 2001).⁷ The aforementioned Khomeini proclamation summed up the Iranian position on the issue of the

⁶ For Khomeini, the order of God should prevail and be followed. “We all should follow the Holy Qur’an.” Ibid., p.225.

⁷ “9. If two parties among the Believers fall into a quarrel, make ye peace between them: but if one of them transgresses beyond bounds against the other then fight ye (all) against the one that transgresses until it complies with the command of Allah; but if it complies then make peace between them with justice and be fair: for Allah loves those who are fair (and just).

peace process. It also showed the Iranian intransigence on the strict adherence to the Qur'anic principle of conflict resolution as a pre-requisite to peaceful settlement of disputes. A fundamental impasse in the OIC mediation process was the question of determining who the aggressor was in the war, which the Islam Peace Committee was unwilling to investigate and therefore did not commit itself to that task. However, the Committee leader argued for the need to "put aside hatred, revenge and anger" and to accept peaceful solution to the war. Instead of addressing the question of aggression, the Peace Committee presented a package of peaceful proposals that it hoped both Iran and Iraq would accept (Khadduri, 1988).

The peace proposals emphasised principles of mutual respect for territorial sovereignty, and non-interference in internal affairs of another, opposition to territorial aggrandizement, freedom of navigation in Shatt al-Arab, and peaceful settlement of international disputes. The OIC peace deal also called for a ceasefire and withdrawal of Iraqi troops from Iranian territory under the supervision of OIC Military Observers acceptable to both parties. Similarly question of jurisdiction over Shatt-al-Arab was to be decided by OIC committee members acceptable to both Iran and Iraq. Until the final settlement of the Shatt al-Arab was achieved, usage and navigation would be "supervised by a special body under the auspices of the Islamic Conference Organisation (Khadduri, 1988)." An OIC peacekeeping force could be deployed to ensure free navigation while an OIC Sub-committee was powered to facilitate the implementation of the provision of this Peace Settlement.

4. OIC MEDIATION DURING IRAN-IRAQ WAR: AN ASSESSMENT

In as much as the OIC was keen about resolving the conflict between Iran and Iraq, there were certain fundamental weaknesses that underlined their process of mediation which incidentally lead to its failure in achieving its aim of stopping the war between these two Muslim countries. The main tasks of the mediator at the initiation stage of the process is to build credibility which may take various forms such as personal (referring to the appealing attributes of the mediator), institutional (the sound reputation of the organisation or body supporting the mediator) and procedural (referring to the confidence or degree of success the disputants have in the proposed mediation process). Moreover, the mediator's creation of rapport with parties in conflict is another important element of entry stage of mediation (Moore, 2014). While the OIC did fulfil some of these essential elements it failed short of others.

The personal credibility of the mediators was not questionable since President Zia al-Haqq (Pakistan), President Ahmad Sekou Toure (Guinea Conakry), President Sir Dawda Jawara (The Gambia) all of whom chaired the Islamic peace committees were highly credible and neutral people in the dispute and their countries maintain friendly relation with both parties. For example, Iraq protested against the inclusion of Algeria in the Islamic Peace Committee for supporting Iran and as a result Algeria was excluded (Gassama, 2007). Similarly, the choice of other committee members was to reflect acceptability to both disputants. However, the same measure was not applicable to other influential movers of the OIC institution.

First, some key leaders of the OIC, mainly Arab countries (Tahir-Kheli and Ayubi, 1983; Tripp, 1991) particularly Saudi Arabia, Jordan, Egypt and Kuwait took sides in the war in apparent contradiction to the Islamic principle of neutrality between fellow Muslim brothers. These countries were motivated by two main reasons; the first was the notion of Arabism (or Semitic attachment), and the second was that Iran's Islamic Revolution, its establishment of an Islamic Republic, and the possible exportation of the Islamic revolution to its Arab neighbours were of concern. These reason undermined OIC's neutrality to the extent that Iran lost trust in the Islamic Peace Committee. It appeared that even though Arab countries did not feature in the Islamic Peace Committee, they

