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## Revisiting Medinah Charter: Towards the Realization of *Maqasid Al-Shariah* for Contemporary Plural Societies

KHALIL AHMAD\* & MUNEER KUTTIYANI MUHAMMAD<sup>1</sup>

### ABSTRACT

*The Medinah Charter has been studied from various perspectives. Most discourses on the Medinah Charter revolve around the political dimension. However, the Prophetic actions of the Medinah Charter need to be analyzed in the light of the Maqasid al-Shariah. This paper aims to explore the Medinah Charter from a Maqasid perspective taking into consideration its socio-religious structure. For this purpose, this research identifies some important Maqasid underlying the Medinah Charter and the Prophetic approach toward the people of other faiths. This study argues that the Medinah Charter and the measures taken by the Prophet Muhammad were potential means for materializing universal higher objectives of the Shariah. Based on descriptive and analytical methods, this study sheds light on some universal higher objectives of the Shariah in the Charter such as freedom of faith, peaceful co-existence, and social integrity. All these social objectives were preserved in Medinan society at a collective level. By analyzing those universal objectives, this paper establishes their relevance to fostering peaceful co-existence, freedom of faith, and social integrity between different ethnic-religious communities of the modern world, especially in Muslim minority societies.*

**Keywords:** *Maqasid al-Shari'ah, Medinah Charter, Muslim minority, peaceful co-existence, religious freedom, social integrity.*

The *Maqasid* approach has recently been used by researchers as an evaluative tool and criterion to appraise the socio-economic issues in the fields of humanities and social sciences. This paper attempts to evaluate the social conditions of Prophetic Medinah, particularly the contents of the Medinah Charter (Ibn Ishaq 1967) using *Maqasid* approach as a criterion to evaluate how the basic human rights of the people of Medinah were protected. It should be noted that, the Madinah charter is known in the Islamic history with several denominations. The Arabic words *kitab*, *wathiqah*, *nahd*, and *sahifah*, have been commonly used to denote the pact. It has been translated into English using various terms such as constitution, charter, covenant, treaty, contract and peace negotiation which all mean the same. It has been verified by the scholars that this peace treaty had been written before the Battle of Badr. Despite some

<sup>1</sup> **Khalil Ahmad\***, (*Corresponding Author*), Ph. D., Lecturer in Islamic Studies (History, Civilization, and Shari'ah), Sultan Omar 'Ali Saifuddin Centre for Islamic Studies, University Brunei Darussalam, BRUNEI DARUSSALAM. Email: khalil.ahmad@ubd.edu.bn [ORCID iD: 0009-0008-9660-7355].

**Muneer Kuttiyani Muhammad** Ph. D., is the Director of the Centre for Research & Academic Excellence, Al-Jamia al-Islamiya, Santhapuram, Kerala, INDIA. Email: muneerium2014@gmail.com [ORCID iD: 0009-0006-4670-0813].

researchers' claim that the Madinah constitution is a fabricated one, there have been new researches on this subject. Some Islamic scholars have reached into the conclusion that the historical records are scientific and authentic according to the criteria of hadith scholars as well. The Peace pact is reported to have been formed and signed by the Prophet with different tribes in Madinah in the first of year of Hijrah (Ibn Bayyah 2015)

This research is an attempt to remove the misunderstandings shrouded over the *shariah* and its engagement with plural societies. The *shariah* and its values are viewed as outdated, uncivilized, and incompatible with modern democratic values and civilized societies. We attempt to investigate the Madinah Charter, from a *maqasid* perspective. Primarily this study attempts to answer the following questions: What was the structure of Medinan society? Why did the Prophet initiate a peace treaty with tribes of various religious and ethnic backgrounds? What were the actual reasons behind those agreements? Was it solely a pact for survival? Were the Prophetic actions driven by the objectives of the *shariah*? The following analysis will answer these questions.

