The Importance Of A Document “The Book Of The Agreement Of Medina"

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Abstract

The document "The book of the agreement of Medina" is thoroughly analyzed in this research. It also was known as "The agreement", "The Medina’s rules", "The Medina’s declaration", "The Medina’s constitution" and we considered to add the word "book" and change it as "The book of the agreement of Medina" (Hamidullah, 1959). Religious cognition, spiritual education, economical, legal and political factors were arisen on the basis of this document and all these factors are investigated in this research. Also, the acceptance, preparation, the meaning and the content of this document are examined and the concrete conclusions are made about its position in the history of Islamic countries. The synthesis, analysis, comparative, logical, empirical methods are used in this research.

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1. Main text

In order to recognize to Islamic values, the history of The Holy Quran, the life of Prophet Muhammad (peace be
upon him), the process of uniting and grouping of people who first accepted Islam, their achievement to built of the Islamic state and the way of political fight should be studied. Unfortunately, a few researches have been done on these issues, but any scientific research has not been done yet. The period of early epoch formation of Islamic country based on the history of arising Quran’s chapters and prophet Muhammad’s (p.b.u.h.) life and his duty, therefore it is very important to understand the political-legal questions which had at that past period of time. After the early epoch period of Islamic formation, other religious and different cultures influenced on Islam and these factors making difficulties to identify the real Islamic government (Ebu Zehra, 1996). “The book of the agreement of Medina”, which was prepared and accepted in the period of first Islamic countries formation played an important role in recognizing how a government was organized in that era. “The book of the agreement of Medina” was accepted in 622 and had an important legally role in a Islamic government formation (Issakhan, 2006). It is argued that “The book of the agreement of Medina” was widely known and it was recognized as the first law constitutional act in the Islamic country among the Muslim legislators and scientists (Karaman, 1993). In this respect Pakistan scientist Hamidullah said that “The book of the agreement of Medina”, certainly can be called the constitution of the Islamic countries (Hamdullah, 1991). Syrian scientist G.Buti called this document “Declaration of Medina” (Ramazan al-Buty, 2011). Also he pointed out its influence to the development of the Islamic government. Additionally, the decision of scientists at the international conference in Pakistan in 1951 also supported this idea. It was said that thanks to “The book of the agreement of Medina” which was adopted in 622, all members of different religions lived tolerantly in the same city; also the general duties were accepted in the internal and external affairs among themselves. Also this document was first adopted as the basis of interreligious dialogue (Issakhan, 2006). “The book of the agreement of Medina” was established in the Arab society as an agreement with other religions which shows the same issues that exist nowadays, and makes an accent on the importance of this document. There have been done many studies on this agreement until today. However, there is no consensus about the preparation, implementation and about legal reforms of this document among the researchers. Scientists from Egypt, Syria, Saudi Arabia, Pakistan and Turkey could not share the views of each other on political and law reforms. For this reason there is no common opinion on this agreement, it is important to consider the religious and political parties, and the interreligious dialogue in “The book of the agreement of Medina”. In fact, there were established several state structures in the Peninsula of Arabian before Islam. They were called Humeyr (present Yemen), Ghassan (the territory of Syria), Hira (Iraq), Kindi (Oman, Hadramut). Also there were risen several city-states such as Mecca, Yasrif, Taifa, Khaybar and some cities had a public political structure. Four countries like as Humeyr, Hassan, Hira and Khindi were depend on countries such as Ethiopia, Byzantium and Sasantiya and were ruled by governors from metropolises. However, others were independent states and were ruled by sheikhs and military. The majority of people in the Arab peninsula believed in poly-god before Islam. The Christianity was spread in Byzantium and Ethiopia and the Jewish was spread where judies lived. The rivalry between these three religions continues bloody fighting. These circumstances influence on the changes of the political situation. At the same time there is evidence that in the Arabian Peninsula were people who accepted the religion of Prophet Ibrahim and believed in one God (Issakhan, Bulletin № 3, 2006). Also there is historical fact, that Muhammad (p.b.u.h.), the son of Abdullah, proclaimed himself as a Prophet and The Quran verses was sent down to him in 610 in Mecca and he started propagating the religion (Hisham, 2004). Prophesy, facts of admonition and sending the verses of Quran to Muhammad (p.b.u.h.), on the part of human cognition and intellect, logician and science cannot be proved or denied also cannot be threaded, although it is historical fact and whose mystery have not been discovered yet, is concerned as a truth of impersonal life (Shakir, 1994).