10. The Believers are but a single Brotherhood: So make peace and reconciliation between your two (contending) brothers; and fear Allah, that ye may receive Mercy." (Sura Hujuraat 49: 9-10)

seemed to have had influence on it, which prevented them from taking a tough stand on aggression, the principal source of the conflict. Professor Emeritus of diplomatic studies, Geof R. Berridge, has observed that the influence of wealthier nations in international organisations help to shape the dimension of the mediation process (Berridge, 2005). In this particular conflict, the rich Gulf nations were all supporting Iraq, and therefore they were unwillingness to openly acknowledge Iraq as the aggressor.

However, it must also be acknowledged that the composition of the Islamic Peace Committees apparently included neutral states drawn mainly from Africa, South Asia, and Southeast Asia which was expected to enhance the credibility, impartiality and neutrality of the mission. Impartiality is a crucial characteristic of the third party mediator such as the OIC. Berridge also recognised that impartiality is required for mediation as it enables the disputants to trust the mediation even though “the parties to the conflict are not in general held in equal affection” by the mediator (Berridge, 2005). In view of the open support, some influential member states offered to Iraq seemed to impact on the mediation. For example, the OIC convened Islamic Conference Summit in Taif, Saudi Arabia in 1981, and in Kuwait in 1987 in apparent disregard to the Iranian plea for the Summit to be held at neutral venues. Hence, Iran boycotted both summits where Saddam Hussain’s speech was adopted as the official view of the OIC. These actions did not help the position of the OIC as a neutral mediator to earn Iran’s trust in resolving the Iran-Iraq war.

Consequently, Iran refused to recognise the later Islamic Peace Committees and opted to receive the leader of the mission, Sir Dawda Kairaba Jawara as the President of the Gambia and not a representative of OIC Peace Committee. Iran demanded that OIC use the “Islamic solution (Khadduri, 1988)”, which involved the identification of the aggressor in the war. The rigidity and inflexibility of Ayatollah Khomeini also did not help the situation especially when there were neutral brokers and negotiator in the OIC Peace Council, but even refused to meet them as competent representatives of the organisation. Khomeini in his address to the OIC Islamic Mediation Committee on March 1st 1981 entreated them to use the Qur’an as the arbitrator. This, for him, requires the Muslims to determine who the aggressor is and the victim of aggression; and that the aggressor be penalised collectively by all Muslim countries; and that the aggressor should be told he/she is wrong, and warned to stop aggression. If the aggressor refuses to comply, then the entire Muslims should rally together to fight against the aggressor in question. Unless this Islamic approach to conflict resolution was adopted by the OIC mediation committee, Iran, under Khomeini’s leadership, often blatantly refused to accept ceasefire, or even come to the negotiating table (Gibson, 2010).⁸ The intransigence of Iran was further stiffened by the Islamic Peace Committee’s unwillingness to apply such principles demanded by Iran in the conflict resolution process.

It is important to note that the OIC has “produced the only comprehensive peace plan” as opposed to other international organisations such the UN and Non-Aligned Movement (NAM) both of which were involved at some stages (Grummon, 1982). In spite of such noble efforts, one wonders why OIC, which claims to neutrality and offered a Muslim view of conflict resolution, did not consider the process of investigating the question of aggression and penalise the aggressor even if it was a mere reprimand or a slap on the wrist; this trend undermined the OIC’s role as a neutral party in mediating the Iran-Iraq peace process. If the OIC mediation committee was bold enough to have identified the aggressor, who – at that time - was Iraq under Saddam Hussein, and if Iraq had been appropriately admonished and punished, it might have served as deterrent to future aggression such as against Kuwait some 10 years later.

