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The Madinah Charter as a Blueprint of Constitutional Pluralism: An Analytical Study

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Abstract:

Madinah Charter set by the holy prophet Muhammad (PBUH) is one of the earliest documents in the world. This constitutional common Social and political System was witnessed by the all inhabitants of Madinah including, Muslims or non-Muslims whether Jews or Christians or Polytheists; all of them lived under this system. In this research Medina Charter is represented as the best example of constitutional pluralism. The historical account with chronic and prophetic paradigm as the pivot Methodology establish general principles of the Medina charter such as Equal citizenship, Freedom of Religion, Justice, Peaceful civic nationalism, Collective self-defense and detailed mechanism of conflict resolution. The Charter has long been framed as an aspiration of global normativity from its inception, which this paper also investigates. Arguing against treating such a pluralistic framework as merely a matter of historical interest, this paper asserts that Madinah charter is an exceptional model of constitutional pluralistic livability and no less in harmony with other pluralistic traditions than western democratic traditions, providing a far deeper account of the kind of consensus the Charter embodies and a more expansive argument, while also tackling some of the profound challenges and questions the history of Islamic governance generates. This research also explains, that Madinah Charter still holds prominent guidance for modern societies in addressing the last two issues; the multicultural, minority rights problem and inter-religious issues.

Keywords: Madinah Charter, Constitutional Pluralism, Religious Freedom, Minority Rights, Multiculturalism, Socio-political framework

1. Introduction

The Constitutional pluralism proposes a universal governance model for diverse legal, religious and cultural identities to acknowledge and integrate them into one political order. Instead of imposing similarity, it permits divergent groups to preserve internal self-government, while remaining part of a common civic order. Diversity, in both law and society, is not a hazard to achievement of any such unity, but ideal for inclusive justice and mutual responsibility. The Charter of Madinah, an agreement drafted by the Prophet Muhammad (PBUH) upon his arrival in Madinah, is one of the earliest and most striking examples of constitutional pluralism. This model is particularly relevant when studying historical societies that have successfully dealt with religious and ethnic diversity.

In current era, the questions of diverse-religious and inter-communal violence still define the importance of a pluralistic socio-political constitutional model. Though some political theorists and constitutional experts often pin the evolutionary origins of pluralism as a governance ideal and suggest its practice. Hence, this early Islamic experience in Madinah pioneered the pluralistic ideal with its practical details well before many modern constitutions were even written. The Madinah Charter symbolized a concerted effort to construct a plural socio-political community in which disparate groups would live together under a singular civic identity while remaining loyal to their various faith traditions.

The region of Madinah earlier had a tribal system which had created division and destruction, as the serious clashes occurred between tribal factions before the arrival of the Prophet Muhammad (PBUH). The Madinan tribes of Aws and Khazraj were caught up in cycles of inter-tribal warfare driven by revenge. Jewish tribes including, Banu Qaynuqa, Banu Nadhir and Banu Qurayza, wielded economic power but were politically weak. The Madinah Charter was concerned on what the district ever and on the essential association over the group-lines remained don't know. Rather than just using violence, the attention in the constitution was on formulating a socio-political structure of the various clans existed together with harmony and socio-political pluralism of the society. The Charter further established the principles of participatory governance, justice, stewardship and co-existence. As many societies are still in the phase of questioning the very art of processing the diversity, the Madinah model has great lessons to impart relying on human dignity, justice and respect for religious freedom.

This was a revolutionary shift for the kinship-based and revenge-centered society of pre-Islamic Arabia. In so doing, it predicted the constitutional principles of a later time. Unlike a decree, the Charter did not override minorities, nor does it forced them to adjust; it interweaves them into an unbreakable covenant of complex justice. Having this legal document granting a group of collective rights and

obligations, all citizens of Madinah together held some joint duties and rights on one hand while enjoying internal independence in inter-communal affairs on the other. Hence, contemporary scholars regard the Charter of Madinah as a constitutional framework, presented in the format of a social contract between the principal parties to Madinah, a written contract with the bookends of divine endorsement. By filling in the outline of tolerance and power-sharing, this accord marked a clear break with tribalism and a primitive form of constitutional pluralism.

