

## QUESTION

Analyse the Medina Accord as a 'Social Contract' in detail.

## ANSWER

### Introduction

The Medina accord was a real time social contract, instead of imaginary social contract of the western philosophers. It delineated the rights and duties of all the factions living in Medina. One of its ultimate aim was to establish peace and tranquility in Medina. Through proper consensus of various parties and religious groups, rules and regulations were set, which became binding on all. It was document that manifested political wisdom of the Prophet (S.A.W).

It ensured human rights and equality. It was a non-discriminatory ~~any~~ document, based on the collective wisdom of all the factions living in Medina.

## The Concept of Social Contract

Social contract refers to a contract that is realised through the consensus of various elements of society. It has some objectives to accomplish, and therefore, inculcate that spirit. It is often convergence of the interests of the people. More importantly, it manifest the human capacity and capability to practically realise the formation of a particular kind of set-up.

The social contract of Western Philosophers was 'imaginary'

Western philosophers, such as Thomas Hobbes, John Locke, and J.J. Rousseau, envisioned a social contract in their political philosophies. However, these kinds of contracts were imaginary, having no real time existence. They were based on the personal perceptions of these philosophers. Moreover, the social contract was narrowly focused on few things, having limited objectives. Thus, social contract of Western philosophers was imaginary.

### Significance of Charter of Madina as 'Social Contract'

In contrast to any social contract, the charter of Madina was a real social contract.

It was carried out by real people, in real situations and part of history. Thus, charter of Medina was a real document in the history of the Islam and the world.

a. It was a consensus Based Document

Social contract has to be consensus based. It needs to reflect the aspirations and objectives of people. In this sense, charter of Medina was a consensus based document. All groups residing in Medina, as well as Muhajirin exhibited confidence and approval for it.

b. It Delineated Rights and Duties  
Charter of Medina ensured that people living in Medina have specific rights and duties.

It did not exclude any person living in Medina from obligation and rights. Thus, rights and duties of people were safeguarded in the constitution of Medina.

c. Its prime Objective was Establishment of Peace

The main purpose of the Charter of Medina as social contract was to establish peace.

It successfully achieved that purpose by ending long lasting animosity and rancour between different tribes of Medina. Prominent was the dispute between Al-Aws and Al-Khazraj. So these ~~feuds~~ feuds were allayed, leading to a peaceful society in Madina.

d. It established explicit Rules And Regulations

Charter of Medina as social contract established explicit rules and regulations. Various rules were inculcated, such as ending the practice of clientage. Moreover, rules against prevention of social crimes and evils were also inculcated. The concept of blood money and retaliation as end to the social evil of murder were introduced. Thus, unequivocal rules and regulations were introduced.

e. It was a Flexible Document

Charter of Medina was a flexible document. It gave due attention and value to the existing socio-political realities of Medina. In such vein, the Jews were given freedom to follow their own judicial practices. However, certain

social evils that were detrimental to the peace of the society were inculcated in the domain of central authority. Thus, charter of Medina was a flexible document.

f. It Ensured Religious Freedom

As social contract, charter of Medina ensured religious freedom. All the religious people, having other religious affiliations than Islam were free to practice their religion. In this case principle of 'non-compulsion' was ensured. In Quran Allah says: "there is no compulsion in religion".

Similarly, regarding rights of minorities, Prophet (P.B.U.H) said that whoever kills a dhimmi living under contract would find ~~no~~ never smell even the fragrance of Jannah. Thus, religion freedom

for non-muslims was annulled.

g. It was a non-discriminatory document. As social contract, the charter of Medina gave all people equal rights. No one was discriminated against owing to one's religion, tribal, or racial affiliation. All people became equal citizens of Medina. All had equal access to justice and freedom to pursue their aspirations. Thus, charter of Medina as social contract was non-discriminatory in nature.

h. It manifested the Political Wisdom of the Prophet (S.A.W)

Moreover, the charter of Medina as Social Contract exhibited the political acumen and pragmatism of the Prophet (P.B.U.H)



In Charter of Medina the final authority was vested in Allah and the Prophet. Moreover, the lingering issue of inter-tribal conflict in Medina was resolved.

This manifests how skilled and cognisant the Prophet was in understanding the underlying socio-political realities of his times.

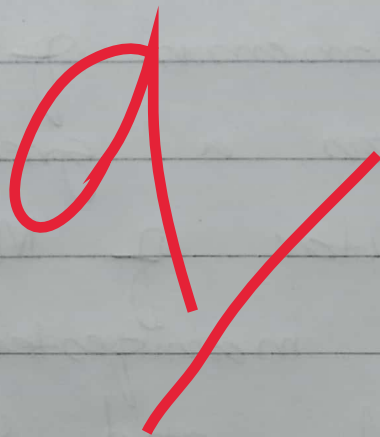
Furthermore, gaining consensus of all parties, in itself, was a great achievement. Thus, Charter of Medina as social contract manifested epitome of political and social acumen of the Prophet.

### Conclusion

Charter of Medina was a real social contract. It entailed nearly all the prerequisite of being called a social contract. It

was consensus-based, non-discriminatory and a comprehensive document. It was based on existing socio-economic and political realities of the time that were best understood by the Prophet (P.B.U.H). Thus, Charter of Medina as special significance as social contract in history.

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In such type of question, you  
need to add references for the  
Madina charter...  
Give it clauses as reference