

Social Justice, Pluralistic Society and Islam; An Analytical study of the Medinan State vis-a-vis Constitution of Medina (*Mithaq-i-Madinah*).

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Abstract: Justice is both a desired social attribute and a moral virtue of human character. Since the idea of justice is central to all ethical systems, Islamic ethics likewise rests on it. The Islamic code of human relations places a strong focus on maintaining respect for one another and promotes polite behavior. Despite what some people think, the first Islamic state was established under the protection of a social compact known as the Medina Constitution (Mithaq-i-Madinah), not under the shadow of swords. The most essential element of the Medina Constitution is the creation of an Islamic Free State founded on a social agreement. Hundreds of years before the theory of social contract acquired popular acceptance, especially in the West, the Medinan Constitution delivered social contract in real time, in real space, to real people through a real agreement. The Medinan Constitution is similarly noteworthy for its enduring impact on normative construction of a pluralistic community. More than thirteen hundred years before the Universal Declaration of Human Rights (1948) envisioned a modern pluralistic, religiously tolerant Free State, Prophet Muhammad ﷺ himself founded this unprecedented Free State, the first of its kind in the intellectual and political history of human civilization, in the Gregorian year 622. This essay aims to offer a descriptive and analytical viewpoint on the social justice system founded by the Prophet Muhammad ﷺ in the Medinan State's pluralistic society.

Key Words: Social Justice, Pluralistic Society, Islam, Prophet Muhammad ﷺ, Medinan State

Introduction

According to Islamic doctrine, God is the ultimate authority over everything. He is the universe's supreme legislator and ruler. Islam holds that God revealed himself to humanity via the Revelation and Divine Wisdom, which are conveyed to humanity by the Prophet Muhammad (SAAS). In contrast to natural justice (also known as human justice or positive justice), the justice that arises from such a lofty heavenly source may be referred to as divine justice or revelational justice. The Quran contains the Revelation, which was revealed in God's words, and the Sunna, which is later referred to as the Hadith or the Prophet's traditions, contains the Divine wisdom that was revealed to humanity via Muhammad. The main Islamic literary sources are the Quran and the Hadith, which contain the revelation and divine wisdom from which all Islamic ideas and teachings are derived. As a result, the Revelation and the Divine wisdom both uphold the idea of Divine justice in Islam. Therefore, it is believed that the moral precepts and guidelines for justice that come from the Revelation and the wisdom of God are unchangeable and untouchable. This divine justice is timeless, independent of space and time, and intended to be applied to every human being. The Quran emphasizes justice, which is defined as fairness, equality, uprightness, and balance, above all other moral characteristics. Accordingly, the Islamic understanding of justice as it is

reflected in the Quran is primarily divine justice. Some of the Quranic verses representing Divine justice, which emphasise justice as a fundamental virtue, are as follows:

“...Whenever you speak, speak justly, even if a near relative is concerned; and fulfil the Covenant of Allah...”ⁱ

“Verily, Allah commands that you should render back the trusts to those, to whom they are due; and that when you judge between men, you judge with justice...”ⁱⁱ

“O you who believe! Stand out firmly for Allah, as witnesses to fair dealing, and let not the hatred of others to you make you swerve to wrong and depart from justice. Be just: that is next to piety; and fear Allah...”ⁱⁱⁱ

“God commands justice (Al-Adl), the doing of good (Al-Ihsan) and liberality to kith and kin, and He forbids all shameful deeds, and injustice and rebellion...”^{iv}

The Quran considers justice to be a supreme virtue. From the above verses it becomes clear that in Islam justice is an obligatory and injustice is forbidden. The centrality of justice to the Islamic value system is displayed by the following verse –

“We sent aforesaid our Messengers with Clear Signs and sent down with them the Book and the Balance (of Right and Wrong), that men may stand forth in Justice...”^v

The text above clarifies that the prophets were sent to this planet only to bring justice and an end to social injustice. The word "sent Our Messengers" indicates that the aim of all Revelations has been to bring justice to humanity. The text also demonstrates that the norms and regulations established by the Revelation must be used to measure and apply justice. God sent down the Messengers with the Book and the Balance, as well as unmistakable indications, to lead the people. The revelations found in the Book clarify what is good and wrong as well as what is fair and unfair. The ability to measure and compute is referred to as the "Balance," which enables us to follow the instructions provided by the Messengers and the Book. In Islam, people are constantly reminded to maintain equilibrium because it is the cornerstone of a social order's endurance and stability. Therefore, the passage above makes it quite evident that the community as a whole bears communal responsibility for enforcing justice in a way that ensures total fairness. In this process, every member of the community is involved.