Islam, as a religion, brought to us new understanding of creation and human nature with its proper authority and learned justice. This religion is based on that the entire universe has only one Creator, for Whom belong the justice and the power and Who is truth. Adam – is the creation of Allah, whose main purpose – is to explore The Creator, obey to Him, to live in conformity with His precepts (words, Scripture) and to fulfill (to pray) the responsibilities. Prophet (p.b.u.h) and his campaigners were able to pray in conformity with their religion and preach others to the religion. There is no compulsion in the religion. Only Allah accepts to the religion. All human being is equal to preach people to the religion, but no one can bring somebody to accept the religion (Hamdullah, 1991). The main right of human being is freedom of choice in faith and belief. The aim of authority in the human society is to provide proper freedom to choose a faith. The best nation and society is that, which defend the choice of faith. And the main
condition to build such society is to provide the right to preach the truth and its values easily and accordance of the people who have already accepted the religion to build this kind of society. It means that if the basis of call to religion is to preach and to make conversation, so the basic way to build society which does not oppress the religion is to make an agreement where the freedom of religion is concerned as main value. Other social affairs should be based on these conditions or agreements. You may notice that that Muhammad (p.b.u.h.) paid special attention to the concept of the contract, either in the “The book of the agreement of Medina” or in other agreements. For example, Muhammad (p.b.u.h.) conquered Mecca and expanded the Islamic state (Ramazan al-Buty, 2011) thanks to agreement “The Hudaybiya” which at first glance does not seem beneficial to Muslims (Hisham, 2004). For this reason, according to the Prophet, an agreement is the main instrument of settlement of interpersonal relationships. Therefore, all the social problems, especially the conflicts should be resolved on the basis of the peace agreement. Because a person’s acceptance of Islam is a act of making a contract between man and Allah. Thus, to live in harmony is the path of Allah. Therefore, any agreement which make up with the name of Allah is the holy law, and no one has the right to violate it. And those who violate this law will be punished as offenders and, in an extreme case, even it is allowed to declare war against them (Holy Qoran, 1991). Although Islam encourages a freedom of religious belief in a society, but there were not possibilities to spread widely Islam in the society where lived Muhammad (p.b.u.h.). To overcome these obstacles, Muhammad (p.b.u.h.) began establishing an alliance with the political authorities of the Arabian Peninsula. One of these contracts as the “Aqaba” agreements (620-622) had a special role in the preparing of the “The book of the agreement of Medina”. Those agreements could be called as the first step, a valuable experience, preparation-rehearsal or prototype of “The book of the agreement of Medina”. “Aqaba” agreements were religious-normative, religious and legal type in shape. There was built the first Muslim secret religious association in history as a result of “Aqaba” agreements. The main purpose of which was to ensure full security of the prophetic mission and the life of (p.b.u.h.). “Aqaba” agreements instilled confidence in Muhammad (p.b.u.h.) for the continuation of his prophecy in Medina. Aqaba contracts were the oral agreements between the Prophet (p.b.u.h), and the Medina’s citizens who accepted his religion. There three cases are known in the history of the contract Aqaba. Under Aqaba I contract (in 620), the participants (the Prophet the blessing and peace of Allah be upon him and Medina residents) committed themselves to accept the new religion (to swear) and its prophet to call the people to the religion (Ibnül-Esr, Tarih & Yayinlari, 1991). If this contract is a purely religious nature, it is noticeable that the problems discussed in II Aqaba (in 621) were extensive. There were another six issues in the second Aqaba, apart from three ones which announced in the first Aqaba agreement. They are: 1) to obey the Prophet Muhammad in Sharia matters; 2) to be trustful; 3) not to do fornication; 4) not to kill newborn; 5) do not steal; 6) in case of breaking this contract to be punished (Haylamaz, 2006). By its content II Aqaba contract was not only a religious document, it was also a religious-spiritual and religious-sociological contract as well. In contrast, III Aqaba agreement was religious military. Because in the case of threat to the life of the Prophet (p.b.u.h) and his prophetic activity, union members (there were 75 members) were obliged to protect him using military force (Solovev, 2004). Accordingly, III Aqaba contract shows the fact of formation of the religious-military union of Muslims. Under the III Aqaba agreement, Muslims of Mecca and Medina were joined together and the Prophet (p.b.u.h) was elected as a religious and spiritual, political and military leader and as a head of this union. Additionally, the centre of the union moved to Medina and it became the relocation of the Prophet.

