

The Treaties of the Prophet ﷺ with the Other Tribes of the Arabian Peninsula

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The way Allah's Messenger (SAWS) dealt with Quraysh after holding a treaty with them was exquisite and uniquely great. Keeping ties of kinship was not the only reason for this, as this was genuinely his norm with all the tribes he had covenants with. Never in his life (SAWS) had he broken a covenant or breached an agreement.

In so doing, the Prophet (SAWS) was complying with Islamic teachings and obeying His Lord who enjoined respecting agreements and maintaining covenants. This was his attitude all through his life, and was not specific for a peculiar stage or under certain circumstances. The Qur'anic verses of Surah[1] at-Tawbah, revealed towards the end of his lifetime (SAWS), announce to him and to all Muslims, rather to the whole world, that fulfilling covenants to the end is a quality of every sincere Muslim.

Allah (SWT) says what can be translated as, "And an announcement from Allah and His Messenger to mankind on the day of the Greater Pilgrimage that Allah is quit of the associators and (so is) His Messenger. So in case you repent, then it is more charitable (i.e., better) for you; and in case you turn away, then know that you are unable to be defiant to Allah; and give tidings to the ones who have disbelieved of a painful torment. Excepting the ones of the associators (with) whom you covenanted, thereafter they did not fail (Literally: diminish anything) you in anything nor backed anyone against you. So complete (Literally: perfect (verb)) your covenant with them till their (extended) period; surely Allah loves the pious." (TMQ, 9: 3, 4)

This is a straightforward divine command for us and for Muslims in general to fulfill agreements and respect covenants. It holds true even if the covenant was held with polytheists prostrating to idols and associating others with their Lord who enjoined this command. Verily, What a Great and Sublime Lord!

The Prophet (SAWS) orders Ali Ibn-Abu-Talib (RA) to recite these ayahs to pilgrims of all sects.[2] This was in the ninth year after hijrah[3] when Muslims and polytheists of various Arab tribes were performing pilgrimage at the same time.

This is a general statement that has no exceptions and a solid ruling that was not abrogated. Myriads of ayahs and ahadith[4] stressed this point, far more than we can reckon. Here are some of the Qur'anic ayahs mentioning this ruling:

“And do not draw near the wealth of the orphan except in the fairest (manner) until he reaches full age; and fulfill the covenant. Surely the covenant will be questioned of.” (TMQ, 17:34).

“And they are the ones who pay heed to their deposits and their covenant.” (TMQ, 23:8) and (TMQ, 70:32).

“Yes indeed, (but) whoever fulfils his covenant and is pious (to Allah), then surely Allah loves the pious.” (TMQ, 3: 76).

“How should the associators (Those who associate others with Allah) have a covenant in the Meeting with Allah and in the sight of His Messenger? Excepting the ones (with) whom you covenanted at the Inviolable Mosque; so, as long as they go straight with you, so go straight with them; surely Allah loves the pious.” (TMQ, 9: 7).

“And fulfill the covenant of Allah when you have covenanted, and do not break the oaths after they have been affirmed. And you have already made Allah Sponsor over you; surely Allah knows whatever (things) you perform.” (TMQ, 16:91).

The Covenants of the Prophet (SAWS) with the Jews

The covenants of the Prophet (SAWS) with the Jews in Madinah and outside it are considered prototypic of the covenants of the Prophet. This is due to the wide scale interaction of the Jews with the Islamic state during the time of the Prophet (SAWS). In addition, most of these treaties ended by perfidy on the part of the Jews, in spite of the great and persistent redemption on the part of the Prophet (SAWS). These covenants give a bright example of how Muslims and their role model, the Prophet (SAWS), were steadfast to morals.

The Prophet made covenants with the following two types of Jews:

- Jews of Madinah: Some of them had Arabic origins, but converted to Judaism after mixing with the Jews. Examples of these are the Jews of Ban-Awf and others; all are descending from al-Awse and al-Khazraj. Their tribes were included in the famous covenant of Madinah which was concluded between the Prophet (SAWS) and them, after his (SAWS) immigration to Madinah. Others were racially related to the Jews, and these were the famous three Jewish tribes: Banu-Qainuqa', Banu-an-Nadeer and Banu-Quraidhah.
- Jews of Khaibar and those related to them: They were 80 miles away from Madinah.

Covenants with the Jews of Madinah:

Following the Second Pledge of al-Aqabah, the Prophet (SAWS) immigrated to Madinah[5]. At that time, the Jews represented the dominant power there. Al-Awse and al-Khazraj tribes knew very well

the extent of the power of the Jews and their economic and religious domination. The Prophet (SAWS) adopted a policy with the Jews to suit the Islamic State during that phase. He made a covenant with them that guaranteed their rights and outlined their duties under the protection of the Islamic State in which they live.