Medinan Phase of Sirah: Manifestation of Justice and Pluralism:

Disgusted by the events in Makkah and the unfavorable reaction from the people of Ta'if, the Prophet (SAW) set out to find a new haven and a hub for the dissemination of his teachings. Meanwhile, a party of twelve men, two from the Aws tribe and 10 from the Khazraj tribe, traveled to Makkah on pilgrimage from Yathrib, a town to the north of Makkah. They accepted the Prophet's (SAW) invitation to convert to Islam. "The first pledge of Aqabah" was their commitment with the Prophet (SAW), according to which they "were therefore to constitute the first Muslim community in Yathrib." The Prophet (SAW) sent Mus'ab b. 'Umayr back with them to instruct them in the Qur'an and Islamic teachings upon their return. Following this promise, Yathrib saw a rapid expansion of Islam. Another party of seventy-three men and two women arrived from Yathrib the next year. If the Prophet (SAW) moved to them, they vowed to defend him from all harm, even if it meant risking their own lives. The phrase "the second pledge of Aqabah" refers to this. When the Prophet (SAW) came in Yathrib in 622 CE, it was known as Madinat al-Nabi (the city of the Prophet), or just Madinah. It is remarkable that the first individual to host the Prophet (SAW) was not a Muslim. Dr. Muhammad Hamidullah states that upon the prophet's arrival at Quba, he was welcomed by Kulthum ibn Hidm, a local leader who, while demonstrating support for his Islamized tribesmen, had not yet publicly announced his own conversion to Islam.^{vi}

As a result, Sirah's Madinan Phase started off with cordial and amicable interactions with followers of various faiths. This constructive exchange remained a crucial element all along. According to Tariq Ramadan, the Prophet (SAW) "informed the Muslims of their basic responsibilities" by watching when he arrived at Quba:

As you feed the hungry, honor familial bonds, pray while people are sleeping, and spread peace (salam), you will enter paradise in peace (bisalam). The Prophet intended his Companions to grasp their settlement in their new city, as indicated by the two references to peace that he made at the start and close of his speech. Providing for the underprivileged and upholding familial relationships serve as a constant reminder of the moral foundation for Muslim existence, which every believer has a lifelong obligation to uphold. Night prayer gives the heart the fortitude and peace in faith necessary to fulfill the obligations of upholding morality and promoting peace. The road that a believer must take in order to be able to bring peace in the world is this desire for inner peace.^{vii}

The cease of the seemingly never-ending conflict between Aws and Khazraj, as well as the establishment of a hospitable and tranquil atmosphere, was the first benefit of the Prophet's arrival in Madinah. Arab society before Islam was a very violent society. Numerous tribes engaged in protracted warfare with one another. The two main pagan tribes, Khazraj and Aws, had been at war for more than 40 years prior to the Holy Prophet's migration to Madina. As a broker of peace, the members of these two tribes had invited lay there. He succeeded in bringing these two tribes together, and their long-standing animosity was amicably settled. Asghar Ali Engineer states the following regarding the societal circumstances in Arabia and the influence of the Prophet (SAW) on them: Arab society before Islam was a very violent society. Numerous tribes engaged in protracted warfare with one another. The Holy Prophet moved to Madina, but not before the two main pagans, the Khazraj and Aws, had been at war for about forty years. As a broker of peace, the members of these two tribes had invited lay there. He succeeded in bringing these two tribes together, and their long-standing animosity was amicably settled. The peace prophet

served as a unifying force, bringing the opposing factions together as though they were distinct elements of one body. The holy Qur'an mentions the situation as:

“And remember Allah's favor on you, for you were enemies of one another but He joined your hearts together, so that, by His grace, you became brethren, and you were on the brink of a pit of Fire, and He saved you from it. Thus Allah makes His Ayat clear to you, that you may be guided.”^{viii}

Realisation of Justice and Plurality in the Meethaq-e-Medina:

The Medina Charter is a very extraordinary political-constitutional document that was prepared and published by Prophet Muhammad in 622 A.D. for the ten thousand multireligious residents of the city-state of Medina. There is merit to Professor M. Hamidullah's assertion that this was the world's first written constitution.^{ix} The papyrus-written Aristotelian Constitution of Athens, which was found in Egypt in 1890 and published in 1891 by an American missionary, was not a constitution. It was a description of the Athens city-state's constitution. There are other legal documents on ancient civilizations' behavior that have been discovered, but none of them can be referred to as constitutions. The first is the Medina Charter, which was drafted more than a millennium before the American Constitution of 1787, which is regarded by Western sources as "a landmark document of the Western world... the oldest written national constitution in operation!"^x It also came almost six decades before the English feudal bill of rights, known as the Magna Carter of 1215. Despite the fact that the Charter has 47 clauses, Prof. Hamidullah believes there are 52 because of inconsistent numbering.^{xi}

Soon after the Prophet arrived in Madinah, he collaborated with the city's multireligious people to draft the Constitution, which is still a bright example for communities working toward social justice today. It was a wonderful historical record that the Prophet Muhammad wrote and narrated. All people, regardless of belief, color, race, or heritage, were guaranteed and encouraged to cooperate and form alliances under this declaration. It also established the standard of righteousness as the foundation for differentiation. I also promised all religious communities the freedom to practice their religion. And all of the Prophet's followers felt the spirit that was displayed there. That is the essence of justice, compassion, and understanding. The Messenger of Allah emphasized that the intolerance for non-Muslims, under Islamic rule, is a grave offense.

