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Contemporary Application of the Charter of Madinah in Inter-faith Relations (Analytical study)

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Abstract:

The world as of today has been facing sensitive socio political issues due to fanatic jealousy and blind following of religious faith and beliefs which established a continuing threat to peace and tranquility in different parts of the world. Scholars like Syed Hossein Nasr, John Hick, Hans kung, and Sir Syed Ahmed Khan have shared their thoughts on the subject as much as organizations like United Nation Alliance of civilization (UNAOC), Religions for Peace (RFP), Parliament of the World's Religions, The Interfaith Alliance etc. have been working to promote inter faith relations.

The role of interfaith harmony in establishing a peaceful society ensuring human equality and protecting human dignity cannot be overlooked. Islam is a religion of peace which led foundation of this concept in seventh century. Prophet Mohammed peace be upon him migrated to Medina in seventh century and declared a charter of Medina in 622 AD with the neighboring societies and gave a new dimension to the religious beliefs introducing patience and acceptability for different faiths living in comity. Allah Almighty guided his righteous Prophet to call upon Jews and Christian tribes to enter into a peace treaty on the basis of common beliefs without pressing each other to object the differences in faith. This interaction paved the way for exchange of socio political and economic thoughts in the region, adaptation for art and culture as much as promoted a civilization in that region. Charter of Medina therefore is regarded as an important milestone in the history of mankind being a stepping stone towards interfaith relations and its principles i.e. live and let live other humans with dignity and freedom to profess their personnel faiths.

Introduction:

According to Dr Hameedulah, "the first written social agreement in the world is the charter of Medina¹ which was implemented by Prophet Muhammad, the Messenger of Allah (peace be upon him)². This charter or constitution of Medina ended the inequality and conflicts between tribes and laid the foundation of an institution i.e. the state, on the principles of justice, equality and rule of law.³

A German orientalist, Julius Wellhausen has observed, "the first Arab community with sovereign power was established by Muhammad in the city of Medina, not upon the basis of blood which naturally tends to diversity, but upon that of religion which is equally binding in all".⁴

After migration by the Holy Prophet (P.B.U.H) from Makkah to Madinah one amongst the foremost steps taken by him was execution of Pact of Madinah which was a complete document issued in the first year after migration. In view of its subject and contents this can be read in two parts which division is commonly accepted by the scholars. The pact of Madinah indeed has served as a Constitution describing 56 Articles therein. The first part was consisted of 25 articles wherein the rights and obligations of Muhajeren (migrants) and Ansar (local Muslims of Madinah) have been detailed whereas the second part rested upon 31 Articles whereby the privileges, rights and duties of Jews and other religions of Madina have been agreed upon⁵.

In the Charter of Madinah, the protection of basic human rights was ensured and it was taken into account that the right to life, property and democratic freedom of the citizens of the state should not be affected in any way; freedom to profess religion of choice by the citizen was more specifically accepted for all without any limitation and this has been given a constitutional protection as a state fundamental. Prophet Muhammad (peace be upon him) rested the foundation of his state on the utmost ethical standard accepting respect for humanity as a collective responsibility and has established by practice positive jurisprudence in that region having no traces of before.

Before discussing the provisions of the Charter of Medina, it is necessary to make a brief comparative review of the religious & social diversification in Makkah and Madinah. Although Makkah was the religious and commercial center of the entire Arabian Peninsula and its governance was solely in the hands of the *Quraish* tribe. The other tribes living in Makkah had no role in political affairs of the city. The majority of the inhabitants were pagans. On the contrary, there were different tribes living in Medina and their religious beliefs were also diversified. Two famous tribes, *Aus* and *Khazraj*, worship idols like people of Makkah whereas large numbers of Jews were also living in Madinah.⁶ The tribes of *Banu Nadeer*, *Banu Qainuqa* and *Banu Quraizah*⁷ were most prominent there. Each tribe had a separate settlement and had their own administration.⁸ Their occupation was trade and lending money on interest and they were financially sound. Apart from them, Christians were also settled but less in numbers.⁹

One of the first steps taken by the Messenger of Allah (peace be upon him) after his migration from Makkah to Madinah was the signing of the Charter of Madinah.¹⁰ It was completely issued in the first year of Hijrah.¹¹ The Charter of Madinah was recorded by Ibn Ishaq in *Al-Sira*, by Ibn Sa'd in *Al-Tabaqat al-Kubra*, by Ibn Hisham in *Al-Sirat al-Nabawiyyah*, by Ibn Kathir in *Al-Bidaiya wal Nihayyah*, by Ibn Sayyid al-Nas in *Ayun al-Athar fi Funun al-Maghazi and Shamayil wal Sier*, by Abu Ubaid Qasim bin Salam in *Kitab al-Amwal* and Ibn Jarir Al-Tabari in *Tarikh al-Rusul Wal Muluk*. Besides, same has reference in the authentic books of hadiths however with little difference in narration.¹²