The terms of the covenant were tokens of justice, tolerance and peace. Here are some of the terms:

- 1- The Jews of Banu-Awf[6] and the Muslims are but one nation. The Jews have their religion and the Muslims have their religion, both their freed slaves and themselves. In other words, the Jews are an integral part of the Muslim community and its civilization.
- 2- The Jews are responsible for their expenses, and the Muslims are responsible for their expenses. Each group has its private financial protection; none of them would transgress the other's finances nor would be asked to spend on the other's expenses of living, save what was agreed upon at the beginning.
- 3- People of this covenant are to support each other in case anyone wages war against any of them. They must stand together in the face of whoever fights any of them.
- 4- Both parties are to advise and counsel one another, to show benignancy and not vice, and to help one another in what is good, not in what is evil.
- 5- None of the allies would carry the sin of the other, i.e. none of them would sustain the mistake of the other. However, each should contribute, along with the other, to the costs of war.
- 6- They have to back the oppressed, both of them.
- 7- The Jews are to help Muslims with the expenses of war since the Muslims are the ones who defend Madinah.
- 8- The valley of Yathrib (Madinah) shall be sacred and inviolable for all who join this covenant. None of the signatories would make Madinah a field to attack anyone.
- 9- Whenever breaches or fights take place and are feared to cause disturbance or unrest, they should be referred to Allah (SWT) and His Messenger (SAWS). This implies that Allah's Messenger is the arbitrator and judge who should judge according to Allah's Laws in any dispute that would occur between the two sides.
- 10- It is not allowed for the covenanters to defend Quraysh or its allies.
- 11- They should support each other against any attack on Yathrib; each party is responsible for the area facing them.
- 12- This covenant should by no means protect an unjust or an offender.[7] Therefore, a transgressor from any side should be punished.

The Prophet (SAWS) has made this covenant with the Jews guaranteeing for them advice and what is good, and giving them complete freedom in their religious and fiscal matters. He could have adopted a policy of banishment, confiscation or dissension.[8]

The terms of this document prove beyond doubt that the Islamic State, at that early stage of its foundation, respected the others, guaranteed their freedom and gave them the chance to participate and coexist. With the careful reading of the terms of this document it becomes obvious that it aimed at accepting the others, and enacting laws for them to regulate their life among individuals of the Muslim society, guarantee for them their rights, and ward off any oppression exerted on them. This can impossibly exist in a dictator society founded on hampering others or restraining them.

The covenant which the Prophet (SAWS) concluded with the Jews is considered the first agreement signed by the Muslims' State with a non-Muslim sect that is bound by citizenship to the Islamic State.

Collectively, the terms of the covenant include the following principles:

First: Islam ensures freedom of creed.

Second: Financial independence

Third: Cooperation to defend homeland in case of war

Fourth: Complete justice

Fifth: Cooperation, counseling and homeland protection.

Sixth: One reference, which is the Islamic law, and a judicial authority represented at that time by the Prophet (SAWS), unless the matter in question is specifically related to their religion.

From the above terms one can clearly notice that Islam cared for the rights of non-Muslims. This was a matter of principle for Muslims; they were not doing this under obligation or when they were defeated. This principle is genuine to Islamic jurisprudence, and Islam has called for it since the very first day of the emergence of the Islamic State. This full guarantee of the rights of non-Muslim minorities living in an Islamic society is fait accompli, many centuries before others came to think of such principles.

The aforementioned terms were not day dreams of an imaginary utopia; they have been factual and have been practiced in reality. In spite of the many difficulties and conspiracies that faced Allah's

Messenger (SAWS) and the Muslims, they strongly adhered to the terms of these covenants and were keen to have them continually implemented.

The markets of the Jews – the most famous of which was Banu-Qainuqa’s- were full of Muslims buying and selling goods. Likewise, the Jews used to trade in the Muslims’ marketplaces without any embarrassment. Such trading activities can never be practiced except by people who have confidence in each other. A Muslim woman would go on her own to the Jews markets to buy from them without any feeling of uneasiness; a matter that proves that Muslims trusted the Jews.[9]

In addition, Othman Ibn-Affan (RA[10]) bought the Ruma Well from a Jewish man and gave it in charity to the Muslims. This well became a common property in Madinah. It would have been taken for free from the Jewish man because it was in the best interest of all those who live in this homeland. However, this was not the case; the deal was made with the well owner’s volition, with a complete respect to his ownership. The fact that the well remained under the control of the Jewish man until the deal was concluded indicates that the Prophet (SAWS) approved of the right of the Jews to maintain their property. He never forced any of them to cede his possessions. This bespeaks of how Islam ensures justice and humaneness for all those who live on its land and under the shelter of its state.

The Prophet (SAWS) too was used to buying from the Jews. Lady Aisha (RA) narrated, “The Prophet (SAWS) purchased food grains from a Jew on credit and mortgaged his iron armor to him.”[11] Moreover, when the Prophet (SAWS) died, his armor was mortgaged to a Jew. Lady Aisha (RA) narrated, “Allah's Messenger died while his (iron) armor was mortgaged to a Jew for thirty Sa’ (measures) of barley.”[12]

The Prophet (SAWS) was keen to mix with all the residents of Madinah and sit with them, talk to them and hear them. He (SAWS) was fair to the Jews, exactly as he was to others without any discrimination. Whenever there was a dispute between a Jew and a Muslim, the Prophet (SAWS) would give the one who deserves his right regardless of his creed. Ibn-Abu- Hadr al-Aslamy narrated that he owed a Jew four dirhams, so the Jew appealed for help. He said, “O Muhammad, This man owes me four dirhams and he has overcome me for paying them.”

He (SAWS) said, “Give him his right.”

He said, “By He who sent you with the truth! I cannot afford to pay him.”

He (SAWS) said, “Give him his right.”

He said, “By He who sent you with the truth! I cannot afford to pay him.” I added, “You will dispatch us to Khaibar. Thus I wish that you would give us (of the booty) so that I can return and pay him back.”

He (SAWS) said, "Give him his right."

He said, "When the Prophet repeats a thing thrice, no one could argue with him." Ibn-Abu-Hadrad took the Jew to the market. He was putting on a turban and a gown. He took the turban off his head and wrapped himself with it. Then he took off the gown and said, "Buy this gown from me." So he bought it from him for four dirhams. An old lady happened to pass by; she said, "What is wrong with you, O Prophet's (SAWS) companion?" Then he told her (the story). She said, "Take this." And she gave him her gown. [13]

[1] Chapter of the Qur'an.

[2] Al-Bukhariyy, Book of exegesis, Chapter on Surah Bara'ah (at-Tawbah), no. 4379. an-Nasa'iyy, Sunan an-Nasa'iyy no. 2958, and Ibn-Sayed an-Nas, Oyoun al-Athar, 2/310.

[3] The migration from Makkah to Madinah in 622 A.D.

[4] Prophetic tradition.

[5] Madinah was then named Yathrib.

[6] The names of the different tribes were included in the covenant to be binding for all of them. Thus the Jews of Banu-an-Najjar, Banu-al-Harith, Banu-Jusham, Ban-Tha'labah, ..etc were all mentioned.

[7] Ibn-Hisham, as-Seerah an-Nabaweyah (The Prophet's Biography), 1/503, 504.

[8] Ar-Raheeq al-Makhtoum (The Sealed Nectar), 180. [Free quotation].

[9] Ibn-Hisham, as-Seerah an-Nabawiyah (The Prophet's Biography), 3/314 and Ibn-Sayed an-Nas, Oyoun al-Athar (The Eyes of Tradidion), 1/443.

[10] RA= Radya Allahu anha [May Allah be pleased with her].

[11] Al-Bukhary, Book of sales and trade, no. 1962, Muslim, Book of transactions, chapter on pledge and its permissibility whether at residence or in a journey, no 1603, Ibn-Abu-Shaibah, al-Musannaf (The Categorized Book), no 28327, al-Bayhaqiyy, as-Sunan al-Kobra (The Greatest Traditions), no. 14130, and Ibn-Jaroud, al-Muntaqa (The Selected), no. 664.

[12] Al-Bukhary, Book of jihaad and marching, chapter on what was said about the Prophet's armor, no. 2759, an-Nisa'y, narration by Ibn-abbas, no 4651, Ibn-Majah, no. 2438, Ahmad, Musnad Ahmad, no. 2109, Ibn-Hayyan, no. 5936, at-Tabarany, al-Mu'jam al-Kabeer (The Big Lexicon), no. 11697, Ab-Ya'la, no. 2695, -Abu-Shaibah, al-Musannaf (The Categorized Book), no. 20021, al-Bayhaqy, as-Sunan al-Kobra (The Greatest Traditions), no. 10973, and Ab-Nu'atm, al-Hilyah (The Ornament), 8/127.

[13] Narrated by Ahmad, hadeeth no. 15528, at-Tabaraniyy, in al-Awsat (The Medium), no. 4512, and as-Sagheer, no. 655, ar-Razzaq, al-Musannaf (The Categorized Book), no. 15182