Pluralism is reflected in the Medina Charter's history as well as its content. F. E. Peters clarifies that "the contracting parties, although they did not embrace Islam, did recognize the Prophet's authority, accepting him as the community leader and abiding by his political judgments"^{xii}. We know that the Prophet was never turned down since there is no record of a rebellion in history books and because he was present at the tribes' request. It is evident from the legislation he imposed that the groups that were already in place did not perceive his newfound authority or presence as a threat. The society was non-repressive and pluralistic. Clause 25 demonstrates that the Prophet never forced Islam on the Medina people, allowing them to continue practicing their religions and customs—aspects of life that held great significance for them—without interference. He did not establish an ummah by proclaiming Islam to be the only religion or by rejecting all other lifestyles in favor of Islam; rather, he brought the city's citizens together under the shared ideals of morality and ethical behavior, which are shared by all people regardless of faith. The Prophet drew upon the essence of unity, respect, tolerance, and love to

combine and create a pluralistic community. Clause 40 exemplifies this: "The 'protected neighbor' (jar) is as the man himself so long as he does no harm and does not act treacherously"^{xiii}. People were safe and respected and free to exert their beliefs and would be protected in doing so. This protection, however, could not shield them from treachery or wrong doing.

The Medina Charter is arguably the first constitution ever written incorporating religion and politics^{xiv}. Built on a solid foundation of widely accepted moral ideals, the Prophet Muhammad (peace be upon him) was able to construct a model society centered in Madinah. Justice and equality were deemed to be the most important of these values, as the Prophet's life and deeds make clear. This understanding between Medina's Jewish and Muslim communities demonstrates the prophet's sense of justice when it comes to treating minorities. It also unequivocally demonstrates that the Prophet did not use coercion to propagate Islam, not even at Medina; rather, he encouraged congenial relations with adherents of other religions, particularly Jews and Christians. The Prophet Muhammad (SAAS) declared: "Let it be known that on the Day of Judgment, any Muslim who does an act of injustice, insults, aggravates, mistreats, or abuses a member of the People of the Book (who is protected by the state or a contract) will have to answer to me for his immoral behavior."^{xv}

Conclusion:

We might therefore infer that the Medina Charter fully realized social justice and peace. Numerous fundamental principles necessary for the harmonious operation of a pluralistic society have been outlined in it. In essence, the charter has established a number of significant principles and teachings that are still relevant today for promoting religious tolerance and pluralism as well as for resolving interreligious disputes. Prophet Muhammad has combined the elements of love, tolerance, respect, and unity into the Charter in order to forge a pluralistic community. These qualities are considered significant in light of the pluralistic culture in which we live.

References:

ⁱ Al- Qur'ān 6:152.

ⁱⁱ Al- Qur'ān, 4:58.

ⁱⁱⁱ Al- Qur'ān, 5:8.

^{iv} Al- Qur'ān, 16:90.

^v Al- Qur'ān, 57:25.

^{vi} Dr Muhammad Hamidullah , "The First Written Constitution in the World". Sh. Muhammad Ashraf, Lahore, 1968.

^{vii} Tariq Ramadan, "*Footsteps Of The Prophet Lessons from the Life of Muhammad*", Oxford University Press (2007) pp 88, 89.

^{viii} Al- Qur'ān, 3: 102.

^{ix} Dr Muhammad Hamidullah , "The First Written Constitution in the World". Sh. Muhammad Ashraf, Lahore, 1968.

^x The New Encyclopaedia Britannica, 15th Edition, 1991.

^{xi} Dr Muhammad Hamidullah , Ibid.

^{xii} F. E .Peters, "*Muhammad and the Origins of Islam*", New York: SUNY. 1994.p.99.

^{xiii} Amyn B Sajoo, "*Muslim Ethics: Emerging Vistas*", London: Institute for Ismaili Studies.2009.p.97.

^{xiv} Yetkin Yildirim, "*Peace and Conflict Resolution in the Medina Charter*", Peace Review, UK: Routledge, Vol. 18, Issue 1. January 2006.pp.109-117.

^{xv} Abu-Dawud.