2. Literature Review

Scholarship on the Madinah Charter spans across Islamic history, political science, social and legal studies, interfaith studies, and above and below the Law of Moderation. Dr. Muhammad Hamidullah in his well-known book, *The First Written Constitution in the World*, witnessed that Madinah Charter was a special unique document which constituted a kind of constitution without precedent in its time. Same was claimed by R.B. Sergeant in his book while presenting a detailed analysis of provisions concerning the pact of Madinah.¹

Modern scholars like Esposito and Mattson have pointed to the pluralistic, rights-based character of the Charter. They further discussed the personality of the Holy Prophet (PBUH) as an accommodation and dialogue-oriented leader who turned to treaties with the polities of his day as the primary basis for governance. They also analyses the ethics of the prophetic leadership, both in terms of justice, compassion and the wellbeing of the community.² Another Scholar, Ridwan, argues that “this Charter institutionalized plural public relations with the principle of coexistence among Madinah’s multi-ethnic populace”.³

Some political theorists have also drawn parallels between the Charter and modern constitutional principles. Modern constitutions often include provisions on minority rights, protection of religious freedom, and equality before the law principles embedded in the Charter long before they became part of Western political thought. This literature suggests that the Madinah charter provides a valuable case study in indigenous Islamic constitutionalism. El Basyoni states that:

¹ Serjeant, R. B. *“The Sunnah Jāmi‘ah, Pacts with the Yathrib Jews, and the Tahrīm of Yathrib.”* Bulletin of the School of Oriental and African Studies 41, no. 1 (1978): 1–42.

² Esposito, J. L., *What everyone needs to know about Islam*, Oxford University Press, 2011 ; Mattson I., *The story of the Qur‘an: Its history and place in Muslim life*, Wiley-Blackwell 2008.

³ Ridwan, Madinah charter and peace building community. *Journal of Organizational Culture Communication and Conflict* 26(4) 2021, 1-15.

“The radical structural change of the Charter of Madinah was to transform the tribal confederation into a new society controlled by moral teachings with precise legal instrumentation. Jewish teachings focused more on the instructions of the law, while Christianity preached spiritual fraternity only. Thus, the teachings of Islam are built on law and morals in tandem. From a political point of purpose, the Charter of Madinah describes a political-religious doctrine based on the universal rule. The ideal State of Islam is a community of faith or ummah, regardless of race or geographical considerations”.⁴

3. Research Methodology

- This research employs qualitative historic-analytical method as its approach is to examine Charter of Madinah in regard to the concept of constitutional pluralism. It is a qualitative design that is fitting to analyze normative standards, governance arrangements and socio-political patterns established within an historical constitutional document.
- The Charter is also contextualized historically to provide a deeper context of the social and political setting of pre-Charter Madinah, so that the emergence and usability of the Charter can be appreciated. This contextualization accepts to escape from anachronistic interpretations and allows one to study the Charter in terms of the realities it was trying to respond to.
- This study proceeds to a thematic exposition of the Madinah Charter as applied to the Marketplace of ideas in the contexts of civic identity, liberty of religion, pluralistic socio-political community, accountability, conflict resolution and justice. The Charter does not regard itself as a doctrinal or theological discourse, but rather as a constitutional relationship tool among diverse communities.
- This research also uses constitutional theory as an analytical framework to assess diverse identities accommodated within a single political order. This enables an assessment of the Charter against a richer conception of pluralist governance and the pluralist conception of law. In other words, these aspects of the methodology enable the interpreter to acquire objectivity, the analyst to remain neutral, and the theme to maintain coherence in the analysis of the Madinah Charter as an example of paradigm of constitutional pluralism.

⁴ El Basyoni, M., *Revitalization of the role of waqf in the field of architecture: Activation of waqf to improve the function of public buildings*. WIT Transactions on the build environment, 2011, 118, 129-140.

4. Analysis

4.1. Equal Citizenship and Shared Civic Identity

One of the most revolutionary ways it changed the course of history was the charter of Madinah, which defined all its resident population, whether Muslim, Jew, or others, as belonging to one civic community. The holy Prophet (PBUH) has announced the diverse groups as one nation, despite of their different religious beliefs. It was an articulation of equal citizenship that transcended tribes and sects, constructing a common civic identity based on shared responsibility and lineage. The Seventh-century principle-based justice as a foundation for legal equality is contrasted with the failures of modern political systems that are challenged to afford ethically equivalent legal status to minorities, as the Charter does. Significantly, citizenship duties in Madinah also included joint defense, treaty observance, and the enforcement of social peace aiming at the exchange of rights and duties.