⁸ Following Israeli invasion of Lebanon in 6 June 1982, Saddam Hussein used this as an opportunity to offer unilateral ceasefire and eventual withdrawal pending Iranian agreement to accept the cease fire negotiation. Iran claimed it would direct its energy and forces to fighting Israel. Hence Iraq unilaterally withdrew its troops from occupied Iranian land to a buffer-zone of the international border. But considering its military advantage on the battle field, Iran rejected the cease-fire even though it appeared that Iraq had ceased hostilities; and Khomeini decided that invading Iraq was the best option. This was a missed opportunity for peaceful resolution of the war.

In the light of the aforementioned discussion, it appears that the OIC, as a collective block, missed a golden opportunity to take on Iraq with many options of punishment available to them, such as sanctions (both political and economic), and exclusion or diplomatic isolation without necessarily waging war on Iraq. The Iranian demand that war be waged on the aggressor upon determination was far too much. This was unrealistic at the time as the OIC was not prepared to undertake any military expedition. OIC did not have a standing army and the structures to sustain such an expensive military project even though it contemplated sending peacekeepers along the Shatt al-Arab. There is clear demarcation between peacekeeping and peace enforcement capabilities, the latter being more demanding and costly in many ways for which the OIC was not prepared for. However, this does not absolve OIC from determining who was guilty of aggression and met out the necessary sanctions accordingly as discussed earlier. Nevertheless, it may also be said that the Iranian intransigence in the face of an opportunity for peace did not help matters. Iran was apparently guilty of irrational miscalculations and absolute foolhardiness for failing to adopt a more flexible position to attain a peace settlement of the war through OIC mediation. Hence it was ironic that Iran should have accepted ceasefire in 1989 when they could have accepted peace settlement earlier thereby averting untold destruction of lives and properties during the war.

OIC peace proposals did not only address the main sticking points of the conflict particularly the status of the Shatt al-Arab, territorial aggrandisement, and the question of sovereignty but it generally offered a fair deal for both parties. However, the mediation failed on matters of principles and procedures. Iran wanted mediation process to involve clear determination of the aggressor who should be penalised for aggression according to Qur'anic injunction. The Peace committee did not go along those lines and hence missed an opportunity to explore chance for an acceptable peace deal. Iran, as evident in Khomeini's view, was the victim of Iraq's and Saddam's aggression. Hence, Khomeini appeared to even offer that if the Iran was the aggressor then they should be punished.

It was interesting to note also that Khomeini further proposed an international tribunal to probe into "crimes which have been committed" and to try the culprits of aggression. This approach, as suggested by Khomeini, would also resonate within an Islamic framework for accountability and responsibility for war crimes against innocent victims and crimes against humanity. OIC could have not missed an opportunity to create the first modern international criminal tribunal well before the International Criminal Court at The Hague, and use it to advance respect for human rights even in times of conflict. In retrospect, Khomeini had been proven right in view of the fact that Saddam has eventually been put on "trial" in 2006 at the Iraq High Tribunal (a little over a decade later) under Iraqi Municipal laws. It should be pointed out that some of the crimes that Saddam was charged with "crimes against humanity" (Cryer, 2010) which constituted one of the three gravest international crimes, though not specifically for crimes of the Iraq-Iran war; but he was eventually executed as a punishment. The Saddam trial came under serious condemnation for being "showy" and politically motivated even though many people believed that he was guilty of crimes punishable by death under Iraqi law (Laughland, 2008; Brown, 2011). The significance of Iranian position was the proposal for use of the due process of law as a means of resolving conflict, which could have been adopted by the OIC within an Islamic framework to resolve the conflict.