The purpose of study in this research is the inter-faith relations as such focus shall be given to the provisions of the Charter of Madinah relating to inter-faith relations, harmony and tolerance. Thus, fundamental attributes of the charter of Madina are discussed as under:

1. Protection of fundamental human rights

The protection of fundamental human rights was ensured in the Charter of Madinah. It was considered that the right to life, right to property and democratic freedom of the citizens of the state should not be affected in any way.¹³

وان المؤمنين المتقين ايديهم على كل من بغى منهم او ابتغى دسيعة ظم، او اثم، او عدوان، او فساد بين المؤمنين؛

وان ايديهم عليه جميعا، ولو كان ولد احدهم¹⁴

And the hands of the pious believers are against anyone among them who abuses or tries to do injustice, or uses the tactics of sin and apostasy and spread disorder among the believers. The hands of the believers will rise together in opposition to such a person, even if he is not the son of any of them.

Similarly, no religious and tribal discrimination was allowed amongst the citizens of the state in the protection of life, property and honor.

وان الجار كالنفس غير مضار ولا اثم؛ وانه لا تجار حرمه الا باذن اهلها.¹⁵

A refugee is like an asylum seeker. Neither anyone would harm him and nor he himself became a sinner by breaking his covenant. And no one will be given shelter without the permission of those living there.

Every person has been given an independent right in recognition of his status in a society and a refuge provided by any one irrespective of his social status was therefore declared to be given respect by the community in general.

These Principles enunciated by Prophet Muhammad (Peace be upon him) in Seventh century have been brought to practice under convention on civil and political rights and convention on economic social and cultural rights by the United Nations in 1966 mandating for equal rights to all individuals by a state party irrespective of caste, creed, colour, religion, belief and social status of an individual.

2. Protection of religious freedom and rights of minorities

In the Charter of Madina, besides providing the basic rights of the citizens of the State of Medina, freedom to practice religion of choice was also ensured for the minorities living therein. The rights of minorities were described fully in the charter, however, they were required to act as a responsible citizen of the state of Madinah to abide by the constitution and ensure complete allegiance therewith by avoiding any seditious activity or oppression in the society.¹⁶

وان يهود بنى عوف امه مع المؤمنين لليهود دينهم وللمسلمين دينهم، مواليهم وانفسهم الا من ظلم و اثم، فانه يوتغ الا نفسه، و اهل بيته وان يهود بنى النجار مثل ماليهود بنى عوف؛ وان يهود بنى الحارث مثل ما ليهود بنى عوف؛ وان يهود بنى ساعدة مثل ما ليهود بنى عوف؛ وان يهود بنى جشم مثل ما ليهود بنى عوف؛ وان يهود بنى الاوس مثل ماليهود بنى عوف؛ وان يهود بنى ثعلبه ماليهود بنى عوف؛ الا من ظلم و اثم، فانه لا يوتغ الا نفسه و اهل بيته؛ وان جفنة بطن من ثعلبه كانفسهم؛ وان لبنى الشطيبة مثل ما ليهود بنى عوف؛ وان البر دون الاثم؛ وان موالى ثعلبه كانفسهم؛ وان بطانة يهود كانفسهم¹⁷.

And the Jews of Bani Auf and their allies and followers, together with the Muslims, will form an Ummah (faction). Jews will be allowed to follow their religion and believers will be committed to their religion. However, whoever commits oppression or breach of promise will only put himself and his family in trouble. And the Jews of Bani al-Najjar have the same privileges as the Jews of Bani Auf. And for the Jews of Bani al-Harith the same is true for the Jews of Bani Auf. And for the Jews of Bani Sa'idah, the same is for the Jews of Bani Auf. And for the Jews of Bani Jatham, the same is for the Jews of Bani Auf, which is for the Jews Bani Auf. And Jaffna, which is a branch of the tribe of Thaalba, will have the same rights as the original. And Bani al-Shaitaba will have the same rights as the Jews of Bani Auf, and it is obligatory on everyone to be faithful to this (document) and not to break the covenant. And the sub-branches of the Jews (tribes) will have the same rights as the original.

The Jews were thus given equality in socio-political and cultural rights with the Muslim subjects.

