

Treaties during the time of the Prophet ﷺ

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The idea of having treaties, negotiations and coexistence with the polytheists was not far from the Prophet's (SAWS) mind nor strange to him. Many analysts would think that it is strange because the polytheists' ideology is completely different than the Islamic creed. That is why many people would think the concept of coexistence between both communities is impossible.

The facts about the Prophet's (SAWS) life show his true wish to coexist peacefully with communities around him no matter what their creed was. He wished to coexist even with worshippers of idols, stars, trees or anything else.

The most important type of peaceful coexistence is in the form of treaties, conventions and even alliances at times for the sake of achieving an interest for common cause. That concept, built on the love and design of peace, was not a result of experiencing the scourges of wars or disasters of battles. It was a result of the philosophy of the Prophet (SAWS) which he was keen to implement from the emergence of the Islamic state.

Books about the Prophet's (SAWS) biography refer to numerous treasured examples of treaties and alliances. One of them was the treaty which the Prophet (SAWS) signed with the tribe of Banu-Damorah[1], whose leader at the time was Makhshy Ibn-Amr al-Damory. It was narrated[2] that the Prophet (SAWS) "reconciled" them. We should take a closer look at the meaning of reconciliation[3] and how that word holds great meanings such as peace, serenity, tranquility and safety. That reconciliation was during the month of Safar, year 2 A.H.[4], which was less than a year after the Prophet's (SAWS) migration[5]. This confirms the existence of coexistence since the early days of the Islamic state.

The Prophet (SAWS) also reconciled the tribe of Banu-Madlaj who lived at the region of Yanbu'. That was during the month of Gumada al-Awal, in the year 2 A.H.[6]. He also did the same thing with the tribes of Juhayna who lived in the area north west to Madinah[7].

The Prophet (SAWS) tried to live in a peaceful and quiet environment with the neighboring tribes. He never wanted to fight and repeatedly showed preference to peace over war and harmony over dispute.

Even though treaties are all similar in their content, goals and consequences, there is still one important treaty that is different than all the others; the treaty of Hdaybiya.

The Prophet (SAWS) went out with around 1,400 of his companions to perform ummrah[8] at Makkah after several years of exile. They were carrying no weapons except their swords as all Arabs did. Still, Quraysh did not allow them to perform this great act of worship, glorified by all Arabs, and almost started a war. The Muslims got ready and waited for the Prophet (SAWS) to lead the war, except that he preferred peace and negotiations. He (SAWS) said, "By the Name of Him in Whose Hands my soul is, if they (i.e. the Quraysh infidels) ask me anything which will respect the ordinances of Allah[9], I will grant it to them." Then Budayl Ibn-Warqa' al-Khoza'y came with some persons from his tribe Khuza'a and they were the advisers of Allah's Messenger who would keep no secret from him and were from the people of Tihama. Budayl said, "I left Ka'b Ibn-Lo'ay and 'Amir Ibn-Lo'ay residing at the profuse water of al-Hdaybiya and they had milch camels (or their women and children) with them, and will wage war against you, and will prevent you from visiting the Ka'ba." Allah's Messenger said, "We have not come to fight anyone, but to perform the ummrah. No doubt, the war has weakened Quraysh and they have suffered great losses, so if they wish, I will conclude a truce with them, during which they should refrain from interfering between me and the people (i.e. the Arab infidels other than Quraysh), and if I have victory over those infidels, Quraysh will have the option to embrace Islam as the other people do, if they wish; they will at least get strong enough to fight. But if they do not accept the truce, by Allah in Whose Hands my life is, I will fight with them defending my cause until I get killed; but (I am sure) Allah will definitely make His Cause victorious."

It was then Allah's (SWT) [10] will that the Prophet (SAWS) would reach an agreement that is so unjust to the Muslims in terms of human measures. As to the measures of Allah (SWT), it was a great breakthrough. If it were any one other than the Prophet (SAWS), he would have started a war to get back at Quraysh after all they had done and after prohibiting the Muslims from performing pilgrimage. Fighting them would have been easily justified by all Arabs who glorify the Ka'ba (although they were polytheists) and do not accept that anyone would be prohibited from visiting it.