4.2. Religious Freedom and Protection of Sacred Places

The Madinah Charter expressly provided the focus on the rule that all the communities should have freedom of religion. The Qur'anic principle: "*There shall be no compulsion in religion*"⁵ was actualized in this socio-political arrangement whereby Jews, Christians and pagans exercised their rights of ritual practice free from coercive interference. There are early traditions in Islamic history protecting synagogues and churches, a tradition concerning respect for sacred places. This was not simply a courtesy of tolerance but part of a legally binding framework. Clauses institutionalized religious freedom by proclaiming community rights and the prohibition of enforced religion. The undiplomatic example would be how the holy Prophet (PBUH) interacted with the Christian delegation of Najran, where he entertained them in his mosque and allowed them to pray in accordance with their customs.

4.3. Autonomy and Legal Pluralism

Under the Charter of Madinah, each religious community was a group that independently dealt with itself but the Muslim community served as the final conciliator. However, the Jews continued to rule their affairs by their own traditions of law. Therefore, it is necessary to highlight this side of legal pluralism as it was the one that prevented legal dominion of one legal form over others. The holy Prophet (PBUH) did not defeat them but integrated them into a greater political system through treaties. The term 'legal pluralism' is widely known, especially

⁵ Al-Qur'an, 2:256

within the multi-cultural communities with indigenous, tribal or minority legal systems. Madinah Charter model demonstrates that plural legal orders would live under the same political authority without disavowing the socialist body. The constitutional pluralism achieves that balance and represents an ultimate vision for states facing differences, whether legal, ethnic or religious.

4.4. Collective Defense and Mutual Civic Nationalism

The defense of Madinah, according to the Charter, was to be collectively defended by all of its inhabitants. Another clause stated that Jews and Muslims shall be jointly responsible for paying the costs of war, emphasizing that any assistance towards the state shall be in proportion to their participation. And this clause, however, imperfectly rooted citizenship not just in rights, but in collective responsibility. These requirements for collective defense, at a constitutional pace, create a unified destiny. It transformed rival tribes into allies of security in Madinah. The holy Prophet (PBUH) established a joint civic identity, based in mutual exchange and solidarity and in defense of the common good values which can be well aligned with the values of the most contemporary models of civic nationalism.

4.5. Structured Conflict Resolution and Neutral Arbitration

The ways of resolving disputes between Muslim and Non-Muslims were prescribed in the Charter of Madinah, where ultimate decisive power in conflicts was assigned to the holy Prophet (PBUH). The Qur'anic commandment: *“If you differ over anything, refer it to Allah and the Messenger”*⁶ was carried out over the specific civil dispute between Muslims and non-Muslims. We can clearly see that the arbitration mechanism was not to apply Islamic laws upon the non-Muslims but to impose justice and equal status to all the parties based on principles agreeable among all of them. This mode diminished inter-party distrust, increased transparency, and offered a blood-cooling institution for a fragmented and heterodox society. Within this framework, the modern constitutional order largely relies upon the belief that courts functioning under neutral judicial proceedings are conduits of social peace. The charter of Madinah is one of the early documents of this famous mediation in form of state document.

4.6. Synthetic Overview of Charter of Madinah

The charters of Madinah did not emerge in a vacuum. It represented the climax of a divinely orchestrated socio-political process that resulted in genuine pluralistic civil society. It was premised on healthy social & political pillars with geographic

⁶ Al-Qur'an, 4:59

& demographic location with a ruling establishment. A socio-political contract that resurrected a tribal people into a single political entity held together by common moral and legal standards embodied in the Constitution. It had specified the blueprint of a just identity-based order. And its correlating duties, not blood based hierarchies, nor did religious base sameness. And thus it is in some senses the enabling point for constitutional pluralism which can house many non-state socio-religious identities in a common polity but without also leveling difference.

