Conflict Behavior in Muslim States

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Table of Contents

• Definitions
• Thesis
• Building the Conflict Database
• Findings
• Policy Implications
International Humanitarian Law (IHL); Laws of Armed Conflict

• IHL are international laws governing all armed conflicts, that for humanitarian reasons, reduce the negative effects of war
• IHL includes the Geneva Conventions that protect persons, treaties that restrict the means and methods of warfare, like the Chemical Weapons Convention, customary law, and international tribunal case law
• LOAC is *lex specialis*, law governing a specific subject, and therefore takes precedent over all peacetime law in times of armed conflict
  • Hence IHL supersedes Human Rights Law in armed conflicts
Definitions

• International Armed Conflicts (IAC): interstate war
• IACs between Muslim states: both sides Muslim belligerents
• Non-International Armed Conflicts (NIAC): civil war
• Organization of Islamic Cooperation (OIC): nations that are either Muslim-majority population or identify as Muslim
• Sharia: religious law of Islam
Building a Conflict Dataset

• Political scientists often assume Muslim states are more conflict prone and do not comply with IHL

• We wanted to test:
  • Whether Muslim states comply with IHL in armed conflicts
  • Whether Sharia is an alternative norm that can mitigate conflicts where IHL is not respected

• Method:
  • We tracked every conflict in which Muslim state members of the OIC were belligerents from 1947-2012 for violations of IHL
  • We examined the existence of Sharia language and human rights language from the OIC member constitutions and identified the density of both
  • Compared the armed conflict dataset to the constitution dataset
OIC Member States

Includes 46 Muslim-majority population states and 11 that identify as Muslim states (†)

- Afghanistan
- Albania
- Algeria
- Azerbaijan
- Bahrain
- Bangladesh
- Benin†
- Brunei-Darussalam
- Burkina Faso
- Cameroon †
- Chad
- Comoros
- Cote d’Ivoire †
- Djibouti
- Egypt
- Gabon †
- Gambia
- Guinea
- Guinea-Bissau †
- Guyana †

- Indonesia
- Iran
- Iraq
- Jordan
- Kazakhstan
- Kuwait
- Kyrgyzstan
- Lebanon
- Libya
- Malaysia
- Maldives
- Mali
- Mauritania
- Morocco
- Mozambique †
- Niger
- Nigeria †
- Oman
- Qatar
- Pakistan

- Palestine*
- Saudi Arabia
- Sierra Leone
- Senegal
- Somalia
- Sudan
- Suriname †
- Syria
- Tajikistan
- Togo †
- Tunisia
- Turkey
- Turkmenistan
- U.A.E.
- Uganda †
- Uzbekistan
- Yemen

* Included in Constitution Database only
Findings

Figure 1: Conflicts by Muslim States, 1947-2012

- More civil wars since 1989
- Since 1989 almost every interstate conflict is between Muslim belligerents
Africa and Middle East have the most conflicts
Africa and Middle East have the most civil wars
Figure 3: Conflicts and Violations by Muslim States, 1947-2012

- Number of violations in civil wars greater than violations in interstate wars
- Civil war violations: increase; interstate war violations: decrease
Figure 4: Total Conflicts and Violations by Muslim States, 1947-2012

- Drastic increase in violations from 1975 to peak in 1991
- World events: Soviet invasion of Afghanistan, Iran-Iraq War, Gulf War
Figure 5: Total Conflicts and Violations by Country (A-Le), 1947-2012

- No conflicts: 7
- Conflicts but no violations: 10
Figure 6: Total Conflicts and Violations by Country (Li-Y), 1947-2012

High Violators: Iraq (40), Pakistan (26), Afghanistan (24), Indonesia (24), Nigeria (24), and Somalia (22)
Figure 7: Constitution Language: UDHR & Sharia Content (A-L)

UDHR content present in all but 1 constitution
Sharia content present in 32 of the 62 constitutions examined.
Countries with highest Sharia density: Pakistan, Iran, Saudi Arabia, Syria, Yemen
Figure 10: Total Conflicts and Violations with Sharia Content by Country (A-Le)
Figure 11: Total Conflicts and Violations with Sharia Content by Country (Li-Y)
Summary of Findings

• More civil wars occur than interstate wars, mostly in Africa and the Middle East
• More violations of IHL occur in civil wars than interstate wars
• Number of conflicts and violations increase until 1991 when they peaked and then drastically declined
• UDHR is prevalent in almost all OIC constitutions but only Sharia content is present in only half of the constitutions
• Based on preliminary research, it is difficult to discern a correlation between Sharia density and IHL violations
Policy Implications

• More violations of IHL occur in civil wars so more aid should be given to civil war conflict mitigation
• Countries who receive large amounts of U.S. foreign aid have a record of signification violations of IHL so U.S. support needs to be coupled with IHL training, implementation, and compliance
• For countries that have a history of IHL violations and are soliciting U.S. support, the U.S. should require compliance assurance before giving support