Among the most important indications that the Prophet (SAWS) was keen to abide by the treaties and not just sign them, is how he applied those strict rules to the Muslims from the first minute. Abu-Baseer[11], a man from Quraysh who had embraced Islam, came to Madinah after a short while from signing the treaty of Hdaybiya. He wanted to join the Muslims, salvaging his religion from the polytheists of Makkah. The people of Quraysh sent two men to the Prophet (SAWS) asking him to send Abu-Baseer back. They asserted that this is what the treaty states, hence the Prophet (SAWS) sent Abu-Baseer with the two men[12] back to Quraysh.

Truly, the Prophet (SAWS) was a man of his word. He actually sent back a Muslim who had come to Madinah, at the time when Madinah needed men and soldiers most. Also there was a probability that this Muslim man might be pressured by potential torture and persecution of Quraysh and then turn away from Islam. However, the Prophet (SAWS) still sent him back since the treaty stated so, and he was determined to fulfill his promises. Abu-Baseer was surprised by the reaction of the Prophet (SAWS) and asked him if he was sending him back to the polytheists to mesmerize him. The Prophet (SAWS) asked him to set off and Allah (SWT) will surely create for him and all the vulnerable people a relief and escape.[13]

Fullfilling the promise is not a choice for Muslims, it is a duty and a must.

So the two men from Quraysh actually took Abu-Baseer and on their way to Makkah he was able to kill one and escape from the other. So, where does the other polytheist go to? He fled to the Prophet's mosque. He fled to the man whom he knew will give him safety and peace even if he was being pursued by a Muslim and even if he was a polythiest. It is truly a sign.

The polytheist entered the Prophet's (SAWS) mosque running, so when the Prophet (SAWS) saw him he sympathized with him. The Prophet (SAWS) said "This man appears to have been frightened." When he reached the Prophet he said, "My companion has been murdered and I would have been murdered too." Abu-Baseer came and said, "O Allah's Apostle, by Allah, Allah has made you fulfill your obligations by your returning me to them (i.e. the Infidels), but Allah has saved me from them." The Prophet said, "Woe to his mother! What excellent war kindler he would be, should he only have supporters." [14].

When Abu-Baseer heard these words he realized that the Prophet (SAWS) will send him back to the polythiests to prevent an impending war. So he fled from Madinah until he reached the area of Saif al-Bahr[15] and he settled there. He then started to forestall and rob convoys of Quraysh.

Quraysh were unable to stop Abu-Baseer, at the same time they were unable to blame the Prophet (SAWS) because they knew he wasn't under his control since the treaty between them includes Muslims in Madinah only. Then Muslims in Makkah heard of his place, so they decided to join him to support him in forestalling Makkah's convoys. So Abu-Jandal Ibn-Suhayl Ibn-Amr came after him and so did 70 other Muslims who could not catch up with Muslims in Madinah according to the treaty and could not stay in Makkah because of the torture they received from polytheists. Therefore, the severity of the clash between that Muslim group and convoys of Quraysh increased, until Quraysh finally decided to go to the Prophet (SAWS) to plead with him to take those Muslims with him at Madinah[16]. Then because the Prophet (SAWS) really wanted to live in peace with all the polythiests who lived around him, he accepted and brought them with him. If he wished he

would have left them to give Quraysh a hard time and weaken their strength and drain their wealth, but he was dealing with Quraysh with a pure soul that no one realized but the people who knew the Prophet (SAWS).

After that incident, the whole region enjoyed peace. The Prophet (SAWS) was careful not to harm Quraysh in any way in order to guarantee that the treaty would continue for the longest time possible. To show just how peaceful things were at the time, let us review what was reported by al-Bukhary and Muslim. Both scholars reported that Abu-Sufyan was in fact still conducting business at the Levant long after the treaty of Hudaibiya.

Abu-Sufyan as well as the other traders were able to travel in peace to the Levant, even though the trade routes pass by Madinah and deep into the desert where many places are under the control of the Muslims. That peace was a result of the unlimited faithfulness of Muslims.