### ***Maqasid al-Shariah***

The teachings, admonitions, and rulings promulgated by Islam are holistic. The *din* (The English term 'religion' as a literal translation for the Arabic term '*din*' does not fully capture the comprehensive and systematic nature of the Arabic word. *Din* encompasses a broader meaning, representing not just a religious belief but a comprehensive way of life (Mawdudi 1959) itself is decreed for attaining some basic objectives as enshrined by the Quran, 44:38. The concept of *Maqasid al-Shariah* was formulated with wisdom to attain specific higher objectives (Auda 2007). Its ultimate purpose is to secure the well-being of humanity and promote societal welfare. The *Maqasid al-Shariah* as higher objectives are realized by obeying the Lawgiver's commands as enshrined in the Quran and Sunnah (El-Mesawi 2011). It is asserted by some scholars that "higher objectives and goals of Islamic law as enshrined by Allah Almighty" stands "for the realization of common good and well-being of living beings" (Al-Daris 2006). The term *Maqasid* apparently renders 'objectives' as its first-hand verbatim meaning, the '*Ilm al-Maqasid*, embraces a comprehensive meaning which touches many aspects of the *Shariah*. Therefore, *Maqasid al-Shariah* is again defined as the inner meanings and implied wisdom of the Lawgiver in legislating the laws (Al-Yubi 1998). Mas`ud al-Yubi asserts that the characteristics and the principles of the *shariah* as a whole constitute the *Maqasid al-Shariah*. It is defined as the science having "group of divine intents and moral concepts upon which the Islamic Law is based such as justice, human dignity, free will, magnanimity, chastity, facilitation, and social cooperation" (Auda 2008).

The early classical categorization of the *Maqasid al-Shariah* was based on the essential needs of human beings. These needs are divided into three categories: necessities (*daruriyyat*), needs (*hajiyyat*), and embellishments or luxuries (*tahsiniyyat*). Necessities are further classified into five fundamentals, known as *al-Kulliyat al-Khamsah*: the preservation of faith, life, faculty of reason, progeny, and material wealth (Auda 2007). In addition, some scholars have added the preservation of honour as one of the *Maqasid*. These five necessities are considered essential matters of human life. Subsequently, contemporary scholars assessed the *maqasid* theory, expressing the view that *Maqasid al-Shariah* should address collective social issues rather than being limited to individual concerns. *Shariah* scholars have conceptualized and proposed some new dimensions of *Maqasid al-Shariah* (Attia 2007). Besides the general categorization of the five fundamentals of *masalih* or *maqasid*, Ibn Ashur, for instance, stated the early scholars had realized the welfare of the individuals but did not adequately address the well-being of society as a whole (Ibn `Ashur 2006). He elaborates "*Maqasid al-Shariah* are of two kinds: real ideas (*ma`ani haqiqiyah*) and universal conventional ideas". He uses the term 'general intents' (*al-maqasid al-`ammah*). Often, he uses 'overall intents' (*maqasid al-jumlah*), and occasionally he uses '*al-maqasid al-`aliyah*' which means 'higher intents' (Attia 2007). The universal higher objectives of the *shariah*, in Ibn Ashur's words, are "true in themselves so that the sound minds can perceive their conformity with what is good" (Ibn Ashur

2006). We may refer to them as *al-maqasid al-`ammah* or the general intents of the *shariah*. Ahmad Raysuni has proposed *al-kulliyat al-maqasidiyyah* or *maqasid al-kulliyah* (Al-Raysuni 2012). Literally means the totality of objectives or the aggregate total of objectives. It refers to the prioritized goals and the fundamental objectives.

This article aims to posit that certain socio-political considerations were integrated into the objectives of the *shariah*, including peaceful co-existence, social integration, and societal unity, all of which were maintained in Medinan society, alongside the five essentials of *maqasid*. Thus, the Medinah Charter, in one way or the other, stands as a testimony of the holistic realization of the *Maqasid al-Shariah* such as the social integration and unity of society. Furthermore, social security, societal order, and peaceful co-existence have also been endeavours preserved at a collective level. The contents, objectives, priorities, and the individuals involved in the Medinah Charter provide a comprehensive illustration of how the *maqasid* were considered in a holistic manner.