Thus, the Charter was both a vision statement (a document of high moral ideas) and a statement of current realities. It is the politics of coexistence that institutionalized it by recognizing (albeit only to an extent) that different communities were distinct moral and legal entities, and as such brought them under common civic obligations. The Charter has over forty articles covering political power, social relations, security arrangements, and conflict resolution mechanisms. The provisions show a conception of constitutionalism complex enough to crystallize hierarchies of power and of expansionism and collaboration with the legal system, rather than one of restraint.

This further means through a more synthetic dialectical reading that the Madinah Charter is at best political minestrone of morality and ethos into the milieu of a political civil society. These are not separate principles but interrelated standards that are woven throughout this agreement. Complete with plural sovereignty, it furnishes a template for governance that previewed all of the main components of pluralism today fractional citizenship, legal pluralism, minority rights, and group and societal self-defenses. Table-01 exhibits thematic analysis of the clauses of Madinah Charter on ethical and socio-political grounds.

Thematic Categorization of Madinah Charter clauses		
Sr. no.	Normative Ethical and Socio-Political Values	Relevant Clause
1	Formation of a Unified Political Community (Ummah)	1
2	Protection of Fundamental Human Rights	2-10
3	Internal Unity of the Muslim Community	11-15
4	Collective Union of All Citizens	16-23
5	Protection of Minority Rights	24-35
6	Civic Duties and Social Responsibility	36-38
7	Collective Security and Defense	39-41

Thematic Categorization of Madinah Charter clauses		
Sr. no.	Normative Ethical and Socio-Political Values	Relevant Clause
8	Political Leadership and Authority	42-44
9	Peace-Oriented Political Order	45-56
10	Concluding Provisions	47

(Table-01)

This synthetic mapping shows that the Madinah Charter was not mere ad-hoc solutions to relative immediate disputes, but a constitutional edifice that aimed to protect pluralism for centuries to come. Now, this was a point of no return in the evolution of political thought and the substitution of an identity of loyalty and duty based on tribe with one based on a city having shared responsibility and moral obligation rather than pre-modern notions of blood or religious lineage. In this sense, the Charter established constitutional pluralism by allowing multiple normative worlds to coexist and adapt to the same political framework. That thematic rationality of the Charter might be condensed into two (below listed) constitutional principles:

- i. Although tribes are different people, the community of Muslims is one political body bound together by common duties and moral responsibility.
- ii. A socio-political, legal and ethical framework which ensures balanced relations among diverse communities including great neighborliness, common guard, insurance of the feeble, genuine guidance, and regard for strict opportunity.

These points represent a pluralistic constitutionalism where justice and cooperation is channeled through diversity rather than channeling diversity by oppression.

As noted in the general discussion and conclusion above, the Charter of Madinah is a model of pluralistic yet constitutionally-bound governance model that is both theoretically-coherent and historically-situated. As a synthesis, it exposes a balanced blend of familiar theological tenets, legal pluralism, and civic amicability in the post-liberation constitutional order. So framed, this unifying framework re-establishes this view that constitutional pluralism is not a modern concept or theory but rather an ancient practice or principle with modern significance for discourses regarding citizenship, minority rights, and inclusion in governance processes.

5. Discussion

5.1. Religious Pluralism and the Formation of the Madinah Charter

The Charter of Madinah was not just an agreement for a temporary peace but rather a generic framework for the relations of a broken society. A number of scholars acknowledge that the Madinah Charter is among the earliest written constitutional documents made to rule over the mixed-faith communities.⁷ It was acknowledged for its authentic nature and historical reality, asserting that its laws embody the social conditions of seventh-century Madinah. Some historians rightfully point out that the Charter embedded arrangements for cohabitation between the Muhājirūn, Anṣār and the Jewish tribes whilst preserving freedom of conscience, protecting property, and ensuring collective security. The document, Guillaume, 2004:187 termed as a fraternity agreement that underlined the principles of mutual respect, and equal duty for defense of Madinah. Likewise, in early sīrah sources we also find the holy Prophet PBUH establishing peaceful relations with the Jewish tribes, recognizing their religious law and property, but also specifying mutual obligations within the larger political community. Far-reaching departure of tribal norms based on vengeance and exclusivity towards a legally formulated civic order.