During one of his many business travels, Hercules asked Abu-Sufyan about the Prophet (SAWS), his characteristics and morals[17]. Hercules asked Abu-Sufyan this direct question about the Prophet (SAWS), "Does he betray?"

Abu-Sufyan replied, "No."[18]

The Prophet (SAWS) did what was even greater than the spread of peace and security. When Thumamah-Ibn-Uthal embraced Islam, he was among the leaders of the Banu-Hanifa tribe and one of its biggest wheat traders. At that time he swore that the polytheists in Makkah would not get one grain of wheat through him, because they hurt the Prophet (SAWS), unless the Prophet (SAWS) himself would permit. Thumamah said, "By Allah! Not a single grain of wheat would reach you from al-Yamamah until the Prophet (SAWS) gives permission."[19]

Quraysh then got worn-out since Makkah is a mountainous desert land that does not have agricultural facilities and depends totally on what comes to it from Thumamah-Ibn-Uthal.

Makkah tried to resist for a while, but soon surrendered. The people of Makkah ran to Madinah giving up all their pride and arrogance, and hoping that the Prophet (SAWS) would permit Thumamah-Ibn-Uthal to sell them wheat. The leaders of Makkah told the Prophet (SAWS), "You command to keep kinship ties!" So the Prophet (SAWS) wrote to Thumamah commanding him to allow them to have wheat carried to them.[20]

By Allah! This is one of the wonders of the Prophet's (SAWS) biography.

What Thumamah-Ibn-Uthal did was not against the Islamic Shariah[21] so as to be forbidden. Thumamah did not do anything against customs either, for who would be satisfied with trading with those who gave him injustice, repression, cruelty and fought him for years? What Thumamah did was a great sacrifice by giving up great profits to prove his faith. It would affect the polytheist of Makkah and hence their troops negatively, making them weaker and maybe even consider embracing Islam. Islam is the religion for everyone, a religion that Allah (SWT) has glorified and increased its followers and extended the land for its sake in all directions.

It was possible that all this would happen because of the economical boycott that Thumamah had done, but the Prophet (SAWS) did not look at all of these interests. He did not look with a politician's eye who would take advantage of situations. He looked with the eye of a preacher who seeks guidance for everyone. He looked with the eye of someone seeking kinship ties, even if that relative was severing any bonds of kinship.

The Prophet (SAWS) had previously said words that are more precious than gold, and his life was an actual application to every word he said. He (SAWS) said, "A kinship tier is not the one who recompenses the good done to him by his relatives, but is the one who keeps good relations with those relatives who had severed the bond of kinship with him." [22] That was his attitude even with the polytheists of Makkah during his pledge to them.

When the knights and leaders of Makkah came to the Prophet (SAWS) to announce embracing Islam, he met them very nicely and gave them a warm welcome. Khalid Ibnul-Walid[23], Amr Ibnul-'Aas[24] and Othman Ibn-Talha[25] came to him to announce embracing Islam, only a few months from ummrah al-Qada'. It was also said that it was during month of Saffar, year 8 A.H.[26], and he never reminded them of their hostility with him. Instead, he gave them significance by telling his companions that Makkah has given them its most beloved men[27]. When they sat with the Prophet (SAWS), he gave them a very good impression that is unforgettable.

This is how Khalid Ibnul-Walid described those wonderful moments. Khalid related that when the Prophet (SAWS) was told about their arrival, he was pleased. He said he put on the best of his clothes and headed to the Prophet (SAWS) when his brother[28] met him. His brother asked him to hurry up because the Prophet (SAWS) was told about his arrival and was pleased and is waiting. Thus Khalid walked faster until he showed up in front of the Prophet (SAWS) who was smiling at him. Khalid stood in front of him and acknowledged him of his prophethood. The Prophet (SAWS) praised Allah (SWT) for Khalid's guidance, then said that he had seen in him a mind that he hoped would

only lead him to what is good. Khalid asked the Prophet (SAWS) to ask Allah (SWT) to forgive him for his previous obstinate attitude at different occasions[29] towards righteousness. The Prophet (SAWS) replied that Islam cancels everything that happened before embracing it. Then he asked Allah (SWT) to forgive Khalid Ibnul-Walid for all that he had done of repulsion away from Allah's (SWT) way.