The aforementioned approaches of the OIC show that some fundamental requirements of the peace process were missing. First, OIC, as an institution, did not win the confidence of Iran as a credible mediator even though personalities involved were credible. Do, however, note that Iran decided to receive Sir Dawda Jawara as President of the Republic of the Gambia rather than as the chairperson of the Islamic Peace Committee. This was apparently as a result of a lack of institutional credibility and Iran saw key Arab members as supporting Iraqi aggression. Moreover, Iranian insistence on determining who the aggressor did not appeal to the committee which became a sticking point in the mediation. Although the OIC has been commended for drawing the most comprehensive settlement of all international organisations, it failed to achieve the peace. The OIC could have been the "ideal mediator" if it had freed itself from all the political interest in the background of the OIC institution which would have enhanced its impartiality in conflict mediation. The influence of the key Arab countries that supported the Iraq

seemed to have prejudiced the process. Even the neutral composition of the mediation committee could not make up for that deficiency. In spite of the institutional deficiency of the OIC in this case, it does not overshadow the fact that OIC potentially was the “ideal mediator” in a conflict between two Muslim countries. Berridge observed that the role of an ideal mediator depended largely on the nature of the conflict (Berridge, 2005). In this instance, both countries shared similar Islamic heritage which could not be detached from the conflict itself, and the rise of the Islamic revolutionaries in Iran seemed to have caused a lot of unease in secular Iraq under Saddam. The majority of the Security Council members were hostile to the Islamic Republic of Iran. Above all, Iran was adamant that the matter be resolved according to Islamic rules, all of which puts the OIC in good stead as the ideal mediator when compared to secular bodies such as the UN, NAM, or the Gulf Cooperation Council.

5. CONCLUSION

In the light of the aforementioned discussions, it is apparent that the OIC has played active role in attempting to resolve conflicts involving Muslims, some which were complex and protracted outside the ambit of the UN. The OIC was mandated by its Charter to engage in peaceful resolution of conflicts involving Muslims; a role that was hitherto the province of the UN. The UN Security Council or certain permanent members (collectively or unilaterally) have traditional monopoly over intervention in conflict resolution in practice globally through countless peacekeeping and enforcement mission; and often through unilateral involvements abroad. The fore-going discussion attempted to provide an alternative approach to that method of resolving and managing interstate conflict outside the mainstream. This essay argued that the OIC, as compared to other organizations such as the UN and NAM, was well suited to engage and resolve certain types of conflicts (such as those involving Muslim); and in future, it should therefore play a more proactive role in conflicts that emerge among Muslim nation-states. This may be attributed to the fact that the OIC possesses the necessary knowledge of the issues on the ground, and these are coupled with sensitivity to respective societies’ values and belief systems that, in turn, impact upon the behaviour of actors in the conflict. The physiological determinants of actors could not be ignored in a conflict (Smith, 1971) and it is therefore expedient to involve parties with far understanding of such phenomena. Both the UN and NAM had been involved in the Iran – Iraq war but it was the OIC that developed a more comprehensive peace settlement and it made direct contacts with disputants. However, the OIC efforts failed to secure a lasting cease fire, let alone in stopping the war. The weakness of OIC mediation revealed fundamental differences in procedure and principles on which peace settlement should be based. The main sticking point was whether the aggressor in the war should be determined and punished accordingly as proposed by Iran. This principle seems to resonate with the Quranic injunction (Sura 49: 9-10) and with Muslim thinking on issues of conflict; that the OIC committee failed to address Iranian demands in the initial peace talks led to the Iranian boycott of the talks at the 1981 Taif Conference in Makkah and it refused to cooperate with the peace committee on the grounds that its concerns were not addressed.

Though the OIC failed short of certain fundamentals of mediation process, it fulfilled some. The OIC Islamic Peace Committee had credible personalities such as Zia ul-Haq (President of Pakistan), Amadou Sekou Toure (President of Guinea), Sir Dawda Jawara (President of the Gambia), Yassir Arafat (Chairman of PLO) and the President of Bangladesh all of whom were friendly to both Iran and Iraq. Iran did not raise any objection to membership of any of the aforementioned of the Islamic Peace Committee. In fact, OIC tried to enhance the credibility of its mediation process and mediators by excluding Algeria (an Arab state) from the Islamic Peace Committee whose inclusion was protested against by Iraq. This was a great achievement for OIC to be able construct a team as diverse and neutral for its peace process. Nevertheless, the OIC was dominated mainly by influential Arab states especially Saudi Arabia, Kuwait, and Jordan whose apparent support for Iraq in effect undermined the OIC peace efforts. For example, OIC called for the Taif conference in which both parties were

invited in apparent protest of Iran for neutral venue. Hence, Iran boycotted the conference. The Conference could have been conducted in a neutral ground following Iranian protest.