To the Islamic-governed states, the pluralism is not merely a theological tolerance instead it is a public policy. And the Charter acknowledges this right by asserting that it is given to individuals and communities by God, and that they do not have to follow anyone's spiritual path under compulsion. This constitutional set up had its moral basis in the Qur'anic commitment to freedom of conscience on the one hand and prohibition against compulsion into belief on the other. This, in turn, meant the Charter allowed not just religious difference but enshrined pluralism as a loud and proud requirement of civic life, under threat, as it were, of civic excommunication. The vision of pluralism is restated in many clauses of the Charter. The Article no. 2 is two-fold as it forms the pseudo-civic interpretation of a coming-together of Muslims as a unit amongst the plethora of other social entities. Said Muslims and the Jews of Banū 'Awf are one community (Article 25); and finally, to every group in its own faith, its own law and its own traditions. Article 37 reinforces collective responsibility even more; Jews and Muslims share the financial responsibility; so do the Muslims, Jews and Madinah against any foreign aggression; and are obligated to advise each other in righteousness. Such were the provisions that exemplified how the pluralist socio-political landscape of Madinah neither simply allowed for such

⁷ Muhamamd Hamidullah, *The first written constitution in the world*, Lahore, Sheikh Muhammad Ashraf Publishers, 1975, pp: 2-7 ; Watt, W. M. *Muhammad at Medina*. Oxford University Press 1956, pp: 221-225 ; Donner, Fred M. *Muhammad and the Believers: At the Origins of Islam*. Cambridge, MA: Harvard University Press, 2010, p. 227.

diversity in beliefs, but ensured that they were also in a continual state of social partnership and mutual governance.

This Charter gave such respect and dignity to, which was where one of the tenets of respect and dignity to each religious community came into place. Difference was no longer something that needed management as a negative, but rather something that needed mediation social given, through justice, mutual responsibility, and group identity. Rather, diversity tolerance appeared in forms of cooperation especially regarding the protection of security and human dignity for Madinah residents at large. Through outline such a universal vision of the common good, the Charter gave us the common denominator by which to tile our differences not enforced silence of their differential but a common pledge to the moral and the civic. Not only was pluralism accepted, it directly constituted social order, and all of this based on that settlement that was Madinah as political community. Therefore the Jews and Christians of Madinah were treated with compassion, the customs respected as far as they do not adversely affect the public interest. In one charter, the Charter battled to define the interplay of religious freedom, civic equality, and collective responsibility. Though the Charter tends to be more on the notion of what might be deemed the proto-model of constitutional pluralism, it nonetheless presented the idea of reconciling the plural unity of creation of justice with the unity of difference.

5.2. The Constitution of the modern states: Significance in public policy and civic unity

The relevance of the Charter of Madinah is even more apparent today as far as its model for managing pluralism in a single political entity, in light of a variety of warring constitutional systems. So, in the contemporary world, we are an experience of pluralism in contrast to the nation-building, and this has a foreboding demand the acculturative policies, exclusionary nationalism or majoritarian oppression. The Madinan model provides complete and different paradigm of constitutional and legal governance; by not only tolerating pluralism but also guaranteeing and forcing it with common social and moral norms. Islamic law and political point of view does not only testify a theological accommodation, but it is ineluctably a public policy. It is governance relevant in this case, as it is intended to honor and protect God-called individual and group rights to self-determination of conscience, without coercion. However, the Charter of Madinah was the assertion into which this that moral freedom was subsumed within the socio-political framework of the city The constitutional concept of religious freedom, which cannot be forced or stamped out, already reflects this. That presaged the contemporary human-rights norms of

religious freedom. The ethical basis of that constitutional order is the Qur'anic commandment "*There is no compulsion in religion*".⁸

This example of the Madinah Charter further demonstrates that political unity can be achieved through a shared civic identity, rather than through a shared orthodoxy. The Charter outlined an early version of inclusive citizenship by declaring diverse communities multiple traits of one unified political entity allowing each stake-holder to maintain internal autonomy. Acknowledging the Jews to be one community with the believers while maintaining their autonomous status in matters of faith, is a political contract that is not limited by doctrinal divisions. This compensatory implementation allowed the polities to bring diverse communities together based on mutual obligations, justice and collective security where loyalty to the polity was not based on ethnicity or creed. This model is especially relevant for societies where religious divide is still impacting access to political power and legal recognition. Countries under sectarian polarization, whether in South Asia, Middle East, or some of Africa, are generally finding difficult to strike a balance between unity and diversity. Madinah as an alternative epistemic regime presents a challenge from the perspective of nation-state ideologies that equate political allegiance with cultural identity.