Khalid said that Othman and Amr then approached the Prophet (SAWS) and admitted their allegiance to him. He said that they arrived in month of Safar, year 8 A.H., and ever since the minute he had announced embracing Islam he (SAWS) never treated any of his close companions better than him[30].

After all this faithfulness of the Prophet (SAWS) and the constant diligence that the treaty would continue until the time that has been agreed upon, the polytheists committed the greatest crime. A major betrayal!

Banu-Bakr was a tribe that had allied with Quraysh after the Hudaibiya treaty and thus all the treaty rules apply on them too. That tribe violated the treaty and broke the pledge and murdered men from the tribe of Khuza'ah who was an ally of the Prophet (SAWS). Even more, they followed them to the Mosque of Makkah and continued the killing there! Quraysh then did not take a neutral position in that situation, but did what was worse[31]. They supplied Banu-Bakr with the weapons and actually fought with them inside the Mosque[32].

The crime was combined and the violation was great, for it was not just a single murder that can be justified or apologized for. It was a great number of murders, that in some narrations was claimed to have culminated in 20 victims[33]. Also Quraysh participated in this killing recklessly and this was only indicative of their hatred to Muslim alliances. In addition, when the men of Khuza'ah sought protection in the secure sanctified Mosque of Makkah, Banu-Bakr still did not cease and continued killing with Quraysh, violating by that all the customs and laws. It is truly an awful crime!

Khuza'ah then sought the Prophet's (SAWS) aid and it was a must then to take a courageous action bringing justice to that oppressed tribe. It was a must to stand firmly against this obvious violation of the treaty, and thus came the decision of the Prophet (SAWS) of the conquest of Makkah and backing of Khuza'ah.

There is no way the Prophet (SAWS) should be blamed for this decision he took. Quraysh itself never claimed that the Prophet (SAWS) had violated the treaty with this decision he took because they knew that they had started with the violation and not him.

Even after the Prophet (SAWS) has taken his decision, he still did not betray the leaders of Makkah even though it would have been easy to do so. Instead, Makkah's commander and first leader Abu-Sufyan came to Madinah to try and extend the duration of the contract to get out of this crisis. He was seen strolling around Madinah, going here and there and talking to this and that. Meanwhile, he was fairly secure and unafraid that he might get killed or be held as hostage. Even more, he went to Madinah alone without any protection from his family or guarding by his troops. This is certainly a great testament to how safe people felt when signing a treaty with Muslims.

Is it possible that a leader would visit a country with whom he is at war and walk freely around that country? Would he feel that secure and safe? What if that visit was after a frank violation on his part of a treaty signed with that country he is visiting?

Would that possibly happen in any place in the world? Yes, it did happen, during the Prophet's (SAWS) era!

[1] The tribe of Banu-Damora; among the Arabian tribes from the communities of Adnan that lives in the region of Wedan, to the West of Madinah.

[2] Ibn-Hisham. "As-Seerah An-Anabaweya" (The Biography of the Prophet), 3/ 135.

[3] Reconciliation: resolution and compromising. Refer to "Lisan al-Arab" 3/ 439; and "Tag al-Aroos" 1/2366; and "Mukhtar as-Sahhah" 1/ 740.

[4] A.H. = after migration of the Prophet from Makkah to Madinah in 622 A.D.

[5] Ibn Hebban, "As-Seerah an-Nabawya" (The Biography of the Prophet), 1/151. and Ibn-Hisham, "As-Seerah an-Nabawya" (The Biography of the Prophet), 3/135.

[6] Ibn-Hisham, "As-Seera an-Nabawya" (The Biography of the Prophet), 3/143.

[7] Ibn-Sa'd, "At-Tabaqat al-Kobra" 1/272.