If we consider the above provisions of the Charter of Madinah, it is clear that the distinguishing feature of this manifesto is that it has neither usurped any right of any person or tribe nor forced anyone to change his religious beliefs; neither the customs and traditions of the Jews were restricted nor any undue interference has been allowed to be made in their private affairs. People of Madinah had been victims of civil war for a long time, as quoted by Wellhausen, describing it as a society where life was then indeed impossible before the arrival of the Messenger of Allah (peace be upon him) but with the advent of Islam in Madina this society has become the most peaceful and harmonious place in the Arabian Peninsula.¹⁸ This is the reason why all people of Madinah despite of all tribal and religious differences accepted the charter and a state with a strong constitution was established. This state had not only exhibited a political unity amongst all ethnic and religious groups in Madinah but has eradicated the past socio political evils, rifts and clashes.¹⁹

3. Shared responsibility in Defending Aggression.

The Charter of Madinah was not only a political constitution regarding inter-faith relations, it also served as a defense pact for the citizens of Madinah. The constitution required all parties to defend each other collectively against external attack; the defense of the state of Madinah was declared as the joint responsibility of all, and each party agreed to abide by the terms of peace in the covenant concluded.

وان بينهم النصر على من حارب اهل هذه الصحيفة؛ وان بينهم النصح والنصيحة والبر دون الاثم؛ وان لم ياتهم امرؤ بخليفة؛ وان النصر للمظلوم؛ وان اليهود ينفقون مع المؤمنين ما داموا محاربين؛ وان يثرب حرام جوفها لاهل هذه الصحيفة.²⁰

And whoever fights against the people of this scripture, all parties (Jews and Muslims) will help each other and wish each other sincerely and respond with loyalty without breaking the covenant. And every victim shall be assisted and helped. And that as long as the war lasts, the Jews will bear the expenses together with the believers. And for the people of this scripture, the internal bounds (Jouf) of Yathrib (Madinah) was declared as a Haram (Pious place).

وان بينهم النصر على من دهم يثرب، واذا دعوا الى صلح يصالحونه ويلبسونه، فانهم يصالحونه ويلبسونه؛

وانهم اذا دعوا الى مثل ذلك فانه لهم على المؤمنين، الا من حارب في الدين.²¹

And all of them (Jews and Muslims) will help each other against army attacks on Yathrab (Madinah). Whoever among them (Muslims) invites the Jews to make peace with his ally, the Jews will make peace with him. Likewise, if they (Jews) invite for a similar reconciliation, the believers will also accept this invitation. Except that one fights for religion.

Under the Charter of Madinah, Jews and polytheist tribes became allies of the Muslims and shared the responsibility of defending the state of Madinah.

4. Acceptance and Allegiance to the prevailing laws

In the context of inter-faith relations and tolerance, the Charter of Madinah has featured an important aspect whereby customs and traditions that have been practiced for centuries were given respect and recognition unless same conflicts humanity. Therefore, even while introducing a new constitution, the Holy Prophet (peace be upon him) did not ignore the already prevalent local laws of the different tribes of the state of Madinah.²² The Law of *Diyat* (blood money) as prevalent in tribal customs was endorsed expressly; it was scheduled therein that in cases of murder *Quraysh, Banu Auf, Banu Sa'idah, Banu Harith, Banu Jasham, Banu Najjar, Banu Amr bin Auf, Banu Nabit and Banu Aus* shall follow their own tribal laws to pay *Diyat*.²³

Even in the present era, keeping in mind the prevailing local laws of different religions and nationalities, considerable benefit can be taken in the field of inter-faith relations and social harmony. The Britishers came in Indo-Pak and ensured the implementation of personnel laws relating to marriage, divorce and succession on the basis of religious dictates of Hindus, Muslims, Christians and other minorities in the region. Thus one can safely say that what has been practiced by the Britishers in 20th Century in Indo-Pak has been based upon the teaching of the Holy Prophet (P.B.U.H) who endorsed these principles in seventh century AD.

5. Sharing of powers

All segments of the society have been given share in power and authority. In the state of Madinah besides, Muhajareen (the migrants) and Ansars (local believers), the non-Muslims have their distinguished independent political influence. Under the charter of Madinah the concerns of all such fractions have been independently taken care of by enacting mutual covenants for rights, duties and obligations; however, sovereignty of the state of Madinah under the charter was set out as a supreme concern for all. To ensure this norm a concept of devolution of powers was embodied in the charter in order to run municipal administration and domestic affairs of the state through accepted roles of all individuals.²⁴

المهاجرون من قريش على ريعتهم يتعاقلون وهم يقدون غنائهم بالمعروف والقسط بين المؤمنين.²⁵

The emigrants who are of the Quraysh shall observe the established custom of their tribe in the conditions of Diyat (blood money) shall redeem their captives with a suitable ransom and shall treat other Muslims with justice and fairness.