A highly relevant example of constitutional pluralism that does not conform to the state philosophy, just to justify it, through the delegation of authority to the will and moral accountability of the governed, is the Madinah Charter. The Charter diminished a great many incentives that motivated rebellion, loss of identity and all the violence that ensued by introducing communities into a higher civic order while giving them a token of legal independence. A vision of a united and inclusive society and balanced governance that the 21st century so desperately needs especially in an age of our politics that is so overflowing and rife with division, exclusion, and identity politics. The charter of Madinah could thus be seen as the ultimate pluralistic solution to the constitutional dilemma. It points to the inexorable impossibility of eliminating difference and, moreover, shows that the pursuit of such elimination is decidedly not the cornerstone of successful and stable governance in plural societies: Difference must be ethically and legally incorporated within a common socio-political architecture. Thus, the Madinan experience advises us not only about how to see constitutionalism different and modern than the West which can properly protect minority rights and also build a sense of belonging.

⁸ Al-Qur'an, 2:256

5.3. The Madinah Charter: A Model of Minority Rights and Human Dignity

A unique point about the Charter of Madinah is the systematic declaration of minority rights under one political authority. Unlike a number of later historical systems, where minorities were excluded and oppressed, it provided non-Muslim constituents with complete civic inclusion. It defined Jews as free but legal nation approaching the wider political union of Madinah. The new form of communicative arrangement identifies the commencement of an advanced understanding of pluralism, referring to numerous ways of life subjected to the same Constitution as legal pluralism, a variety of normative communities co-existing within the scope of the same constitutional framework.

The idea that *'to you be your religion, and to me my religion'*⁹ that appears within the Madinah Charter defines religious identity as something to be maintained, rather than a political compromise. It represented an agreeable expansion not just of humanist tolerance but rather a boundless constitutive promise of the liberation of religion, the detachment of law, and group use. The manner in which the Holy Prophet (PBUH) interacted with the Christian communities, i.e. the Najran delegation that the Prophet (PBUH) entertained with high respect and allowed them to pray as per their tradition. Noting that it was established that the prayers of non-Muslims are not accepted but it seems that the idea was that prohibition does not prevent from dignity or from civic belonging, therefore, should not be accepted. In addition to other cases of his early and cultural civic belonging denouncing the Medieval Perception of the state have been explored and confirmed to have existed since that early stage, and some further have pointed to the details of such with lots of supporting evidences in their works. These regulations demonstrate that rights of minorities were not merely a paper phenomenon in Madinah, but they were a reality in terms of political practice as well. Consequently, the Madinan model is historical than medieval systems of minority accommodation such as European capitulations or Ottoman millet system. Whereas those settlements often portrayed minorities as vulnerable wards to be safeguarded by an authoritarian state, or as strange for others to be contained by unquestioned mandates of imperial order, the Charter took neither approach. They could not, instead, recognized as equal partners in governance, with rights and responsibilities to each other. To illustrate, the Najran incident preserved the Christians' life, their property and their forms of worship only in return for civic participation, thus suggesting a relationship of constitutional symmetry and mutual obligation rather than the unequal domination of a subject people.

⁹ Al-Qur'an, 109:06

At a more basic normative level, the Charter reflects the principle that human dignity is natural and universal. The Charter contains inclusive provisions that reflect the view that humanity is one unified socio-ethical community. The proposition that ‘human beings are one family’ provides the moral underpinning of theological pluralism, as it requires acknowledgment of God-given rights of all humans regardless of their religious orientation. Thus, in Islam, religious difference does not automatically exclude moral respect and citizenship. This prophetic vision is fortified by his precepts and examples. In his Farewell Sermon, he asserted that human perfection should be quantified on the basis of moral acts rather than lineage, ethnicity or origin, and ranked all human beings as descendants from one Adam. These declarations turned the equality from a moral ideal into a governing political principle. The Charter enforced that vision for all the communities, so that dignity and justice for communities are protected.

