

ISLAMIC - STUDIES :-

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QUESTION :-

Discuss the important clauses and impacts of Mithaq-e-Madina.

INTRODUCTION :-

Mithaq-e-Madina also known as Constitution or Pact of Madina was an agreement or treaty signed created by Holy Prophet (PBUH) after His migration with His followers in 622 AD. It was created to create unity among the immigrants and inhabitants of Yathrib (Madina). According to historians and scholars, it was the first written constitution in world in general and in Muslim world in particular. According to Caren Armstrong (British author):

The Constitution of Madina was a remarkable document, for it was the first time that a community of different faiths has agreed to be legally constituted under a single authority.

It was the diplomacy of Prophet Muhammad (PBUH) that he not only unite the different inhabitants of Madina but also inculcate within them sense of responsibility, justice, equality, freedom and protection of rights etc. Mithaq-e-Madina also provide an ideal system of democratic governance which was new to the world at that time but now is in common practice in different countries.

→ IMPORTANT CLAUSES OF MITHAQ-E-MADINA:-

There is a debate on the total number of clauses of Mithaq-e-Madina, but all clauses are important in their place. Some important clauses are as follows:

1. UNITY AND COOPERATION:-

One of the most important and reportedly the first clause of constitution was unity and cooperation. According to the constitution, the Muhajireen (immigrants) and the Ansars (inhabitants) - mainly those who became Muslims are one Ummah and should cooperate with each other in different aspects.

2. PROTECTION OF RELIGIOUS FREEDOM:-

The constitution provided the freedom and protection to different faiths living in of people to follow their religion freely. For instance, there were Jews, Christians, Pagans and other non-Muslim tribes, so they were allowed to follow their religion freely.

3. CONFLICT RESOLUTION THROUGH PROPHET (PBUH):-

According to the constitution, the conflict between people, groups or tribes should be resolved through Prophet Muhammad (PBUH) i.e., the Prophet (PBUH) will act as a mediator in conflict resolution.

4. RIGHTS AND DUTIES OF MUSLIMS:-

The constitution defined the rights and duties of Muslims that they should be bound to the principles of justice, fairness and protection of the city Madina and should defend Madina in times of crisis or wars.

5. RIGHTS AND AUTONOMY OF JEWISH TRIBES:-

The Jewish tribes in Madina i.e., Banu Qurayyah, Banu Qurayza, and Banu Nadir were given autonomy under the constitution. They were free to make rules and run their tribes while living under the united city of Madina.

6. COLLECTIVE PROTECTION AGAINST EXTERNAL THREATS:-

Irrespective of different faiths and tribes, the constitution provided for the collective protection strategies of all against external threats. For example, if any one attacks on Madina then all tribes should fight collectively with irrespective of faith.

7. JUSTICE AND FAIRNESS:-

According to the constitution, all disputes should be resolved with justice according to the Islamic principles. There should be fair decisions and justice for all irrespective of faith and standard (i.e., rich or poor).

8. TRIBAL AUTONOMY:-

The tribes other than Jewish were also provided autonomy under the constitution to run their tribes.

according to their principles and norms.

9. SOCIAL COHESION:-

The constitution emphasized social cohesion and collective support in case of any hardship. This is another form of unity in which all tribes must unite to solve a dispute or crisis.

10. PEACEFUL COEXISTENCE:-

The constitution ensures the peaceful coexistence of different faith under the single authority. This is considered as one of the impossible achievement of the constitution, because of the presence of tribal enemies.

→ IMPACTS OF MIHAG-E-MADINA:-

The living and eye-catching example of the immediate impacts of Mihaq-e-Madina at that time was the total reformation of Madina. The city was totally transformed into a state ^{subsequently} and Muhammad (PBUH) gained popularity all over the Arab. Following are the impacts of Mihaq-e-Madina that were prominent in Madina ^{and} are in existence still:

1. ESTABLISHED A UNIFIED COMMUNITY:-

Before migration of Prophet Muhammad (PBUH), Madina was inhabit under the influence of different groups and faiths. There was no central government to run the city entirely and to provide justice and equality. But after migration Prophet Muhammad (PBUH) united

them all under a single community and showed to the world that how to govern a pluralist society.

2. PROMOTED RELIGIOUS FREEDOM AND COEXISTANCE:-

The constitution not only united the different tribes but also ensured their religious freedom. All tribes in Madina were started to live peacefully with each other and respected each other religion.

3. PROVIDED THE MECHANISM OF CONFLICT RESOLUTION:-

Before migration of Prophet (PBUH), there were conflicts between tribes that would led to the violence and was many times, specially the tribes of Banu Aus and Banu Khizaraj were enemies to each other, and there was not any system to resolve these conflicts. But after migration, Prophet Muhammad (PBUH) in Mithaq-e-Madina provided the mechanism for conflict resolution that is through mediation and negotiation.

4. INTRODUCED LEADERSHIP AND GOVERNANCE:-

Before this constitution, different tribes of Madina were led by their separate leaders and were aloof from each other. This constitution introduced the concept of leadership and governance under a central authority.

5. PROMOTED SENSE OF PROTECTION AND SECURITY:-

Due to the aloofness of different tribes from each other ^{and a central government} there was no guarantee of protection and security of individual specially a trader or visitor. But, this constitution drew them on a same pitch to protect

and secure each other, and traders and the city collectively. The constitution also promoted the protection of minorities.

6. INTRODUCED THE COMMUNITY SOLIDARITY AND MUTUAL SUPPORT:-

While governed under the single / central government, different tribes were brought together in a community that developed within them the solidarity and mutual support in case of hardships.

7. INCULCATED WITHIN THEM THE RESPECT FOR TREATIES AND AGREEMENTS:-

Before migration of Prophet (PBUH), the people of Madina were ^{involved in} not famous of the termination or violations of signed treaties or agreements. After migration, through this constitution, Prophet (PBUH) inculcates within them the importance and respect for treaties and agreements that one should bound to the rules of agreement.

8. ENSURED PEACE IN MADINA:-

The two ^{tribes} enemies, Banu Aws and Banu Khizraj, in Madina were always in war and conflict with each other before this constitution. The constitution resolved these conflicts through mediation by Muhammad (PBUH) and their union under central government that ensured peace in Madina upto certain extent.

→ CRITICAL ANALYSIS - THE GUMMPSE OF MITHAQ-E-MADINA IN TODAY'S WORLD:-

The Mithaq-e-Madina, the first written constitution of the world, was not only bound to the city of Madina and that time zone but it was a complete democratic governance document that is visible in today's governance.

There are many countries in the world in which different religious groups live together peacefully, they had different laws and constitutions for protection of human rights, minorities and judicial systems. Moreover, the concept of Shura (Parliament-in modern world) is also visible in many countries.

This ensures the concept of democracy that was introduced by Prophet Muhammad (PBUH) in Mithaq-e-Madina.

Lastly, Mithaq-e-Madina provided a basis for governing the state through a constitution and now almost every country in the world has its own constitution.

→ CONCLUSION:-

The Constitution of Madina set a precedent for governing the pluralistic societies, respecting religious freedom, and establishing Justice. - Jonathan Brown
(An American Islamic scholar)

Mithaq-e-Madina not only reform the societal structure of Madina but also exemplified it as the first and complete Islamic state with complete democracy and justice. The constitution served as a sample for

constitution making throughout the world. It not only demonstrates the structure and governance of state but also ensures peace and stability. It provides a sense of responsibility of in person for ~~the~~ its state and people. Mithaq-e-Madina was not only a document but a complete system of administration.