The inter-state politics in the background of the peace process also hampered progress for peaceful settlement. Some states such as Saudi Arabia, Kuwait, Jordan, and Egypt were not impartial as they openly supported Iraq which tends to undermine the credibility of OIC. The OIC's Secretary General, Habib Chatty, noted that Iran's lack of confidence in it was a stumbling block to the peace process (Baba, 1994). In hindsight, it appears that the OIC suffered from the dominance of Arab culture; and it was not willing to shame an Arab brother (Iraq) in some situations and the OIC refrained from condemning Iraqi aggression. OIC only did so long after the invasion of Kuwait by Iraq and when the 1997 Tehran summit was held where Iraq was officially condemned for its aggression on Kuwait in 1990. However, the aggressor in the Iran-Iraq war was not castigated at all. On the other hand, Iran appeared to be intransigent during the peace negotiations by closing all doors to flexible options or room for compromise to achieve a peace settlement. Sometimes there may be a need for what some conflict practitioners called "mediators with muscle" during peace negotiations which could contribute to facilitation of peaceful resolution in conflict situation. Mediation experts such as Saadia Touval and I. William Zartman observed that this approach may often be required to facilitate "reaching a negotiated solutions to the dispute" (Crocker *et al.*, 1999). The OIC was able to successfully employ a bite of this approach in its mediation efforts in the conflict between Government of the Republic of Philippines (GRP) and Bangsamoro people of Southern Philippines. Though GRP initially refused OIC mediation by declaring the matter as internal sovereign issue, OIC deployed both diplomacy with a bit of "mediators with muscle" approach by making veiled threats of sanctions by oil rich members during the 1973 oil crisis if the GRP did not pursue peaceful settlement of conflict rather than through military battles. Hence, the OIC was able to overcome this challenge of acceptance as by GRP, which made a lot of difference to the peace process. Similarly, OIC impressed upon MNLF to accept autonomy instead of independence during negotiation for Tripoli Agreement, which was earlier rejected by MNLF. In both cases, "mediators with muscle" was employed constructively with positive results. The Iran-Iraq case was, however, a different situation as the approach of "mediators with muscle" was not employed at all by the OIC machinery.

The failure of OIC to stop the decade long Iran-Iraq war does not overlook the fact that the OIC has a huge potential for resolving conflict if they follow the right principles and procedures enshrined in its charter (Cooperation, 1969). For conflicts, which involve societies or states "whose religious values or beliefs colour so much of their everyday beliefs and habits (Smith, 1971)" it is important to allow institutions that would tolerate or accommodate such values and belief system to engage the disputants. This presumably puts OIC in good stead to be the "ideal mediator" in a conflict involving two Muslim countries. Berridge observed that the "ideal mediator" may vary depending on the nature of conflict (Berridge, 2005). "The Holy See is in principle well suited to the mediation of a conflict between two catholic states, provided the exertion of material power over them is not required".

By the same token, the OIC charter aims to settle disputes among member states which included both Iran and Iraq. Moreover, it also has more local knowledge about the warring parties which could be valuable in mediation process; and its disposition could potentially have had greater impact on the warring parties if it had got the procedures right, and followed them to its logical conclusions without interference of influential member states. The OIC still remains potentially the single most significant international organisation with potential to mediate and resolve conflicts among Muslims if it learns from its peace missions, and improves upon its mistakes for the betterment of the Muslim *Ummah*.

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