This ethical framework of minority-rights protection in Madinah is not limited only to multi-level pluralistic model but cross the Islam brotherhood that concept is also at multi-level. While spiritual brotherhood links believers in faith, broader forms of solidarity national and human community transcend religious and cultural boundaries and expand the boundaries of ethical responsibility. This layered conception of social cohesion, however, succeeded in regulating the relation between confessional identities and universal human values, thus allowing pluralism to function without disintegration in the Madinan polity. Certainly, this commitment to dignity and self-esteem even against the political-opposition particularly when the opponents were in position to physically harm Muslims, as seen in the bloodless conquest of Makkah, makes this commitment unmistakably reflected in the actions of the Holy Prophet (PBUH). He gave instead general amnesty, among the few things more disastrous for a country still licking its sore hatreds and promising to live side-by-side in peace following a history of deep grievance. These behaviors are quite indicative that in high political strength times, political instability is never a justifiable reason for non-protection of minorities and human dignity but it is at the top, the political agenda.

However, in a highly diverse landscape of society, the linkage between minority rights and Charter of Madinah narrations, which can easily be coined as the foundational document for minority rights, can only be traced when approaching Charter of Madinah self-assuredly from the grass-root level towards minorities, the scope for which in all of these narratives is vast and excessive. Miserable governance here thus demands an explanation of its stabilizing functions that to some extent rests on a constitutional guarantee of religious liberty, equality of citizenship, and civic virtue. Social cohesion has been underpinned by a Charter-based social contract in which diversity becomes the fundamentals of tolerance by eradicating recurring motives of conflict. And it has a timely message in the many

countries today where religious discrimination and intolerance and other types of exclusion are common.

5.4. Governance Ethics: Justice, Consultation, and Interfaith Dialogue

Justice is a foundational principle within the normative thought of Islam: an unqualified duty on the part of the ruler and ruled, Muslim and non-Muslim alike, equally without distinction of merit and social status. So much so that the spirit of administration is that even if there is a dispute, at least in the judgment, fairness is demanded from the other as it appears from the Qur'ānic command. More specifically, with respect to political demands under the Madinan state, this moral imperative was expressed in that each dispute between Muslims and non-Muslims could only be adjudicated according to the principles of justice that were seemingly conceived of, irrespective of ethno-religious groupness. That turned justice from a platonic ideal into a constitutional requirement of a public square. Justice in Madinah is similarly tied to Shura or consultation, which can be seen as another institutionalized manifestation for participatory governance. In addition, this reoccurrence of collective decision making, be it through co-ownership or one advocating for the rhetoric and conversation in the ruling, serve to attest that the Charter does in fact provide a more complex perspective. And not only on completely home Muslim issues, which isn't new (and might be justifiable) but rather, on throughout national guide issues, for example, war and peace. This egalitarian spirit made the Madinan model as alien to the authoritarian, or indeed, tribal, as well as a reflection of a nascent political mentality in which power was mediated not by coercion but by deliberation.

Likewise, humanitarian consciousness shaped the Madinan political order. It offered a way to allow for disagreement, and thus violence prevention service, and a rupture in the social fabric. Such intransigence on peaceful solution effectively comes down to a microcosm of a wider moral position or attitude that predominates that whole society on reconciliation and co-existence. The emphasis on the rehabilitation of quotidian signposts and standards in conflicts, thus, signals what remains an uncertain attempt to replace the farcical cycles of reprisal with a judicial mechanism that secures a multi-ethnic society.

Inter-faith dialogue is perhaps the best representative of this ethical model of governance. This law of hospitality places the possibility of conversion and moral awareness always center stage among all other components of community and faith, allowing multiple realms of spiritual insight to be practiced without the risk of persecution. Not so much symbolic but rather living a politically-charged social practice from a Madinan perspective was dialogue. This concordance has established a dialogue among the religious groups the Holy Prophet (PBUH) had a unique method of communicating with other groups. The nature of his dealings with

them treaties, civic obligations, etc. exposed the important fact that dialogue only occurs within a framework of some level of mutual trust (or, more often than not, practical synergy). This dialogical orientation is also well in line with broader Islamic principles of pluralism that reveal God as a wise creator and the Quranic command that compulsion is not allowed in the religion. The Charter points beyond present human power and thus the more fundamental underlying value system suggests that if such attitude could be fully realized, absolute statements would have to be cancelled, thus relegating any group to outright elimination to mere impossibility. Instead, it urges the concept of 'unity in diversity', that families with different ideological persuasions could still maintain their own religions yet come together on the most basic moral and ethical objectives.