### **SOCIO-RELIGIOUS STRUCTURE OF MEDINAN SOCIETY: AN OVERVIEW**

The primary question addressed in this article is the nature of the Medinan society. This section will provide the socio-religious background to explain the nature of the Medinan society. Most discourses on Medinan society revolve around the axis of its political dimension, focussing on Medinan society 'as a nation-state' or 'city state'. The contemporary nation-state typically encompasses a sizable population, often ranging from millions to billion, along with extensive geographical territory and abundant material and natural resources. Nevertheless, the Medinah state differed significantly from this conventional notion in several respects. Medinah, with regards to its population size, geographical expanse, and available resources, did not match the scale of our modern nation-states. Despite these differences, the socio-religious structures of the Medinah state presented a model of an ideal yet inclusive and harmonious plural society. Medinah was not only an abode of Islam alone, but it was a state of people of other faiths, reflecting the features of multi-religious and multi-cultural societies as well (Auda 2007).

In Medinah, a significant number of people of other faiths lived peacefully. Acceptance of their identity by the state and law indicates that the people of other faiths were not only recognized as equal citizens but all their fundamental rights were guaranteed. In Medinah, the peace agreement involved 22 tribes with diverse faiths (Hanurahaza 2015). The shreds of evidence put forth here are expected to be sufficient to prove that the peaceful co-existence was evidently prevalent in the state of Medinah. In short, the Medinan society was a plural and inclusive society. It is noteworthy that in Medinan society there was no distinction like minority or majority communities. In the plural and inclusive society of Medinah Jews, pagans, Christians, Ethiopians, and hypocrites were living together with Muslims. Therefore, from the Quranic perspective, the encouragement for a pluralistic, inclusive, and peaceful society is evident both theoretically and practically. The Prophet Muhammad exemplified such a society during his lifetime, leaving no room for ambiguity.

#### **The Medinah Charter**

The historians have unanimously confirmed the existence of such a Charter which has been mentioned in numerous hadith and historical literature (Ibn Bayyah 2015). For denoting this treaty Arabic terms such as *al-Kitab*, *al-Wathiqah* or *al-Sahifa* were used (Al-Shu`aybi 1426 AH). Early historians like Ibn Ishaq used the term *al-Kitab* (Ibn IshAq 2004). Historians have verified that the Medinah Charter was written in the early days of the Prophet's arrival in Medinah (Ibn IshAq 2004). His frequent search to find out a suitable place was a part of the fulfilment of his mission wherein the Messenger and his followers can live peacefully and enjoy the freedom of practicing Islam (Kaka Khel n.d.). Hence, the Prophet initiated an attempt to cultivate positive relationships with all people by establishing a peace treaty (Bulaj 2006). The people of Medinah, through this Charter, enjoyed

freedom and peace. According to the Charter, everyone was treated equally. The identity of each tribe was fully recognized and maintained (Hamidullah 1985). The public rights and duties of every tribe that signed the treaty were equal. For this reason, the Prophet became the most acceptable leader for the entire population of Medinah (Watt 1978).

The major social principles of the *shariah* such as human fraternity, inclusiveness, social integration, and peaceful co-existence were implicitly included in the Charter. The total spirit of the Charter was directed to unite the multi-religious, multi-tribal, and multi-ethnic demographic composition in Medinah (Hanurahaza 2015). In Qardhawi's perspective, even though the notion of citizenship might be considered a contemporary concept, he argues that the Prophet Muhammad demonstrated its recognition through the Medinah Charter, which essentially served as the constitution for the inaugural Islamic state. The Charter explicitly acknowledged the presence of residents in Medinah who hailed from different religions and tribes. The fundamental philosophy embedded in this Charter aimed at promoting harmonious and peaceful coexistence and fostering mutual support among all citizens, emphasizing the importance of unity and cooperation regardless of their diverse backgrounds (Taha 2013).

### **The Preservation of *Maqasid* at the Collective Level**

The Prophet was able to materialize some of the specific social objectives of the *shariah* through the implementation of the Medinah Charter. He ensured peace and security in the society and guaranteed peaceful coexistence and social stability. In order to maintain social stability, the unity of society was considered vital. Although the basic nature of Islamic society is not tribal, but the Prophet accepted tribes in order to maintain the security, unity, and distinctive identities of various tribes. From the outset, Prophet Muhammad diligently implemented all essential measures. His foremost priority was the unity and well-being of society, a principle underscored significantly in the Quran.