[8] Ummrah= voluntary short pilgrimage that can be performed at any time of the year

[9] The word Allah is the Arabic term for God. Although the use of the word "Allah" is most often associated with Islam, it is not used exclusively by Muslims; Arab Christians and Arabic-speaking Jews also use it to refer to the One God. The Arabic word expresses the unique characteristics of the One God more precisely than the English term. Whereas the word "Allah" has no plural form in Arabic, the English form does, and the word 'Allah' in Arabic has no connotation of gender. Allah is the God worshipped by all Prophets, from Adam to Noah, Abraham, Moses, Jesus and Muhammad.

[10] SWT = Subhanahu wa Ta'ala [Glorified and Exalted Be He].

[11] He is Otbah Ibn-Usayd Ibn-Jariyah ath-Thaqafiyy, known by his nickname. He fled from the polytheists during the Hudaibiya truce period and went to the Prophet (SAWS) so Quraysh demanded he would be returned by the Prophet (SAWS). When he knew that the Prophet (SAWS) would return him, he fled to Saif al-Bahr and all who fled from the polytheists joined him. Refer to "Al-Istee'ab" 3/145, "Usd al-Ghaba" 3/454, "Al-Isaba", and "At-Tarjama" p. 5398

[12] Al-Bukhary. The Book of Conditions; Chapter on the conditions of Jihad and consolidation with people of war and writing conditions, Page 2581. Ibn-Jaban in his Book, Page 4872. At-Tabarany in "Al-Kabeer" , p. 13. Al-Bayhaqy in "As-Sunan Al-Kobra" , p. 18587.

[13] Ibn-Hisham, "As-Seerah An-Nabawiyyah" (The Biography of the Prophet) 4/ 291

[14] Al-Bukhary, The Book of Conditions; chapter on the conditions of Jihad and consolidation with people of war and writing conditions, p. 2581, Ibn-Hebban in his Saheeh p. 4872; At-Tabaraniyy "Al-Kabeer" p. 13, Al-Bayhaqy "As-Sunan al-Kobra" p. 18587

[15] Saif al-Bahr is the sea shore, which was described by Ibn-Is'haq "until the scrub appeared", and he said that it was the way people of Makkah went through if they were heading to the Levant . Ibn-Hajar said, it was parallel to Madinah from the side of the shore. Refer to "Fa'th al-Bary" Part8, Page 283

[16] Al-Bukhary. The Book of Conditions; chapter of the conditions of Jihad and consolidation with people of war and writing conditions, p. 2581, Ibn-Hebban in his Saheehp. 4872, at-Tabarany: Al-Kabeer. P.13, al-Bayhaqy: As-Sunan al-Kobra. P. 18587.

[17] Al-Bukhary. The book of revelation, chapter on "How the revelation started, p. 7, Muslim in "Al-Maghazi" The book of fighting for the cause of Allah, Chapter on The letter of the Prophet to Heraql, p.1773, abu-Dawood abridged p. 5136. At-Tirmidhy p. 2717. At-Tabarany in "Al-Mo'jam al-Kabir" p. 7272. Abdur-Razik in his "Musannaf" (Categorized book), p. 9724, al-Bayhaqy in "As-Sunan Al-Kobra" Page 18388. al-Nisa'iy in "As-Sunan al-Kobra" p. 11064

[18] Ibid

[19] Al-Bukhary, Book of military expeditions led by the Prophet (SAWS), the chapter of Banu-Hanifa's delegation and the talk of Thumamah Ibn-Uthal, p. 4114, Muslim in "Al-Jihad wal sayr" chapter of tying the hostage and locking him up, p. 1764. and Ahmad p. 9832, and Ibn-Hebban, p. 1239.

[20] Ibn-Katheer, "As-Seerah An-Nabawiyyah" (The Biography of the Prophet) 4/92, and Ibn Sa'd, "At-Tabaqat al-Kobra", 5/ 550.