Conclusion

The Charter of Madinah is to history what the Charter of the United Nations is to our modern exercise of international relations, being held as a beacon of constitutional pluralism and possessing six salient features that can be normatively resistant defined as the arch of a 'how different religious, ethnic and tribal groups may share a political community. They wished the Charter to be, not only a provisional instrument of political organization, but a firm and everlasting constitution founded in justice, accountability, divinity, dignity. The Madinan polity thus did not simply substitute one negative, exclusionist, tribal identity, along with a positive, mutual obligation, for another; it exchanged the tribal ethos for an entirely unprecedented social arrangement. That variation mutated from flaw to benefit of culture. It preserved freedom and minority rights, established mechanisms for mutual self-defense and dispute resolution, and assured internal community autonomy and status-quo. In this sense, the Madinan experience is a potent antidote to not just how the global north foists secularism onto the rest of the world, but also to how, in postcolonial times, the normative political culture seems to be one of privatization of faith and parochial establishment-cum-state politics almost exclusively concentrated in the hands of sectarian elites. It is more than a slice out of public faith life; it does more than invigorate exclusionary faith politics. The type of politic that is moral, it embodies dimensions of fairness, engagement and conversation, and it safeguards the spirit of diversity. Beyond its relevance now for the many oppressed in their narratives of striving towards liberation and co-existence, it offers an important lesson for a world that is fragmented, with pluralism, polarization and identity-focused strife grinding on at disturbing volume. That sustainable peace and political stability is from constitutional arrangements that reflect inclusive diversity anchored by the positive universalities of the human condition and not homogenization imposed from outside.

Key Concluding Points

- Madinah Constitution This is in fact one of the first known examples of constitutional pluralism, a pluralism that merges different religious and cultural groups into a single supranational polity without using a common identity as its basis.
- From clan membership, it moved to a shared burden of duty on citizenship. It laid the groundwork for minority rights in a otherwise plural society; freedom of religion and independence of the judiciary were constitutional rights.
- The components of ethical governance in Madinah, It was the foundation of community neutrality and participatory decision making throughout the society based on Justice, consultation and human dignity
- The Madinan model of inter-faith dialogue is functional rather than symbolic, based on collaboration, co-existence and mutual respect and common good.
- The Madinan Charter is ahead of time as always as a trans-historical model of constitutional dialogue having a timeless message about pluralism, the umbrella of minorities and peaceful coexistence.

Suggestions and Policy Implications

❖ **Ensure safety of Minority Rights & Freedom of Religion** (SDG 10: Reduced Inequalities):

The conscience freedom and liberty of religion are not to be recognized symbolically but rather to be guaranteed legally and in an enforceable manner. Madinan policies will help to reduce social and legal inequity, by guaranteeing the rights of minority groups, protecting equal access to justice, and the right to enjoy fully and effectively the right to participate in public life without discrimination and with equal access to the public service of his country, as per international human rights standards with regard to its preventive mechanisms.

❖ **Inclusive Constitutional and Legal Frameworks** (SDG 16: Peace, Justice, and Strong Institutions):

Whenever it comes time to draft the Constitution and laws of a Modern State, they may not do so indefinitely but modern states must continue to write their Constitution and laws in such way that they provide for civil and cultural diversity by establishing a framework for Justice and non-justice politics. Modern States have to keep on writing their Constitution and their Laws in a way that guarantees civil and cultural pluralism by laying down the foundations of Justice, politics. The framework that is based on equal citizenship, legal pluralism, non-discrimination

and inspired by Charter of Madinah would reinforce institutional legitimacy, social trust and of long-term political stability along with the entitlement of accountable and inclusive institutions.

❖ **Dialogue-Based Peace building and Conflict Prevention** (SDG 16: Peaceful and Inclusive Societies):

Institutionalize sustained interfaith and intercultural dialogue as a core strategy for peace building by the states and civil societies is the main requirement of modern-day communities and countries. The Madinan Charter's stress on negotiation, mutual obligation, and collective accountability provides a model rooted in history for preventing identity-based conflict and ensuring social cohesion consistent with SDG16 targets pertaining to violence reduction, inclusive decision-making, and harmony between social groups.