Further, the Medinah society was organized on the basis of shared goals in order to maintain unity, peaceful co-existence, security, and protection of each tribe reciprocally from external attacks (Haque 2007). The importance of unity among the people was strongly emphasized. It is significant to note that the Medinah society was termed as *ummatan wahida* (single community) by the Prophet (Al-Sharqawi n.d.). The word '*Ummah*' is generally denote the global Muslim community of believers. The idea of *ummah* is derived from a *jama'at* which reflects unity within the group (Lobbon 1994). However, the Prophet used the term *ummah* for a society that constituted not only Muslims, but also people of other faiths (Al-Rahman 2015). The *ummah* refers to something which consolidates or unites all groups within one cohesive and inclusive community. (Al-Hasan 2014). Scholars have observed that the unity of the people of Medinah was special one which was based upon the locality or territory not on the basis of traditional kinship (Rubin 1985). Due to this pluralistic and inclusive nature of Medinan society, it is genuinely considered the first ideal society which was governed by the first written constitution of the world. The inclusion of people of all faiths and ethnicities within a Muslim society constituted the idea of civil society as a part and parcel of the *shariah*. By using the word "one community," the Prophet practiced in Medinah the idea of the unity of all people for prosperity and peaceful co-existence. It was a society which is unified primarily on the basis of love and brotherhood between *Ansar* and *Muhajir* on one hand, and Muslims and people of all other religious and ethnic backgrounds on the other (Ibn Bayya 2015). Therefore, it is argued that one of the objectives of the Medinah Charter, was the unification of Muslims or social integration with people of other faiths (Hamidullah 1985). The Prophet Muhammad was known for his commitment to fostering order and unity within the community. The concept of one community is generated by the Medinah Charter, which offers equal rights to all communities within the larger community of Medinah as observed by Hanurahaza (2015): the "term plurality or heterogeneous society is being recognized as one community and one *ummah*".

One of the important objectives of the *shariah*, the preservation of the social order was included in the Medinah Charter. As Ibn Bayyah categorically expressed, the Medinah Charter was a treaty that was aimed at nothing other than well-being (*maslaha*) of people. Ibn Ashur considers it as one of the all-purpose principles, (*maqsad `amm*). He writes: "Both its general rules and specific clauses indicate that the all-purpose (*maqsad `amm*) principle of Islamic legislation is to preserve the social order of the community and ensure its healthy progress by promoting the well-being and righteousness that prevails in it, namely, the human species" (Ibn `Ashsr 2006). Social integration, therefore, was promoted through the Medinah Charter. Contemporary scholars, for this purpose, have emphasized the urgency of establishing civilizational dialogues with other communities such as `Abd al-Majid Najjar (b. 1945) (Taha 2013). Anarchy was prevented by the strategic intervention of the Prophet. He could manage to unite a disintegrated society, whose members used to wage war even for trivial reasons. He was successful in diverting the potential, valour, and influence of conflicting tribes toward achieving the common goals that would serve the whole community (Hanurahaza 2015). In order to maintain the social order of the community and its stability, the unity of people and diversity was considered essential. The concept of one ummah ensures that everyone holds the same responsibility to protect Medinah and the suburban areas. The Charter contains no elements that promote animosity or hostility among people. Instead, all its clauses serve as powerful motivators for all communities to establish justice and ensure well-being of all individuals. Inspired by the Medinah Charter and its idea of one ummah, present-day Muslim societies may adapt and apply the Medinah model within the contemporary context.

Another significant aspect of the Medinah Charter is the inclusion of the freedom of faith, ensuring individuals the right to practice their religion. This provision fosters mutual tolerance and respect. The 25<sup>th</sup> clause in the Charter is the clear proof of freedom of faith which states; "The Jews of the *Banu `Auf* are one community with the believers (the Jews have their religion and the Muslims have theirs) . . ." (Ibn Ishaq 2004). This statement shows how the freedom of faith of other people as residents was preserved in the Charter as a constitutional right. The Prophet during his time in Mecca (Makkah), personally experienced the deprivation of the fundamental right of freedom of faith. As a result, upon his arrival in Medinah, his foremost objective was to ensure that everyone has the freedom to practice his/her religion (Ibn Bayyah 2015). The Jews were granted complete freedom of religion and were permitted to practice their faith according to their own religious laws. They had the liberty to observe their rituals and engage in religious activities without any restrictions (Abdu & Rida 2002). Furthermore, the Jews were assured of protection and assistance in the event of an external attack (Ibn IshAq 2004). Despite being united under the leadership of the Prophet in Medinah, the individual tribes retained their sovereignty and were allowed to make decisions pertaining to their own internal affairs (Hamidullah 1981).

The Prophetic model and its measures preserved the social integration and order of the community. It is helpful to counter the problems of intolerance and social disintegration in contemporary societies. Despite professing themselves as pluralistic and accepting of diversity, racial and religious discrimination persists in many societies. Nonetheless, this does not imply an absolute requirement to replicate the same model at all times. With changing times, the methods to achieve the objectives of social integration may also evolve. In pursuit of realizing the objectives of the *shariah*, alternative means and methods may be embraced.

### **Community-Centered Leadership: The Prophet's Approach**

The inclusion of the clause regarding the Prophet's responsibility for providing solutions to the people's problems underscores his profound concern for community welfare. The resolution of these issues and the advancement of individuals, regardless of their religious or ethnic backgrounds, emerged as pivotal concerns within Medinan society. The initial establishment of an exemplary community in Medina consequently serves as a significant model, reflecting both the people's sincere

acknowledgment of the Prophet as their leader and their collective dedication to addressing societal challenges (Watt 1978). The people of Medinah encountered significant challenges concerning defence and security, which were recognized and addressed by the Prophet. He gave meticulous consideration to these concerns and committed his efforts wholeheartedly to resolve them. The 9<sup>th</sup> clause in the Medinah Charter identifies the responsibility of defence by each tribe. The Charter was a sort of document to ensure defence and social security (Hamidullah 1981). Taking this as an example, in contemporary times, state leaders have the responsibility to give paramount importance to the safety and security of their people and take proactive measures to address and resolve shared challenges.

The clause which rests with the responsibility upon every tribe represents the principle of universality. As individuals within a society, members share numerous common challenges. Addressing these issues for people regardless of their religious or ethnic backgrounds and enhancing their quality of life were integral aspects of the responsibility borne by every member of Medinah. The Prophet's concern for the people's problems, in that context, was integral to fulfilling the overarching objectives of shariah.

### **The Preservation of *Maqasid* at Individual Level**

Several Quranic verses, for example, 2: 256 (or 88: 21, 10: 108, 27: 92) categorically grant freedom of faith to everyone and denounce coercion in matters of faith. The very reason for the revelation of this verse is a practical example of freedom of faith even in the case of the two sons of Prophet's companion. There is no historical record that shows either the Prophet or his companions had coerced others to accept Islam or put any restrictions on their faith and religious practices. On account of this reason, the Prophet assured freedom of faith and practice to others as well. In fact, the Charter was essentially written among diverse religious communities and tribes of Medinah. It acknowledges Medinah as a multicultural society where each community autonomously oversees its internal affairs and adheres to its respective religious norms and regulations.

Al-Sharqawi has opined, freedom of faith is guaranteed to everyone as the basic human right to choose any religion and practice it without any inhibition and intimidation in a Muslim state. There would be no objection to practice his religious rituals and setting his life in compliance with his religious teachings as long as his observances do not affect others adversely (Al-Sharqawi n.d.). The freedom of faith and plurality prevalent in Medinah was greatly admired by Hamidullah in his writings. He writes that to be a citizen of the state of Medinah, it was not necessary to be a Muslim. Indeed, all religions and people of all faiths were recognized as equal citizens, including Christianity, Judaism, and also idolatrous beliefs. (Hamidullah 1981).

The underlying principle of the Medinah society was rooted in peaceful coexistence and solidarity among its residents, regardless of their dissimilarities. The sole unifying factor among them was their allegiance to the state, aligning with the concept of citizenship as a voluntary association bound within a defined national framework and governed by a constitution (Qaradawi 2010). In Medinan society, where Muslims held dominance, there was never an attempt to enforce their faith on others. The Prophet aimed at constructing a multi-religious pluralistic and inclusive society in a manner that allowed religious freedom for all in the society (Shah 2012). Many individuals have misconstrued the concept of *shariah*, assuming that it does not allow freedom of religion for people of other faith. This is a fundamental misinterpretation. In reality, *shariah* not only upholds freedom of religion within society but also safeguards it through legal provisions. The freedom of religion was maintained in both Muslim majority and minority areas. The principle of *shariah* is not contingent on majority or minority status; rather, it is a fundamental principle universally applicable without being bound by limitations of space and time. In short, the analysis of the Medinah Charter clearly demonstrates a complete picture of a true multi-religious, multi-ethnic, multi-culture community that upholds the higher principles of the *shariah* such as freedom of faith, human equality, human

brotherhood, and peaceful coexistence. In this regard, the observation of Ibn Bayyah is noteworthy. He says that "human history has never before witnessed such a plural multi-religious society like Medinah" (Ibn Bayyah 2015).

### **MAQASID AL-SHARIAH REALISATION THROUGH THE MAEDINAH CHARTER: AN ANALYSIS**

The actions of the Prophet Muhammad served as the practical embodiment of the objectives of *shariah*, employing a multitude of wise measures. The Medinah Charter itself was a wise measure to realize the *Maqasid al-Shariah*. As al-Shatibi points out, anyone can observe that "a universal principle" was applied among the laws established in Medinah (Al-Shatibi 2006). Abdullah ibn Bayyah (2015) comments, observing the Medinah Charter, it is a proof of how a man can exemplify the noble characters and values into practice within society.

The Medinah Charter that the Prophet had negotiated with the heterogeneous people of Medinah has great significance due to its nature and structure. Primarily, it leaves us with a model of society which bestows the oneness of community on those who do not belong to the same faith, but are loyal to it in political sense (Lecker 1995). Upon the arrival in Medinah, the consolidated its dwellers based on the spirit of human brotherhood, political loyalty, and the oneness of the community at the social level (Al-Shu`aybi 1426 AH). He was successful in Medinah to make people think about the common elements which can unite Muslims and people of other faiths.

By signing the Medinah Charter, the Prophet Muhammad created an environment of peace with the conflicting tribes which had different religious and ethnic backgrounds. By introducing measures of mutual cooperation and peaceful coexistence, the Prophet had essentially materialized the ideals and higher principles of the *shariah*. The acts of the Prophet in Medinah are generally linked to the *Maqasid al-Shariah* in two ways. Firstly, with its general connection with the five essential objectives of the *shariah* as expounded by the classical scholars which include faith, life, intellect, progeny and wealth. He beyond any doubt made it clear that all members of the society would have equal rights, fair treatment, and opportunities. In this manner, he introduced the concept of human rights accompanied by essential duties and responsibilities. He also initiated to create an idea of a welfare city-state and assigned the responsibility to the government to work to meet the needs of people. People's right to life, freedom of faith and religious practices were therefore guaranteed and preserved in the Medinan society. Moreover, the welfare of the whole community was the core and overall purpose of the *shariah*. The measures that the Prophet adopted by the Charter indicate that he was concerned with safeguarding the basic needs and fundamental rights of people. Therefore, it can be argued that all the actions and measures taken by the Prophet, whether in Medinah or elsewhere, were aimed at fulfilling the basic needs of people, leading them to the path of development, and ensuring the welfare of society, which are the overarching objectives of the *shariah*. In other words, the Maedinah Charter was not only a political device but it was a sincere attempt to safeguard the potentials and needs of people as demanded by the higher objectives of the *shariah*. This resulted in the satisfaction of the Charter parties. It was neither imposed nor forced by political intention but with a real sense of human welfare. It was not a temporary measure adopted to combat the intimidating situation prevailing over there. The Prophetic approach in Medinah was not merely a political tactic to encounter the adverse situation. It was neither a temporary withdrawal from war. Rather, it was part of realizing the objectives of the *shariah* – the well-being of people - for which the *shariah* essentially stands. The permanent nature of the *shariah* is striving towards peace and welfare of people. It is worthy to note that the Prophet was materializing the hopes of people as the objectives of the *shariah* at collective level as well as at the personal and individual level. People of all backgrounds were genuinely involved through the Charter to work willingly for the well-being of each other. There was no sense of politics but the commitment to administer the city-state in the sense of modern understanding of political administration.

Consequently, the principles of brotherhood, peaceful coexistence, and inclusiveness were evidently seen in the theory and practice of the Medinan society.

Another noteworthy and important aspect of the Medinah Charter was the consideration of assuring social justice as one of the higher objectives of the *shariah*. Regarding the commitment of the Prophet to peace, Hamidullah's words are remarkable. He writes that the: "objective of this religion was not to dominate or exploit individuals or society but to create a climate of peace for all mankind" (Hamidullah 1985). He also emphasizes the objective of peaceful coexistence and considers it the objective of the *shariah*. It can be argued that one of the basic features of the Medinan society was, therefore, its multi-religious climate and its commitment to the notion of peaceful coexistence. As we mentioned earlier, the concept of peaceful coexistence was deeply interconnected with a number of other similar notions such as freedom of faith, human brotherhood, tolerance, and unity of society. At the end of the analysis, we would be able to comprehend the collective idea of peaceful coexistence and welfare state.

### **Implications for Contemporary Plural Society**

From the above analysis, thus, it can be inferred that the Medinah Charter stands as a remarkable illustration of how peace can be attained through non-violent means, rather than resorting to warfare or covert intentions. It also mirrors the firm conviction of the Prophet of Islam, Muhammad in fostering a culture of peace. Examining the Charter reveals the efficacy of coexistence as a pathway to peace, and it highlights that the modern world can also reap the rewards of this approach to dispel misconceptions and misunderstandings among adherents of various religions, such as Muslims, Christians, and Jews – a crucial step towards achieving global peace. Based on the evaluation of Medinan society and its charter, various measures and strategies can be adapted for perpetuating peaceful coexistence among different religious groups in pluralistic societies. In other words, it would be an effort to realize the aforementioned *Maqasid al-Shariah*.

The various implications we propose here could be modified according to the needs and nature of different societies. Since it is a collective effort, members of all communities could participate in designing and preparing the programmes in one way or another. It is pertinent to point out here a notable observation of Hallaq (2013), who foresees the possibility of a collective front in which Muslims, Christians, and other religious groups are actively involved. To uphold universal values and to realise objectives of the *Shariah* in society, a new world order ought to be established. In this new, just world order, the Western and Eastern people will unite not under the banner of religion or community, but under the banner of universal *shariah* objectives and values, such as universal brotherhood, justice, and peaceful coexistence.

### **Establishing a Common Platform**

Under the guidance of the universal objectives *shariah*, we need to establish a common platform comprising all members of a given society. One unifying element of human beings is the natural disposition to love and be loved. By nature, humans are inclined towards love and mutual co-operation. Although they are often grouped on several grounds such as family, religion, ideologies, tribes, and nations, they naturally stand for love and be loved. Although Islam identifies the bond of faith as the foremost important and cardinal principle of binding people together in love and harmony. However, it also encourages other bonds such as family ties and social relationship such as neighbourly relationship, friendship, and human brotherhood. It is a collective responsibility of humanity to discover and "embrace the essential unity and rediscover the common ground" among mankind (El-Mesawi 2015). This natural disposition of human beings facilitates a space for mutual relation and cooperation. Therefore, a common platform to address the common problems of all societies need to be introduced, particularly in plural societies. Despite the differences, the unifying

elements of humanity, through the common platforms must be upheld in diverse societies. These platforms will serve as the primary point of human cooperation and mutual respect.

### **Role of Places of Worship and Religious Institutions**

Social and religious institutions have significant roles to play in achieving the socio-ethical objectives of *shariah*. For example, the places of worship from different faiths can be used as the centres for realising these objectives through various programmes. As part of promoting universal brotherhood, peaceful coexistence, communal amity, and social integration, these religious institutions could be utilised. They can be used as centres of common platforms for all members of society. Public gatherings can be conducted at the compound of places of worship.

In order to understand people of different faiths and their belief, places of worship from different religions could be opened to all community members, especially during festive occasions to foster better understanding and relations. Muslims can exemplify the model of tolerance and peaceful coexistence with people of other religions within the limits of *shariah*. As a token of respect, receptions for the delegates can be facilitated inside mosques. This approach follows a prophetic model to foster peace and amity between different religious communities.

Besides places of worship, some prevailing social and communal institutions can also be utilized for this purpose. Social institutions that run under religious identities, such as the *Mahallu* system of the Muslim community, communion or *Idavaka* of the Christians, and *Karayogam* of the Hindu communities in Kerala, India, can collectively engage in the activities to promote peaceful coexistence. These religious institutions in the areas where people of different religions live together have much to contribute in this regard. Currently, their area of operation is limited to the respective communities, but could be extended to other communities as well. For example, the *Mahallu* system in Kerala currently cannot sufficiently accommodate the problems of other communities and people of other faiths. Although its social role has been limited to some religious practices and rituals in the mosques, this social institution still has the potentials to foster communal harmony and social integration. For this purpose, a mutual contract or a pact between the representatives of different religious communities and ethnic groups seems appropriate to be prepared initially (Ismail 2019).

Nevertheless, the foundational basis of this mutual written contract should be the aforementioned *maqasid* under which a common platform consisting of people from different faiths and ethnic background should be included. This platform can serve as a common platform where common societal problems are addressed collectively. It can prepare long term and short-term programmes to achieve its principal objectives. Various measures and programmes, tailored to local needs and social contexts, can be considered. This body of people representatives can introduce various programmes to foster peace and good relationship between different communities. It would be a remarkable step towards accommodating and positively acknowledging differences. Additionally, for the spreading and propagation of the universal principles mentioned earlier, certain humanitarian and philanthropic activities could also be considered.

### **Programmes Such as Public Meetings, Festival Gatherings Family Get-together**

Technological advancement and progress have greatly reduced opportunities for face-to-face meeting and interaction among people. While the empowerment and self-sufficiency religious communities have accrued much benefits to the respective societies, they have also left behind some negative effects as well. The establishment of their own schools, higher educational institutions, and community centres has significantly reduced opportunities for members of different religious communities to interact and engage with one another. As a result, encounters with people of different faiths have significantly been reduced. This situation causes misunderstanding and tension among

various groups. The prevailing situation underscores the deliberate attempts of meeting and engaging with people of other faiths to foster the peaceful relationship withing communities.

To uphold the values of human brotherhood and communal harmony, the committee can jointly organise cultural Eid programmes within the limits of *shariah*. Villagers from different religions, including children and elderly, can participate in social gathering with arranged programmes. Such public meetings can help introduce each family to others. The ideas of human brotherhood and peaceful coexistence can be disseminated through the speeches by influential religious and political leaders, as well as through other cultural programmes.

Organising public programmes, such as family meeting within a specific community, provides certainly opportunities for people to meet and engage with others. These gatherings would help dispel misconceptions about different faiths and promote understanding. Moreover, such venues can foster social integration and the sense of unity in a plural society. Family meetings or similar programs can be conducted almost all plural societies. However, other beneficial programmes that reflect the socio-ethical background of a given society are also desirable, but the main objectives of these programmes should strictly be maintained.

From the analysis above, we can conclude that the Medinah Charter, the Prophet signed was, in fact, an effective means for realizing the overall objectives of the *shariah*. The Charter by its own right was not an objective, but it was a means to materialize the ultimate objectives of the *shariah*. The contents of the Charter undeniably demonstrate its purpose to safeguard the objectives of *shariah*, which aim at fulfilling the basic needs of people, leading them to the path of development, and ensuring the welfare of society. In addition to the five fundamental goals of *Maqasid al-Shariah* at individual level, the significant socio-ethical objectives of *shariah* were successfully put into practice within the diverse society of the city-state of Medinah. This ensured the achievement of higher collective objectives, including freedom of religion, human brotherhood, harmony, peaceful coexistence, and social cohesion. The mentioned objectives enabled the creation of diverse actions and programs that engaged all members of various communities. To achieve these objectives in today's plural societies, political and religious leaders, policymakers, and community representatives from different socio-religious backgrounds can collaborate to devise suitable measures and policies tailored to the needs of the modern pluralistic society. The example of the Medinan society provides strong evidence that the *shariah* embraces diversity, and peaceful coexistence. In essence, the *shariah's* vision of an ideal Islamic society does not reject the presence of people from other faiths but instead guarantees the protection of their human rights both as individuals and as part of a collective community.

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