[21] The ethical and moral code based on the Qur'an and sunnah

[22] Al-Bukhary. The book of good manners and form, chapter of kinship tier is not the one who recompenses the good done to him by his relatives, p. 5645. Abu-Dawood p. 1697. At-Termidhy p. 1908. Ahmad p. 6524. Ibn-Hebban p. 445. At-Tabarany "Al-Awsat" p. 6623. Al-Bazzar p. 2371. Al-Bayhaqy in "Shu'ab Al-Iman" p. 7953; "As-Sunan al-Kobra" p. 12998. Abu-Na'eem "Al-Helya" 3/302, Narrated by Abdullah Ibn-Amr, May Allah be pleased with them.

[23] Khaled Ibnul-Walid Ibnul-Moghira al-Makhzoomiyy al-Qurashiyy. He was one of the noble men of Quraysh during jahiliya (the pre-Islamic period) and he had the best Horses in Quraysh. He witnessed with the polytheists of Quraysh all wars until the pilgrimage of Hudaibiya. He then embraced Islam at year Seven after battle of Khaybar and led one of the four troops that conquered Makkah. The Prophet (SAWS) named him "Sword of Allah". He had a great role in the conquest of and the Levant . He died in the year 21 AH. Refer to "Al-Isaba" Part2, Page 23 to 27 and the History of Damascus 16/ 211 to 282 and "Usd al-Ghaba" 1/ 673.

[24] Amr Ibnul 'Aas Ibn-Wael al-Qurashy Al-Sahmy. He was one of the greatest of the Arabs and their bravest and wisest. He embraced Islam before the conquest in the year 8AH. He conquered during the Era of Omar Ibnul-Khattab and ruled it for two cycles. He died while he was ruler of on the Feast Day of the year 43 AH and was buried in Al-Moqattam. Refer to "Al-Istee'ab" 3/ 266. "Usd-al-Ghaba" 3/ 740. "Al-Isaba" , "Al-Tarjama" p. 5882

[25] Othman Ibn-Talha Ibn-Abu-Talha al-Qurashiyy al-'Abdariyy. His father was killed along with his uncle and four of his brothers on the Battle of Uhud as polytheists. Othman witnessed the conquest of Makkah and the Prophet (SAWS) gave him the key of the Ka'ba. He died early in the era of Mo'awiyah's ruling in the year 42 AH. It was said that he was killed on the day of Ajnadin Battle. Refer to "Al-Isti'ab" 3/152. "Al-Isaba" and "Tarjama" p. 5441 and "Usd al-Ghaba" 3/ 473.

[26] Al-Tabary, "Tareekh al-Umam wal-Muluk" (History of Nations and Kings) 2/146; Ibn-Hisham "As-Seerah An-Nabawya" (Biography of the Prophet) 4/ 239

[27] Al-Tabary, "Tareekh al-Umam wal-Muluk " (History of Nations and Kings) 2/ 28; Ibn-Hisham "As-Seerah An-Nabawya" (Biography of the Prophet) 3/163

[28] Al-Walid Ibnul-Walid Ibnul-Mughira al-Qurashy al-Makhzoomy. He was captured during the battle of Badr as a polytheist and when he was set free he embraced Islam. He was therefore locked up in Makkah and the Prophet (SAWS) used to say Du'aa for him during Qunoot prayers. He was then able to escape and caught up with the Prophet (SAWS) and witnessed the umrah of Al-Qadaa' Refer to "Al-Isti'ab" 3/118; "Al-Isaba" a translation p. 9150; "Usd al-Ghaba"t / 654

[29] Most famous were during Uhud, Al-Ahzab and Al-Hudaibiya battles.

[30] Refer to: Al-Bayhaqiyy "Dala'el an-Nubuwwa" (Proofs of Prophethood) 4/ 349 to 352. and "Al-Bidayah wan-Nihayah" (The Beginning and the End) 4/268 to 269.

[31] Quraysh should have stood against its alliance Banu-Bakr to show that it is keen to continue with the treaty.

[32] Ibn-Hajjar: "Fat'h Al-Bari" 6/ 285. Ibn-Kathir "As-Seerah an-Nabawiyah" (The Prophet's Biography) 3/ 526. At-Tabary "Tareekh al-Umam wal-Muluk" (History of Nations and Kings) 2/ 153.

[33] Ibn-Sa'd: "At-Tabaqat al-Kobra" 2/ 134.