Both of these traditions (bloodletting and *Diyat*) had to be observed according to Muslim tribal principles and one of the important things was that the payment of bloodletting and *Diyat* was declared a collective responsibility of each tribe, so that no one can escape. Thus Welhausen writes: "Therefore the first time the talio becomes effective, there it can be enforced. The community, at the head of which God stands, and the Prophet as God's representative, has power to deliver the shedder of blood over to avenger, and it is duty of the community to see that this is done."²⁶

The famous orientalist R. A Nicholson acknowledges this and writes:

"Muhammad's first care was to reconcile the desperate factions within the city and to introduce law and order among the heterogeneous elements which have been described. He drew up writing a charter between the Emigrants and the Helpers, in which character he embodied a covenant with the Jews, confirming them in the exercise of their religion and in possession of their properties, imposing upon them certain obligations and granting to them certain rights."²⁷

6. Principles of Accession in the Constitution

The concept of accession and its modern principles are codified in the UN Charter came in existence in 1945 whereas The Charter of Madinah serve as state policy for accession of any state or community entering in the Federation of Madinah in Seventh Century AD. This Charter of Madinah has set out between the *Quraysh* and the other inhabitants of Madinah, and it included the scope and possibility of inclusion of more classes in the constitution and it has therefore been established that in future, any other class recognizing the terms of the constitution shall be given opportunity to join the federation; no restriction on participation rather, all those groups who accept to follow and

participate in the war with them in future shall also be accepted as a part of the social agreement declared under the constitution.²⁸

بين المؤمنين والمسلمين من قريش و يثرب، ومن تبعهم، فلحق بهم، وجاهد معهم²⁹

Among the believers of Quraysh and Yathrib and those who join them in following them and take part in war (as their ally).

The Jews were influential people in Madinah. To establish political relationship with them the pact of Madinah provided that if in future the Jews follow the constitutional plan of action determined in the Charter, in return they will also get help and equality as well as protection from oppression and persecution. Thus, the Jews participated well with the Muslims in upholding the provisions of charter and regarded it as a constitution.³⁰

وانه من تبعنا من يهود فان له النصر والاسوة و غير مظلومين ولا متناصرين عليهم.³¹

Whoever of the Jews follows us will have help and equality. They (Jews) will not be wronged, nor will any (enemy) be helped against them.

7. Ethical Values

Morality is a fundamental concept shared by all religions. Principles such as honesty, integrity, chastity, trust, mutual love and respect, respect for relationships, compassion for the less fortunate, and rejection of prejudice, hatred, cruelty, and violence are universally upheld. All religions recognize the significance of these moral values and condemn their void. Islam, in particular, seeks to foster morality in society through defined framework.³²

In the Charter of Madinah, the rights and duties of different sections of the state, the duties of various institutions of the state, and the rules and regulations for the establishment of constitutional order were not only defined, but the ethical standards and spiritual reasoning was also embedded for the proper implementation of rules and laws detailed in the constitution. It has been felt obvious that without a concrete moral and spiritual reasoning the true objective may not be achieved.

وان البر دون الاثم، لا يكسب كاسب الا على نفسه؛ وان الله على اصدق ما في هذه الصحيفة وابره³³

Each worker will be responsible for his actions. The transgressor will transgress on his own soul, and Allah is with him who follows the contents of this scripture with utmost sincerity.

8. Political and contractual unity

The most important feature of the Charter of Madinah is the concept of political and contractual unity. This concept was a new expansion of the political concept that had no precedent at that time. It was felt necessary to give dignified political and state position to all fractions of the society. Therefore, all the parties between whom the Charter of Madinah was concluded, and the parties who may participate in the treaty later were obligated political unity under the following clause of the Charter of Madinah.³⁴

انهم امة واحدة من دون الناس³⁵ وان يهود بنى عوف امة مع المؤمنين، لليهود دينهم، وللمسلمين دينهم،

مواليهم وانفسهم الا من ظلم واثم، فانه لا يوقع الا نفسه واحل بينه.³⁶

These (all groups) will exhibit a separate (political) unity distinct from the (other) people of the world. The Jews will be (authorized to stay) on their religion and the believers will be committed to their religion. However, whoever commits oppression or breach of promise will only put himself and his family in trouble.

The above point is worth noting that all the addressees of this document were declared as a political unity³⁷ which is the basis of inter-faith relations, harmony and tolerance. This idea is also reflected in the renowned speech delivered by the founder of Pakistan, Quaid-e-Azam Muhammad Ali Jinnah, on 11 August 1947. He has said "If you change your self and work together in a spirit that every one of you, no matter to what community you belong, no matter what relations you will have among, no matter what is your colour, caste or creed; At the first and the last you are citizen of this State with equal rights, privileges and obligations; there will be no end to the progress you will make. You are free; you are free to go to your temples, you are free to go to your mosques or to any other places of worship in this State of Pakistan".

However, it is clear that in the Charter of Madinah, where the concept of the political unity of the state was given on the one hand, by highlighting the separate identity of the Muslim Ummah, the fallacy that will arise in the future was also resolved that all the parties of the state be termed as a single nation. Being a political entity, Muslims and non-Muslims have the same constitutional status.³⁸

وان المؤمنين بعضهم موالى بعض دون الناس³⁹

Believers are brothers and helpers and helpers in comparison to other people.

As a result of the Charter of Madinah, a just and fair society was established in the State of Madinah⁴⁰ and for the first time a centralized judicial system came into being. Whereas earlier, due to religious and social differences and conflicts, each tribe resolve cases based on its own customs and traditions. In this Charter, the Messenger of Allah (peace be upon him) formally determined the rights and duties of the believers and local residents. By establishing a contractual relationship with the non-Muslims of Madinah and especially the Jews without any administrative pressure and coercion.⁴¹ Political and military measures were articulated for the management and protection of the city of Madinah. Measures were taken to protect the Muslims from possible threats from the enemy (*Quraysh-e Makkah*). Dr. Muhammad Hamidullah makes a comprehensive comment on this situation and writes:

"A small settlement, consisting of twenty-one villages, was organized into a city-state, and its small but diverse and heterogeneous population was united to a center under a flexible and workable constitution. A political system was established in the city of Madinah, which later became the capital of a vast and powerful empire spread over the three continents of Asia, Europe, and Africa."⁴²

The analysis of the various provisions of the Charter of Madinah reveals the fact that after the migration, a political system was established in Madinah in which the different social classes of the city were divided into a political unity. This political unity included two types of religious and social classes: one Muslim which consisted of the *Muhajireen* and the *Ansar* and the other non-Muslim which consisted of Jewish tribes, non-Muslim Arabs and Christians.⁴³ Therefore, all the parties between whom the Charter of Madinah was concluded and the parties will participate in the treaty in future according to them were declared united.

In contemporary inter-faith relations, the most important reference of the Charter of Madinah is the concept of political and contractual unity established amongst people of different religion. This concept was a new expansion of the political concept that had no precedent. In order to ensure rule of law, it was necessary to extend equal opportunity to all fractions more particularly a dignified political and social status that even individuals would consider himself as a savior of the state and play a responsible role. This is such

a unique aspect of the Charter of Madinah that it can be adopted as a basic guideline for inter-faith relations, harmony and tolerance in the present era. The world would become the cradle of peace and tranquility and an ideal society will come into being if on these footsteps inter-faith relations are accepted throughout the world. There is a peaceful resolution of Palestine Israel conflict as well as other cross border dispute in the world.

The Charter of Madinah has created acceptance of laws, moral principles, and human values among the citizens of the state. It eradicated the practice of oppression, injustice, inequality and other social problems of the society. The Charter of Madinah serves as a guideline for next generations and more particularly in this era. Due to this, the principle of religious freedom was coined as much as the basis on which non-Muslims can have alliance and cooperation with Muslims were marked, which can be adopted in the present age to lay the foundation of a multi-religious society.

Having discussed briefly the provisions of the charter of Madina we found that a just, fair and comprehensive treatise has encompassed all rights and obligations of the subjects; neither even a minor right has been abrogated nor was any kind of abuse done to anyone. Charter was accepted by all the residents of Madinah for the reason that neither their rights were usurped, nor their duties and obligations were unnecessarily burdened and no unreasonable demands were made from them. At the same time, it is also worth noting that express allowance has been declared for customs and practices and other similar matters.⁴⁴ Ignoring all the distinctions of the period of *Jahiliyah* (ignorance), the rights of all residents were declared equal. With the cooperation and collaboration of all, a comprehensive political system has been established in Madinah, which later became a model for all political systems in the world.⁴⁵

Similarly, fundamental human rights, rule of law, protection of minorities, protection of women's rights, the concept of economic security and other principles, which were determined in the Charter of Madinah are the guidelines for today's world. It plays an important role in the promotion of inter-faith relations and tolerance in the present age because it presents a model of peaceful coexistence between different religious and ethnic groups. It recognizes the rights of non-Muslims to practice their religion and conduct their own affairs, while also creating a framework for mutual cooperation among all the citizens of Madinah. It also emphasizes the importance of justice and respect for diversity, which are essential values for promoting harmony among people of different backgrounds.

As a whole, the Charter of Madinah serves as an important historical example of how different religious units and social classes can work together to create a peaceful and just society. The Charter of Madinah emphasizes the need for unity and cooperation among different religious units and social classes and it is still relevant today as a source of inspiration and guidance for those seeking to promote interfaith understanding and cooperation.

The principles presented in the Charter of Madinah can also be used to promote religious tolerance and pluralism in Muslim-majority societies since it emphasizes the importance of recognizing rights of non-Muslims and creating a system of government that is based on justice and equality for all. Even today, this social agreement can be applied to promote social justice and equality for disadvantaged groups such as refugees, immigrants and religious minorities and to promote mutual cooperation in areas such as environmental protection.

References:

- ¹ The constitutional journey of the modern western world began in 1215 A.D. when King John of England signed the Magna Carta. While 593 years before that, in 622 A.D., Prophet Muhammad (peace be upon him) had given a comprehensive written constitution to the state of Madinah. He not only wrote this constitution himself, but also named it as "this book from Muhammad-ul-Nabi". (Ibn Hisham, *Al-Sirat al-Nabawiyyah*, vol. 2, p. 148)
- ² Hamidullah, Dr. Muhammad, "*Khutbat e Bahawalpur*", p. 178
- ³ Ibid, "Rasool-e-Akram ki Siyasi Zindagi", p. 84
- ⁴ "The Historians History of the World", Vol. 8, p. 291
- ⁵ Ahmed, Dr. Nisar, "*Islami Riyasat ka Nashu wa Irtiqā*", p. 172
- ⁶ Watt, W. Montgomery, "Muhammad At Medina", p. 192
- ⁷ Apart from them, some small tribes such as *Banu Areeedh* were also settled. (Dr. Muhammad Hamidullah, *Rasool-e-Akram ki Siyasi Zindagi*, p. 252)
- ⁸ The difference between them was so much that if some tribes were allies of the Arab tribe of *Aus*, other tribes were allies of the Arab tribe of *Khazraj*, the enemies of the tribe of *Aus*, and they used to fight with each other. It was a sign of injustice among the Jews that the blood of a *Quraizi* Jew used to be half that of a *Nudairi* Jew. When the Messenger of Allah (peace be upon him) came to Madinah, he canceled this unfairness and ordered equality. (Dr. Muhammad Hamidullah, *Rasool-e-Akram ki Siyasi Zindagi*, p. 252)
- ⁹ Al-Azhari, Pir Karam Shah, *Zia-ul-Nabi*, p. 167
- ¹⁰ There is a difference of opinion among the Islamic scholars that this entire document was recorded and implemented only once from the beginning to the end or these matters were decided at different times and then they were combined. It is evident from the study of the ancient and modern sources of the Prophet's biography that this entire document was compiled simultaneously in 1st year of Hijrah and its implementation came into effect. But some contemporary researchers such as Hubert Grimme, R.B. Serjeant, Ruben Levy, Moshe Gil etc. are of the opinion that the first part of this document which consists of twenty-three provisions and which is addressed to the *Muhajireen* and *Ansar* and their followers, It was confiscated in 1st Hijri and the clauses related to Jews etc. were written after the Battle of *Badr* in 2nd Hijri.
- ¹¹ According to Dr. Muhammad Hamidullah: Although the entire document is a single document. Its text and style also suggest a single compiler, and Muslim historians generally state that the document was compiled at the beginning of the 1st Hijri. But it is also possible that the first part of the document was compiled in 1st Hijri and the remaining part was compiled after the Battle of *Badr* in 2nd Hijri and added to the first part. This is also supported by the fact that wherever this document is mentioned in the Arabic language, it is given two names, in one sentence it is called " في كتاب للمهاجرين والانصار " and just below that, in connection with the second part, the term " وقع في كتاب رسول الله صلى الله عليه وسلم ليهود " is used in the manual of the Jews. (*Ahd-e-Nabavi mein Nizam-e-Hukumrani*, p. 88) But the modern biographer of the Sirah, Dr. Nisar Ahmad, does not agree with this and insists in the light of arguments and evidence that this document is a completely written before the Battle of *Badr*. (For details, see: *Islamic Riyasat ka Nashu wa Irtiqā*, pp. 172-179)
- ¹² Ahmad, Dr. Nisar, *Islamic Riyasat ka Nashu wa Irtiqā*, p. 179
- ¹³ It is worth mentioning here that the modern civilized world has made evolutionary progress much later in this regard. On June 26, 1945, the United Nations Charter was approved. In which it was determined that respect for human rights and fundamental freedoms will be promoted at the global level without distinction of color, race, sex, language or religion.
- ¹⁴ Ibn Hisham, *Al-Sirat al-Nabawiyyah*, p. 148
- ¹⁵ Ibid, p. 149
- ¹⁶ Ibid, p. 149
- ¹⁷ In the Charter of Madinah, the ten Jewish tribes were mentioned individually and by name and their rights were recognized as equal, because the Jews did not participate in this federal city-state of Madinah as a group, but each tribe was entered as a separate entity. (Dr. Muhammad Hamidullah, *Ahd-e-Nabavi mein Nizam-e-Hukumrani*, p. 95)
- ¹⁸ Wellhausen, "The Tribal Life of the Epic Period", included: "The Historians History of the World", edited by: Henry Smith William, vol. 8, p. 291
- ¹⁹ Tahir-ul-Qadri, Dr. Muhammad, *Meethaq-e-Madinahh ka Aaieeni Tajziya*, pp. 46-47
- ²⁰ Ibn Hisham, *Al-Sirat al-Nabawiyyah*, p. 149
- ²¹ Ibn Hisham, *Al-Sirat al-Nabawiyyah*, p. 150
- ²² Tahir-ul-Qadri, Dr. Muhammad, *Meethaq-e-Madinahh ka Aaieeni Tajziya*, p. 73
- ²³ Ibn Hisham, *Al-Sirat al-Nabawiyyah*, pp. 147-148

- ²⁴ Tahir-ul-Qadri, Dr. Muhammad, *Meethaq-e-Madinahh ka Aaieeni Tajziya*, p. 62
- ²⁵ Ibn Hisham, *Al-Sirat al-Nabawiyyah*, p. 148
- ²⁶ The Historians History of the World, Vol. VIII, p. 291
- ²⁷ A literary history of the Arabs, p. 145
- ²⁸ Tahir-ul-Qadri, Dr. Muhammad, *Meethaq-e-Madinahh ka Aaieeni Tajziya*, p. 64
- ²⁹ Ibn Hisham, *Al-Sirat al-Nabawiyyah*, p. 148
- ³⁰ Tahir-ul-Qadri, Dr. Muhammad, *Meethaq-e-Madinahh ka Aaieeni Tajziya*, p. 65
- ³¹ Ibn Hisham, *Al-Sirat al-Nabawiyyah*, p. 148
- ³² Umri, Syed Jalaluddin, "*Mukalmah bain ul Mazahib*" (Dialogue between religions), included: "*Maghrib sy mukalmah aur aqliyatoun ky Huqooq*" (Dialogue with the West and the Rights of Minorities), edited by: Murad Ali, p. 122
- ³³ Ibn Hisham, *Al-Sirat al-Nabawiyyah*, p. 150
- ³⁴ Tahir-ul-Qadri, Dr. Muhammad, *Meethaq-e-Madinahh ka Aaieeni Tajziya*, p. 68
- ³⁵ Ibn Hisham, *Al-Sirat al-Nabawiyyah*, p. 148
- ³⁶ Ibid, p. 149
- ³⁷ According to Dr. Nisar Ahmad's research: "In Arabic language, the word *Ummah* is used in several meanings. For example, state and condition, Sunnah, method, religion, time or era (century), congregation or group of humans, of animals, but also of other souls. (Ibn Manzoor al-Afriqi, vol. 14, p. 288 to 293) The scope of the manifesto under discussion is pure social, so it is alleged that here "*Ummah*" necessarily means a group or congregation (الامة الجماعة). Ibid, p. 293). And in *Al-Mufardat* has written that "Every community in which something is found in common is called an *Ummah*, whether it is because of religious unity or because of geographical and contemporary unity, and whether this commonality is voluntary or non-voluntary." (*Raghib Isfahani*, p.23). Therefore, it becomes clear that in the charter, the statement of amalgamation and integration is unity and agreement in a common goal and not the formation of a united nationality. Besides, since the charter was prepared in view of the political needs of the civil society, the solution of the political needs was possible only through political unity. (*Ahd-e-Nabavi mein Riyasat ka Nashu wa Irtiqa*, Nashriyat, Lahore, p. 224)
- ³⁸ See: <https://na.gov.pk/en/content.php?id=74>
- ³⁹ Ibn Hisham, *Al-Sirat al-Nabawiyyah*, p. 148
- ⁴⁰ As famous Orientalist Prof. Hugh Nigel Kennedy has written, this document played a fundamental role in solving problems of establishing justice between citizens and building relations with outside tribes. "The documents, then, tried to solve the problems of Justice within the city and relations with outsiders." ("The Prophet and the Age of Caliphates", 1986)
- ⁴¹ The famous British Orientalist, Sir Thomas Arnold, admitted that we can understand how Muhammad, asserted himself and his authority as the head of the various peoples of Madinah, and that the people did all this without any feeling of insecurity or any what about government coercion? "We can understand how Muhammad could establish himself at Madinah as the head of a large and increasing body of adherents who looked upto him as their head and leader and acknowledge no other authority... without exciting any feeling of insecurity, or any fear of encroachment on recognized authority". (Arnold, Sir Thomas, *Preaching of Islam*, p.32)
- ⁴² Hamidullah, Dr. Muhammad, *Ahd-e-Nabavi mein Nizam-e-Hukumrani*, p. 99
- ⁴³ For details: Dr. Yasin Mazharsadiqi, "*Ahd-e-Nabavi mein Tanzeem-e-Riyasat wa Hukumat*", Included: Nuqoosh (Rasul No.), Vol. 5, pp. 356 to 364.
- ⁴⁴ Ahmad, Dr. Nisar, *Ahd-e-Nabavi mein Riyasat ka Nashu wa Irtiqa*, p. 185
- ⁴⁵ Ibid., p. 186

Bibliography

- ❖ Ibn Hisham, *Al-Sirat al-Nabawiyyah*, Part II, Mustafa Al-Bani al-Halabi and his descendants, Egypt, 1936.
- ❖ Ahmed, Dr. Nisar, *Ahd-e-Nabavi mein Riyasat ka Nashu wa Irtiqa* (Development of Islamic State), Nashriyat, Lahore, 2008
- ❖ Azhari, Pir Karam Shah, *Zia-ul-Nabi*, Volume 3, Zia-ul-Quran Publications, Lahore, 1981.
- ❖ Arnold, Sir Thomas, *Preaching of Islam*, Sheikh Muhammad Ashraf, Lahore, 1961
- ❖ Hamidullah, Dr. Muhammad, *Ahd-e-Nabavi mein Nizam-e-Hukumrani* (System of Governance in the Age of the Prophet), Maktaba-e-Ibraheem, Hyderabad, Deccan, S.N.
- ❖ Ibid, *Khutbat e Bahawalpur*, Islamia University, Bahawalpur, 1980
- ❖ Ibid, *Rasul-e-Akram ki Siyasi Zindagi* (The political life of the Prophet), Karachi, 2003
- ❖ Siddiqui, Dr. Yasin Mazhar, *Ahd-e-Nabavi mein Tanzeem-e-Riyasat wa Hukumat* (Organization of State and Government in Prophet's Era), Included: Nuqoosh (Rasul No.), Volume 5, Urdu Promotion Institute, Lahore, 1983.

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- ❖ Tahir-ul-Qadri, Dr. Muhammad, *Meethaq-e-Madinah ka Aaieeni Tajziya* (Constitutional Analysis of the Charter of Madinah), Minhaj-ul-Quran Publications, Lahore, 2012.
 - ❖ Umri, Syed Jalaluddin, *Mukalma Bein ul Mazahib* (Interfaith Dialogue), Included: Dialogue with the West and Minority Rights (editor: Murad Ali), Iqbal International Institute for Research and Dialogue, Islamabad, 2020
 - ❖ Ghazi, Prof. Ilmuddin, *Meethaq-e-Umrani* (Social Contract), National Book Foundation, Islamabad, 2020
 - ❖ Kennedy, Hugh, *The Prophet and the Age of Caliphates*, Longman, New York, 1986.
 - ❖ Nicholson, R. A., *A literary history of the Arabs*, Cambridge University Press, London, 1953
 - ❖ Watt, W. Montgomery, *Muhammad at Medina*, Oxford University Press, London, 1962
 - ❖ Willhausen, Julius, *The Historians History of the World*, vol.8, editor: Henry Smith William, The Times, London, 1908
 - ❖ <https://na.gov.pk/en/content.php?id=74>