One of premises of appearing of “The book of the agreement of Medina” was a necessity of changing the religious-military union into a Muslims’ socio-political union amongst the residents of Medina. On the basis of this necessity, III Aqaba had to be fulfilled, Prophet’s relocating to Medina (p.b.u.h), and dozens of residents converting into Islam, and in accordance with the popularity of the Prophet (p.b.u.h), there was a warning of danger to protect the new converters of Islam. There is a lack of historic information about the preparing process, discussing and dealing with its debates and the adoption of “The book of the agreement of Medina”. Even we can say there is none. However, it was observed that all the major teach-tribes and their leaders, supporters and opponents had taken part in the process of accepting of the agreement. The Prophet Mohammed (p.b.u.h) and Mukhazhirs (those who migrated from Mecca to Medina), Ansars (the Muslims of Aws and Hazrezh tribes in Medina) and also the leaders of Jewish in Medina had taken part to approve this document. The agreement was approved in the year of 622 (Issakhan, 2006). “The book of the agreement of Medina” proved the emergence of a new Islamic state in Arab peninsula. In accordance with this document, there was established the first Islamic state which was ruled by the
Prophet (p.b.u.h.) and this state had been living for about 11 years. This country was as fully installed prophetic controlled system of laws which was systemized with verses of the Quran and the Sunnah and it was considered to be the unique political and legal system, administered by the Prophet (p.b.u.h). “The book of the agreement of Medina” was the first historical document which officially recognized the religion of Islam and Muhammad (p.b.u.h.) as its Prophet and his religious-democratic governance. This document had a constitutional and a legal description. By this document, there was built the first prophetic controlled state. This agreement declared the freedom of religion. Jews have the right to preserve their religion in accordance this agreement (Hamdullah, 1991). Christians also have the same rights to preserve their own religion (Hamdullah, 1991). According to “The Medina agreement book”, the system of the first Islamic state was based on a federation. Although, the Islamic state was ruled by the Prophet (p.b.u.h), but Muslims from Makah and Ansars, that is, Aos and Hathredge pride friends of them such as Kaynuka, Nadir, Kuraytha participated in the forming of “The book of the agreement of Medina”.

The Aos and Hethredge consist of 8 tribes, and Jews comprise 20 ones (Hamdullah, 1991). Others such as Hatm, Uakeef, Uayl, Umayee from Aos tribe did not accept Islam, they were going on believing in idols (Hisham, 2004). If we take into consideration that the rights of all of these groups were noted, we could see that over 30 subjects had taken part in writing the “The book of the agreement of Medina”. For example, there was announced that every subject had the right to undertake in making decision on their own inner acts in the clause 3-11. However, only unsettled questions were solved by the Prophet (p.b.u.h). Also the parties had been responsible to keep their safety by themselves (Hamdullah, 1991). Thus, the Prophet’s (p.b.u.h), government shows that Islamic state structure is founded on the federative system.

As a whole, the legal regulations of “The book of the agreement of Medina” were as:

- The political doctrine of the Medina Islamic state;
- The administrative division of the new state;
- To advance the military bases of the Medina Islamic state;
- The rights of Medina Islamic state citizens and their status;
- The criminal code and the base of a punishment system;
- The base of the interreligious dialogue (Issakhan, 2006).

There was some nonconformity at the realization of precepts of “The book of the agreement of Medina”. It had different reasons. However, it might be said the precepts of “The book of the agreement of Medina” was contingently expanded in two directions.

The first direction was targeted to preaching and spreading peacefully the religion of Islam. Accordingly, Islamic government and norms of social relations was settled. Muslim military was forced and used as defense against them, who made war to the Islamic colonies. The second direction was concerned with the punishment of those, who did embroilments and did not obey to the government, which was ruled by Prophet (p.b.u.h). In foreign affairs, Medina Islam state sent their army against them, who professed their hostility and tried to destroy by military the Islamic nation in order to stave off the war, thus saving the peace in the nation was taken as a doctrine. In general, “The book of the agreement of Medina” was the base of governorship, foreign relationship, also penalty systems in economic, household and crime, and alteration in the law and electing of Muslim council, judges and governors at the time of formation of Islam. Thereby, with the new religious thoughts and views, there were formed Islamic nation and basis norms of Islamic civilization.

2. Conclusion

The conclusions and analyses in this essay of “The book of the agreement of Medina” are dramatically important as theoretical as practical sides. The main importance of the research of “The book of the agreement of Medina” which was accepted in 622, that a new state had appeared in the Arabian society and its internal and external functions of religious reforms, political and legal meanings have been investigated, at the same time the prophetic state system with its religious basis have been theoretically constructed. For the first time, the state which was ruled by the Prophet on basis of the religious rights and its purpose of governing has been discovered. Additionally, the tolerance between the different religions was revealed from a science at the first time on the basis of “The book of the agreement of Medina”. The practical importance of research are all the religious, political, and legal analyses.
will be useful to deepen the knowledge, and it certainly shows the right way of making regulations among the
religions is the tolerance and the dialogue which proves the best solution to keep peace. To sum up, there was made
a conclusion that “The book of the agreement of Medina” could become the legal precedent of developing the global
dialogue between different religious.

References: