

The Four Models of Prophetic Guidance on Social Coexistence



DR ALI GOMAA



THE ROYAL ISLAMIC STRATEGIC STUDIES CENTRE

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

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DR ALI GOMAA

Translation by
SAFEER MOUSTAFA



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by Dr Ali Gomaa

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CONTENTS

<i>Foreword</i>	<i>ix</i>
<i>Translator's Preface</i>	<i>xiii</i>
<i>Introduction</i>	<i>xv</i>
The First Model: The Makkan Example	
- What the life of the Messenger of God ﷺ and his Companions was like prior to the period of prophethood, after it and throughout the initial period of revelation	3 4
The Second Model: The Example of the Abyssinian Society	
- The exchange between Ja'far b. Abī Ṭālib and the Negus	18 21
- The joy of the Migrants (<i>Muhājirūn</i>) at the victory of the Negus over his enemy	25
- Participation of the Muslims with the Negus in his war against his adversary	26
- Letters from the Prophet ﷺ to the Negus	31
- The Negus as an agent on behalf of the Messenger of God ﷺ for his marriage to Umm Ḥabībah	33
- The relationship of the Messenger of God ﷺ and his Companions with the Negus	33
- The Negus sends gifts to the Prophet ﷺ	34
- The Negus's joy at the Prophet's ﷺ arrival in Madīnah and his welcoming of the Abyssinian delegation	35
- The Prophet's ﷺ utterance of some Abyssinian words at various times	35
- The Negus accepts Islam; the prayer of absence for the Negus	36
- The stance of the jurists towards the Abyssinian model	36
The Third Model: The First Phase of the Madīnah example	
- The construction of the mosque and establishment of brotherhood	40 41
- The signing of the constitutional document of Madīnah and reconciliation with the Jews	44

- The composition of the Constitution of Madīnah	48
- The jurisprudence of the Constitution	57
- The response of the Jews to the Constitution	67
- The betrayal and deception of Banū Quraythah	70
- The repentance of Abū Lubābah	73
- Instances of clemency	76
- The question of sending greetings of peace to the people with whom a covenant has been made (<i>ahl al-dhimmah</i>)	80
- The approach towards the hypocrites in Madīnah	86
- Attitudes towards the pagans in Madīnah	89

The Fourth Model: The Concluding Example of the Madīnan Stage

- The Jews within Madīnah during the concluding stage	91
- The groups of hypocrites and apostates within Madīnah during this stage	91
- The response of the Messenger of God ﷺ to instances of apostasy in Madīnah	100
- The Messenger of God's ﷺ policy towards coexistence outside Madīnah	104
- The treatise of Ḥudaybiyyah	107
- The conquest of Khaybar	107
- The conquest of Makkah	117
- Significant observations from the conquest of Makkah	119
- The Prophet's ﷺ policy with regard to coexistence with <i>The People of the Book</i> outside Madīnah	122
- The Prophet's ﷺ policy in receiving Arab delegations after the pact of Ḥudaybiyyah	127
- The Prophet's ﷺ policy in dispatching invitational letters worldwide	128
- The Prophet's ﷺ letter to the king of Yemen	162
- The Prophet's ﷺ letter to Heraclius	164
- The Prophet's ﷺ letter to Chosroes	164
- The Prophet's ﷺ letter to the Negus	167
- The Prophet's ﷺ letter to al-Muqawqis	168
- The Prophet's ﷺ letter to al-Munthir b. Sāwā governor of Bahrain	170
	172

- The Prophet's ﷺ policy in avoiding war and when it happens ending it quickly	173
Conclusions of this Study	183
- The subtle moment (<i>al-laḥṭha al-latīfah</i>)	197
- The disappearance of the object of the ruling (<i>dhahāb al-maḥāl</i>)	200
- Division of rulings (<i>tafrīq al-aḥkām</i>)	203
- The relation of 'division of rulings' with the theory of 'precaution'	206
- The connection between 'the division of rulings' and the 'change of procedure'	208
- The obligation of the age	209
Conclusion	212
<i>Appendices of Sermons</i>	
- The Farewell Sermon	219
- The address of Abū Bakr al-Ṣiddīq upon assuming the Caliphate	224
- The address of ʿUmar b. al-Khaṭṭāb upon assuming the Caliphate	229
- The address of ʿUthmān b. ʿAffan upon assuming the Caliphate	232
- The address of ʿAlī b. Abū Ṭālib upon assuming the Caliphate	236
- The orders of ʿAlī b. Abū Ṭālib to Mālik b. al-Hārith al-Ashtar after appointing him as governor of Egypt	237
<i>References</i>	256

FOREWORD

*In the name of God, the Most Merciful,
the Most Compassionate*

If we are to measure every work by its innovative solutions to pertinent contemporary issues, then this book, *The Four Models of Prophetic Guidance on Social Coexistence*, by our Sheikh Dr. ‘Alī Jum‘ah, can be rightly considered as one of the most important works of this age. The reason being that it has provided, via a methodology extrapolated from the prophetic biography, several modes by which Muslims can coexist and communicate with all other communities—while maintaining their faith and all its fundamentals, without undermining their own reality, whatever it may be.

Undoubtedly this topic has previously been discussed by many whose ideas have fluctuated between extremes. There are those who adopted the notion of seclusion and withdrawal as a model for living in majority non-Muslim societies, which included at times discord and conflict; and others who sought complete assimilation, in complete acceptance to foreign ideas to the extent they abandoned the fundamentals of Islam.

Extreme groups, whether terrorist organizations or secular movements, have introduced misguided models that do not provide a genuine way for Muslims to coexist with others. These models lack any basis in the teachings of the Prophet ﷺ, who conveyed Islam’s message in a way that appeals to both heart and mind. Instead, these radical ideas have created fear, anxiety, and a distorted image of Islam. This is because none of these groups follow the Prophet’s

ﷺ true guidance or draw from his noble example. Fortunately, the astute scholar ‘Alī Jum‘ah has presented a contrasting perspective, supported by scriptural evidence. For he is indeed scrupulous in regards to adhering to the prophetic sunnah, whether in his approach to inviting others, his conduct in life, his mentoring and nurturing skills and his etiquette. Despite this, we find him providing, in his characteristic way, a fusion of deep renovative thought with simple presentation, alongside solutions for all problems of this age and its cases, which have previously baffled minds, resulting in distorted understandings. Sheikh ‘Alī Jum‘ah instead turns our attention to the light of the prophetic biography, which is a chronicle of the lived practical application of the blessed sunnah. The four paradigms from the life of the Prophet ﷺ, as elucidated by our teacher, offer frameworks for coexistence and mutual respect within a diverse society, while preserving the holistic tenets of Islam in doctrine, jurisprudence, and ethical conduct.

The translation of this treasured work into English at the hands of Safeer Ahmed Moustafa, may God bestow His blessings upon him—a student from among the sons of this reinvigorating school of our dear Imam—is a marvellous contribution for which there is great need among Islamic libraries and intellectual fields around the world. I have no doubt that the depth of our translator and his understanding regarding this issue did not stem from a mere reading on the topic, but rather resulted from countless meetings and thorough discussions through the years with the sheikh directly, all of which immersed him in the concept behind this great work and enabled him to fully comprehend it, along with his knowledge of the general methodology and thought of our venerable teacher.

Due to this, it is my utmost hope that this work will be a first step in disseminating more forthcoming works that carry the scent and light of Sheikh ‘Alī Jum‘ah to the students of knowledge worldwide. Indeed, God is most omnipotent and the helper of such endeavours, and may greetings and salutations be upon our master Muhammad ﷺ, and upon his pure household and Companions. And we end by saying: “*Verily all praise belongs to God, Lord of all the worlds.*”

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Cairo, January 2021

TRANSLATOR'S PREFACE

The fascinating work before us presents a much-needed aspect on the prophetic biography that has seldom been touched upon in the past. Its focus is upon the various environments in which Islam emerged during the Prophet's ﷺ life following divine revelation, and its classification in four key stages: the early Makkan example, the Abyssinian era, the first phase of the Madīnan community, and the concluding phase of the Madīnan example.

Based upon these categories, we also gain insight into the reading of Sheikh ʿAlī Jumʿah—an astutely trained scholar and legal theorist—of the *sīrah* (biography) of our beloved Prophet ﷺ. His conclusions illustrate how we are to interpret the events and how each of the four prophetic models, and not just the final stage, is a source of law for us. It is the discernment of the legal theorist who considers the ultimate objectives of the law (*maqāṣid*) and who comprehends the modern reality, while taking into consideration the revealed verse:

God wants for you ease and does not wish for you hardship. [2:185]

Our world has become a shared space where people of all faiths and backgrounds regularly interact, forming friendships and professional relationships regardless of religious beliefs. However, some within the Muslim community avoid engaging with those of other faiths, believing it is their religious duty to withhold compassion and tolerance. They interpret this stance from unscholarly, literal

readings of the Qur'an and the Prophet's biography. Such views misrepresent God and His Messenger ﷺ, distorting Islam and discouraging others from exploring or accepting the faith. It is within this work that the Muslim receives explicit assurances as to the waywardness of such thinking, alongside a clear understanding of how we can apply the prophetic model in the modern world according to our own personal reality. As our astute teacher and author points out, the life of the Muslim today does not depart from one of these four prophetic models, thus rendering this work of great significance for the lives of both the contemporary Muslim and non-Muslim alike.

SAFEER MOUSTAFA

Cairo, 21 January 2021

INTRODUCTION

All praise is due to God, the Lord of the worlds, and may blessings and peace be upon our master Muhammad ﷺ — the messenger of truth to mankind, the outpour of mercy, possessor of divine success, seal of prophets, the prophet of guidance and the one whose heart has been purified. It is he who has been protected from any blemish since pre-eternity, chosen by God as the ultimate seal of His sublime message and the most excellent of any who has walked this earth. Were the sun to receive some of his perfection, it would retain its luminosity by night as it does by day. Were the fathers to have a portion of his heart's mercy, their souls would melt out of compassion. And may blessings and peace be upon his household and noble Companions, one and all.

Islam established foundations for social co-existence in all situations, times and places, so that Muslims may live in complete harmony with the world they live in, thereby ensuring they are fully capable to properly interact and communicate with others without overriding any fundamental Islamic principle. According to these foundations, Muslims proceeded in creating an Islamic civilisation equipped to encounter new occurrences that emerge through the passage of time. The Prophet ﷺ remains the archetypal figure and best example in all affairs, in conformity with God's saying:

Verily in the Messenger of God you have a good example for everyone who looks forward to God and the last day and remembers God unceasingly [33:21].

The blessed Prophet ﷺ left us with four models for coexistence both within an Islamic society and beyond. The first is the example of Makkah in which the Muslims were a minority in a hostile environment with the foundation being that of patience, forbearance, and summoning to Islam, as we shall see in detail. The second, the example of the Muslims in Abyssinia, is where we find the Muslims as a minority in a just environment, where the foundation was allegiance, assimilation and participation. The third model exemplifies the early community in Madinah, where Muslims constituted the majority within a pluralistic society. Religious minorities participated meaningfully in civic life, coexisting and contributing under the governance of a Muslim-led administration. The foundational principles in this context were inclusivity and mutual cooperation. The fourth example is the later period of the Prophet's community in Madinah, when the presence of various minorities had diminished, and the state operated within the framework of the Islamic system, overcoming any resistance to its development. The foundational principles in this final phase were justice, openness, and dialogue.

Across diverse societal contexts, a Muslim's interactions with alternative systems and religions generally adhere to one of these four paradigms. It is thus imperative to critically examine these frameworks, recognizing their inherent relevance and potential benefits, and to apply them thoughtfully in each era according to the specific circumstances. None of these paradigms overrules the other, rather their application should complement the circumstance so that we may benefit from the *Sunna* of our master—the Messenger of God ﷺ—in every context. He is our exemplar, for it was God who caused him to experience all such

contexts in order to demonstrate how to interact in similar social settings. We must also understand that these stages became an essential foundation for the formation of the Muslims' character, extending to his inner core, to the point that patience, coexistence, openness, cooperation, loyalty, assistance, justice and contextual insight all became an inseparable part of his personality. In fact, these stages are the basis of the religion of God decreed for humanity through the ages.

Ibn Hibbān reported in his *Ṣaḥīḥ* that the Messenger of God ﷺ said: "From the wisdoms of the household of Dāwūd is that the believer be cognizant of his affair and have knowledge of his age."

What we are attempting to conclude is that these four models of coexistence with the other—whether that other is an individual or a state—are established paradigms that cannot be abolished. The living reality of individuals and communities is what determines which of these models are to be pursued for the achievement of social peace and coexistence. Islam enjoins upon us peaceful coexistence so that the exchange of benefits and ideas may be achieved and the strengthening of ties realized. This has been the case since the dawn of Islam between Muslims and non-Muslims. Islam bases relations between its adherents and others on foundations of faith that are grounded in the merit of peace, far from aggression or tyranny. These models were practically applied by the Messenger ﷺ to interact benevolently with non-Muslims. He was benevolent to his neighbours, observant of their rights, summoning them to good from the springboard of mercy and preservation of human dignity. The Islamic state was founded upon strong foundations of freedom of belief and

equality between citizens, regardless of creedal and racial differences, just as it emphasizes key concepts of tolerance, unity, welfare and humane values, all of which include love for one's neighbour and compassion towards the other.

Before examining these four models, it is necessary to correct a misunderstanding held by some jurists—namely, the belief that one of these models, particularly the final one, supersedes the others. This interpretation is flawed. The conditions in which a Muslim, whether as an individual or as part of a community, may find themselves are subject to change. Thus, a Muslim should be able to draw guidance and insights from each of these models throughout life while remaining steadfast in faith, without being limited by unsubstantiated claims. Indeed, God sent the Prophet Muhammad ﷺ as an enduring example for us to follow in every context, action, and situation he encountered.

THE FOUR MODELS
OF PROPHETIC GUIDANCE
ON SOCIAL COEXISTENCE

CHAPTER I

THE FIRST MODEL: THE MAKKAN EXAMPLE

We begin with investigating the state of our master, the Messenger of God ﷺ, before his prophethood, finding him established by God Most Exalted, in the setting of Makkah. It was, from the very inception of Islam, under the sovereignty of the pagans of Quraysh. The community at this time was dominated by idol worship, and vices like prostitution, alcoholism and all forms of immorality, with the general standard of morals being extremely ignoble. The strong and prestigious would oppress the weak and vulnerable, suppressing their rights. Slaves were completely neglected by their masters, and much emphasis was placed upon ethnicity, with Arabs being considered superior to foreigners, and whites being considered superior to the coloured. Their state was depicted by Ja'far b. Abī Ṭālib when addressing the king of Abyssinia: "O King, we were a people of ignorance. We would worship idols, eat carrion, practice inequities, sever family ties and mistreat our neighbours. The strong among us would tyrannize the weak. This was our state until God sent to us a Messenger from among us. We know of his lineage, truthfulness, trustworthiness, and chastity—by whom God called us to acknowledge His absolute oneness and to worship Him, relinquishing whatever else ourselves and our forefathers would

worship, whether stones or idols. He summoned us to be truthful in word and deed and to fulfil our agreements, to maintain family ties and to treat our neighbours well. He also told us to refrain from forbidden acts—the shedding of blood, committing indecencies, being false witnesses, wrongly appropriating the wealth of an orphan or falsely questioning a woman’s chastity. He commanded us to worship God alone without associating any partners with Him, to perform prayer, pay *zakat* and observe fasting.”¹

The life of the Messenger of God ﷺ and his Companions, both before his prophethood and throughout the early period of revelation

Prior to his announcement of prophethood, the Messenger of God ﷺ was living among his people in harmony, fulfilling an active social role, assisting others in all beneficial and honourable matters. There are many examples of this:

1. The statement of his wife Lady Khadija, who knew him best, when he came to tell her about the descent of revelation. She said: “Nay, rejoice! For by God, He will never humiliate you, for you reconcile between your relatives, are truthful with your words, carry the burden of the poor and the orphans, donate to the destitute, receive guests hospitably and are at the service of people at times of difficulty.”²
2. The Prophet’s ﷺ involvement with the Quraysh clans in their pledge to support the oppressed. The Qurayshi clans were summoned to a pact, and gathered for its enactment at the house of ‘Abd Allah b. Jud‘ān due to

his honourable character and age. In attendance were the sons of Banū Hāshim, the sons of al-Muṭṭalib, Asad b. ʿAbd al-ʿUzzā, Zuhra b. Kilāb and Taym b. Murrah. They pledged an allegiance that they would not find anyone oppressed in Makkah save that they would stand by him against his oppressor until they have repelled the injustice. The Quraysh called this pact *Ḥilf al-Fuḍūl* (alliance of virtue). Concerning it, the Messenger of God ﷺ said: “Verily I witnessed in the house of ʿAbd Allah b. Judʿān a pact that was more beloved to me than a herd of red camels. Were I to be summoned to it after the advent of Islam, I would consent!”³ It was out of adherence of that pact that the Prophet ﷺ continued to act according to its stipulations despite Quraysh’s animosity towards him and their sanctions against his Companions. It is mentioned in the biographical work *Uyūn al-Athar*: “While the Messenger of God ﷺ was sitting by the *Kaʿbah* with some of his Companions, a man from *Zabīd* was attending various gatherings of the Quraysh saying: ‘O people of Quraysh, how can visitors ever come to you, things be brought to you or traders trade here, if you oppress those that come to you in your sacred precinct!? He continued in his objection until he reached the Prophet ﷺ and his Companions, upon which the Prophet ﷺ asked him: ‘Who wronged you?’ In response he explained that he had brought three of his finest camels only for Abū Jahl to demand that they be sold to him for one third of their price. As a result, other merchants refused to place any offers because of his involvement, causing the camel trader to not only make a loss but feel a profound sense of injustice. The Messenger of God ﷺ said: ‘And where are your camels?’

‘They are here at *Hazwarah*’ he replied. The Prophet ﷺ and his Companions went to inspect them and found them to be very beautiful camels, so he bargained with the man until he reached a price that he was happy with. The Prophet ﷺ then took them and sold two of them for their price and sold the most superior one only to give the widows of Banī ‘Abd al-Muṭṭalib its return. He did this while Abū Jahl was sitting in the market and remaining quiet. The Prophet ﷺ then approached him and said: ‘Beware O ‘Umar (Abū Jahl) from repeating the likes of what you have just done to this man, otherwise you will see a reaction that would not please you.’ Abū Jahl repeatedly replied: ‘I will not repeat it O Muhammad, I will not repeat it’, after which the Prophet ﷺ left him. Upon this Umayyah b. Khalaf and others approached Abū Jahl and said: ‘You shrunk in the hand of Muhammad! You either want to follow him or you were overcome by fear of him!’ ‘I will never follow him!’ Abū Jahl replied. ‘My reaction that you witnessed was because of what I saw manifest in front of me. I saw with him men on both sides of him, all of them holding spears pointing towards me. Were I to oppose him they would have killed me!’⁴ There is a similar account that mentions Abū Jahl b. Hishām purchasing camels from a man named al-Irāshī but delaying the payment. The Quraysh advised him to go to the Prophet ﷺ to receive what was due from Abū Jahl but this was out of mockery of the Prophet ﷺ, as they knew he had no might or influence upon Abū Jahl. All of this was after the camel trader stood before Quraysh and said: ‘O people of Quraysh, who will assist me against Abū Al-Ḥakam ibn Hishām? For I am an outsider and he has denied my

right.’ ‘Do you see that man?’ they asked, referring to the Messenger of God ﷺ. ‘Go to him for he can assist you against him.’ He went to the Messenger of God ﷺ and mentioned what happened with Abū Jahl, saying: ‘Please take my right from him, may God have mercy upon you.’ Thus the Prophet ﷺ departed with him to the house of Abū Jahl and knocked on his door. ‘Who is it?’, Abu Jahl asked. ‘Muhammad’ he replied. Abū Jahl went out to meet him, and his face immediately changed, turning as pale as dust. The Prophet ﷺ said to him: ‘Give this man his right!’ ‘Right away!’ Abū Jahl replied, and a second later, he had paid him all his dues. The man then departed and stood by the assembly of Quraysh and said: ‘May God reward this man (meaning the Prophet ﷺ) for, by God, he returned to me my right.’⁵

3. The Messenger of God’s ﷺ assisting of his uncle Abū Ṭālib prior to his prophethood by taking in and raising his son our master ‘Alī, and the immense blessing this was to be for ‘Alī b. Abī Ṭālib as it reflected the immense good that God had destined for him. The tribe of Quraysh was undergoing a severe crisis and Abū Ṭālib had many children. The Messenger of God ﷺ said to ‘Abbās, his uncle and one of the wealthiest descendants of Hāshim: “O ‘Abbās, indeed your brother Abū Ṭālib has many children, and as you see the people have been afflicted with this crisis, come with me and let us go to him to reduce his load, and take a child each from him and alleviate his burden.” “Let us do that!” ‘Abbās replied. So they both went to Abū Ṭālib and said: “We want to reduce the strain of all your children until the

crisis with which everyone is afflicted is removed.” As a result, the Messenger of God ﷺ took ‘Alī into his household, while ‘Abbās took Ja‘far.⁶

Just as the Prophet ﷺ coexisted with his people prior to and after revelation, his first Companions (those that accepted his message) also followed him in his amicable dealings with everyone else, regardless of their religious beliefs. They never abandoned their occupations, isolated themselves, or gave up trading or travelling. Neither did they confine trade among themselves. On the contrary, the pagans of Quraysh were the ones who refused to coexist with the believers and besieged them in the Glen of Abū Ṭālib. When Quraysh began to see the speed that Islam was spreading among the tribes, they got together and decided to write a pact against Banī Hāshim and Banī al-Muṭṭalib, banning intermarriage and all financial transactions with them. They convened and confirmed their pledge in a document, which was hung in the *Ka‘bah* as a constant reminder. Afterwards they displayed open animosity against the Muslims, shackled and tortured them, making them suffer extreme hardship. Persecution escalated greatly and the Muslims were severely distressed. Abū Lahab left his own clan of Banū Hāshim to support Quraysh, whereas Khadīja left her home and moved with the Messenger of God ﷺ to the Abī Ṭālib Glen despite being over 60 years old. The Muslims remained besieged in this glen for three years experiencing severe adversity, so much so that they resorted to eating tree leaves. Their children’s screams due to hunger could be heard resonating beyond the valley. The general populace of Quraysh began to find it increasingly hard to bear what was happening and slowly began to express their contempt towards the oppressive treaty.⁷

4. The commitment of the noble Prophet ﷺ to the visitation of the Ka'bah is well-documented, as he engaged in acts of worship there both prior to and following the receipt of revelation, with the exception of the period of the siege. Notably, the presence of idols did not impede his frequentation of this sacred site. The Quraysh placed their idols within and around the Ka'bah, with their number totalling 360. These idols continued to be present until the Makkan conquest in the eighth year of the Hijra. 'Abd Allah b. Mas'ūd said: "The Prophet ﷺ entered Makkah on the day of its conquest and there were 360 idols. The Prophet ﷺ knocked them down with a stick while saying: *Say: the truth has now come and falsehood has vanished away; for, behold, all falsehood is bound to vanish away* [17:81]. *Say: the truth has arrived, and falsehood neither creates anything new, nor restores anything* [34:49]."⁸

Despite the immense harm that the Prophet ﷺ and his noble Companions faced at the hands of Quraysh, they were not dissuaded from visiting the Sacred Precinct and praying therein. In the early stages of Islam's emergence, our master 'Umar exhibited a notable virtue that facilitated the ability of new adherents to engage in prayer and circumambulation of the Ka'bah. Ibn Mas'ūd stated: 'By God, I remember the time when we were unable to pray openly by the Ka'bah, until 'Umar became Muslim and then he fought them until they left us to pray aloud (prior to this they would only pray silently)."⁹ 'Umar was asked: "What was the reason behind the Prophet ﷺ calling you *al-Fārūq*?" He replied: "When I embraced Islam, and the Prophet ﷺ and his Companions were practising their faith

in concealment, I said: ‘O Messenger of God ﷺ, are we not upon truth when we live and die?’ ‘Indeed’ the Prophet ﷺ replied, ‘By the One in Whose grip is my soul, you are indeed upon truth whether you live or die! Why then the concealment? By the One who sent you with the truth, I have left no gathering that I once attended professing disbelief without returning to proclaim Islam without fear or anxiety. By the One who sent you with the truth, we shall come out!’ We then emerged in two lines, Ḥamza leading one and myself in the other, surrounded by a cloud of dust as dense as a cloud of flour, until we reached the mosque. Quraysh took one look at myself and Ḥamza and were overtaken by unprecedented distress. The Prophet ﷺ circumambulated the *Ka‘bah* and prayed the midday prayer openly, and then returned with his followers to *Dār al-Arqam*. It was on this day that the Prophet ﷺ called me *al-Fārūq*; for with me God distinguished truth from falsehood.”¹⁰ The Prophet ﷺ experienced the most extreme tribulations and harm at this time. ‘Abd Allāh ibn ‘Amr ibn al-‘Āṣ was asked about the most extreme act that the pagans took against the Prophet ﷺ, to which he responded: “While the Prophet ﷺ was praying by the *ḥijr* of the *ka‘bah*, ‘Uqbah b. Abī Mu‘ayṭ approached, wound his garment around his neck and strangled him forcefully, until Abū Bakr came up, took him by the shoulder, and pushed him to the side, saying: ‘Are you to kill a man because he says God is his Lord!’”¹¹ ‘Abd Allah b. Mas‘ūd also reports: “While the Prophet ﷺ was in prostration and members of the Quraysh were around him, ‘Uqbah b. Abī Mu‘ayṭ appeared with the placenta of a camel and cast it upon the back of the Prophet ﷺ. The Prophet ﷺ remained in prostration. Lady Fātimah came and removed it from his back

and made supplication against the perpetrator. The Prophet ﷺ said: ‘O God, see to the chiefs of Quraysh: Abū Jahl b. Hishām, ‘Utbah b. Rabi‘ah, Shaybah b. Rabi‘ah and Umayyah b. Khalaf.’¹² I found them all dead on the day of Badr when they were cast in a well save for Umayyah, who was dismembered and hence wasn’t thrown in the well.” Khabbāb also recalls: “I went to the Prophet ﷺ and he was reclining on a cloak in the shade of the *ka‘bah*. We had experienced immense hardships from the pagans, so I said to the Prophet ﷺ, ‘Why don’t you supplicate to God against them?’ He then sat up, with his face turning red, and said: ‘There was, from among those before you, someone who was chastised with an iron comb that separated his flesh from his bones, and this still did not dissuade him from his belief! A saw would be placed upon his head and he would be cut in half, all without renouncing his faith. Indeed, God will perfect this affair to the extent that a rider will ride from Sanā’ to Hadramawt without fearing anything but God!’¹³

Islam has granted us the most wonderful examples of peaceful coexistence from this period, even during times of difficulties and oppression. The Companions of the Messenger of God ﷺ experienced an array of punishments at the hands of the Qurayshi pagans, and yet the noble Prophet’s ﷺ reaction was patience and perseverance until God gave relief. Quraysh openly opposed whoever embraced Islam, with each tribe quick to imprison and inflict torture upon any Muslim discovered among them, employing methods such as starvation, dehydration, and exposure to the intense heat of Makkah. They imposed upon them excruciating trials. Among the Companions

were those that left the faith after their experience of such ordeals and others who remained steadfast. From the exemplars of resoluteness and patience was Bilāl b. Ribāḥ. ‘Umayyah b. Khalaf would take him out in the midday heat, cast him on his back on the scorching gravel of Makkah and then order that a boulder be brought and placed upon his chest. He would then say to him, ‘This will continue until you die or disbelieve in Muhammad and worship Lāt and Uzzā.’ Bilal’s response during such torment was: “One (God), One (God)!”¹⁴ Al-Balādhurī narrates from ‘Amr b. al-‘Āṣ, who said: “I passed by Bilāl while he was being tortured in the blazing heat. Were a piece of meat to be placed on him, it would have cooked. Despite this he was saying: ‘I disbelieve in al-Lāt and al-‘Uzzā’, with ‘Umayyah becoming more furious and hence increasing his punishment, squeezing his throat until he lost consciousness and then awoke.”¹⁵ Ibn Sa‘d likewise narrated that Ḥassān b. Thābit, may God be well pleased with him, said: “I saw Bilāl with a long rope around him, being pulled by the children, while he was saying: ‘One, One, I disbelieve in al-Lāt, al-‘Uzzā, Hubal, Nā’ilah and Bawānah.’ As a consequence, Umayyah lay him on the scorching ground.”¹⁶ One day, Abū Bakr al-Ṣiddīq passed by while they were inflicting such punishments, so he said to Umayyah b. Khalaf: “Do you not fear God concerning your treatment of this poor man!? How long are you going to continue this!?” “You are the one who corrupted him, so save him from the state you see before you,” he replied. “I will do!” Abū Bakr exclaimed, adding: “I have a black servant who is tougher and stronger than him and of your faith, I will give him to you in return for him.” “I accept, he is yours!” said Umayyah. Abū Bakr thus gave his servant and took

Bilāl, whom he immediately freed.¹⁷ Another individual who symbolises forbearance and patience is ʿAmmār b. Yāsir. The pagans incarcerated him and would not release him until he had insulted the Prophet ﷺ and said good things about their idols. When he did so, they left him. He eventually came to the Prophet ﷺ, who asked: “What happened to you?” “Evil!” replied Yāsir. “They did not leave me until I had insulted you and said good things about their idols.” “How do you find your heart?” the Prophet ﷺ asked. “Assured with faith,” he replied. “If they repeat, then you repeat” responded the Prophet ﷺ.¹⁸ God revealed a verse concerning this, saying:

Whoever renounces faith in God after affirming his faith —barring someone who is compelled while his heart is at rest in faith— but those who open up their breasts to disbelief, upon such shall be God’s wrath, and there is a great punishment for them [16:106].

Prior to this incident, we have the patience of Sumayyah, the mother of ʿAmmār. The Messenger of God ﷺ would pass by her and her husband whilst under persecution and command them to persevere and be patient, while granting them glad tidings of Paradise. He would say: ‘Patience O family of Yāsir, for indeed your allotted abode is Paradise.’¹⁹ Then one day, during her punishment at the pagans’ hands, Abū Jahl passed by and ordered that she insult the Prophet ﷺ, which she refused. As a result, he stabbed and killed her. She became the first martyr in Islam, along with her husband Yāsir, who was also martyred.

What benefits can a Muslim residing in a non-Islamic country, which not only rejects Islam but also opposes its

adherents and poses obstacles to the free practice of their faith, derive from this model?

To begin with, a person should not rush to leave their homeland, especially if it is the place where they were raised and where their family and relatives reside. Instead, they should exercise patience and confront all opposition with dignity and peace. This approach allows the values and principles of Islam to be showcased, leaving a positive impression and a beautiful memory on those who oppose them. If, at some point, they decide to leave the land, the image and representation of Islam that remains in people's minds will be a noble one. One of trust, forbearance and mercy. This was true for the migration of all the prophets; it occurred only after exercising patience, calling others to the truth, remaining steadfast, and enduring hardship. For Ibrāhīm ؑ migrated after he summoned his people, revealed to them clear proofs, and endured constant torment from them. The same is the case of Lūṭ ؑ, who was constricted so much by his people that they attempted to allure and seduce him in order that obscenities may be performed. And likewise with our master Muhammad ﷺ who was patient with his people for thirteen years until they surrounded his house determined to kill him. It was only then that he departed from his land, filled with sorrow over leaving, as well as grief regarding the arrogance of his people and their denial. Therefore, for every Muslim living in a difficult environment, the easy choice may be to flee and relocate to a land of Islam, leaving no positive impression or trace of Islam and Muslims behind. In contrast, the more challenging choice is to take on the responsibility, just as the Prophets did, by calling their people to faith and exercising patience in response to their reactions.

Secondly, it is essential for an individual to strive to embody their highest behavioural values with all people, whether they are believers or non-believers. This includes interacting with both those who are peaceful and those who harbour hostility. Good character is not confined to specific situations, and a true believer does not abandon it when faced with coercion or animosity. This is inferred from the fact that our master Muhammad ﷺ would, until the final moments in Mecca, be a safe place for goods of the pagans of Quraysh. They saw him as the ‘upright truthful one’. They never feared that he would violate any arrangements previously made with them as a retaliation for their hostile treatment towards him and his companions. The Prophet ﷺ confirmed for them that he was the absolute example in protecting and fulfilling agreements, for he left his cousin Ali b. Abī Tālib behind so that he could return to the transgressive pagans of Quraysh their belongings and items of safe keeping which they had left with him. Hence the Muslim does not permit for himself whilst in a non-Muslim abode to unlawfully take their wealth on the pretext that they oppose them in doctrine or are at war with Islam or the like. Rather the opposite is obligatory, namely that the Muslim manifests as a bright light amongst them which is looked upon as an example of excellent etiquette.

Thirdly, one should not pursue the course of isolation, but rather be an active part of society, cooperating with others in the performance of all that is good and wholesome. A Muslim should remain committed to collaborating with others in society while securing their personal freedoms to express their beliefs and what they hold sacred in all areas, without violating the rights of others or acting unfairly. For our master Muhammad ﷺ would persist in

visiting the *ka'bah*, and observing his prayers there in front of the pagans, with strong resolve and courage. And he was not discouraged by the potential opposition he would face from them, and neither did their falsities and idles dissuade him from pursuing his right to freedom or to reveal the truth which he was obligated to disclose.

Fourthly, the adherence to gentleness, and mercy when summoning to the path of God, and interacting with non-Muslims, in addition to respecting their beliefs and all they regard as sacred, if even they are idols. And this does not prevent one expressing the erroneousness of such beliefs. God has said, "*Do not insult what they invoke besides God or they will insult God spitefully out of ignorance*" (6/108). Likewise, the blessed Prophet and his companions performed circumambulation around the *ka'bah* whilst there were three hundred and sixty idols aligned around it. Yet, when the pagans of Quraysh came to him asking that he worship their idols for a year so that they may worship God for a year, the verse was revealed, "*Say, 'O you who deny the truth! I do not worship what you worship. Nor do you worship that which I worship. And I will not worship that which you have worshipped. And neither do you worship that which I worship. Unto you, your belief, and unto me, mine!'*"

Hence there is no compromise in regards to worshipping God alone, but rather it is a freedom granted to the human being, to direct his worship wherever he likes, *Unto you, your belief, and unto me, mine!* [6/109].

Lastly, one must practice patience, steadfastness, and respond to harm and resistance with goodwill. What should a Muslim do when faced with enmity from their own people and countrymen, who are eager to ridicule them

because of their faith, putting their dignity and well-being at risk, and what can we understand from this Meccan model, and the incidents that were encountered by the companions like ʿAmmār and Bilāl? Verily it is patience, co-existence with others, and conflict avoidance that are essential, since the Muslim is a bearer of a divine message that is not easily conveyed. Additionally, it is unreasonable to expect others to relinquish their long-held beliefs or practices without difficulty. Certainly, patience is exercised with peaceful opposition through financial spending as in the case of Abu Bakr al-Ṣiddīq, or by vocally voicing the truth as was the case with Ibn Masʿūd when he openly recited the Qurʾān in front of the Quraysh, and Abū Tharr al-Ghafārī when he professed his Islam to his people and they began to attack him until al-ʿAbbās has to intervene on his behalf. These are all non-aggressive examples practiced by the noble companions during this phase despite the oppressive conditions.

CHAPTER II

THE SECOND MODEL: THE EXAMPLE OF THE ABYSSINIAN SOCIETY

As for the second model of prophetic guidance for coexistence, it can be found in the Abyssinian experience. Migration to another land was a practice of many prophets before our master Muhammad ﷺ. The Qur'ān narrates their experiences and how they resorted to migrating with their fellow believers to escape pagan persecution. What is unique concerning the Messenger of God ﷺ, the Master of all Messengers and the exemplar for Muslims until the Judgment Day, is that he commanded his Companions to escape yet did not personally think about fleeing, nor enjoined it upon his household except after the accomplishment of two things:

Firstly, he had to exhaust all possible avenues of inviting the Quraysh to Islam, so that they may attain the honour and great merit of precedency in Islam. For Makkah was his home, and its people were his family and tribe (so that took priority).

Secondly, he ﷺ did not migrate except after making sure that most of his Companions were already settled in Madīnah, that Islam had entered every house there, and had become a base of security and comfort. As for the migration to Abyssinia, it resembled Makkah in the sense

that it was a non-Muslim community, although it was different—and distinguished—in that it treated the Muslim minority with justice, providing them with protection and religious freedom. Abyssinia was a potential refuge for the weak, the oppressed and anyone who had a positive message which was productive and not destructive, revives and does not annihilate. These were the factors that motivated the Messenger of God ﷺ to allow his Companions to migrate to Abyssinia. The Makkan pagan's intolerance and oppression of the Muslim minority was immense. After seeing his Companions' affliction at their hands due to openly expressing their Islam, the Prophet ﷺ said to them: "If you were to go to the land of Abyssinia, there is a great king there. No one is oppressed at his hands. It is a land of truth. Go, until God provides an outlet from the tribulations you are currently experiencing."²⁰ On this advice, some departed while others remained in Makkah, concealing their faith.

As a second model, the Abyssinian period represents a time when Muslims, as a minority, experienced security, justice, and freedom within a non-Islamic state. This raises the question of what the quality of life was like for the noble Companions during that time. The land of Abyssinia had been a trade location for Quraysh and as a result the Companions departed to preserve their faith. It was the first migration in Islam and consisted of eleven men and four women who secretly snuck away, managing to board two trade ships to the coast of Abyssinia. They departed during Rajab, five years after the first Quranic revelation. On finding out, Quraysh pursued them, leading to the migrating Companions having to fight them off. The first to migrate was ʿUthmān b. ʿAffān and his wife Ruqayyah—

one of the daughters of the Messenger of God ﷺ—Zubayr b. ʿAwwām, ʿAbd al-Raḥmān b. ʿAwf, Jaʿfar b. Abī Ṭālib, Abū Salama and his wife Umm Salama (Hind bint Abī Umayyah), with ʿAbd Allah b. Masʿūd also among the refugees. They stayed with the Negus during the months of Shaʿbān and Ramaḍān and returned in Shawāl without entering Makkah. Despite this, they were harmed by close relatives, prompting the Prophet ﷺ to allow them to depart once again, only this time the migration was of a greater scale. The number of those relocating to Abyssinia—besides those that were born there and the children who fled with their parents—was a little over 80 men and 11 women. When news of the Prophet’s ﷺ migration to Madīnah reached them, 33 men and eight women returned. Twenty-four were to witness the Battle of Badr. The Negus showed the Companions of the Messenger of God ﷺ the utmost hospitality. He provided them with refuge and safety to practice their faith. Umm Salama bint Abī Umayyah b. al-Mughīrah, may God be well pleased with her, recalled: “When Makkah became too much for us, and the Companions of the Messenger of God ﷺ were harmed and tested in their faith with all types of afflictions—and the Messenger of God ﷺ was unable to defend them from such torments while he had the protection of his tribe and uncle, and so nothing like the appalling sufferings that his Companions had to endure would befall him—the Messenger of God ﷺ said: ‘There is in the land of Abyssinia a king under whose leadership no one is oppressed. Go to his land so that God may grant you respite from all that you are experiencing.’ As a result, we departed to Abyssinia in groups and were reunited there. We arrived to find it the best of abodes and an amazing sanctuary where we were

safe to practice our belief without fearing oppression.”²¹ Another narration from Umm Salama says: “When we reached Abyssinia, we lived there under the auspices of a great protector, the Negus. He granted us safety to practice our belief and we worshipped God without being harmed in any way or hearing anything offensive.”

The discourse of Ja‘far b. Abī Ṭālib with the Negus

Ja‘far spoke with him, saying: “O king, we were a people of ignorance. We would worship idols, eat carrion, perform all forms of abominations, sever family ties and mistreat our neighbours. The strong among us would prey upon the weak. This was our state until God dispatched a Messenger to us, from among ourselves, whose lineage, honesty, trustworthiness and chastity we all knew of. He summoned us to pray to God alone and to relinquish the idols we and our forefathers worshipped other than God. He commanded us to be truthful in our speech, to keep our trusts, to maintain family ties, to be good neighbours, to abandon forbidden things and to not shed blood. He forbade us from all immoral acts, false witness, appropriating orphans’ funds and making false claims against a woman’s chastity. He ordered us to worship God alone and associate nothing with Him, and told us to pray, give *zakat* and fast”—and he continued to enumerate for him all aspects of Islam. “As a result, we trusted and believed in him, and followed him in all that he came with from God. Hence, we worshipped God alone without partner and associated nothing with Him, and we forbade to ourselves all that he prohibited for us and permitted all that he allowed. Consequently, our people opposed and tormented us, trying to remove us from our faith so that we may return to worshipping idols

instead of God, and once again allow the abominations that we used to permit. When they overwhelmed us and subjected us to all types of oppression and embargos—preventing us from practicing our religion—we fled from our land to yours and we chose you above all others. We hoped to live within your domain and trusted that we would not experience oppression under you, O King”. The Negus then asked: “Do you have any of the revelation from God with you?” “Indeed, we do,” said Ja‘far. “Read it to me,” requested the Negus, upon which Ja‘far recited to him the beginning of Surah Maryam. The Negus wept and, by God, he continued to weep until his beard was soaked. His bishops also wept all over their copies of the Bible when they heard what was recited. The Negus then said: “Indeed these words and that which Jesus came with are from the same niche!” He then turned to the Qurayshi emissaries and said: “You may go!” Umm Salama said: “When they departed from his presence, ‘Amr b. al-‘Ās retorted: “By God, tomorrow I will come to him with something that will uproot them!” ‘Abd Allah b. Abī Rabī‘ah, who was the more forbearing of the two towards us, said: “Don’t do it for they still are our kindred, despite opposing us.” “By God, I will tell him that they claim that Jesus, the son of Mary, is a servant.” On the following day, he went to the Negus and said: “O King, they say of Jesus, the son of Mary, that which is blasphemous! Summon them and ask what they say in his regard.” As a result, the Negus sent for the Muslims to question them concerning this point of belief and this proved to be the most difficult thing that had befallen us so far. Prior to this, we all convened and it was asked: “What do you say about Jesus, the son of Mary, if he asks you about him?” “We say, by God, that which God

has said and what our Prophet ﷺ has come with, regardless of the consequences.” She continued: “When the exiles entered in the presence of the Negus, he asked them: ‘What do you say about Jesus, the son of Mary?’ Ja‘far b. Abī Ṭālib replied: ‘We say about him that which our Prophet ﷺ informed us—that he is a servant of God, His messenger, His spirit and His word that He cast into Mary, the chaste virgin.’ The Negus then extended his hand to the ground and picked up a stick and said: ‘By God, our differences about Jesus, the son of Mary, are no more than the thickness of this stick.’ Upon saying this, his bishops began to grumble over his response. ‘Regardless of your muttering!’ he said. Addressing the Muslims, he said: “Go for you are free and safe in my land. Whoever insults you will be fined. Not for a mountain of gold would I harm a single one of you! Return to them (the Quraysh) their gifts, for I have no need for them. By God! He did not take from me a bribe when He returned my kingdom to me, that I should take a bribe for it, and neither did He do what the people wanted against me, so why would I do what they want against Him.” Umm Salama added: “Thus, the two envoys from Quraysh left in disgrace, having had all the gifts they brought returned to them. We then settled in this place in peace, welcomed by our fine host.”

Found in the aforementioned exchange between Ja‘far b. Abī Ṭālib and the Negus is the highly significant prophetic guidance in addressing non-Muslims. Ja‘far’s words contained several crucial points that must be highlighted:

1. A clarification of the dire situation they were in prior to Islam. We previously mentioned Ja‘far’s description in the discussion about the Makkan model.

2. Addressing the Negus with all that would prompt him to be more inclined towards Islam and the Muslims.
3. At no time abandoning truth, but instead explaining it openly, which led the Negus to concede and agree on it.

There can be no doubt that embedded within the manner in which Ja'far spoke with the Negus is an instruction for Muslims in every age and place, in how they should speak with others, so as to make them appreciate and love Islam and Muslims. This contradicts the extremists' position in our time who flee to non-Muslim lands, seeking refuge from their own people and living comfortably in these foreign lands in peace and security, yet insisting on calling the people of these lands by every despicable name that is sure to provoke hatred towards Islam and Muslims. They disparage other faiths, and remind their adherents at every opportunity that they are disbelievers, receiving as a result open displays of disgust and animosity. The manner in which such people simply disregard the instructions we Muslims have been granted, namely to treat others with benevolence and compassion, especially those with whom we coexist in peace and security, demonstrates utter ignorance. Such behaviour distorts the image of Islam everywhere and projects an evil image of Muslims worldwide, granting them every justification for the bigots and enemies of Islam to voice their resentment and misunderstandings, and wage wars against Muslim lands on the pretext that they are barbarous terrorist states that provide breeding grounds for terrorists and evil-doers who strive for the destruction of the world and modern society. Yet we find in the aforementioned example a stark contrast to the extremists' viewpoint, with the extent of the Muslims'

integration in Abyssinian society manifesting in their joy at the victory of the Negus over his enemy.

The joy of the migrants (*muhājirūn*) at the victory of the Negus over his enemy

Umm Salama said: “We continued in such a state of peace and security until suddenly an Abyssinian man arose, challenging the Negus for his throne. By God, I do not recall that we were ever more perturbed than that moment, out of fear that this man will be victorious over the Negus, and then deny us all everything which had been granted by him.” She continued: “The Negus headed off to meet him in battle and between them was the width of the Nile. The Companions of the Messenger of God ﷺ asked: “Who will go and attend the battle and then return to inform us of the outcome?” Al-Zubayr b. al-‘Awwām said: ‘I will do it,’ to which they all agreed despite him being the youngest. They then blew air into a leather waterskin which he placed upon his chest and swam upon it until reaching the other side of the Nile. When he arrived, the battle had already begun and he hastened to witness the events unfold. In the meantime, we prayed to God that he would grant the Negus victory over his enemy and cement his authority in his abode. By God, we remained like this, in anxiety as to the outcome of the battle, until al-Zubayr emerged from the water waving his garment shouting: “Rejoice! Rejoice! The Negus has been victorious! God has destroyed his enemy and established him firmly in his land!”” Umm Salama remarked: “By God, I do not remember us ever being more joyful than that moment!” She continued: “The Negus returned—God having destroyed his enemy and firmly established for him the land of Abyssinia. Thereafter we remained with him in

the best of abodes until we went back to the Messenger of God ﷺ in Makkah.”²²

Legal opinions on the participation of the Muslims with the Negus in his war against his adversary

1. It is mentioned in the *Mabsūt* of al-Sarakhsī (10/166):
“If a community of Muslims has sought safety and security in an abode of war (*dār al-ḥarb*) and then elements of non-Muslim opposing forces attack that abode, then in such a case it is impermissible for those Muslims to fight them. The reasoning behind this is that such an act exposes the self to possible death, which is impermissible other than in the case of raising the Word of God and consolidating the faith, which is not the case here. The people are ruled according to pagan laws and the Muslims are unable to judge according to the rulings of Islam, thus their fighting in such a scenario would be to raise the word of polytheism, which is not permissible except if they were to fear for their own lives. Were this to be the case then there is no objection in sharing in the fight with them, as it is in order to protect their own lives and not in support of polytheism. The evidence for this is the hadith of Ja‘far, for he fought in Abyssinia against the adversary of the Negus. He did this because when he was with the Muslims at that time, who were living in peace with the Negus, he feared for himself and the Muslims. We thus understand that there is no issue if due to fear (of loss of Muslim life).”
2. Al-Shāfi‘ī stated (*al-Umm*, 4/257): “It has been said, ‘They fight them (i.e. against the pagans), for Zubayr along with some of his companions fought in Abyssinia,

in a pagan war.” If it were to be said they should be prevented from participating due to reasons mentioned by al-Shāfi‘ī, then this is also a strong position.²³

3. It is mentioned in *Sharḥ al-Siyar al-Kabīr* by al-Sarakhsī (4/1423): “The chapter of seeking support from pagans, and pagans [seeking support] from the Muslims: It is mentioned in the hadith of Zubayr, when he was with the Negus and an adversary rose against him that he fought bravely with the Negus due to which the Negus held him in special regard. In accordance to the outward meaning of this hadith, there are those that infer the permissibility of Muslims fighting with the pagans under their banner. However, the explanation for this is two-fold. The first is that the Negus was a Muslim at that time, as has been narrated, and, for this reason, Zubayr deemed it permissible to fight alongside him. The second is that the Muslims at that time had no one else for support, as conveyed by Umm Salama, who said: “We became settled in Abyssinia, in a wonderful abode and under a wonderful host, and continued to worship God, until an adversary rose against the Negus. This was a most critical moment for us. We said to ourselves: ‘If this enemy is victorious over the Negus, he would not know of our rights that the Negus has previously granted,’ and so we prayed that God firmly consolidate the position of the Negus in the land (and overcome the enemy).”

Al-Balāthuri also reported in *Ansāb al-Ashraf* (1/81, 86, 228): “Abū ‘Abd Allah al-Zubayr b. al-‘Awwām b. Khuwaylid migrated to Abyssinia on both occasions, and he fought with the Negus against his foe, upon which the

Negus granted him a short spear, which the latter passed on to the Messenger of God ﷺ.” He continued: “Asmā^c bint Abī Bakr said: ‘When Zubayr migrated to Abyssinia, he joined the Negus and fought one of his adversaries. On that day the Negus gave him a short spear with which he fought and stabbed many foes until the Negus was victorious. Zubayr returned with it and he witnessed the Battle of Badr while it was with him. He also had it when he witnessed the battles of Uḥud and Khaybar. After this the Prophet ﷺ took it from him when departing from Khaybar and it would be brought before him by Bilāl b. Rabāḥ on the day of Eid. The Prophet ﷺ would also have it with him when travelling, it would be planted in the ground and used as a prayer marker. After the blessed Prophet ﷺ passed away, its status and use remained the same throughout the leadership of Abū Bakr and ‘Umar, and today it is carried before the leaders and is kept with those who call to prayer.’” Wāqidī said: “It has been mentioned that Zubayr b. al-‘Awwām fought with the Negus against his adversary and excelled in doing so, and was thus granted a short spear.”

From the aforementioned, we can see clearly that the Prophet’s ﷺ Companions resided with the Negus and the Abyssinian people in peace, affection, and mutual regard. The Companions were characterised as being softly spoken, and full of respect towards the Abyssinian people. They did not condemn their religion or interfere in their internal affairs, save in areas where they could be of service, co-operate with them and show their gratitude for their hospitality and kind treatment. Some of the Companions actually preferred to stay in Abyssinia even after the migration of the Prophet ﷺ to Madīnah. For when the first

migrants arrived in Abyssinia the Negus treated them very well and they lived there in tranquillity, far from the oppression of Quraysh. When the Prophet ﷺ migrated to Madīnah, 40 Companions left Abyssinia to join him ﷺ there, and about 50 or 60 remained under the protection of the Negus. From among the Companions who preferred to remain are:

- A. Jaʿfar b. Abī Ṭālib, the cousin of the Prophet, who is older than his brother ʿAlī by 10 years. He migrated twice to Abyssinia, and later relocated to Madīnah, arriving after the battle of Khaybar. Alongside him was Abū Mūsā al-Ashʿarī, whose ship had travelled with the ship of Jaʿfar. Others who accompanied them included: ʿUtbah b. Masʿūd al-Hathalī (the brother of ʿAbd Allah b. Masʿūd), Qihṭim bint ʿAlqamah b. ʿAbd Allah b. Abī Qays and her husband Salīṭ b. ʿAmr.
- B. ʿAbd Allah b. al-Hārith: He would mention some lines of his poetry, written to encourage Muslims to migrate there, depicting the safety and tranquillity they would encounter.

O rider, take a message from me
To those who hope for their meeting with God and
the day of reckoning.

We found God's land to be expansive,
granting salvation from humiliation, shame and
degradation.

So do not live a life in humiliation
and a shameful death, not safe from blame.
We have followed the Messenger of God ﷺ

and they have rejected the words of the Prophet ﷺ and transgressed the bounds.

The work of al-Balāthurī and the appendix of al-Ṭabarānī mention that ʿAbd Allah b. al-Ḥārith al-Sahmi died in Abyssinia.

C. Al-Muṭṭalib b. Azhar and his brother Ṭulayb. They both migrated and died in Abyssinia. Al-Muṭṭalib migrated with his wife Ramlah bint Abī ʿAwf, and it was there their son ʿAbd Allah b. al-Muṭṭalib was born.

Close association with the local Abyssinian society and a strong relationship with the Negus produced many positive results, which continued long after their departure from Abyssinia and migration to Madīnah. They included:

1. The correspondence between the Messenger of God ﷺ and the Negus.
2. The societal interactions, highlighting the strength of the relationship between the Negus and the Muslims. Examples include:
 - The betrothal by the Negus of Umm Ḥabībah to the Messenger of God ﷺ.
 - The Negus's joy at the news of the Muslim victory during the Battle of Badr.
 - Sending of gifts by the Negus to the Messenger of God ﷺ.
 - The Abyssinian joy at the arrival of the Messenger of God ﷺ to Madīnah and the Prophet's ﷺ welcoming of the Abyssinian delegation to Madīnah.

- The utterance of the noble Prophet ﷺ some Abyssinian words at various times.

3. The Negus's acceptance of Islam.
4. The *janaza* (funeral prayer) performed by the Prophet ﷺ in Arabia for the Negus after his death in Abyssinia.

What follows are the details of all the aforementioned.

Letters from the Prophet ﷺ to the Negus:

The Companions who migrated to Abyssinia were under the direct care of the Negus in order that he could observe their daily conduct in terms of worship and transactions, and witness proofs of the truthfulness of their faith. The Negus then exchanged letters with the Prophet ﷺ in which the Messenger of God ﷺ invited him to Islam. The Negus responded with love and respect, affirming that he was the Messenger of God ﷺ and truthful in his word, which concluded in his pledging allegiance to the Prophet ﷺ. ‘Amr b. al-Ḍamrī carried two letters from the Prophet ﷺ to the Negus. One of them contained an invitation to Islam, and in the other a request that the Negus conduct his marriage to Umm Ḥabībah. The letter of invitation to Islam read as follows:

“In the name of God, the most Merciful, Most Compassionate. From Muḥammad the Messenger of God to the Negus al-Aṣḥam, the king of Abyssinia. I exalt with you God, the absolute King, the Holy, the Flawless, the Faithful, the Guardian, and I testify that Jesus, the son of Mary, is the spirit of God, and His word which he cast into Maryam the virgin—the good, the pure - and so bore Jesus from His spirit and

breath just as He created Adam with his power (lit. hand) and breath. Verily I invite you to the One God who has no partners, to His obedience, to follow me and believe in what has been revealed to me. Indeed, I am the Messenger of God, and indeed I am calling you and all your followers to God. For I have communicated the message and given counsel. Accept my advice and may peace be upon whoever follows guidance.”

When the letter reached him, he placed it before his eyes, descended to the floor and sat there professing his faith in Islam. He wrote in response:

“In the name of God Most Merciful, Most Compassionate. To Muḥammad the Messenger of God, from the Negus al-Aṣḥam b. Abjar. Peace be upon you, O Prophet of God, and may the mercy and blessings of God—the One whom there is no God save He, who has guided me to Islam—be upon you. To proceed: I have received your letter in which you have mentioned Jesus and, by the Lord of Heaven and Earth, Jesus is not more than what you say. We understand that with which you have been sent to us and we have received your cousin and his Companions. I testify that you are the Messenger of God, truthful and confirming that which has preceded. I pledge allegiance to you and gave the pledge to your cousin, accepting Islam at his hand, surrendering to the Lord of the worlds.”²⁴

The Negus acting as an agent of the Messenger of God ﷺ for his marriage to Umm Ḥabībah

The Messenger of God ﷺ married Umm Ḥabībah, whose full name was Ramlah bint Abī Sufyān b. Ḥarb. Khālīd b. Saʿīd b. al-ʿĀṣ conducted the ceremony while they were in Abyssinia and the Negus gave 400 dinars as a dowry on behalf of the Prophet ﷺ (while he was in Makkah). It was the Negus who also gave her hand in marriage to the Messenger of God ﷺ, after she had been previously married to ʿUbayd Allah b. Jaḥsh al-Asdī.²⁵

The joy of the Negus at the victory of the Muslims during the Battle of Badr

It is narrated that when news about the outcome of Badr reached the Negus, which came to him before any of the Muslims in Abyssinia, he sent for them immediately. When they entered, he was wearing a monk's robe and sitting on the ground. They asked him: "What is this O king?" "We find in the Bible that if God grants a servant a blessing, then it is an obligation for him to humble himself to God" he replied. "Indeed, God has granted us all an immense blessing. It reached me that the Prophet Muhammad ﷺ met his adversaries in a valley called Badr, where there was ferocious fighting, and that God defeated his enemies and granted victory to His religion."²⁶

The relationship of the Messenger of God ﷺ and his Companions with the Negus

From among the examples of peaceful coexistence between the Muslims and the Negus are the following:

- I. It is mentioned that three sons of Jaʿfar were born in Abyssinia (Muhammad, ʿAwn and ʿAbd Allah).

On the same day as ʿAbd Allah’s birth, a child of the Negus was also born. The Negus sent for Jaʿfar and asked him what he had named his son. “I named him ʿAbd Allah” said Jaʿfar. As a result, the Negus also named his son ʿAbd Allah, who was breast fed by Asmā bint ʿUmais, the wife of Jaʿfar, along with her own son ʿAbd Allah. The two children continued to maintain their brotherly bond after this.²⁷

- II. Suhaylī reports: “From the narration of Yūnus, on the authority of Ibn Ishāq, that ʿAlī b. Abī Ṭālib came across Abū Nayzar, the son of the Negus, in the marketplace in Makkah, and he bought him his freedom in return for his father’s benevolence to the Muslims.”²⁸

The sending of gifts from the Negus to the Prophet ﷺ

- I. Ibn ʿAbbas states: “The Negus gifted a mule to the Messenger of God ﷺ which he would ride, and also sent him a vessel from which he would drink.”
- II. Jābir said: “The Negus gifted the Messenger of God ﷺ a long-necked bottle, and it was the first to be made for him.”
- III. Lady ʿĀʾisha, the Mother of the Believers, said: “The Negus gifted the Prophet ﷺ some ornaments, which included a gold ring with an Abyssinian stone. The Messenger of God ﷺ received it with a stick. Being averse from it, he called his granddaughter Umāmah bint Abī al-ʿĀṣ and said, ‘Decorate yourself with this my child’.”²⁹

IV. Barīdah b. al-Ḥaṣīb said: “The Negus gifted the Prophet ﷺ two plain black leather socks, which he wore and wiped over.”³⁰

The Negus’s joy at the Prophet’s ﷺ arrival in Madīnah and his welcoming of the Abyssinian delegation

Anas reports: “When the Messenger of God ﷺ arrived in Madīnah the Abyssinians put on a display with their spears out of excitement, joy and jest.”³¹

Lady ‘Ā’isha said: “The Prophet ﷺ covered me when I was watching the Abyssinians perform (a native demonstration) in the mosque. ‘Umar rebuked them, to which the Prophet ﷺ replied: ‘Let them be, for they are the sons of Arfidah.’”³²

As a response to the lovely gesture of the Negus and the Abyssinian people to the Muslims during their residence with them, when a delegation of the Negus met the Prophet ﷺ in Madīnah afterwards, he ﷺ personally served them. Abu Qatādah said: “When the Abyssinian delegation arrived, the Messenger of God ﷺ served them himself. His Companions said: ‘We can do it for you, O Messenger of God ﷺ’, but the Prophet ﷺ replied: ‘They were hospitable to my Companions, so it is my wish that I recompense them in person.’”³³

The Prophet’s ﷺ utterance of some Abyssinian words at various times

The Prophet ﷺ sometimes used Abyssinian words when speaking with his Companions. Umm Khālīd bint Khālīd (who came from Abyssinia while still a small girl) said that the Prophet ﷺ was given a small silk or woollen garment with lines. He asked: “Who shall we give this to?” The

people remained silent. “Bring Umm Khālid,” he said. She was then carried to him and he put it on her, saying: “May you have a long life!” Then he ﷺ looked at the green or yellow marks on it and said: ‘O Umm Khalid, this is *sanah*,’ which means “beautiful” in the language of the Abyssinians.”³⁴

The embracing of Islam by the Negus

Ibn Ishāq reports: “The Abyssinians gathered together and said to the Negus: ‘You have abandoned our faith!’ and revolted against him. He called for Ja‘far and his Companions and prepared boats for them, telling them: ‘Embark on these, and remain onboard. If I am defeated, then leave for wherever you want. If I am victorious, then stay.’ He then produced a document testifying that there is no god but God and that Muhammad ﷺ is His slave and messenger, and he testified that Jesus the son of Mary is His slave and messenger, His spirit and His word that He cast unto Mary.”³⁵

The prayer of absence for the Negus

Jābir said: “When the Negus passed away the Messenger of God ﷺ said: ‘Today a righteous man died, so rise and pray for your brother Aṣmaha.’”

The stance of the jurists towards the Abyssinian model

What remains apparent is that the Muslim jurists did not pay much attention to the Abyssinian example. The reason is that the Islamic state during the time of the jurists (and what represents the beginnings of the Islamic state at that time) was at the pinnacle of its power and bloom. The jurist consultants in their day were occupied with contemporary

jurisprudence, and the duty of their age, to which there is no objection. However, every era of time has its corresponding duty, which the inhabitants of knowledge and understanding have to address by performing *ijtihad* regarding its issues and events. Yet, this must take place on the condition that they do not depart from the legal framework based upon the Prophet's ﷺ biography, *Sunnah*, actions and approvals.

Thus, the case of Abyssinia, in which the Muslims were an oppressed minority fleeing from their land to another to live in peace, security and freedom within a non-Islamic state, could seem, during the second and third centuries, merely a hypothetical scenario and extremely unrealistic. This would explain the lack of concern among the jurists at that time, and the lack in forecasting its potential occurrence in the future. For the Muslim society at that time was strong and prosperous, and the jurists did not want to open any potential opportunities for individuals or societies to abandon positions of strength for weakness or forsake power for asylum. To extrapolate rulings for such a scenario would be a means to weakness. However, time has evolved and the reality on the ground has changed. The Muslim *Ummah* is now in need of returning and revisiting this example once more. It must adhere to and be inferred from the method of the Prophet ﷺ and his Companions by applying it in the contemporary context, so that it may engage with other communities in mutual coexistence and tolerance, without relinquishing the tenets of its faith or higher objectives and spirit of Islamic Law. The focus of the previous jurists was the Madīnan example, which the blessed Prophet ﷺ and his righteous Khalifs left them in, due to it being an example of both state and individual strength.

What this work attempts to reveal is that the four models of coexistence, whether in regards to the individual or nation state, are established principles that are not abrogated by text or time. However, it is the context of every individual and community that determines for the Muslim which one of these examples he should pursue in order to achieve social peace and harmony. The role of *mujtahid* scholars in our age is to deeply conceptualise these four paradigms, explore how we can benefit from them, and extrapolate legal rulings that establish Muslims' welfare in any given society. The goal is to ensure security of life and wealth, as well as freedom of mind and soul. By doing so, they pave the way of harmonising the establishment of peace with the tenets of faith, summoning to the truth and performing acts of worship. The Prophet's ﷺ guidance was relentless, even in the direst of circumstances and during the imminent prospect of war, he would instruct his Companions that they should not hope for war, but rather pray to God for wellbeing and mutual understanding. It is reported that the Prophet ﷺ said: "Do not long for an encounter with the enemy, rather ask God for wellbeing. If, however, you do engage, then observe patience." Were the situation to arise where the scholars are negligent in their *ijtihad* and satisfied with the repetition of legal determinations of previous jurists (who nonetheless excelled in reaching the best verdicts for their own era), then the gulf existing today among Muslims—between some of the rulings and the current reality—will only widen. Consequently, Muslims will only face hardship in their attempts to apply these previous rulings in the modern reality as they try to follow (according to their perception) the Sacred Law and path of guidance.

To conclude, the Abyssinian model and the experiences of the Prophet ﷺ and his early Companions in this regard is of immense significance in terms of coexistence. It summons us to adhere to the guidance of the Prophet ﷺ in all times and places, and to apply everything that brings ease to one's life and allows peaceful existence with fellow humans. Indeed, this is the most righteous method for encouraging Muslim integration and interaction with their states and societies, both Muslim and non-Muslim. Through this, Muslims become deeply engrained in their countries and a positive component in the fabric of their societies - not an anomaly. All of this will cement their faith and its application, contrary to what some perceive, namely that such integration will cause the eventual removal of Muslim identity and the neglect of its fundamental principles. We must never forget that Islam has always been and will remain the religion of truth. It is either in ascent or at the cusp of elevation, but never in decline. No Muslim should fear for it. It should be left alone, since it can independently see to its own diffusion, permanence and ascendancy. We should not be obstructions in its path.³⁶ In today's society we witness erroneous actions by some Muslims who dissuade others from the religion and in turn erect barriers among people, veiling the truth of Islam and its possible embracement. As a consequence, Muslims are now obliged to return to observing the principle forbearing postulates of Islam and its upright ethics so that their actions—and not their words—can be like rays of light by which others may find guidance to God's straight and noble path.

CHAPTER III

THE THIRD MODEL: THE FIRST PHASE OF THE MADĪNAN EXAMPLE

Within this example and the early fostering of the Islamic state, we find a society in its formation, and a government and political authority at its early point of development. The Helpers (*Anṣār*), who were the original populace, were at conflict with the Migrants from Makkah (*Muhājirūn*), and, within a short time, disputes emerged. Hostilities were also beginning between the Aws tribe and Khazraj from among the Helpers. Hence the state had to work towards resolving not only the internal conflicts between the tribes of the Helpers, but also their relationship and brotherhood with the Migrants. On the arrival of the blessed Prophet ﷺ in Madīnah and after establishing the building blocks for his state, a new form of opponent appeared, known as the Hypocrites (*Munāfiqīn*). This group openly displayed allegiance and faith while concealing enmity, deceit and defiance.

Despite the new religion entering all the Helpers' households, it was only natural that there was a group of the Madīnan population who would remain attached to their previous belief and paganism. In addition, a large segment of the Madīnan populace was Jewish and they were a thriving close-knit community. They had leadership,

forts, weapons, ammunition, established trades and agricultural land both in and outside of Madīnah. They would ignite problems between the inhabitants of Madīnah, Aws and Khazraj—dividing themselves into supporters of the former and the latter, providing each with weapons, while getting stronger by the day and receiving good income due to their arms trade. All the while they were preserving their own strength for the time when they believed that the dominance of the Madīnan Arabs would plummet.

The essential question we now ask is: how did the Messenger of God ﷺ and his Companions interact and coexist with all of these factions?

The construction of the mosque and establishment of brotherhood

The Prophet's ﷺ primary action in Madīnah was establishing a location for the first mosque, inviting everyone to cooperate in this huge project. Such a venture in itself was a means of uniting all the parties, making them a single group of builders that worked together in the hope of erecting a historic civilisation and momentous state. It would give them a feeling of triumph, a sense of becoming a victorious entity and united community. The mosque became a place of congregation for the Muslims, despite their various factions, in order for unity and mutual participation to manifest. It served as an abode to settle disputes between them, and a place where they learned matters of religion and etiquette. In addition, they were converging around their leader and Prophet ﷺ, our master the Messenger of God ﷺ, and fulfilling the practices of the faith. Subsequently, he ﷺ was faced with an economic challenge that had befallen the Muslims after the migration from

Makkah. About half of them had come from Makkah while leaving behind their wealth, trade and homes, arriving in Madīnah with no residence or family. Although the mosque provided a partial and quick solution to one of the problems by offering a residence for some of the Migrants, and supplying basic provisions, this was not considered a viable solution. Such a situation would leave the Migrants dependent upon others, waiting for others to either give or refrain. This would have been detrimental to their mental and ethical state. The Prophet ﷺ therefore summoned them to brotherhood, meaning that every Helper was to take a Migrant as a ‘brother’, letting him live in his house and work with him in his trade. Thus, it became incumbent upon the Helpers to provide for their ‘brothers’ residence and employment, which accustomed them to the forms of work in Madīnah and the different roles therein. The Migrants eventually began to depend upon themselves, acquiring their own businesses and means that would make them self-sufficient.

Anas reported that: “‘Abd al-Raḥmān b. ‘Awf arrived to us and the Prophet ﷺ established brotherhood between him and Sa’d b. al-Rabīʿ, who was very wealthy. He said: ‘The Helpers know that I am one of the wealthiest from among them, I will divide my wealth equally between us. I also have two wives, see which one most impresses you and I will divorce her, and then after her waiting period you can marry her.’ ‘Abd al-Raḥmān b. ‘Awf replied: ‘May God bless your family!’ On that day he did not return from the market until he had additional butter and solidified milk. Not long passed until the Prophet ﷺ came by and ‘Abd al-Raḥmān had a yellow stain upon him. The Prophet ﷺ asked him: ‘How are things with you?’ ‘I married a woman

from the Helpers', he replied. 'What did you give her in dowry?' the Prophet ﷺ asked. 'The weight of a date pit in gold' he replied. The Prophet ﷺ responded: 'Then have a feast (also), even if it's only a sheep (sacrificed for the meal).'"³⁷

Anas also said: "When the Messenger of God ﷺ arrived in Madīnah, the Migrants came to him and said: 'O Messenger of God ﷺ, we have not seen a people who spend from so much or who are so benevolent with so little than the people who have received us in this abode. They have spared us much difficulty and seen to our wellbeing. They have done so much we are even afraid that they will take all the reward due to their immense efforts.' The Prophet ﷺ said: 'Nay, as long as you supplicate to God for them and praise them.'"³⁸

Similarly, 'Abd Allah b. 'Amr narrates that the Prophet ﷺ composed a document between the Migrants and Helpers in that they participate in blood money payments and captives' ransoms to strengthen ties between the Muslims.³⁹ Ibn Ishāq said: "The Messenger of God ﷺ formed a brotherhood between his Migrant and Helper Companions, saying: 'Become brothers in the path of God, in pairs.' He then took the hand of 'Alī b. Abī Ṭālib and said: 'This is my brother!', and so he, the Messenger of God ﷺ—the master of the messengers, leader of the pious, and the messenger of the Lord of the worlds who has no peer or equal from mankind—was a brother with 'Alī b. Abī Ṭālib. Ḥamza b. 'Abd al-Muṭṭalib—the lion of God and His Messenger ﷺ, and the uncle of the Messenger of God ﷺ—became a brother with Zayd b. Ḥārith, the servant of the Prophet ﷺ. During the battle of Uḥud, when he was in the last moments of his life, he bequeathed some

inheritance to Zayd and included him in his will. Jaʿfar b. Abī Ṭālib became the brother of Muadth b. Jabal, the brother of Banī Salama. Ibn Hishām commented: ‘And Jaʿfar b. Abī Ṭālib at this moment was absent in Abyssinia.’ Also, Bilāl, the servant of Abū Bakr and the caller to prayer of the Messenger of God ﷺ, became the brother of Abū Ruwayḥa ʿAbd Allah b. ʿAbd al-Raḥmān al-Khathʿamī.”⁴⁰

This brotherhood was to continue in the future, exemplified when ʿUmar arranged the registers for the prefects in Sham, and Bilāl had departed and resided there, ʿUmar asked him: “With whom do you leave your *diwān*, O Bilāl?” “With Abū Ruwayḥa,” he replied. “I will not separate from him ever due to the brotherhood that the Messenger of God ﷺ established between us.” Hence it was passed on to him, and the register of all the Abyssinians in Sham were also passed onto Khathʿam due to the noble standing of Bilāl among them, and until this day it remains with Khathʿam in Sham.⁴¹

The signing of the constitutional document of Madīnah and reconciliation with the Jews.

Before we discuss the document where the Prophet ﷺ formulated the details of the Constitution of Madīnah, we shall focus on an early incident that reflects coexistence between the Muslims and the Jews, namely that the one who actually informed the Helpers of the arrival of the Prophet ﷺ was a Jew. The Helpers narrated: “When we heard about the departure of the Messenger of God ﷺ from Makkah, we anticipated his coming and, after the morning prayer, we would go to the perimeters of the town waiting for the Prophet ﷺ. By God, we would not leave until there remained no shade upon which we would return, and this

was during the days of immense heat. The day when He ﷺ arrived, we were sitting as we usually did until there remained no shadow, only to return to our homes. The moment we went in to our houses, the Prophet ﷺ arrived, and the first person to see him was a Jewish man. Knowing our eager anticipation of the Prophet's ﷺ arrival, he shouted at the top of his voice, 'O Banī Qaylah, your good fortune has come!' We all emerged to receive the Messenger of God ﷺ while he was in the shade of a palm tree, and with him was Abū Bakr. Most of us had not seen the Prophet ﷺ before, and the people swarmed around, not knowing him from Abū Bakr. It was only when the shade faded and Abu Bakr stood up to protect him from the sun with his garment that we were able to distinguish (between the two)."⁴²

The composition of the Constitution of Madīnah

Despite the passing of decades, the world with all its nations, institutions and societies was still striving to determine foundations and principles that could arrange the rights of individuals and determine the boundaries of relations between them and the state. A process that may be termed 'the rights of citizenship.' Its concept is based on the equality of rights and duties regardless of religion, ethnicity or anything else. The only consideration is humanity and citizenship. Islam acknowledged this right and established it 14 centuries ago when the Prophet ﷺ migrated to Madīnah and the first Islamic state was formed. The Prophet ﷺ found Madīnah to be a place that included people of various dispositions, whether creedal or tribal. As for religious beliefs, there was Islam, Judaism and paganism and it wasn't long until hypocrisy appeared. In a later

period, groups of Christians were also included within the confines of the Islamic state. As for existing tribes, there were al-Aws and al-Khazraj. The Muslims themselves were in two large groups: the Migrants and Helpers. In light of such diversity, the Prophet ﷺ desired to establish a strong state where peace and cooperation reigned supreme between its components and among all divergent parties.

The Messenger of God's ﷺ constitution of Madīnah was the first constitution of any civil state in the world, determining the attributes of the new Islamic state without classifying its citizens according to their religion, ethnicity or race. It emphasised the key elements of the constitution as being triumph, cooperation, counsel and morality. It also placed importance on the concept that the defence of the state's borders was the duty of everyone, hence emphasising the spirit of equality, justice, collaboration and peaceful coexistence between all parties.

The establishment of a contract by the Messenger of God ﷺ between the Helpers and Migrants and the conciliation of the Jews

Ibn Ishāq states: "The Messenger of God ﷺ wrote a contract between the Helpers and the Migrants where he expressed conciliation to the Jews, making a pact with them, and confirming their religious rights, whilst safeguarding their properties. In this treaty he ﷺ stipulated both their rights and obligations."

The Constitution of Madīnah is considered the first charter that organises the relationship between Muslims and non-Muslims, established by the Prophet ﷺ upon the principle of citizenship. Rights and duties were enshrined on the basis of complete citizenship where the inhabitants

of Madīnah—Muslim and non-Muslim—were equal. Within the diverse make-up, it was the Jews who were the most distinguished of the groups. Consequently, the Prophet ﷺ mentioned them in more than one clause of the constitution, emphasising that the Jews are citizens of the Islamic state and one of its components. The document reads: **“As for the Jews who obey us, then unto them is the protection (of the state) and equality. They are not wronged nor are their enemies assisted against them.”** Also stated is: **“The Jews of Banī Awf are a community alongside the Believers.”**

In this historic and inaugural constitution of human rights, we find that Islam considered non-Muslims (especially the People of the Book who were living in the Muslim locality at the time) as equal citizens. They were a recognised community alongside the Believers as long as they fulfilled their obligations. Hence, difference in religion is not a reason for prevention of citizenship. This Madīnan charter is the first constitution to be written in history that acknowledges the rights of citizenship for all its residents, considering them as a united group **‘distinct from other people’**. They are all therefore contributors to a single political system that guarantees equal rights and state protection in return for their defensive duties. For this reason, the charter included all the inhabitants of Madīnah, and they, in return, were satisfied with it as a governing constitution and code of law, due to the inclusivity and justice within it.

The Constitution of Madīnah enlightened the world with its novel civil code, and elevated religious character. For this reason, it has every right to be considered as the first example of a state based upon values, ethics,

constitution and citizenship. After the Prophet ﷺ established the principles of a new society and Islamic community in Madīnah by uniting the Muslims, he made it his duty to oversee the relationship between the Muslims and non-Muslims so that coexistence and security could be realised. The Jews were the most important and largest of the existing groups in Madīnah with whom an agreement was crucial, so that the stability of social, political and economic life could be secured, hence explaining their additional mention within the charter.

In sum, the Constitution of Madīnah was established upon clear foundations of justice, equality and freedom for all living in or near to Madīnah, regardless of religion. The most important, distinguishing feature of the treaty was that it was open to everyone who wished to affiliate with it. It was a pact of choice, meaning that the Jews and people of other faiths were by no means coerced into agreeing to it, or accepting its stipulations.

The articles of the Constitution (the pact between Muslims and non-Muslims)

Ibn Ishāq said: “The Prophet ﷺ composed a document between the Migrants and the Helpers in which he reconciled with the Jews, made a pact with them, acknowledged their religion, wealth, and stipulated their rights and obligations.

“In the name of God, the Most Merciful, Most Compassionate. This is a document from Muhammad the Prophet between the believers and Muslims from Quraysh and Yathrib and those that followed them and fought alongside them. They are a single nation apart from all others. The Migrants from Quraysh

will maintain their current practice, and contribute payment to the blood-money contracts and secure the ransom payments for the release of their prisoners in accordance with justice and uprightness among the believers. Banū ʿAwf also, and Banū Sāʿidah, Banū al-Ḥārith, Banū Jusham, Banū al-Najjār, Banū ʿAmr b. ʿAwf, and Banū al-Nabīt are all upon their current practice and contribute payment to the blood-money contracts and secure the ransom payments for the release of their prisoners. Every group secures the ransom payments for the release of their prisoners in accordance with justice and uprightness among the believers. Banū ʿAws are upon their current practice and conjointly pay the blood-money contracts and secure the ransom payments for the release of their prisoners. Every group secures the ransom payments for the release of their prisoners in accordance with justice and uprightness among the believers. The believers will not abandon anyone with outstanding debts among them but shall help in paying the ransom according to what is fair. The believer does not form an alliance with an ally of another believer without him. The believers collectively resist against any believer who rises in rebellion, or seeks a great oppression, sin, act of aggression, or corruption between the believers. They shall unite against him even if he is one of their own offspring. A believer is not killed by another believer in retaliation for a non-believer, nor does he help a disbeliever against a believer. Indeed, the protection of God is one—the commonest of the believers can give protection to others and verily the believers are allies to one

another to the exclusion of everyone else. The Jews that follow us receive succour and equality and are not oppressed nor are their adversaries aided against them. Peace for the believers is indivisible. No separate peace is granted to one believer at the exclusion of another when fighting is ensuing in God's cause. Peace must be based upon equality and fairness among all. Every war ally fighting with us shall alternate with others during military expeditions. The believers shall avenge one another for the bloodshed in God's cause. The righteous believers are on the best of guidance and most upright. No pagan shall offer protection for wealth or person to anyone of Quraysh nor shall he intervene on his behalf against a believer. Anyone who, with clear evidence, aggressed against and caused the death of a believer shall be subject to retaliation, unless the heirs of the victim are satisfied with blood-money. All the believers will be united against him, and nothing will be acceptable except to oppose him. It is not permissible for a believer who accepts all that is mentioned in this document, and believes in God and the Final Day, to provide any protection or concession to those who engage in mischief and subversion against this constitution. He who does shall face the curse and wrath of God on the Day of Resurrection and no repentance nor ransom shall be accepted from him. Any matter which you disagree in, then your point of reference is God and Muhammad. The Jews will spend for the war effort along with the believers for as long as they are at war. The Jews of Banū ʿAwf are a community with the believers. The Jews shall have

their religion and the Muslims their own. This applies to their associates and themselves, save for those who commit sin or oppress, for such a person only harms himself and his household. What applies to the Jews of Banī ʿAwf applies to the Jews of Banū al-Najjār... the same applies to the Jews of Banū Thaʿlabah except for those who are guilty of oppression or violate treaties for they only bring corruption upon themselves and their household. The freedmen of Thaʿlabah are as themselves. The nomadic allies of the Jews are as themselves. None of them shall go out to war save with the permission of Muhammad, but he shall not be prevented from taking revenge for a wound. He who slays a man without warning slays himself and his household, unless it be one who has wronged him, for God will accept that. The Jews shall bear their own expenses and the Muslims theirs. Each must help one another against anyone who opposes those that accept this document. They are to advise one another, perform good deeds and avoid evil, and righteousness is superior to sin. A man is not held blameworthy on behalf of his ally, and help is granted to the wronged. Yathrib is a sanctuary for those who agree to this document. Anyone granted protection shall be treated on the same ground as his protector, committing no harm or acting treacherously. And no one is granted sanctuary without the consent of the parties of this document. In case of any dispute or incident between those agreeing to this document, which has fearsome repercussions, then the matter is referred back to God and His Messenger, Muhammad ﷺ. Indeed, God acknowledges

the virtue and righteousness of this document. There shall be no refuge for the Quraysh nor their allies. The contracting parties are bound to help one another against any attack on Yathrib. If they (the Jews) are called to make peace and maintain it they must do so; and if they make a similar demand on the Muslims, it must be carried out except in the case of a war on account of religion. Everyone shall have the portion from the side to which he belongs, and righteousness is superior to sin, and every person guilty of a sin shall be held responsible for his own actions. Indeed, God approves of the content of this document. This document will not protect the unjust and the sinner. Whoever departs from Madīnah will be provided security and whoever stays will be safe, except for those that have sinned or acted unjustly. God is the protector of the righteous and God-fearing, and Muhammad ﷺ is the Messenger of God.”⁴³

An analysis of the document

Within the aforementioned charter, there is a geographical border determined by the Messenger of God ﷺ as to the domain of the state. The citizen affiliated to this domain is banned from transgressing against anyone within it, just as it is prohibited for anyone in it to transgress against him. The Prophet ﷺ stipulated within the contract a default principle for the achievement of peaceful coexistence among its signatories, namely the severing of any military cooperation with the enemies of the state, their affiliates and associates in tyranny. Thus, an agreement was made that they become a united force against anyone who displays aggression against Yathrib and, if the signatories

are called to peace, they agree to it and abide by its terms. In addition, if Muslims are summoned to its like then it must also be carried out except in the case of holy war, and everyone shall receive his share from the community to which he belongs. The blessed Prophet ﷺ also highlights a key point from the tenets of citizenship, namely the duty of defending the state, just as he highlighted that cooperation must always be for truth and justice, not oppression and immorality. Hence, citizenship does not grant absolute impunity in the case of wrongdoing, since the Islamic faith upholds truth while condemning its opposite.

The document equally highlights the principle of complete freedom for the individual and whoever agrees to what has been stipulated. By ‘freedom’, we mean possessing the ability to make personal decisions, and the impermissibility of oppressing or acting aggressively to anyone, regardless of any of their personal decisions that do not infringe upon the rights of another or cause harm. Therefore, an individual has free passage of movement within Madīnah, and is free to reside therein, enjoy all the rights that its inhabitants receive, as well as undertake the responsibility and obligations they entail. They are equal in this aspect. No harm or fear will overcome him in any situation. He will not be coerced to leave, nor will he find it preferential due to concerns of fear or transgression against him, which would make him consider whether to leave or stay. Rather he is safe, and his safety is equal both in residence and departure. This is true peaceful coexistence based on equality and freedom. No human being is forced to reside or to be bound to a society or state that he does not like or feels that does not represent his identity. Likewise, no one is coerced to leave the place in which he

grew up or has origins in, nor is he prohibited from associating himself to it, and identifying as being part of its identity and history.

Similarly, how resounding is the saying of the Prophet ﷺ: **“Then he is safe.”** The statement is comprehensive. It includes the security of his physical being, his honour, with both his dignity and equality supported, without distinction due to ethnicity, colour or religion. His household is protected, along with his wealth, beliefs, rituals, property, place of worship and so on. Anything that breaches the safety of a human is a violation of the declarations of the Messenger of God ﷺ and of this wise and precise constitution.

The aforementioned is in reference to an individual's safety during residency in an Islamic society. So what are the regulations for his safety outside the state and when travelling, and when he belongs to another military camp - either peaceful or not? The answer being that he is granted safety for any journey and to any place he wills. He is safe to take his family, hence they are not detained or prevented from departing with him. Likewise, he is safe to take all of his belongings and wealth. Nothing is confiscated, even weapons or wealth to support the enemies of Muslims in battle. The reason is because the weapons were not used against Muslims when he lived with them, and that it was the individual's choice to leave the Muslim society in peace, without transgressing against anyone among them. As in some instances, like that of Banū al-Nazīr, the latter agreed to the prophetic document, choosing to reside in Madīnah with the Muslims in a state of peaceful coexistence and as citizens. Yet it was not long until they violated their agreement, refraining from assisting the Prophet ﷺ and cooper-

ating with the Muslims in paying the blood money for the two ʿĀmirī men who were killed by ʿAmr b. ʿUmiyyah al-Damriy.⁴⁴ Banī al-Naẓīr then plotted to assassinate the Prophet ﷺ when they invited him to their homes, planning to throw a huge rock upon him from the top of one of their forts while he ﷺ stood below. Consequently, the Messenger of God ﷺ had no choice but to relinquish the agreement of peace between them and inform them that he would oppose them with force due to their outright refusal to observe the constitution that they had agreed to and the acceptance of the authority in Madīnah that they had pledged previously their allegiance. They insisted on opposing the Muslims militarily and therefore fortified themselves in their forts and prepared their weapons. The Prophet ﷺ surrounded them until God cast fear and a sense of dejection and defeat in their hearts. This led them to go to the Messenger ﷺ beseeching him for clemency and asking that he let them migrate from Madīnah. Banū al-Naẓīr surrendered and requested permission to leave the city after all of the aforementioned and, despite this, the Messenger of God ﷺ forgave them for their past crimes and sanctioned their departure even though he knew they would join the ranks of a larger body of Jews in Khaybar, who were openly harbouring enmity. He allowed them to take all they could carry on their mounts, with the exception of weapons. Accordingly, he banned them from taking arms that they had used in their confrontation and transgression against the Muslims. Thus, there is a clear disparity between freedom of choice to move from a country during its initial development, and between migration after rebellion against its authority through force in order to assert the will of a particular group upon the majority. It was this exception

that the Prophet ﷺ stipulated when he said: “...save for those who commit sin or oppress.”

Regarding the mention of ‘justice’ in the document, it manifests in the equity of rights and responsibilities. It includes the rights of all individuals to practice their religion, to enjoy freedom and the protection of themselves, wealth and honour. Accordingly, we notice that the document of the Prophet ﷺ between the inhabitants of Madīnah revolves around four key themes:

1. Peaceful coexistence between citizens and the provision of security to all. It states: **“Whoever departs from Madīnah will be provided security and whoever stays will be safe except for those that have sinned or acted unjustly. God is the protector of the righteous and God-fearing.”** There is also the following extract: **“Anyone granted protection shall be treated on the same ground as his protector, as long as he commits no harm or acts treacherously.”**
2. Maintaining religious freedoms for all, as stated: **“The Jews shall have their religion and the Muslims their own.”**
3. Providing equal opportunities for all to participate socially, politically and militarily.
4. Introducing the principle of ‘solitary responsibility’, which was founded upon the declaration of the new system and the acceptance of its articles, as mentioned in the document: **“Every person guilty of a sin shall be held responsible for his own actions. Indeed, God approves of the content of this document. This**

document will not protect the unjust sinner and aid is granted to the oppressed.”

The jurisprudence of the constitution

- I. The document defined the concept of the state, which incorporates a large body of people from various faiths, cultures and ethnicities, who have all convened from various locations.
- II. The document resolved various human relations. There existed ties of blood, religion, residence and mutual welfare. If such relations existed harmoniously, then mankind could achieve coexistence and social peace.
- III. The document considered the Jews as citizens and segments of the Islamic state. It stated: **“The Jews of Banū ‘Awf are a community with the believers.”** Inferred from this is that religious belief is not in conflict with the duties of citizenship. In fact, it is the opposite in that it obliges us to respect others, value their unique qualities, religion and creed—something mandated on us by the teachings of Islam itself.
- IV. The point of reference within the Islamic state must be God and His Messenger ﷺ. It states: **“In case of any dispute or incident between those agreeing to this document, which has fearful repercussions, then the matter is referred back to God and His Messenger ﷺ, Muhammad.”** Reference back to God and His Messenger ﷺ is compulsory due to several reasons:

The stipulation of such in the agreement. It is therefore incumbent upon whoever agrees to the document to adhere to its contents. That said, the specification of its origin and defining the source for judiciary matters and settling disputes is part of the concomitants of coexistence. Were it not stipulated in the constitution, there would have been disagreements at every juncture. The question of ‘who judges?’ and ‘whose judgement is binding and applicable to everyone?’ would impede the attainment of any solution.

The acceptance of Islam by the majority of the inhabitants of Madīnah, and their obedience to God and His Messenger’s ﷺ laws make it logical for the Prophet ﷺ to be the reference of all inhabitants of Madīnah and the judge of any disputes.

Regarding the Jews under the constitution, God revealed to His Messenger ﷺ fixed laws that could be understood and recognised by all as to whether they can achieve justice and equality or not. As for the Jews, their religion is very much inaccessible, with their religious texts maintaining a degree of secrecy in that many of its followers have no knowledge of the details contained therein. Many of their laws are no longer practised save in some aspects of worship. Nonetheless, the Jews were not bound by this agreement to refer to the judgement of the Messenger of God ﷺ except in incidents between a Muslim and a Jew. As for resolving issues arising between themselves or matters of their own religion, they had the choice of either referring to the Torah and leaving the judgement to their elders and scholars, or, if they wished, referring to the Messenger of

God ﷻ and abiding by his judgement.

God says: *[They are] avid listeners to falsehood, devourers of [what is] unlawful. So if they come to you, [O Muhammad], judge between them or turn away from them. And if you turn away from them—never will they harm you at all. And if you judge, judge between them with justice. Indeed, Allah loves those who act justly.* [5/42]

Ibn ‘Abbās commented on this verse saying: “[Previously] if Banū al-Naẓīr killed anyone from Banī Quraydhtha they would pay half of the blood money and if Banī Quraydhtha killed anyone from Banū al-Naẓr, they would pay the blood-money in full. The Messenger of God ﷺ however made both parties pay the full amount.” Hence Banū al-Naẓīr and Banī Quraydhtha would frequent the Messenger of God ﷺ to arbitrate between them concerning blood-money. Banū al-Naẓīr belonged to a higher caste than Banī Quraydhtha, and thus they would impose double the amount on them for their deceased. After the appearance of Islam in Madīnah, Banī Quraydhtha refused to pay double and requested equal payments for blood-money.

Then the verse was revealed: *and We ordained for them therein a life for a life, an eye for an eye, a nose for a nose, an ear for an ear, a tooth for a tooth, and for wounds is legal retribution. But whoever gives [up his right as] charity, it is an expiation for him. And whoever does not judge by what God has revealed—then it is those who are the wrongdoers.* [5/45].

Anas b. Mālīk narrates: ‘A Jew transgressed against a girl during the time of the Prophet ﷺ and took some ornaments that she was wearing and crushed her head. Her

relatives brought her to the Messenger of God ﷺ while she was in the throes of death and unable to speak. The Messenger of God ﷺ asked her: “Who did this to you? Was it so-and-so?”, suggesting someone who did not perpetrate the crime. She signalled with her head that it was not him. He then asked her about someone else to which she responded in the negative. “What about so-and-so?” alluding to the actual perpetrator, to which she nodded. The Messenger of God ﷺ then commanded that the culprit be apprehended and his head crushed between two rocks,’⁴⁵ (as in accordance to Talmudic Law, which the Jews followed). ‘Abd Allah b. ‘Umar said: ‘The Jews came to the Messenger of God ﷺ and mentioned to him that a man and woman from among them had committed adultery. The Messenger of God ﷺ asked them: “What do you find mentioned in the Torah concerning this?” “We expose them and lash them,” they replied. “You have lied!” interrupted ‘Abd Allah b. Salām, “stoning is mentioned in the Torah!” They then brought the Torah and went through it, and when they came across the verse of stoning one of them put his finger over the verse and read that which preceded it and that which came after. ‘Abd Allah b. Salām said: “Remove your hand!” which he did, and the verse of stoning became apparent. “He has spoken the truth, O Muhammad,” they said. “Indeed, it does include the verse of stoning.” The Messenger of God ﷺ then commanded that they both be taken to be stoned (as per their own laws).’⁴⁶

- V. The constitution of Madīnah does not just illustrate an agreement between the Muslims and the Jews in Madīnah during the prophetic era, but it is

equivalent to a legal constitution and method that the Prophet ﷺ established as a general principle, unspecific to any time or place. Hence it represents the universal aims of the law and Islamic faith - objectives that achieve absolute equality and justice between one human being and another.

The constitution emphasises the right of every individual, whether resident in a Muslim society or not—within the agreement or not—in that he is a human who has the right to enjoy dignity granted by God to all of humanity. God says:

Now, indeed, we have conferred dignity on the children of Adam, and borne them over land and sea, and provided for them sustenance out of the good things of life, and favoured them far above most of Our creation [17:70].

The document states: “**Anyone granted protection shall be treated on the same ground as his protector, as long as he commits no harm or acts treacherously.**” Hence the safeguarding of the resident—the respect of his rights and the protection of him from harm—is a duty for those who adhere to this constitution, along with the preservation of life and observation of its rights. The document cemented the principle of equality; that the protection of God is one, encompassing everyone from all spectrums of life. It states: ‘**Indeed, the protection of God is one—the commonest of the believers can give protection to others and verily the believers are allies to one another to the exclusion of everyone else. The Jews that follow us receive succour and equality and are not oppressed nor are their adversaries aided against them. Peace for the believers is indivisible.**’ It is

mentioned in many narrations that the Messenger of God ﷺ imparted to his Companions the principle of human equality. Abu Hurayrah reports that the Messenger of God ﷺ said: 'The prophets are paternal brothers; their mothers are different, but their religion is one.'⁴⁷ From the authority of Abu Naḍra, who heard a sermon of the Messenger of God ﷺ, during the days of *tashrik*, saying: 'O people, indeed your Lord is one, and your forefather is one. An Arab has no superiority over a non-Arab, nor a non-Arab over an Arab, white over black or black over white, except in regard to God-consciousness. Have I not informed you?' 'The Messenger of God ﷺ has indeed informed us,' they replied. He then said: 'What day is this?' 'The day of *ḥarām* (the inviolable day),' they answered. 'What month is this?' 'The month of *ḥarām* (the inviolable month).' He then asked: 'Which land is this?' 'The land of *ḥarām* (the inviolable land).' The Prophet ﷺ continued: 'God has prohibited among you your blood, wealth and honour like the inviolability of this very day, month and land. Have I not informed you?' 'The Messenger of God ﷺ has indeed informed us,' they replied. The Prophet ﷺ concluded by saying: 'Let the one present inform the one absent.'⁴⁸

The charter likewise stipulated the principle of freedom in creed and worship, stating: 'The Jews shall have their religion and the Muslims their own. This applies to their associates and themselves, save for those who commit sin or oppress.'

This is a direct application of the Quranic verse that reads:

There shall be no coercion in matters of faith. Distinct has now become the right way from [the way of] error [2:256].

From the outset, the treaty established the obligation for each group to provide financial assistance to its members. Specifically, each group is responsible for covering the ransom costs for individuals detained from within their ranks, and all members are required to contribute to the payment of blood money when necessary. The document does not mandate that other groups provide assistance or pay on behalf of another group, whether for blood money or ransom. Nonetheless, it emphasizes the necessity of upholding social solidarity among all parties, as dictated by the underlying principles of the treaty: **“The believers will not abandon anyone with outstanding debts among them but shall help him in paying the ransom or blood-money.”** Hence, no group from among the believers is compelled by the document to bear the financial responsibility of another group, although a common faith may well oblige such a scenario. For this reason the believers should not abandon anyone with outstanding debts among them and should help him. This code of conduct was mentioned by the Messenger of God ﷺ in various hadiths. Abu Musā narrated that the Prophet ﷺ said: ‘The believer unto another believer is like a building, each part supports the other,’ and he ﷺ merged his fingers together.⁴⁹ Nu‘mān b. Bashīr also reports: ‘The Messenger of God ﷺ said: “The like of the believers in regards to their mutual love, mercy and compassion with one another is like a single body—if a limb were to suffer then the rest of the body suffers from restlessness and fever.”’⁵⁰

The Constitution instilled pillars for social justice, with the believers being required to establish justice and resist oppression on whoever it befalls, in unison against whoever acts oppressively, even if the oppressor was among their

own kin. The document states: 'The believers collectively resist any believer who rises in rebellion, or pursues a great oppression, sin, aggression or corruption between the believers, even if it was one of their own offspring.' And also: 'help is granted to the wronged.' The latter is one of the areas where the Prophet ﷺ provided various meanings with the least number of words, for assistance in Islam is for the oppressed, regardless of religion and ethnicity. This principle emerged in accordance with God's saying:

O you who have attained to faith! Be ever steadfast in upholding equity, bearing witness to the truth for the sake of God, even though it be against your own selves or your parents and kinsfolk. Whether the person concerned be rich or poor, God's claim takes precedence over [the claims of] either of them. Do not, then, follow your own desires, lest you swerve from justice: for if you distort [the truth], behold, God is indeed aware of all that you do! [4:135].

And said: O you who have attained to faith! Be ever steadfast in your devotion to God, bearing witness to the truth in all equity; and never let hatred of anyone lead you into the sin of deviating from justice. Be just: this is closest to being God-conscious. And remain conscious of God: verily, God is aware of all that you do. [5:8].

And said: Hence, if two groups of believers fall to fighting, make peace between them; but then, if one of the two [groups] goes on acting wrongfully towards the other, fight against the one that acts wrongfully until it reverts to God's commandment;

and if they revert, make peace between them with justice, and deal equitably [with them]: for verily, God loves those who act equitably! All believers are but brethren. Hence, [whenever they are at odds,] make peace between your two brethren, and remain conscious of God, so that you might be graced with His mercy. [49:9-10].

Also stipulated was the principle of personal responsibility, meaning that every individual bears the outcome of his own crimes, and is punished for them accordingly. The notion of collective punishment due to an individual's misconduct is impermissible. The document states: "[...] save for those who commit sin or oppress, for such a person only harms himself and his household. [...] A man is not held blameworthy on behalf of his ally, [...] Every person guilty of a sin shall be held responsible for his own actions."

The document also emphasised communal responsibility, meaning that the whole group is responsible for opposing an oppressor or criminal, and bringing him to justice. It states: 'The believers collectively resist against any believer who rises in rebellion, or seeks a great oppression, sin, act of aggression, or corruption between the believers. They shall unite against him even if he is one of their own offspring.' It also states: 'All the believers will be united against him, and nothing will be acceptable except to oppose him.' Another extract says: 'It is not permissible for a believer who accepts all that has been mentioned in this document, and believed in God and the Final Day, to provide any protection or concession to those who engage in mischief and subversion against this constitution. He who does shall face the curse and wrath of God on the Day

of Resurrection and no repentance nor ransom shall be accepted from him.'

The document concludes with the Messenger of God ﷺ emphasising that freedom is guaranteed for everyone. Every individual can exercise his or her freedom in safety from every harm. It states: **'Whoever departs from Madīnah will be provided security and whoever stays will be safe, except for those that have sinned or acted unjustly. God is the protector of the righteous and God-fearing man, and Muhammad ﷺ is the Messenger of God.'** Hence whoever rejects the document is free and safe. If he moves on from Madīnah, he is safe, and if he remains, he is safe as long as he does not transgress against any party. Within this final article the document alludes to the non-specific nature of its contents, and that it was not exclusive to its adherents. In fact, many articles of the document are universal principles and Islamic concepts on coexistence—both before the document and after it, whether it has been credited or not. Muslims thereafter adhered to the general principles found in the document in order to achieve coexistence, due to the majority of them being universal maxims that both the Qur'ān and the *Sunnah* had specified in many areas. They are guidelines for the respect of human rights and environment, entailing human equality, and dignity. Among them are the sanctity of honour, wealth and religion, along with justice—supporting truth even if against one's self, all of which are affairs that are necessarily known within the religion by every Muslim.

What was the response of the Jews to this Constitution?
One can understand how the Jews responded from the following scenarios:

- I. The Jews strived to incite the Arab tribes and various parties of the pagans to revolt against the Messenger of God ﷺ, urging them to attack Madīnah and kill the Muslims. The main initiators of this rebellion were Ḥuyay b. Akhṭab and other Jewish leaders. Ibn Hishām wrote about the betrayal of the agreement, stating: ‘At this point, the Jewish leaders sparked flames of enmity, terror, envy and hatred, due to the specific favour God had granted the Arabs by choosing a Messenger from them. It was the Jewish leaders who asked the Messenger of God ﷺ questions, sought to reveal inconsistencies and instigate errors so that the truth could be distorted and appear as falsehood. As a result, several verses of the Qur’ān were revealed in response to their interrogations. A contingent from the Jews—which included Sallām b. Abī al-Ḥaḥīq al-Naḍrī, Ḥuyay b. Akhṭab al-Naḍrī, Kinānah b. Abī al-Ḥaḥīq al-Naḍrī, Hawthā b. Qays al-Wā’ili, and Abū ‘Ammār al-Wā’ili—in a delegation of Banī al-Naẓīr and another from Banī Wā’il—who were the ones that rallied the parties against the Messenger of God ﷺ - set off to the Quraysh in Makkah and summoned them to war against the Messenger of God ﷺ. “We will be with you all the way until we wipe them out,” they said. “O Jewish folk,” replied Quraysh, “you are people of the first book and, due to what we have become, we differ greatly with Muhammad ﷺ. Whose religion is greater, ours or his?” “Your

religion is greater, and you are more worthy to truth than he!” they replied.’⁵¹

- II. The Jewish poets openly spoke of their enmity to the Muslims and their disappointment at the pagans’ defeat in the Battle of Badr. They lamented the deceased Qurayshis and expressed in their verses their animosity to the Muslims and their allegiance to the pagans. The female Jewish poet, Asmā’ bint Marwān, composed several poems in ridicule of the blessed Prophet ﷺ. Ka’b b. al-Ashraf, another Jewish poet, sung several poems in Makkah after the Battle of Badr, encouraging the Quraysh to avenge the lives of their dead. After returning from Makkah to Madīnah, he did this also in the presence of a few Muslims.
- III. As for Banū Qaynuqā’, they revealed their rejection of the pact and hinted at making war, saying after the Battle of Badr: ‘O Muhammad, don’t be deceived by your victory over Quraysh, who are inexperienced and have no knowledge of the art of war. By God, if you were to fight us, you would know that we are real warriors and that you have not met the likes of us!’⁵² They had physical skirmishes with the Muslims, including after an Arab woman came with merchandise that she was selling in the market of Banū Qaynuqā’. She sat beside a goldsmith and those around insisted that she reveal her face, which she declined. The goldsmith then secretly reached for the end of her garment, which he managed to fasten to her back, so when she stood up, her private parts were exposed. They all laughed

as she screamed. As a result a Muslim man assaulted the jeweller—who was a Jew—and killed him. The Jews then attacked the Muslim and killed him. The latter's family cried for help from the Muslims against the Jews. The Muslims became extremely vexed and enmity and tensions arose between themselves and Banū Qaynuqā'.⁵³ Hence a conflict started between the Muslims and Jews. When the latter were defeated, the Prophet ﷺ commanded their departure from Madīnah and the confiscation of their wealth.

- IV. As for Banī al-Naẓīr, they betrayed the Messenger ﷺ by refusing to adhere to the terms of the document, which they had previously consented to. In accordance with the treaty, the Prophet ﷺ requested them to join him in the settlement of the blood-money of two Āmiri men who were killed by Amr b. Umiyyah al-Damrī. However, they refused. They also conspired to assassinate the Prophet ﷺ, gathering together to cast a huge rock on him. When they found that the Messenger of God ﷺ had abandoned the pact of peace and intended to fight them due to their actions, they asserted their refusal to abide by the stipulated agreement, namely that they should contribute financially in settling blood-money. Nor did they apologise or deny their attempt upon the Prophet's ﷺ life and instead asked for fresh terms of governance. The Messenger of God ﷺ surrounded them with his forces, and, in fear of defeat, they beseeched him ﷺ for clemency, offering to leave in exile and cease their hostility. The Prophet

ﷺ agreed for them to depart with all their possessions, except for weaponry. Accordingly, they loaded their camels with what they could bear, and the tribe's men dismantled their houses, even removing the door lintels and loading them on their camels' backs. They departed to Khaybar, while others headed to the Levant, leaving Madīnah with 600 camels altogether. They had mounted on the animals their best items from their homes, and departed with their women, children and wealth. Drums and flutes played in the background, while songstresses serenaded them with the kind of pomp and splendour that had been unprecedented in their time.⁵⁴

It seems that they considered the stipulated terms and conditions of the Messenger of God ﷺ almost as a victory. In turn they left with their women and children and all their household possessions, destroying everything behind them and leaving nothing for the Messenger of God ﷺ, indicating their belief that he ﷺ had fought them for the sake of booty.

God said: You did not think they would leave, and they thought that their fortresses would protect them from God; but [the decree of] God came upon them from where they had not expected, and He cast terror into their hearts [so] they destroyed their houses by their [own] hands and the hands of the believers. So take warning, O people of insight [59:2].

The betrayal and deception of Banū Quraytha

The betrayal of Banū Quraytha, and deceitfulness towards

the Messenger of God ﷺ and the believers in Madīnah, was by far the worst type of betrayal by the Jews. They plotted a cunning scheme, so dangerous that, had it been achieved, it would have led to a genocide of the Muslims. Enjoying their own well-protected fortress at the bottom of Madīnah, they violated their pact with the Messenger of God ﷺ and united with his pagan enemies who came to invade Madīnah during the Battle of the Ditch (*al-khandaq*). Were it not for the role played by the companion Nuaym b. Mas'ūd, indeed the Muslims would have perished in this act of high-treason.

The judgement of Sa'd b. Mu'adh regarding Quraytha:

The Mother of the Believers, 'Ā'isha, recalls: 'A Qurayshi pagan called Ibn al-'Ariqa shot an arrow at Sa'd saying: "Take that! For I am Ibn al-Ariqa!" It struck and severed the main artery in his arm. Sa'd then supplicated: "O God, do not make me die before you give me satisfaction over Banū Quraytha!" These people had been his associates prior to Islam. His wound then stopped bleeding and God sent a gale force wind against the pagans, repelling them and protecting the Muslims from combat. Abū Sufyān and his force went to Tihāma, while 'Uyayna b. Badr and those with him went to Najd. Banū Quraytha then returned home and sought protection in their fortresses. The Messenger of God ﷺ returned to Madīnah, laid down his weapons and ordered that a leather dome-like structure be set up for Sa'd in the mosque. Then the angel Jibrīl came with the folds of his clothing covered in dust and said: 'Have you put down your weapons? By God, the angels have not put down theirs! Go forth and engage in battle with Banū Quraytha!' The Messenger of God ﷺ then put on his breast plate and

announced to everyone that they should prepare for battle. The Messenger of God ﷺ reached and besieged them for 25 nights. In the narration of al-Bukhārī, on the authority of Ibn ‘Umar, he reports that the Messenger of God ﷺ said: ‘None of you should pray the ‘Asr prayer save at Banū Quraytha [emphasizing the need to get there at speed].’⁵⁵

It is evident in the narration of Lady ‘Ā’isha that the Jews of Banū Quraytha were completely aware they had betrayed the agreement with the Messenger of God ﷺ and the believers. For, as soon as the Qurayshi pagans retreated from Madīnah, they withdrew to their fortresses and prepared for battle with the Prophet ﷺ. The other salient point is that they were besieged for 25 nights and it was not reported that they issued an apology or called for reconciliation, but rather their false pride drove them further into sin, under the assumption that their fortresses would protect them from God and His Messenger ﷺ, and that the believers would withdraw defeated. When they were eventually overpowered by the siege, it was said to them: ‘Submit to the judgement of the Messenger of God ﷺ.’ They consulted Abū Lubābah b. ‘Abd al-Mundhir, who gestured with his hand across his neck that the judgement, as per Talmudic Law, would be execution. “We will submit to the ruling of Sa’d b. Mu‘āth,” they exclaimed, to which the Messenger of God ﷺ agreed. He ﷺ then sent for Sa’d b. Mu‘āth, who was duly brought, seated on a saddle stuffed with palm fronds and with his people surrounding him, saying: “O Abū ‘Amr, they are your allies and colleagues, your family in times of crisis, and people you know well.” But Sa’d did not respond or even turn towards them. It was not until he arrived near to the homes of Banū Quraytha that he turned to his people and said: ‘It is now

time that I show complete disregard to any condemnation in order that God's servitude be fulfilled.' Abū Sa'īd narrates that when Sa'd b. Mu'ādh appeared before the expectant crowds, the Messenger of God ﷺ said: 'Stand for your master and help him dismount.' The Messenger of God ﷺ then continued: 'Deliver your verdict over them.' Sa'd then responded: 'I decree that their warriors be executed, their offspring taken captive and their properties divided.' The Messenger of God ﷺ commented: "You have passed a judgement in accord to the judgement of God and His Messenger ﷺ." ⁵⁶

The repentance of Abū Lubābah

Banū Quraytha sent word to the Prophet ﷺ asking him to send Abū Lubābah b. 'Abd al-Munthir—a brother of Banū 'Amr b. 'Awf who were allies of al-Aws—to them for consultations to which the Prophet ﷺ agreed. When Banū Quraytha saw Abū Lubābah, the men rose and the women and children broke into sobs, causing him to feel a sense of pity for them. They said to him: 'O Abū Lubābah, do you believe that we should yield to the judgement of Muhammad?' 'Yes,' he replied, only to gesture with his hand that the judgement would be execution although immediately understanding from this that he had been disloyal to God and His Messenger ﷺ. Abū Lubābah later declared: 'By God, my feet had not yet left the place they were standing except that I knew I had betrayed God and His Messenger ﷺ.' He then left, head-down without going to the Messenger of God ﷺ, but instead straight to the mosque where he tied himself to one of the columns saying: 'I will not leave here until God forgives me for what I have done. By God I swear that I will never go to Banū Quraytha

or be seen in any land where I have betrayed God and His Messenger ﷺ!’ Ibn Ishāq said: ‘When the Messenger of God ﷺ received news of what happened after wondering what had kept him away, he ﷺ commented: “Were he to have come to me, I would have asked God for forgiveness on his behalf. However, due to the decision he has made, I am not the one to release him from his place until God forgives him.” The forgiveness was revealed [9:102], and the people began to crowd around him to set him free, to which he responded: “Alas! No-one but the Messenger of God ﷺ shall free me with his own hands!” This eventually occurred when the Messenger of God ﷺ came out to perform the dawn prayer, and untied him.’⁵⁷

This is the first instance in history when a ruler with absolute authority and a complete victory—while also being the victim of a crime—permitted for a criminal, traitor or powerless person to choose his own judge to issue a punishment for his crimes. The Prophet ﷺ allowed Banū Quraytha to choose someone to arbitrate, who was Sa‘d b. Mu‘ādh, in their belief that he would pardon them or reduce the punishment. Yet, contrary to their hopes, he sentenced them with the punishment for treachery and deceit, which was death and captivity. Despite the harshness of the punishment, an outcome which Banū Quraytha expected in return for their crimes, they continued to fight without seeking accord or pardon, all of this with full awareness of the severity of the punishment that their crime merits. They did not seek the judgement of Sa‘d b. Mu‘ādh except after sensing defeat in battle, and with the knowledge that the Messenger of God ﷺ and those with him would not depart until they had settled their affair with them.

The Prophet ﷺ wanted to disclose to Sa'd b. Mu'adh the ill-intentions of the Banu Quraytha, and how they sought to inflict internal conflict among the Muslims. When he approached the people who were sitting in wait for him, the Prophet ﷺ said: 'Stand for your master.' The men of Banū 'Abd al-Ashhal recalled: 'We stood for him in two rows (as a guard of honour), everyone greeting him, until he reached the Messenger of God ﷺ.' When the Jews requested the arbitration of Sa'd b. Mu'adh, they hoped conflict would occur between al-Aws and al-Khazraj and the Messenger of God ﷺ and his Companions. For Sa'd was the leader of al-Aws and Banū Quraytha hoped that, by their refusing to accept the command of the Messenger of God ﷺ, the tension would prove too much and ultimately lead to civil war among the Muslims.

As a consequence of their high-treason, the death penalty was applied on 600 or 700 male combatants, with some reports mentioning as many as 800 or 900.⁵⁸ Of the women, only one woman was reportedly executed. Ibn Hishām states: 'She was the one who cast the grinder upon Khallād b. Suwayd and killed him.' Hence, she was sentenced for murder. As presented, the Jews of Banū Quraytha were not simply confining themselves in their fortresses, but also engaged in war with the Muslims, using boulders, arrows and other things. Banū Qaynuqā' and Banū Naẓīr violated their pact with the Messenger of God ﷺ and waged war against him yet, when they were defeated, the Prophet ﷺ did not condemn them to the same fate as that of Banū Quraytha. The reason was that Banū Quraytha perpetrated a substantially heavier crime, namely a betrayal of the worst kind, which could have annihilated all the Muslims were it to have succeeded.

Examples of prophetic clemency

Despite the punishment's severity, certain cases of clemency did occur during the time of implementation. Such examples include:

- I. Thābit b. Qays appeared before the Messenger of God ﷺ and said: 'O Messenger of God ﷺ, Zubayr has performed an act of kindness for me and I would like to repay him, so kindly grant me the permission of paying his blood-money.' 'It is yours,' replied the Messenger of God ﷺ. Then Thābit went to Zubayr, telling him about the decision by the Prophet ﷺ and that he was now free. Zubayr replied: 'I am an old man without his wife or offspring, so what is left for a man like me?' Thābit approached the Prophet ﷺ and said: 'May my father and mother be sacrificed for you O Messenger of God ﷺ, grant me his wife and son.' The Messenger of God ﷺ responded: 'They are granted.' He returned to Zubayr and told him what the Messenger of God ﷺ had said, to which he replied: 'A family in Hijaz with no wealth, how can they survive in such a circumstance?' Thābit approached the Messenger of God ﷺ again and said: 'And his wealth.' To which, the Prophet ﷺ responded: 'It is granted.' He then returned to Zubayr and said: 'The Messenger of God ﷺ has granted me your wealth and it is yours.' Zubayr then asked: 'What happened to Ka'b b. Asad whose face was so radiant that the tribe's virgins could see their reflection in it?' 'He has been killed.' 'What has happened to the master of the town and desert Huyay b. Akhṭab?' 'He has

been killed.’ ‘What became of our vanguard in the attack and our protector in flight, ‘Azzāl b. Shamaw’al?’ ‘He has been killed.’ ‘And what of the two counsels?’ (i.e. Banū Ka‘b b. Quraytha and Banū ‘Amr b. Quraytha). ‘They left and were killed.’ ‘I ask you then O Thābit, by your obligation to me, unite me with my people [that have died]. For by God, there is no life worth living after they have gone. I cannot bear to postpone a second in meeting my loved ones.’ Thābit then brought him forward and he was put to death. When his statement “meet my loved ones” reached Abū Bakr, he remarked: ‘He will meet them indeed, by God, in the furnace of hell!’

Zubayr al-Quraythī requested that he be united with his companions who had been killed, which reveals that Banū Quraytha had been overcome with the idea that they were victims, despite the situation being otherwise. They were no more than traitors with what would have happened to the Prophet ﷺ and his Companions due to their deceit having been far more dreadful than their punishment. This was exacerbated by the statement by the leader of the Jews, Huyay b. Akhṭab, who witnessed the acts of both Banū al-Nadīr and Banū Quraytha. He said: ‘We have tried relentlessly to afflict them without avail! It is no more than a tribulation that has been decreed upon us!’ Before his execution, he repeated: ‘A tribulation decreed upon the children of Israel.’ This was at a time when he requested from Banū Quraytha to spy on the Prophet ﷺ and his Companions so they could attack them unawares.

- II. Salmā, the daughter of Qays and mother of al-Mundhir, who was from Banū al-Najjār, was an aunt of the Messenger of God ﷺ, who had prayed with him in the two directions and was from among the women who swore to the pact of allegiance. She asked the Prophet ﷺ about Rifāʿah b. Samawʿal al-Qurathī, who was a mature man seeking refuge with her. She requested: ‘O Prophet of God ﷺ, may my father and mother be sacrificed for you. Grant me Rifāʿah, for he has said he will pray and eat camel-meat.’ The Prophet ﷺ consented to her plea. Hence, she saved his life and in turn he became a Muslim and one of the Companions. Salmā, the daughter of Qays from Banū al-Najjār, knew Rifāʿah previously so when he was sentenced with execution, he sought her protection. The comment “and eat camel-meat” seems to be allegorical, tantamount to Rifāʿah becoming a partisan of the Muslims and not engaging in betrayal again. Interestingly, the Messenger of God ﷺ agreed to her request without demanding that she force him to accept Islam. All that she actually said to him was that he should be ashamed before the Messenger of God ﷺ, ‘For he has forgiven you and you are all too aware of his truthfulness.’ So, he accepted Islam *after* the pardon, not in order to be pardoned.
- III. Before the arbitration of Saʿd b. Muādh a group embraced Islam, and as a result, their lives, wealth and offspring were all spared.⁵⁹ Thus their acceptance of Islam was not out of fear from death, as it preceded the verdict of Saʿd b. Muādh, i.e. the

sentence of execution. This is demonstrated by the fact that the Jews gathered for a consultation prior to his judgement. For Kaʿb b. Asad, who deeply resented the idea of violating the pact with the Messenger of God ﷺ, said: ‘O Jewish people, you have all seen what has befallen us, and I now present to you three possible solutions, so accept whichever one you please.’ ‘What are they?’ they asked. ‘That we follow this man and believe him to be true, for by God it has become clear to you all that he is a Prophet sent by God, and that he is the one who you find mentioned in your Holy Book. Consequently, you will preserve your lives, wealth, offspring and women...’ It seems that those who then embraced Islam did so in response to this proposition, with the options outlined by Kaʿb b. Asad indicating the point that Saʿd b. Muādh had yet to issue a verdict.

- IV. ʿAmr b. Suʿdā al-Qurathī, who descended from the barracks of Banū Quraythā. He passed by the guard of the Messenger of God ﷺ, who on that particular night was Muhammad b. Maslama. When the latter saw him, he asked: ‘Who is it?’ ‘I am ʿAmr b. Suʿdā,’ was the reply. This occurred when the latter had refused to unite with Banū Quraythā in their betrayal of the Messenger of God ﷺ, declaring: ‘I will never betray Muhammad!’ When Muhammad b. Maslama recognised him, he exclaimed: ‘O God, do not stop me from exempting the blunders of the noble,’ and let him pass. ʿAmr departed until head reached the door of the Prophet’s ﷺ mosque that night, and then headed to an unknown location. His

case was mentioned to the Messenger of God ﷺ to which he remarked: ‘This is a man who God saved due to his loyalty.’⁶⁰

- V. When the men of Banū Quraytha convened in the presence of the Messenger of God ﷺ, awaiting the implementation of Sa‘d’s verdict, he ﷺ ordered that dates be distributed among them. The Messenger of God ﷺ said: ‘Be good to your captives, give them drinks during midday and let them drink until they are alleviated, and then execute whoever remains. Do not combine the intense heat of the sun with the intensity of weapons.’⁶¹

A jurisprudential point: *The question of sending greetings of peace to the people with whom a covenant has been made (ahl al-dhimmah), and how a Muslim encounters a dhimmi or someone of the Book (i.e. a Jew or Christian) in particular.*

The first issue in regard to this query is the disdain of some jurists in initiating greetings of peace with *dhimmis*. They cite as evidence the narration of Abū Hurayrah—reported by Muslim in his authentic collection—that the Messenger of God ﷺ said: “Do not initiate greetings of peace when you meet a Jew or a Christian. If one of you are to encounter the other on the road, then do not make way for him out of honour and respect for him.”⁶² He (Muslim) also narrated the following hadith of Wakī‘ with the wording: ‘If you encounter the Jews.’ There is also the hadith from Ja‘far on the authority of Shu‘bah who had the wording: ‘...the People of the Book.’ In the hadith of Jābir, it says: ‘If you are to encounter them’ without mentioning any of

the pagans. Another group of jurists permitted the initiation of greetings on the basis of what was reported by Ibn ʿAbbas, Abī Umāmah and Ibn Abī Muḥayrīz, which is a position of some of our major early scholars in the Shāfiʿīte school, as mentioned by al-Māwardī.⁶³ Al-Qurṭubī states: ‘Ibn Uyaynah was asked: “Is it permissible to send greetings of peace to a disbeliever?” “Yes,” he replied. “God has said: *God does not forbid you to show them kindness and to behave towards them with equity, for verily God loves those who act equitably* [60:8], and said: *Verily with Ibrāhīm you have an exemplary role model* [60/4], and it was Ibrāhīm who said to his father: ‘Peace be upon you.’” Qurtubī commented: ‘What seems most apparent from the verse is the position of Sufyān b. Uyaynah, however on this topic there are two authentic hadiths. Abū Hurayrah narrated that the Messenger of God ﷺ said: “Do not initiate greetings of peace when you meet a Jew or a Christian. If one of you are to encounter one on the road then do not make way for him out of honour and respect for him” (Bukhārī and Muslim). In another hadith on the authority of Usāmah b. Zayd, the Prophet ﷺ rode a donkey with a fadakiyan velvet saddle when visiting Sa’d b. ʿUbādah before the Battle of Badr, and mounted behind him was Usāmah b. Zayd. The Prophet ﷺ proceeded until he passed by a gathering in which there were Muslims, pagans and Jews. Among them was ʿAbd Allah b. Ubayy b. Salūl and ʿAbd Allah b. Ruwāḥa. When the dust raised by the donkey dispersed over the crowd, ʿAbd Allah b. Ubayy covered his nose with his upper garment and exclaimed: ‘Do not trouble us with this dust!’ The Prophet ﷺ then replied with greetings of peace. The first hadith indicates the avoidance of initiating greetings of peace, as it is a sign of reverence

and the disbeliever is not to be venerated (due to his disbelief). Whereas the second hadith, in juxtapose, permits the initiation of greetings of peace. Ṭabarī said: ‘There is no conflict with what Usāmah has narrated and the hadith of Abu Hurayrah, for there is nothing in either which is contrary to the other. The reason is that the hadith of Abū Hurayrah is general, and the report of Usāmah refers to a specific circumstance. Al-Nakh‘ī said: “If you have a requirement that needs to be fulfilled with a Jew or a Christian, then initiate the greetings of peace.” Hence it is clear that the hadith of Abū Hurayrah: “Do not initiate greetings of peace” refers to the lack of a viable reason like the rights due to company, proximity or travel. Ṭabarī said: ‘It has been narrated from the *Salaf* that they would give greetings of peace to the People of the Book, and that Ibn Mas‘ūd performed it with a *dehqan* who accompanied him on the road. ‘Alqamah said: “I said to him, ‘O Abū ‘Abd al-Raḥmān, is it disliked to initiate greetings of peace?’ ‘Yes’ he replied. ‘However, there is a right due to company.’” Similarly, whenever Abū Usāmah returned to his home, he would not pass by a Muslim, Christian, youth or elder save that he greeted him with peace. When asked about this, he replied: ‘We were commanded to spread peace.’ Al-Awzā‘ī was questioned about a Muslim who passed by a dis-believer and greeted him with peace, to which he responded: ‘If he greets with peace, then the righteous before us have done the same, and if he avoids doing so then the righteous before us have also done so.’ It was reported from Ḥassan al-Baṣrī that he would say: ‘If you pass by a gathering in which there are Muslims and non-Muslims then send them greetings of peace.’⁶⁴

It is my opinion that the statement of the Prophet ﷺ was

specific to the Jews of Banū Quraytha. For they betrayed the pact by agreeing with the pagans to attack the Muslim rear-guard in the battle of al-Khandaq.⁶⁵ The blessed Prophet ﷺ decreed punishment for their treason and so removed the danger they posed to Islamic life. He ﷺ wished to show his Companions that they had broken the pact and to make them feel in a symbolic way the imminence of war upon them. It has not been recorded that the Messenger of God ﷺ acted rudely with the People of the Book in general or the Jews and pagans in particular. He ﷺ was a mercy as declared by his Lord:

And indeed, you are upon the most noble of character [68:4]. And said: And it was by God's grace that thou didst deal gently with them; for if though hadst been harsh and hard of heart, they would have indeed have broken away from thee [3:159].

He ﷺ was benevolent with neighbours from the People of the Book, visited their sick and consoled them at times of distress. Who then can imagine the Messenger of God ﷺ—whether in Madīnah or Makkah—visiting the Christians and the Jews and not sending them greetings of peace? Hence the issue of refraining from greeting Banū Quraytha with peace was similar to a declaration of war. It is not a general rule that applies to all of the People of the Book or all of the Jews, however it did perhaps include those signatories of a pact whose case was very familiar to that of Banū Quraytha in their betrayal of the treaty. The Messenger of God ﷺ did not prohibit sending greetings of peace upon the People of the Book and *ahl al-dhimmah*, only to perform the contrary. Rather he replied with greetings of peace despite knowing that they were supplicating

against him and uttering profanities. We find in his instruction of Lady ʿĀʾisha that gentleness does not exist in anything except that it embellishes it, and that coarseness, vulgarity, and aggression exist in nothing save that it impairs it. Bukhārī mentions on the authority of ʿĀʾisha that: ‘The Jews came to the Prophet ﷺ and said: “Poison be upon you.”’ On this, ʿĀʾisha replied: ‘Nay, upon you instead, and may the curse of God and His wrath be upon you too!’ ‘Calm down O ʿĀʾisha,’ said the Prophet ﷺ, ‘Be gentle and abstain from aggression and obscenity.’ ‘Did you not hear what they just said?’ she protested. ‘Did you not hear what I said? I replied to them—and what I say to them is granted and what they say about me is rejected.’⁶⁶ ʿĀʾisha only reacted the way she did with those particular Jews because they were connivingly mocking the Muslims by means of distorting a letter or two of the Islamic greeting and changing it into a curse. Despite this, the only reaction they received from the Prophet ﷺ was a cordial response, showing his good conduct. If this is the case then, what can we expect of the Prophet’s ﷺ interactions had they been peaceful law-abiding citizens or people of good character? Would one expect from the Messenger of God ﷺ or the Muslims to completely avoid them or to be harsh with them? For the refusal to send greetings of peace is not understood to be anything other than harsh and callous. This opinion which I have reached, the prohibition of sending greetings of peace to be specific to Banū Quraythā due to their violation of the treaty, is corroborated by the following proofs:

- Ibn Mājah reported on the authority of Abū ʿAbd al-Raḥmān al-Juhanī who said: ‘The Messenger of God

ﷺ said: “I am riding tomorrow to the Jews, so do not initiate greetings of peace with them. If they send greetings of peace on you, then reply ‘and likewise upon you too’.”⁶⁷

- Aḥmad in his *Musnad* and Ibn Abī Shaybah in *al-Muṣannaf* narrated the following on the authority of Abū Nuḍrah al-Ghafārī, who said: “The Messenger of God ﷺ said: “We are travelling to the Jews, so do not initiate greetings of peace. If they greet you with peace then say to them ‘and upon you also’.”⁶⁸

These two narrations are what make us render the prohibition of the Messenger of God ﷺ specific to the incident of Banū Quraytha, especially due to the fact that, within the Noble Qur’ān, there are verses that demonstrate the general recommendation of greeting with peace. For God has said in His Noble Book:

- *And his despairing cry: “O my Sustainer! Verily, these are people who will not believe!” Yet bear thou with them, and say, “peace be upon you”—for in time they will come to know [43:88-89].*
- *And whenever they heard frivolous talk, having turned away from it and said: “unto us shall be accounted our deeds, and unto you, your deeds. Peace be upon you—but we do not seek such as are ignorant [28:55].*
- *Whenever the ignorant address them, they reply with words of peace [25:63].*

Similarly, it has been confirmed by Ibn ‘Abbās that he

said: 'If anyone gives you greetings of peace then return the reply, even if he was Zoroastrian!' This was the same position adopted by al-Sha'bī and Qatādah.⁶⁹

The prophetic approach towards the hypocrites in Madīnah
Hypocrisy is a danger in society. For this reason, Islam warned about it and those involved in its evil. God revealed a chapter in their name where He said:

When the Hypocrites come unto thee, they say, "We bear witness that thou art truly His apostle; and He bears witness that the hypocrites are indeed liars! They have made their oaths a cover [for their falseness], and thus they turn others away from the path of God. Evil, indeed, is all that they wish to fulfil. This is because they profess that they have attained to faith, whereas inwardly they deny the truth—and so, a seal has been put over their hearts, so that they can no longer understand. Were thou to see them, their outward appearance may please thee; and when they speak, thou art inclined to lend ear to what they say. But in reality, they are similar to timbers propped up, they think every shout is directed against them. They are the real enemies, so beware of them. May God destroy them. How perverted are their minds!" [63:14].

Their threat to Islam was due to them being outwardly attached to it, when in reality they were its sworn enemies. They displayed their corrupt animosity in every form while those who were oblivious believed it to be knowledge and righteousness. This is why they were considered a greater harm than disbelievers in general. The hypocrites were

cowardly people who plotted to undermine Islam. They were involved in provoking hostilities between Muslims and revolts of non-Muslim groups against them. They were also responsible for inflicting harm on the Messenger of God ﷺ and tainting his honour. Nevertheless, the Prophet ﷺ was patient with them and knew that their destructive motives were working against them, and that it would not take long for their schemes to become null and void. Jābir narrated: ‘We engaged in battle alongside the Messenger of God ﷺ and a man from the migrants kicked an Ansari from behind. The Ansari man said: “O Ansar! (Help!)” And the migrant said: “O migrants! (Help).” When God’s Messenger ﷺ heard what was said, he remarked: “What is this pre-Islamic attitude? What occurred between them?” “A man from the Migrants kicked a man from the Ansar from behind,” they said. “As a result, the Ansar called for help from their Ansari brethren and the Migrants in turn summoned help from the other Migrants.” The Prophet said: “Refrain from doing such an act for it is something despicable!” ‘Abd Allah b. Ubay said: “Have they really gathered against us? By God, if we return to Madīnah, surely the more honourable will expel the ignoble!” On this, ‘Umar b. Al-Khaṭṭāb said: “O Messenger of God ﷺ, shall we not kill this vile person (for inciting civil war)!” The Prophet ﷺ said: “Leave him, lest people start spreading rumours that Muhammad kills his Companions.”⁷⁰ ‘Abd Allah b. Ubay b. Salūl was the head of the hypocrites and it was in his company that they would convene. It was he who said: “If we return to Madīnah, surely the more honourable will expel the ignoble” during the battle of Banū al-Muṣṭaliq. It was because of this statement that the chapter of the hypocrites was revealed in the Qur’ān. He

was also of the group that would slip away to Banū al-Naẓīr when the Messenger of God ﷺ was besieging them, saying: “Be steadfast, for, by God, if you are expelled, we will surely leave with you and we will never pay heed to anyone against you. If you are fought against, then indeed we will assist you.”

God then revealed:

Have you [Prophet] considered the hypocrites who say to their fellows, the faithless among the People of the Book, ‘If you are driven out, we shall go with you—we would never listen to anyone who sought to harm you—and if you are attacked, we shall certainly come to your aid’? God bears witness that they are in fact liars [59:11].

Moreover, ‘Abd Allah b. ‘Abd Allah b. Ubayy came to the Messenger of God ﷺ and said: ‘O Messenger of God ﷺ, I have been informed that you want to kill ‘Abd Allah b. Ubayy [i.e., my father] due to what has reached you about him. If you feel that this must be done, then command me to perform it and I will bring you his head, for by God, the Khazraj know that there was no one more dutiful to his father than myself. I fear that you will command someone else to perform the task to kill him and, as a result, I will not be able to bear to look at the killer of ‘Abd Allah b. Ubayy walking among the people and therefore will kill him, which would mean that I would have killed a believer on behalf of a disbeliever and enter Hell as a consequence.’ ‘On the contrary,’ the Prophet ﷺ answered, ‘We shall proceed gently with him and be benevolent to him as long as he stays with us.’⁷¹ Ibn ‘Umar narrated that when ‘Abd Allah b. Ubayy died, his son came

to the Messenger of God ﷺ and said: ‘O Messenger of God, let me have his garment so I can shroud him in it, pray over him and ask God to forgive him. The Prophet ﷺ granted his request and said: ‘Inform me when the funeral is ready so I may pray over him,’ which he did.⁷² ‘Umar b. al-Khaṭṭāb said: ‘When the Messenger of God ﷺ rose I leapt up and said: “O Messenger of God ﷺ, are you going to pray upon Ibn Ubayy after all he had said and done?” And I proceeded to remind him of all the things he had said. The Messenger of God ﷺ smiled and replied: “O ‘Umar, let me be.” I persisted further, to which the Prophet ﷺ said: “I was given the choice and I chose. Were I to know that even if I were to ask for forgiveness more than 70 times and as a result he would be forgiven, I would have done so.”’ ‘Umar continued: ‘The Messenger of God ﷺ prayed over him and then departed, and it was not long until these two verses were revealed from chapter al-Barā’ah:

And never shalt thou pray over any of them that has died, and never shalt thou stand by his grave: for, behold, they were bent on denying God and His Apostle, and they died in this their iniquity.⁷³

Attitudes towards the pagans in Madīnah

Islam spread in Madīnah among the Aws and Khazraj before the arrival of the Prophet ﷺ, and it continued to do so after his arrival, within and outside the city. Some of its inhabitants remained pagans. Ibn Ishāq mentions: ‘The Messenger of God ﷺ resided in Madīnah after his arrival, from Rabī‘ al-Awwal until Ṣafar the coming year, when his mosque and home were built and the district where the Helpers lived became Muslim. There did not remain a Helper’s house save that its residents had accepted Islam,

except for Khaṭmah, Wāqif, Wā'il and Umayyah, who were of the Aws and remained pagans.”⁷⁴ The pagans in Madīnah were a minority and there were no reports of rebellion or harm towards the Muslims. Nor did they unite to fight against the Messenger of God ﷺ, as was the case with the hypocrites and the Jews. Similarly, there is no evidence that the Messenger of God ﷺ or any one of the Companions ever dealt with any of them in an unkind or oppressive manner.

CHAPTER IV

THE FOURTH MODEL: MADĪNAH IN ITS CONCLUDING STAGE

It would be incorrect to assume that Madīnah in its final phase had no diversity in religious persuasions. Muslims do not believe in a notion of ‘purging the world of non-Muslims’ or ‘standardising religion’. Nor does Islam teach that others should be forced to embrace the faith or else leave their land. Madīnah, until the very passing of the Messenger of God ﷺ, had Jewish inhabitants who would sell, trade and live in peace. Though they no longer lived in their own exclusive quarters or commanded their own isolated military fortresses as they had in the initial stage, they nonetheless were ‘Madīnan’ in that they were indigenous citizens living with their families.

The Jews in Madīnah during the final stage

In this section we present to the reader examples that demonstrate the peaceful existence of Jews in Madīnah during the later years of the Prophet’s ﷺ life.

- I. ‘A Muslim man and a man from the Jews insulted each other. The Muslim said: “By He Who gave superiority to Muhammad over all the people!” The Jew said: ‘By He Who gave superiority to Moses over all the people!’ On that the Muslim lifted his

hand and slapped the Jew. The Jew went to God's Messenger ﷺ and informed him of the incident that transpired between him and the Muslim. The Prophet ﷺ said to the Muslim: "Do not give me superiority over Moses, for people will fall unconscious on the Day of Resurrection. I will be the first to regain consciousness and behold, Moses will be standing there, holding the side of the Throne! I will not know whether he was one of those who had fallen unconscious and then regained consciousness before me, or if he has been one of those exempted by God (from falling unconscious)."⁷⁵

In this hadith we find that a Jew and a Muslim offend one another, only for the Jew to seek arbitration from the Prophet ﷺ. Likewise, we find that the Messenger of God ﷺ prohibited any distinction between himself and Moses, all of which highlights that there was social interaction between the Muslims and Jews in Madīnah. The non-Muslim should live in an Islamic society in peace and under the security of the Muslim ruler, protected by the authority of the Sacred Law. The salient point in this hadith is that there were Jews who would seek the arbitration of the Prophet ﷺ in their affairs, believing in his justice and mercy. It emphasises the Messenger of God's ﷺ respect for other religions and the previous Prophets, and his refraining from undermining freedom of belief and violating human dignity. 'Abd Allah b. 'Amr narrated that the Messenger of God ﷺ said: 'Whoever kills someone with whom we have a covenant will not scent the fragrance of Paradise, despite its fragrance reaching the distance of 40 years' travel.'⁷⁶ Abū Dāwūd narrated, on the authority of a group of Companions, that the Messenger of God ﷺ said: 'Indeed,

whoever oppresses someone with whom we have a covenant, belittles him, obliges him to do something beyond his capacity, or takes something from him forcefully, then I will be a witness against him on the Day of Judgement.’⁷⁷

- II. The instruction of the Noble Prophet ﷺ when visiting the sick among the people of the covenant. It was reported that the Messenger of God ﷺ visited a sick young Jewish man. He ﷺ sat next to him and advised: ‘Embrace Islam.’ The young man looked to his father, who was by his head. His father said: ‘Listen to the words of Abū Qāsim,’ and so the son embraced Islam. The Prophet ﷺ then stood up, saying: ‘Praise be to God who saved him through me from the Fire.’⁷⁸

This hadith shows the presence of Jewish homes in Madīnah during this final stage, engaging with Muslim families. The Prophet ﷺ maintained good relations with them, visited their sick and undertook other social duties on behalf of citizens, regardless of their religious background. The factor that illustrates this incident occurred during the final stage of Madīnah was that the Jews, during the first Madīnan agreement, were almost in complete isolation within their fortresses, detached from social interaction. They would not leave except for trade and cultivation, which in most cases did not allow scope for a Muslim to become acquainted with their sick, healthy, poor or rich. However, in this incident we find that the Messenger of God ﷺ received knowledge of the illness of this young man and went to console him and his father. When he invited him to Islam, his father did not hesitate to command him to obey the Messenger of God ﷺ, despite

the pressures that he could later face from other Jews. The father instructed his son, who was on the throes of death, to obey the Prophet ﷺ. He did not do this due to the authority of the Messenger of God ﷺ or out of coercion. For his son was breathing his last breaths—and it is astounding that the father himself did not embrace Islam himself or outwardly acknowledge the Messenger of God’s ﷺ prophethood. Yet he still preferred salvation for his son during his last moments. Were this incident to have emerged from force, then the father would have felt compelled to embrace Islam also.

III. Some of the Companions, during the time of the Prophet ﷺ, tried to conceal the identity of a Muslim thief who had stolen from a Jew. Consequently, six verses in surah al-Nisā’ were revealed defending the victim’s right to justice:

Do not be an advocate for those who betray trust, but pray that God may forgive [them]: behold, God is indeed much-forgiving, a dispenser of grace. Yet do not argue in behalf of those who are false to their own selves: verily, God does not love those who betray their trust and persist in sinful ways. They would conceal their doings from men; but from God they cannot conceal them—for He is with them whenever they devise, in the dark of night, all manner of beliefs which He does not approve. And God indeed encompasses [with His knowledge] whatever they do. You might well argue on their behalf in the life of this world: but who will argue on their behalf with God on the Day of Resurrection, or who will be their defender? Yet he who does evil or [other-

wise] sins against himself, and thereafter prays God to forgive him, shall find God much-forgiving, a dispenser of grace [4:105-110].

Regarding the verse: (*Do not be an advocate for those who betray trust*), al-Ṭabarī said: ‘(Do not be) with he who betrayed a Muslim or person of covenant, whether physically or financially, (*an advocate*) to argue on his behalf and defend him against the one who demands his right in which he betrayed him.’ Al-Wāhidī said: ‘This was all revealed as a result of a single occurrence; that a man from the Helpers called Ṭu‘mah b. ‘Ubayriq, of Banū Thafar b. al-Ḥārith, stole a coat of mail from a neighbour called Qatādah b. al-Nu‘mān. The chain of mail was in a travel bag, which also contained flour that began to leak from the bag through a hole, leaving a trail to the house where it had been taken. He then concealed it at the residence of a Jewish man called Zayn b. Samīn. Questions were asked at the residence of Ṭu‘mah as all the signs were indicating that it was at his residence, though it could not be found and he swore that it was not with him and that he had no knowledge of it. The owners of the mail said that when night fell, he took it as revealed by the flour trail leading back to his house. Nevertheless, after swearing an oath regarding his innocence they left him and continued to follow the flour trail until it reached the house of the Jew. Upon apprehension the Jew said: “It was given to me by Ṭu‘mah b. ‘Ubayriq,” and other Jews testified in his favour. Banū Thafar, the tribe of Ṭu‘mah, said: “Come with us to the Messenger of God ﷺ” and they spoke to him (the Prophet) about this, asking him to stand up for their companion, saying: “If you do not stand up for him, he will perish and will become exposed while a Jew will be

innocent.” The Prophet ﷺ then intended to punish the Jew until God revealed to him:

Indeed, We have revealed to you, [O Muhammad], the Book in truth so you may judge between the people by that which God has shown you. Do not be an advocate for those who betray trust...”

In addition, al-Tirmidhī narrated: ‘Qatādah said: “I went to the Messenger of God ﷺ and informed him: ‘A household among us are ill-mannered and they conspired against my uncle Rifā‘ah b. Zayd. They breached his storage and took his weapons and food. Let them return our weapons. As for the food we have no need for it.’ So, the Prophet ﷺ said: ‘I will issue a command in its regard.’ When Banū Ubayriq heard about this, they sent a man from among them, named Asīr b. ‘Urwah, to talk to the Prophet ﷺ about the situation. Some people gathered from their houses and said: ‘O Messenger of God ﷺ! Qatādah b. al-Nu‘mān and his uncle came to a family among us who are a people of Islam and righteousness, accusing them of stealing without proof or confirmation!’ Qatādah said: ‘I went to the Messenger of God ﷺ and spoke to him, and he said: ‘You went to a family known for their Islam and righteousness and accused them of stealing without confirmation or evidence.’ He said: “I regretted having ever intervened, wishing instead that I had lost some of my wealth and that the Messenger of God ﷺ had not been spoken to about that. My uncle Rifā‘ah came to me and said: ‘O my nephew! What did you do?’ I then told him what the Messenger of God ﷺ said to me. ‘May God help us,’ he said. It was not long after that the Qur’ānic verse was revealed:

Behold, We have bestowed upon thee from on high this divine writ, setting forth the truth, so that thou may judge between people in accordance with what God has taught thee. Hence, do not be an advocate for those who betray trust [4:105].

The betrayers of trust referred to in this verse was is Banū 'Ubayriq.⁷⁹ In this narration, it is clear how Islam established principles for peaceful coexistence with non-Muslims in an Islamic society. The state was established on foundations of citizenship that did not differentiate between individuals due to their religion or race. Islam aided the manifestation of truth, while removing mankind from darkness of oppression. Hence, justice is a firm pillar in Islamic law, whereby judgements must be impartial even if they rested on someone whom we may have some sort of resentment towards.

God says: Do not let hatred of others lead you away from justice, but adhere to justice, for that is closer to awareness of God [5:8].

Seeking justice is a duty even if it means a rule against one's self or relatives:

God says: You who believe, uphold justice and bear witness to God, even if it is against yourselves, your parents, or your close relatives [4:135].

The Messenger of God ﷺ said: 'O people, indeed those before you went astray due to not bringing a wealthy person to justice when he committed theft, but if one of the poor carried out the same crime, they implemented the requisite punishment. By God, were Fāṭimah, the daughter of Muhammad, to steal, Muhammad would have cut off

her hand!”⁸⁰ Islam also stressed the quality of impartiality. Everyone is equal before the law, with considerations other than God-consciousness irrelevant. There is no preference for one over the other. The Messenger of God ﷺ said in his farewell sermon: ‘O people, indeed your Lord is one, and your forefather is one. An Arab has no distinction over a non-Arab, nor a non-Arab over an Arab, or white over black nor black over white, except according to the extent of his God-consciousness.’⁸¹ The true demonstration of justice emerged after the formation of the Islamic state in Madīnah. For justice and benevolence was applied to all, regardless of their belief, by the Messenger of God ﷺ.

IV. Abū Hurayrah said: ‘The Messenger of God ﷺ would accept gifts and not accept charity. A Jewish lady gifted him, during the Battle of Khaybar (Muharram 7 AH), a poisoned roast lamb, which the Prophet ﷺ and the people ate from. The Messenger of God ﷺ said: “Do not reach for it, for I have been informed that it is poisoned!” Bishr b. al-Barā’ b. Maʿrūr al-Anṣārī died, having already eaten a portion. The Prophet ﷺ summoned the lady and asked her: “What motivated you to do what you did?” “If you were a true Prophet,” she replied, “what I did would not affect you, and if you were a ruler (one seeking dominion) then I would have relieved the people from you.” She was then detained and put to death (for murder).’⁸²

The Prophet ﷺ did not collectively punish the Jews for the crime of this woman, who tried to poison him and his Companions. He ﷺ did not banish them from Khaybar, rather he allowed them to continue in their land, which they

would cultivate after their fortress was captured. It is said that this woman was the sister of Marḥab the Jew, who along with his brother Yāsir, was killed in a duel during the Conquest of Khaybar. She plotted secretly, enquiring which part of the meat was most preferred by the Messenger of God ﷺ, finding out that it was the shoulder. She laced a large amount of poison in the shoulder, as well as in the rest of the sheep, and brought it to him. He took from the shoulder and bit it without swallowing. Bishr b. al-Barā' b. Ma'rūr took some of it just as the Messenger of God ﷺ had done, except he swallowed. The Messenger of God ﷺ spat it out and said: 'This part tells me it has been poisoned!' He then summoned her and she confessed. He ﷺ asked her: 'What caused you to do this?' 'You are very aware of what you have inflicted upon my people! I asked myself: "If he is a ruler then I have relieved myself of him, and if he is indeed a prophet then he will be informed."' The Prophet ﷺ then pardoned her, but Bishr died from the piece he had eaten.⁸³ Hence, the Messenger of God ﷺ pardoned her despite her attempt to kill him. However, she was later put to death due to having killed Bishr b. al-Barā', who died immediately.

It should be noted that the poison did not at any stage have an effect on the Messenger of God ﷺ. As for he who says that the Messenger of God ﷺ had a fever due to this incident and consequently died, this assumption is wrong. The reason is God's saying:

O Messenger, convey that which has been revealed to you from your Lord. And if you do not, then you have not conveyed the message. And God will protect you from the people [5:67].

The blessed Messenger of God ﷺ lived for four years and two months after putting the poisoned morsel of meat in his blessed mouth, and there did not appear any effect of the poison on him. It has not been narrated that the Messenger of God ﷺ was suffering from any discomfort during these four years, despite enduring many incidents. How then could the poison have just suddenly affected him after all those years?

V. Lady ‘Ā’isha narrates: ‘When the Messenger of God ﷺ passed away, his chain-mail was pawned to a Jew for 30 *ṣā* (cubic measure) of barley.’⁸⁴

Even at the point of the Messenger of God’s ﷺ earthly departure, there was a Jew present in Madīnah who would trade in barley, and he found no issue with taking the chain-mail of the Messenger of God ﷺ as a security. Likewise, the Messenger of God ﷺ found no issue in giving it to him, and indeed the truth is most worthy of being followed than the misconceptions that have circulated in recent times.

From all the aforementioned, it is evident that Madīnah, in its concluding stage, was a place where Jews lived and thrived. The Messenger of God ﷺ did not expel the Jews of Khaybar—even though they were the largest Jewish assembly—leaving them to cultivate their land and agreeing with them to half its tax revenue.

The hypocrites and apostates in Madīnah during its concluding stage.

It was at this time that the hypocrites represented the greatest opposition in Madīnah, relentlessly plotting against the noble Prophet ﷺ and his Companions, in periods of peace and war. Nevertheless, the Messenger of God ﷺ

preferred practising clemency when dealing with them. Ibn al-Ṭallā^c said in his *Aḥkām*: 'It is not mentioned in any of the famous books that the Prophet ﷺ killed an apostate or a heretic.'⁸⁵

The examples of the Prophet's ﷺ forbearance and non-retaliation in face of the hypocrites are numerous. They include Mirba^c b. Qaythi, who said to the Messenger of God ﷺ as the latter was crossing his garden on the way to Uhud: 'I will not allow you O Muhammad, even if you are a Prophet, to pass through my garden!' He picked up a handful of dirt and said: 'I swear that if I were to know that, by casting this, it would hit no one but you I would cast it!' The Muslims then hastened to kill him but the Messenger of God ﷺ said: 'Let him be! For this blind man is blind of heart as well as sight.' Similarly, his brother Aws b. Qaythi cried out to the Prophet ﷺ during the Battle of Khandaq: 'O Messenger of God ﷺ, our homes are exposed, so let us return to them!'

God revealed the verse: *They say our houses are exposed when they are not! They want no other than to take flight!* [23:13].

Despite Mirba^c b. Qaythi being one of the hypocrites who displayed clear disbelief and apostasy, the Messenger of God ﷺ did not kill him, nor permit his Companions to kill him, sufficing with the words 'blind of heart and sight'.

The Messenger of God ﷺ was to encounter the worst of people yet he showed gentleness and friendship to avoid their obscenities and harm. This was a means of removing the evil in a person before he reveals and announces it. Lady ^cĀ'isha reported that a man asked to enter the presence of the Prophet ﷺ and, on seeing him, he ﷺ remarked: 'What an evil representative of his tribe!' When he sat with the

Prophet ﷺ, the Messenger of God ﷺ behaved politely with him, smiling and at ease with him. On his departure ‘Ā’isha questioned: ‘O Messenger of God ﷺ, when you saw the man you said such-and-such, and then you smiled in his face and remained at ease with him.’ The Messenger of God ﷺ replied: ‘O ‘Ā’isha, when have you ever found me to be impudent? The worst of people unto God on the Day of Judgement are those whom the people refrain from their company to avoid their evil.’”⁸⁶

Abū Sa‘īd Al-Khudrī relates that ‘Alī b. Abī Ṭālib sent a small piece of gold—not yet extracted from its ore—in a tanned leather container to the Messenger of God ﷺ. He ﷺ distributed it to four individuals: ‘Uyayna b. Badr, Aqra b. Hābis, Zaid al-Khayl and the fourth was either ‘Alqama or ‘Āmīr b. al-Tufayl. On hearing this, another Companion grumbled: ‘We are more deserving of this than they are.’ When word of this reached the Prophet ﷺ, he said: ‘Do you not trust me though I am the honest, upright messenger of the One in the Heavens, and receive revelation from the celestial realm night and day?’ Upon this a man got up with sunken eyes, raised cheek bones, protruding forehead, thick beard, shaven head and a waist sheet that was rolled up who said: ‘O Messenger of God ﷺ! Fear God!’ The Prophet ﷺ replied: ‘Woe unto you! Am I not the most foremost of all people to fear God?’ The man then turned around and departed. Khālīd b. al-Walīd said: ‘O Messenger of God ﷺ! Shall I strike his neck?’ The Prophet ﷺ said: ‘No, for perhaps he may pray.’ Khālīd continued: ‘Many are they who offer prayers and say with their tongues what is not in their hearts.’ The Messenger of God ﷺ replied: ‘I have not been commanded to search the hearts of people or penetrate their innards.’ The blessed Prophet ﷺ then

looked at the man departing and said: ‘From the offspring of this man, there will appear a people who will recite the Qur’ān continuously and elegantly but it will not pass their throats. They would depart from the religion in an instant just as an arrow departs from its target.’⁸⁷

Another example of the cordiality of the Messenger of God ﷺ with the hypocrites, is that, despite his knowledge of their identities via divine revelation, he did not expose them. He was instructed to neither pray over them nor seek forgiveness for them, and was commanded to oppose them and to be firm, meaning that he must have known who they were via revelation.

God says: O Prophet! Strive hard against the deniers of the truth and the hypocrites, and be adamant with them. And [if they do not repent,] their goal shall be hell—and how vile a journey’s end! [9:73].

Hence the Prophet ﷺ did not expose them in hope that they would return to the folds of Islam or that the hearts of the believers would become united. This is another example of the Qur’ānic guidance whereby it did not openly point out the hypocrites, but rather alluded to them by saying ‘from among them’, like God’s saying:

And among them there was [many a one] who said: ‘Grant me permission [to remain at home], and do not put me to too hard a test!’ Oh, verily, [by making such a request] they had [already failed in their test [9:49]. And said: Now among those are such as listen to thee, [O Muhammad,] but, once they leave your presence, they sneer at those who have been given knowledge, saying: ‘What was that he just said’ [47:16].

Before his earthly departure, the Prophet ﷺ revealed the names of all hypocrites to his confidant, Ḥuthayfah b. al-Yamān, so they would not be prayed over nor buried in the graveyard of the Muslims. Although the hypocrites remained in Madīnah, the Prophet ﷺ did not command their death or exile, nor did he report their names. Instead, he maintained discretion so they would not be subject to harm. Such was the treatment of the Messenger of God ﷺ with all the citizens of the Islamic state in Madīnah—dealing gently at times and being firm on other occasions—despite the animosity among some of its residents. Hence, he introduced to the world a unique model for peaceful coexistence, respecting all members of society and preventing harm against his adversaries.

It is such duties that are incumbent on every Muslim to follow, so as not to violate a community's solidarity at a time when unity is most vital. For this was an era when enemies were trying to plant seeds of discord and spread weakness among future generations. Embedded in all these models is the exceptional example that our Master, the Messenger of God ﷺ has conveyed for interaction with others, safeguarding the wellbeing and stability of communities.

The response of the Messenger of God ﷺ in regard to incidents of apostasy in Madīnah

It was reported that an Arab pledged allegiance to the Messenger of God ﷺ, embracing Islam. He later was inflicted with an illness so he said to the Prophet ﷺ: 'Revoke my allegiance,' which he ﷺ refused. He went to the Messenger ﷺ again and asked him to revoke his allegiance, which he ﷺ refused. He then left the city, only for the Prophet ﷺ to

remark: ‘Madīnah is like the bellows—it discards its filth and its goodness becomes manifest!’

The apparent meaning here is that the man asked to leave the fold of Islam, and this was the position which Qāḍī ‘Iyāḍ believed.⁸⁸ The Prophet ﷺ left him to depart without ordering his Companions to kill him—or to follow and monitor him—in case he was to insist upon his apostasy.

Anas is reported to have said: ‘A Christian man embraced Islam and read *Surah al-Baqarah* and *Āl ‘Imrān*. He acted as a scribe for the Prophet ﷺ, before returning to the Christian fold. The man said: “Muhammad doesn’t know anything except what I have written for him.” He then died by the will of God and was buried by his people. In the morning, the ground had rejected him and cast him out of his grave. “This is the work of Muhammad and his Companions!” they said. “When he renounced them, they dug him up and cast him out of his grave!” They then dug for him a deeper grave but come the morning, again found his body cast out of the grave. “This is the work of Muhammad and his Companions!” they repeated. “When he renounced them, they dug him up and cast him out of his grave.” They then re-dug his grave as deep as they could manage. When the morning came—for the third time—they found that the ground had cast him out. They then knew that this wasn’t done by any of the people, so they cast his body away themselves.’ This Christian from Banū al-Najjār was not content with apostatising, but also insisted on slandering the Messenger of God ﷺ, saying: “He knows nothing except what I have written for him,” and then God caused him to die. In this account, there is no reference that the Messenger of God ﷺ commanded anyone to kill the man due to his apostasy. It is further understood from his

having read *surah al-Baqarah* and *Āl ‘Imrān* that he was a Muslim for a substantial period and that his apostasy took place some years after the Migration.

Additionally, the Qur’ān mentions that a group of Jews would fluctuate between belief and disbelief so as to test the believers in their faith and deter them from Islam.

God said: *And some of the people of the Book say to one another: ‘declare your belief in what has been revealed unto those that believe at the beginning of the day, and deny the truth at its end, so that they may go back [on their faith] [3:72].*

This collective apostasy occurred in Madīnah after the Islamic state had become established with the Messenger of God ﷺ as its ruler. Despite this, none of these people were punished in spite of their apostasy. However, there are cases where the Messenger of God ﷺ permitted the execution of some of the apostates and hypocrites, as we can see from the following examples.

Miqyas b. Ṣubābah al-Laythi

From what we can judge outwardly is that Miqyas b. Ṣubābah arrived from Makkah as a Muslim, due to his statement: ‘O Messenger of God ﷺ, I have come to you as a Muslim and I have come to ask for the blood-money of my brother who was killed by accident.’ The Prophet ﷺ then commanded that he be given the blood-money for his brother Hishām b. Ṣubābah. He then resided with the Messenger of God ﷺ for a short period before attacking the killer of his brother and killing him. He then returned to Makkah as an apostate.⁸⁹ He was later killed by Numayla b. ‘Abd Allah al-Kinānī, after the Messenger

of God ﷺ had commanded that whoever finds him should kill him.⁹⁰ The narration unambiguously indicates that the Messenger of God ﷺ did not order that Miqyas be killed due to his apostasy, but because of his murder of the accidental killer of his brother, after being satisfied with the blood-money and receiving it.

‘Abd Allah b. Khaṭal

He was a Muslim whom the Messenger of God ﷺ sent to collect charity with a man from the Helpers. Ibn Khaṭal also took with him a freed-man he had, who would serve him and had also embraced Islam. He commanded the freed-man to slaughter a goat and prepare for him some food. He went to sleep and woke up to no food having been prepared. Out of rage, he attacked and killed his freed-man and then apostatised, returning to polytheism. The Prophet ﷺ then commanded that he be killed even if he were clinging to the robes of the *Ka‘ba*. He was later killed by Abū Barzah al-Aslami.⁹¹

The Messenger of God’s ﷺ policy on coexistence outside Madīnah

After the battle of Khandaq, the Messenger of God ﷺ left with his Companions in a state of *Ihram* to perform the minor pilgrimage in Makkah (*‘umrah*), taking with them animals (*hady*)⁹² for sacrifice at the Sacred Precinct, bearing no weapons and with no intention of war. The Qurayshi reaction and the response of the Messenger of God ﷺ can be best illustrated by three key events.

1. The Treatise of Ḥudaybiyyah

The Messenger of God ﷺ departed at the end of the sixth

year in Dhū al-Qa‘dah to perform the minor pilgrimage with no intention in engaging in warfare. He had with him sacrificial animals (70 camels) and 700 men. Each sacrifice was undertaken for ten persons. He invited local Arabs and Bedouins to join him, fearing that the Quraysh would attack him or prevent him from reaching the *Ka‘ba*. But many of the Arabs refrained from going. The Messenger of God ﷺ eventually set off with men from the Migrants and Helpers, as well whatever Bedouins agreed to come, bringing sacrificial animals and dressed in *ihram* so people would feel safe from attack and recognise they had only come as pilgrims to the Sacred House.

The Messenger of God ﷺ avoided any encounter with the Quraysh. It wasn’t until he had reached as far as ‘Uṣfān that he met Bisr b. Sufyān al-Ka‘bī, who told him: ‘O Messenger of God ﷺ, Quraysh have heard of your travelling and have come out, accompanied by milk-giving camels with their calves. They have dressed in tiger skins and encamped at Dhū Ṭuwā, swearing to God that you will never get past them nor enter the holy city. Khālīd b. Walīd is in charge of their cavalry and they have advanced to Kurā‘ al-Ghamīm.’ The Messenger of God ﷺ responded: ‘Woe unto Quraysh, they have been consumed by warfare! What harm would it do them to leave my fate to the other Arabs? If they were to defeat me, then that would be what they themselves wanted and, if God gave me victory over them, then they would enter Islam in droves. And if they did not, then they would fight with strength on their side. So what is Quraysh thinking?! For by God, I will continue to struggle and strive to complete my mission for which God sent me until He brings it to pass or I perish therein!’ He ﷺ then asked: ‘Who will direct us by some path other

than the one they are on?’ A man of Aslam rose and said: ‘I will O Messenger of God ﷺ.’ He then led them through a long rough, stony trail between mountain passages. When they emerged from it—and the Muslims had suffered greatly on this route—the terrain became easy until the end of the valley. The Messenger of God ﷺ then called out: ‘Say: “We ask God’s forgiveness and turn to Him in repentance”.’ They all repeated it. The Prophet ﷺ then said: ‘I swear by God that this was the *ḥittah* (supplication) put before the Children of Israel but they refused to say it!’

The Prophet’s ﷺ dispatchment of an emissary to Quraysh for the treaty of Ḥudaybiyyah.

The blessed Prophet ﷺ recognised that it was imperative to send an emissary to inform Quraysh of his peaceful intentions, his disinterest in warfare and that he was coming to venerate the Sacred House with sacrificial animals for the minor pilgrimage, after which they would return to Madīnah. The Messenger of God ﷺ sent Khirāsh b. Umayyah al-Khuzā‘ī on a camel called Tha‘lab. On entering Makkah, the Quraysh hamstrung his camel and tried to kill him, although the Abyssinians intervened and prevented them. Al-Khuzā‘ī then made his way back to the Messenger of God ﷺ. The Messenger of God ﷺ eventually sent ‘Uthmān b. ‘Affān on the basis that he had a tribe that could protect him against any possible harm from the pagans. However, upon arrival, Quraysh kept ‘Uthmān as their prisoner, with news reaching the Messenger of God ﷺ and the Muslims was that ‘Uthmān b. ‘Affān had in fact been killed. On receiving this, the Messenger of God ﷺ stood up and declared: ‘We will not leave before engaging in battle with these people!’ The Prophet ﷺ immediately

called the people to swear to a pact. This pledge, *bay'ah al-riḍwān*, was made beneath a tree. People would say that the Messenger of God ﷺ received a pledge of allegiance unto death. However, Jābir b. 'Abd Allāh recalled: 'The Messenger of God ﷺ did not have us pledge allegiance unto death, but had us swear that we would not flee.' Shortly afterwards, the Messenger of God ﷺ received news that the report of 'Uthmān's death was false and so the matter was brought to rest. He ﷺ then said: "By He who holds my soul in His hand, I'll accept any proposal they make of me by which the sanctuaries of God are dignified!" and negotiations between the Muslims and Quraysh ensued.

A man from Banū Kināna was to say: 'Allow me to go and meet him (the Prophet ﷺ),' and Quraysh agreed. As he was approaching, the Messenger of God ﷺ commented: 'This is so-and-so. He is from a tribe who respect sacrificial camels. Send them out to him.' They were put out for him and people greeted him, saying: 'At Your service ('O Lord').' When he saw this, he said: 'God be praised! It is not right for such people to be kept from the *Ka'ba*.' When he returned to his companions, he told them: 'I have seen their sacrificial camels necklaced and decorated with badges, and I don't think they should be kept from the *Ka'ba*.' Another named Mikraz b. Ḥaf then rose and said: 'Let me go to him.' 'Please do,' they replied. When he approached, the Messenger of God ﷺ said: 'This is Mikraz. He is an immoral man.' As Mikraz started to speak to the Messenger of God ﷺ, Suhayl b. 'Amr arrived. The Messenger of God ﷺ remarked: 'Your problem has become trouble-free!'⁹³ Suhayl then said: 'Come on now, let us write an agreement between us.' The Prophet ﷺ asked for a scribe to be present and said: 'Write down: In the name of God, the most

Merciful (*al-rahmān*) and Beneficent.’ But Suhayl objected saying: ‘As for that term *al-rahmān*, I swear I don’t know what that is. Instead, put down “In your name, O God” like you used to write.’ The Muslims vehemently rejected the request, asserting: ‘By God, we will write only in the name of God, the most Merciful and Beneficent!’ But the Prophet ﷺ said: ‘Write down: In your name, O God (*Bismik Allahumma*).’ He ﷺ continued: ‘This is what Muhammad, the Messenger of God ﷺ, has determined.’ Suhayl once again objected: ‘By God, if we knew you to be the Messenger of God ﷺ, we would not have blocked your access to the *Ka‘ba*, nor would we have fought against you. Instead, write down “Muhammad, son of ‘Abd Allah”.’ The Messenger of God ﷺ replied: ‘By God, I certainly am the Messenger of God, even though you call me a liar! Write down “Muhammad, son of ‘Abd Allah”.’ The Prophet ﷺ then said: ‘On condition that you allow us access to the *Ka‘ba* so that we may circumambulate it.’ Suhayl objected once more: ‘By God, we will not have the Arabs say that we succumbed to pressure. However, that can happen next year.’ Thus it was written. Suhayl then added: ‘On the condition that if any man were to come to you, even if of your religion, you will return him to us.’ ‘Absurd!’ cried the Muslims, ‘How could someone be returned to the pagans after becoming a Muslim!’ While this discussion was in progress, Abū Jandal b. Suhayl b. ‘Amr came along, dragging his chains—having escaped from the lowest part of Makkah—and threw himself down among the Muslims. Suhayl said: ‘This fellow, Muhammad, is the first whom I charge you to return to me.’ The Prophet ﷺ said: ‘But we have not completed the agreement yet.’ ‘In that case,’ Suhayl insisted, ‘I’ll never make a settlement with

you over anything!’ The Prophet ﷺ then said: ‘Release him to my custody.’ ‘I will not release him to you,’ he replied. ‘I insist that you release him!’ ‘That I’ll not do,’ he replied. Abu Jandal then exclaimed: ‘Muslims! Am I to be returned to the pagans? I have come to you as a Muslim. Can’t you see how I’ve been treated?’ [He had been brutally tortured in God’s cause.] At that moment ‘Umar went to the Messenger of God ﷺ and asked: ‘Are you not truly the Messenger of God?’ ‘Yes, indeed,’ he ﷺ replied. ‘And are we not in the right and our enemy in the wrong?’ ‘Yes, indeed,’ he ﷺ agreed. ‘Why then are we demeaning our religion?’ Umar asked. ‘I am the Messenger of God, and I will not disobey Him; He is my helper,’ replied the Prophet ﷺ. ‘Well,’ Umar asked, ‘didn’t you tell us how we would come to the *Ka‘ba* and circumambulate it?’ ‘Indeed yes,’ he replied. ‘But did I tell you we would do that this year?’ ‘No,’ Umar replied. ‘Well,’ he ﷺ assured him, ‘you will go and circumambulate it.’ He went on: ‘When he had completed the document, the Messenger of God ﷺ told his Companions: ‘Make your sacrifices and shave your heads.’ I swear, not a man of them did so until he repeated this three times. When none of them stood up, he went to Umm Salama and told her how the men were behaving. Umm Salama said: ‘O Prophet of God ﷺ, do you like that? Carry on without uttering a word to anyone and sacrifice your camel. Then call for your barber and have him shave your head.’ He went out and spoke to no one until he had done this. He ﷺ made his sacrifice and called for his barber, who shaved his head. When the men saw this, they stood up and made sacrifice. Some shaved the heads of others so hurriedly that it appeared that they were killing each other in their grief.’ Ibn ‘Abbās reported that, on the day of Ḥudaybiyyah, the

Messenger of God ﷺ slaughtered a camel belonging to Abū Jahl—on its head was a silver ring—to infuriate the pagans.

Among the lessons that the noble Prophet ﷺ taught us from the Ḥudaybiyyah agreement is the importance of negotiation and pre-emptive thinking. He ﷺ taught us that sincerity for the sake of God is the foundation of all acts. The Prophet's ﷺ agreement to the Ḥudaybiyyah treaty, despite the compromises it entailed, was in order to permanently dismantle the southern siege of Madīnah, where the pagans in the south reached an agreement during the blockade of Khaybar with the Jews in the north to crush the city by advancing to it from opposing directions. This indicates that the Ḥudaybiyyah agreement was a step to removing the armed threat of the pagans and putting an end to their agreement with the Jews. There were continuous lines of communication between the Jews of Madīnah, the pagans in Makkah and across the Arabian Peninsula. These grew into plots to annihilate the Muslims at the very inception of their nascent state. They intensified after the failure of the plot to attack the Madīnan state by Banū Quraythah and other pagans. The modified arrangement was for Banū Quraythah to open their fortresses for the pagans so that they could besiege the Muslims from the rear while attacking them from the front by the ditch (*al-Khandaq*). The Jews convened in Khaybar, forming one arm that would besiege the Muslims in Madīnah from the north, with Quraysh and its coalition acting as the other arm, besieging Madīnah from two fronts, in the hope of squeezing the Muslims. So the current dilemma was do the Muslims in Madīnah wait for the two sides to unite in crushing them, or do they depart to oppose one of the sides, inciting the other arm to rise against them and thus encircle them from

all directions? Hence, the manifestation of the Prophet's ﷺ wisdom and military acumen, as he headed peacefully to Makkah for the minor pilgrimage. Were Quraysh to block his path and attack him, it would be dishonourable and frowned on by the rest of the Arabs. He ﷺ would also have a path of return to Madīnah. Similarly, the Prophet ﷺ knew that the cowardice of Banū Quraythā prevented them from leaving their fortresses to fight or invade Madīnah. Consequently, when the Prophet ﷺ intended to depart for Makkah in the year of Ḥudaybiyyah, he gave the impression that he was advancing to Khaybar, news of which circulated among its people. Were the Quraysh to conclude a truce with the Messenger of God ﷺ, then his aim was achieved, ending the besiegement of Madīnah. Khaybar then becomes a headquarters where the Jews convene in isolation without support. If they were to express good, then relations would remain good, and if they were to demonstrate betrayal, then they receive just deserts in terms of punishment from the Muslim ranks. All that the Messenger of God ﷺ predicted became manifest. The Jews of Khaybar and their allies, Asad and Ghaṭfān, prepared to attack Madīnah during his absence. However, they refrained on the knowledge that the Prophet ﷺ had reached a truce with Quraysh and was returning to Madīnah. God then revealed: *...and [He] has kept the hands of people away from you* [48/20], meaning the people of Makkah from fighting you during Ḥudaybiyyah. It has been said that this verse refers to the Jews and others refraining from harming their women and children while they were in Ḥudaybiyyah. *So that this may become a sign for the believers* [48/20], i.e. so this act of keeping the hands of people away from you was a sign for the believers and

suggested victory.⁹⁴ On the authority of Qatādah: *Kept the hands of people away from you* means from their homes and families in Madīnah, when they went to Ḥudaybiyyah and Khaybar.⁹⁵

This is the preferred opinion of al-Ṭabarī because protection against the hands of the pagans in Ḥudaybiyyah is mentioned in God's saying: *and [He] has kept the hands of people away from you*, [48/24]. On the other hand, Ibn al-Qayyim interpreted the verse to be more general, including everyone who would lie in wait for the Prophet ﷺ and his Companions. So he said: 'God said: *and [He] has kept the hands of people away from you*, it has been said the hands of the people of Makkah from fighting you, and it has been said, the hands of the Jews when they intended to wipe out whoever remained in Madīnah after the departure of the Prophet ﷺ with whoever was with him from among the Companions. It is said that [the hands are of] the people of Khaybar and their allies who hoped for their victory, Asad and Ghaṭfān. The correct opinion is that the verse includes them all. And God's saying: *So that this may become a sign for the believers*, about this it has been stated: this act which God did for you—the keeping of the enemies' hands away from you despite their huge number—at that time they were the inhabitants of Makkah and those surrounding it, the residents of Khaybar and those around it, Asad and Ghaṭfān and most of the Arab tribes. The Muslims were in their midst like a candle, and yet these enemies did not manage to annihilate them. Hence among the signs of God is keeping the enemies' hands from the Muslims, protecting the latter from the former's evil despite their intense adversity, and God's continuous protection during the Muslims' presence in Madīnah as well as in their absence.⁹⁶

Ibn ‘Abbās said concerning the verse: *And [He] has kept the hands of people away from you*, ‘meaning the hands of ‘Uyaynah b. Ḥiṣn al-Fazārī, ‘Awf b. Mālīk al-Naḍrī and those with them. This is because they came to support the inhabitants of Khaybar while the Prophet ﷺ was besieging them, so God cast within their hearts fear and protected the Muslims against them. *So that this may become a sign for the believers*, namely that their defeat and your safety is a sign for the believers, so that they may know that God protects them in their presence and absence.’⁹⁷

For this reason, the treaty of Ḥudaybiyyah was a victory for the Muslims in every way. God says: *and hath given this in advance* [48:20]. There are two opinions regarding its meaning. The first, that it is the treaty between themselves and their enemies. The second, that it was the conquest of Khaybar and the war-gains from it, which God made as a sign for what was to come afterwards and a reward for their patience on the day of Ḥudaybiyyah. Due to this, the incident and its spoils were given to those who witnessed Ḥudaybiyyah.

Jābir is narrated to have said: ‘We did not consider anything to be *al-Fath* (the great opening) save for the day of Ḥudaybiyyah.’

Barrā b. ‘Āzib said: ‘You consider the *Fath* to be the *Fath* of Makkah, and indeed the *Fath* of Makkah was a great *Fath*. However, we consider the *Fath* to be *Bay‘ al-Riḍwān* and the day of Ḥudaybiyyah!’

Imām al-Zuhrī said: ‘There was no opening (*Fath*) in Islam before it that was greater, for warfare was where people met and fought. However, when the truce was established and warfare ceased, people became safe with one another and so they would meet and discuss. No one

who had the faculties to comprehend and was spoken to about Islam, except that he entered the religion. Within those two years, the same amount of people or more embraced Islam than those that adopted it before the truce.'

Ibn Hishām said: 'That which proves the veracity of Zuhri's statement is that the Messenger of God ﷺ departed to Ḥudaybiyyah with 1,400 men—according to the figures supplied by Jābir b. 'Abd Allāh—and when he ﷺ departed two years later for the *Fath* of Makkah (conquest of Makkah), it was with 10,000 men.'⁹⁸

2. The Conquest of Khaybar

The Prophet's ﷺ plan to prevent the Jews from conspiring with their Qurayshi counterparts to wipe out the Muslims becomes manifest in his ﷺ stipulation to Quraysh that they do not form agreements with anyone at war with him ﷺ. This is the notion of "*al-hudna*" in the treaty. In the sixth year after the Hijra, i.e. the year when the Prophet ﷺ was at Ḥudaybiyyah, Sallām b. Abī al-Ḥaḳīq—who was a leader of Banū al-Naẓīr and had become the leader of the Jews in Khaybar—along with a party of Banū al-Naẓīr and Banū Wā'il—who were responsible for rallying the parties against the Messenger of God ﷺ—assembled people and departed with them till they reached Quraysh. They summoned them to war against the Messenger of God ﷺ, saying: 'We will be with you in opposition against him until we annihilate him.' He assembled the tribe of Ghaṭafān and other tribes from the pagans, and prepared a strong army to face the Prophet ﷺ. He called for tribulations and provoked the Muslims only to be killed. The people of Khaybar then chose Asīr b. Zārim as their leader and prepared for war, inviting the Arab tribes against the Messenger of

God ﷺ. Correspondingly, the Prophet ﷺ resorted to a plan that would win affection and protect the Muslims. He sent a delegation led by ‘Abd Allah b. Rawāḥa to him and, after talks, he agreed to travel to Madīnah with them and a group of notable Jews. During the journey it seems that he regretted his decision and tried to deceive ‘Abd Allah b. Rawāḥa, killing him, only for himself to die in the consequential battle between the two camps. Khaybar also sent for Ghaṭafān, who were bent upon the assassination of the Messenger of God ﷺ, offering them half the date harvest of Khaybar if they were to defeat the Muslims. Consequently, the Prophet ﷺ stayed no longer than twenty days in Madīnah after returning from Ḥudaybiyyah before he departed for war in Khaybar, news of which God had revealed to him when he was in Ḥudaybiyyah. No one who attended Ḥudaybiyyah was absent except for Jābir, yet the Prophet ﷺ allotted him a share of those who were present.

The reason for the battle of Khaybar

Al-Mubārakfūrī said: ‘When the Messenger of God ﷺ agreed a truce with the most powerful wing of the tripartite coalition—Quraysh—and gained safety from any harm from them after Ḥudaybiyyah, he intended to bring the other two parties to account. This was in order that peace and security could prevail, and so that the Muslims may devote their effort in spreading the message of God and calling people to the path of guidance. Since Khaybar had become a hotbed of conspiracy, military provocations and war-mongering, it was undoubtably going to be a priority on the Prophet’s ﷺ agenda. We should not forget that it was the inhabitants of Khaybar who formed the tripartite coalition against the Muslims, goading Banū Quraytha to

treachery and then initiating communications with the hypocrites, Ghaṭafān and the Bedouin Arabs. They even devised a plan to assassinate the Prophet ﷺ. As a result, the Muslims were forced to send continuous dispatchments to counter the attacks by leaders like Sallām b. Abu Ḥuqayq and Asīr b. Zārim. However, the obligation upon the Muslims concerning the Jews was even greater, but they delayed any activities due to a more stubborn enemy at the time—Quraysh. When their hostilities were resolved, the time was right to bring to task those criminals and so their day of accountability drew near.⁹⁹

When the Messenger of God ﷺ decided to proceed to Khaybar, the Arabs who had absolved themselves from attending Ḥudaybiyyah approached him, asking permission to go with him. Divine revelation made it clear they were not allowed to participate in the conquest due to their previous failure to respond at the imminent prospect of war and their current desire for an easy plunder.

God said: *When you [believers] set off for somewhere that promises war gains, those who [previously] stayed behind will say, 'Let us come with you.' They want to change God's words, but tell them [Prophet], 'You may not come with us: God has said this before, [15:48].*

The interpretation is that they wanted to change God's promise to His Prophet ﷺ and his Companions who were at Ḥudaybiyyah, in that they had the exclusive right of any plunder from Khaybar.

3. The Conquest of Makkah

The conquest of Khaybar saw the end of the northern

besiegement of Madīnah. What then followed was the termination of the southern besiegement with the conquest of Makkah, stemming from a Qurayshi violation of the truce with the Messenger of God ﷺ.

The reason the Prophet ﷺ departed with his army for Makkah for conquest

Budayl b. Warqā' went with a group of Khuzā'ah to the Messenger of God ﷺ in Madīnah and told him about the aggression, murder and pillaging they faced from Banū Bakr. Banū Khuzā'ah were confederates of the Prophet ﷺ during the treatise of Ḥudaybiyyah, whereas Banū Bakr had become allies of Quraysh. Budayl b. Warqā' informed him ﷺ of Quraysh's support for Banū Bakr against them and their return back to Makkah. Consequently, the Messenger of God ﷺ refused any attempts to apologise and discuss from Abū Sufyān b. Ḥarb, with the Prophet ﷺ determined to assist his allies from Khuzā'ah. This was because it had become clear to the Messenger of God ﷺ that Quraysh gave no value to peace and were overcome by disdain to Islam and its state. Makkah had once again become a dangerous adversary and hence the Messenger of God ﷺ prepared for its conquest.

The advancement of the Prophet ﷺ to Makkah

The Messenger of God ﷺ departed with an army of 10,000 Muslims after the tenth day of Ramadan in the eighth year of Hijra. The Prophet ﷺ proceeded in complete humility before God, showing no signs of seeking revenge against the inhabitants of Makkah, despite their track record of harm and opposition to the divine message. On reaching Dhū Tuwa, the Prophet ﷺ, who was wearing a turban of

red-striped cloth from Yemen, halted his mount. After having seen how God had honoured him with the imminent conquest, he bowed his head so low in submission that his beard almost touched the middle of his saddle. After the Messenger of God ﷺ entered Makkah and went to the mosque, Abū Bakr came to him, guiding his father. When the Messenger of God ﷺ saw him, he said out of pity for his old age and trouble with walking: ‘Why did you not leave the sheikh at home and have me to attend him there?’ Abū Bakr replied: ‘Messenger of God ﷺ, it is more fitting for him to come to you rather than you to him.’ The Messenger of God ﷺ then had Abū Quḥāfa sit before him and rubbed his chest, saying: ‘Accept Islam!’ And he did.

The Migrants’ fear for the lives of Quraysh due to the cries of Sa’d and the Prophetic response

Sa’d b. ‘Ibādah, the general of the conquest, said on preparing to entering Makkah: ‘Today is the day of the slaughter! Today the sanctuary will lose its sanctity. Today is the day God humiliated Quraysh!’ One of the Migrants heard his words and informed the Messenger of God ﷺ saying: ‘O Messenger of God ﷺ, listen to what Sa’d b. ‘Ibādah has just said! We can’t be sure he won’t attack Quraysh.’ The Messenger of God ﷺ subsequently instructed ‘Alī: ‘Go after him and take the banner away from him. You enter with it.’ The Messenger of God ﷺ then said: ‘Nay! Indeed today is a day of mercy! Today is a day that God honoured Quraysh!’

The role of women in the Makkan conquest

The elevated status that Islam has granted women is incomparable—valuing their individual conscience and

political will. Umm Hānī', the daughter of Abū Ṭālib, said: 'On the day of the conquest of Makkah, I gave refuge to two of my brothers-in-law. I let them in the house and then the son of my mother, 'Alī b. Abū Ṭālib, came in with his sword declaring: "I swear by God, I'll kill them both!" So, I went to the Messenger of God ﷺ and did not find him, but I came across Fāṭima, and she was even more stern than her husband regarding this affair. The Prophet ﷺ then came with traces of dust on him. I informed him about what had happened. The Prophet ﷺ replied: "We give protection to those whom you protect and immunity to those to whom you extend it. He will therefore not kill them."'

Observations

An important point to note from the conquest of Makkah is that the Messenger of God ﷺ did not appear before the residents of Makkah until they were assured that he ﷺ would not order revenge, torture or killing. He ﷺ merely went to his house, performed the ritual bath (*ghusl*) and emerged before the people, only addressing them after circulating the Sacred House seven times (*tawāf*).

Ibn Hishām narrated from Bint Shaybah that when the Messenger of God ﷺ arrived in Makkah and its people felt safe, he ﷺ appeared before them, went to the *Ka'ba*, circulated seven times on his mount and touched its corner with a staff he was carrying. When he ﷺ finished his circumambulations, he called for 'Uthmān b. Ṭalha and took the key to the *Ka'ba* from him. It was then opened for him and he went inside. The Messenger of God ﷺ stood at the door of the *Ka'ba* and said: 'There is no god but God alone! He has no associate. He has kept His promise, helped His servant and has alone defeated the opposing

parties. Every exploit, lineage or money that might be claimed is placed beneath these feet of mine. O Quraysh! God has removed from you the false pride of the *jahiliyya* period and the veneration of ancestry. All men stem from Adam, and Adam came from dust.' He ﷺ then recited the following verse: *O people, We created you from male and from female* [49/13], and said: 'O Quraysh, what do you think I am going to do with you?' 'Good!' they replied, 'you are a noble brother, and the son of a noble brother.' He ﷺ then said: 'You may go. You are free.' The Messenger of God ﷺ then said: 'Whoever enters the house of Abū Sufyān is safe. Whoever casts aside his weapons is safe. Whoever locks the door of his house is safe, and whoever enters the Sacred Mosque is safe.' The people then dispersed, with some going to their homes and others to the mosque.

Among them were those that embraced the faith and others who remained pagans. Despite this, the Prophet ﷺ was benevolent and united them. When the Messenger of God ﷺ sat down in the mosque, 'Alī b. Abū Tālib went to him, holding the key of the *Ka'ba*. He said: 'O Messenger of God ﷺ, unite for us the right of guardianship of the *Ka'ba* with that of water provision for the pilgrims, may God bless you!' He ﷺ responded: 'Where is 'Uthmān b. Ṭalha?' He came to the Messenger of God ﷺ, who said: 'Uthman, here is your key. This is a day of piety and faithfulness.' Here we see the Messenger of God ﷺ welcomed those who recently embraced Islam from the Quraysh and those who were pagans. Anas narrated that the Prophet ﷺ said: 'I give to Quraysh so that their hearts may become sounder and more receptive to Islam, as they have only recently embraced the faith.'¹⁰⁰

Lady 'Ā'isha reports that the Messenger of God ﷺ said

to her: ‘O ‘Ā’isha, were it not for the fact that your people only recently left *jahiliyyah*, I would have commanded that the Sacred House be demolished and restored to what was removed, making it stand firmly on the ground. I would have made for it two door—an eastern and a western door. By doing so, I would then have rebuilt it on the original foundation laid by Abraham.’¹⁰¹

Imam Mālik has recorded in his *Muwatta’* (on the authority of Ibn Shihāb) that, during the time of the Messenger of God ﷺ, there were women who embraced Islam in their lands while their husbands remained disbelievers, and they did not migrate to Madīnah. Such was the case of Bint al-Walīd b. al-Mughīrah, who embraced Islam on the day of the conquest of Makkah. Her husband Ṣafwān b. Umayyah fled from Islam, only for the Prophet ﷺ to send his cousin Wahb b. ‘Umayr after him with the cloak of the Messenger of God ﷺ as a security. He invited him to Islam and to meet him. ‘If he likes the invitation, he can accept and if not, then he is given respite of two months.’ When he came into the presence of the Messenger of God ﷺ holding his cloak, he said before the people: ‘O Muhammad, indeed Wahb b. ‘Umayr came to me with your cloak, informing me that you have summoned me before you, and that if I am satisfied with the invitation, then I can accept and if not, then I have two months’ respite.’ The Messenger of God ﷺ then said: ‘Descend from your mount Abū Wahb [Ṣafwān].’ ‘By God I will not descend until you clarify for me the truth of this claim,’ he declared. The Messenger of God ﷺ then said: ‘Rather, you will have four months of respite.’ The Prophet ﷺ then departed towards Hawāzin at the valley of Ḥunayn and summoned Ṣafwān b. Umayyah, requesting that he may

borrow his weapons. ‘Am I obliged by force or is this voluntary?’ Ṣafwān asked. ‘Voluntarily,’ the Prophet ﷺ replied. He then lent him his weapons and proceeded to depart with the Messenger of God ﷺ—while remaining a disbeliever—to Ḥunayn and Ṭā’if, where he witnessed both battles. This happened while his wife was a Muslim, and the Prophet ﷺ did not separate them. Rather Ṣafwān eventually embraced Islam and his spouse remained his wife according to their original marriage vows.

On the day of Ḥunayn, the Messenger of God ﷺ gave 100 camels to Ṣafwān b. Umayyah. On another occasion, he gave him 100 camels and he did the same again later on. Sa‘īd b. Musayyib said that Ṣafwān told him: ‘By God, indeed the Messenger of God ﷺ did not give me what he granted me except that—at that time—he was the most detested person in my eyes. But he continued giving and giving until he became the dearest of people to me.’¹⁰²

General benefits from the incidents of Ḥudaybiyyah until the conquest of Makkah

From these events, we can extrapolate how we should deal with social interactions through avoiding hasty judgements. This is in order that we do not fall into tribulation when all along we could have overcome society’s crises by examining their causes, being patient with their challenges and being conscious of their ends.

It is better to show lenience in trivial matters and avoid its potential consequences in terms of attempts to ignite tribulation and unrest in society, especially at times of weakness for the Muslim community and when significant numbers of enemies lie in wait.

Manifest from this final Madīnan phase are relational

principles for the state at times of peace. From amongst them are:

Receptivity. What we mean by this is the presence of lines of communication between all parties to cooperate in cultivating the land, and this principle is found in God's saying: *Cooperate with one another in goodness and righteousness, and do not cooperate in sin and transgression.* [5:2]

Acknowledgement of one's neighbour. State relations are very similar to human relations in that there must be acknowledgement of the neighbour. For the neighbour has rights. And every bridge built for dialogue and acquaintance begins with the neighbour first.

The promotion of peace. The default in Muslim interactions with others is peace. For this reason the blessed Prophet ﷺ continuously pressed for peace and the adherence to agreed treaties. There were many actions performed by Quraysh that was to force his hand at relinquishing peace, however he adhered to it, as observed in the pact of Hūdaybiyyah, which serves as the finest of examples.

God said: *God does not forbid you from dealing kindly and fairly with those who have neither fought nor driven you out of your homes. Surely God loves those who are fair. God only forbids you from befriending those who have fought you due to your religion, driven you out of your homes, or supported others in doing so. And whoever takes them as friends, then it is they who are truly the wrongdoers.* [60:8-9].

The policy of the Prophet ﷺ on coexistence with the People of the Book outside Madīnah

The Messenger of God ﷺ agreed to various treaties with Jews and Christians outside the state of Madīnah, regardless of whether they were in the Arabian Peninsula or beyond. He ﷺ reached a peaceful agreement with the Christians of Najrān in the tenth year of the Hijra, with the Jews of Fadk, Aylah and Taymā',¹⁰³ as well as with Banū Sakhr from Kinanah.¹⁰⁴

These agreements guaranteed for them independent rule from the state of Madīnah, meaning that they could function according to their own laws in their own lands. The *Jizyah* was not mentioned at all in these pacts with the People of the Book. The life of the Prophet ﷺ was an example of peaceful coexistence where the dignity of the human being was protected alongside his absolute religious freedom.

The Messenger of God ﷺ made terms with the Christians of Najrān and established them in the mosque so they (the Christians) could perform their prayers. He concluded a treaty where it was mentioned: 'Najrān, their clan and allies, have the protection of God and Muhammad, the Messenger of God ﷺ, [a protection of] their lives, faith, land, property, those present and in absentia. It is not permitted to remove a bishop from his bishopric, a monk from his monastic life or an anchorite from his vocation as a hermit. Their churches will not be changed, bishops will not be removed, and monks or the donor of an endowment will not be deprived from his endowments. No right of theirs or their religion will be changed. No bishop, monk or church guard shall be removed from his position.' He ﷺ made many witnesses testify

to this pact, including Abū Sufyān b. Ḥarb, al-Aqra' b. Ḥābis and Mughīrah b. Shu'bah.

It is also stated in the treaty: 'For them is whatever they possess, whether great or small, in terms of churches, prayers and monastic life. They are not required to be mobilized and no army shall trespass their land. None of their rights are to be removed nor any rulers or any of their previous customs altered, as long as they continue to display goodwill and remain peaceful with what they are currently on, without being burdened with oppression or oppressors.'¹⁰⁵

As for peaceful relations with the Abyssinians, which was a Christian state, this agreement continued for centuries despite remaining unwritten. The Muslims' stance to Abyssinia was that of gratitude, acknowledging their beautiful service for the Muslims during their early years through their granting a refuge for the oppressed in Makkah. The Muslims considered Abyssinia secure and hence did not need to engage with it even when the Islamic state had reached its peak in the Abbasid period. The reason being that it was a state that was peaceful with the Muslims. Yes, it did not accept the invitation of Islam, however it did not block its dissemination and did not oppress its adherents. Likewise, it did not plot against the Muslim state or support its enemies.

The Prophet's ﷺ policy in receiving Arab delegations after the pact of Ḥudaybiyyah

By analysing the delegates from the Arab tribes who went to Madīnah after the treaty of Ḥudaybiyyah and their circumstances, we understand the relationships secured within civil society—a society that was to enjoy remarkable secu-

rity. The jurisprudence of the Prophet ﷺ in dealing with people from various tribes, and their diverse customs, offers many lessons for working with others. It also provides insight into the wisdom of the Prophet ﷺ and his *Sunnah* in educating, inviting and reforming, whether the recipient be young, old, weak, strong, rich or poor. For after the blessed Prophet's ﷺ conquests of Makkah and the Romans in the city of Mu'tah along with Thaqīf's embrace of Islam, the delegates came from every direction in the Arabian Peninsula to the Messenger of God ﷺ to announce their allegiance and faith.

Their accounts illustrate the Prophetic criterion for dealing with delegates, from which we can derive lessons for engaging with the human psyche. Likewise, his ﷺ skills at nurturing and his administrative meticulousness provide us with a wealth of knowledge about uniting hearts for the ultimate goal and connecting individuals to their religious responsibilities so they have a strong foundation in Islam. The Prophet ﷺ answered many questions and issued verdicts regarding some of the customs among the delegations' lands and tribes. He ﷺ taught them and instructed them to memorise verses of the Qur'ān, telling his Companions: 'Enlighten your brothers!' He also asked them about their lands and nobles. Some delegates came to the Prophet ﷺ while they were pagans or People of the Book, and left Madīnah holding onto those beliefs, like the delegation of Najrān, who chose not to embrace Islam. The tribe of Banū al-Hārith b. Ka'b also refrained from entering Islam. Yet other delegations came to Madīnah to announce their Islam and allegiance to the Islamic state, learning what they needed to learn in Madīnah before returning home. At their departure, the Prophet ﷺ sent teachers with them to

instruct on religious matters. He also dispatched several callers to the faith in all directions, as guides who explained the realities of Islam to the masses, so their hearts could be purified and their souls cured of the ailments of *jahiliyyah*. We shall now look into the events of every delegation.

The delegation of ‘Abd Qays

‘Abd al-Qays was a great tribe whose lineage went back to ‘Abd al-Qays b. Afṣā b. Da‘mī b. Jadīlah b. Asad b. Rabī‘ah b. Nizār b. Ma‘id b. ‘Adnān. Their abode was in Tuhāmah from where they moved to Bahrain, which had many people from Bakr b. Wā’il and Tamīm. On their arrival, the tribe contested with the latter two over the land, which led to the division of people into different lands, with the majority being Christian.

Ibn ‘Abbās mentioned about their arrival in Madīnah: ‘The delegation of Banū al-Qays came to the Prophet ﷺ so he asked: “Who is this delegation—or who are these people?” They replied: “We are from the tribe of Rabī‘ah.” “Most welcome!” the Prophet ﷺ replied, “neither will you be disgraced nor will you have any regret”.’¹⁰⁶

In the initial stages of this meeting, according to his usual hospitality, the Prophet ﷺ asked them about their background so they could introduce themselves as they deemed fit. The Prophet’s ﷺ warm welcome provided reassurance when he said: ‘Neither will you be disgraced nor will you have any regret.’ ‘Abd al-Qays introduced themselves as being from the tribe of Banū Rabī‘ah, eager to know the response of the Prophet ﷺ, who was Muḍariy. They said: ‘We have come from a distant place where there is the tribe of the infidels of Muḍar blockading us from you. We cannot come to you except in the Sacred Month. So

please teach us some good religious deeds so we may enter Paradise and inform our people.'

The Prophet ﷺ asked about the delegates' wellbeing, their travels, and the condition of their people. They told him about the hardships on their long journey, revealing their determination to reach the Messenger of God ﷺ after believing in him, despite having never seen him before. What is certain is they were not overcome with fear or covetousness, since their homeland's distance from Madīnah meant they were unaffected by the city's incidents. It has not been reported that the Prophet ﷺ assembled any army or threatened any tribe who sent delegates to him.

They highlighted to the Prophet ﷺ that they had passed through many perils, since there was a district of disbelievers in Muḍar. It is clear that they stressed the issue of Muḍar, with Rabī'ah saying 'We are the believers of Rabī'ah and they are the disbelievers of Muḍar' to confirm that the former were more beloved and closer to the Messenger of God ﷺ than the latter. They explained their reason for coming and their desire to meet the Prophet ﷺ in saying '...by which we may enter Paradise'. Hence, they did not come in hope of earthly rewards or riches, but because they believed that to follow Muhammad ﷺ would secure them entry into Paradise. The Prophet ﷺ ordered them to do four things and forbade them from four others. He ordered them to believe in God, saying: 'Do you know what is meant by believing in God?' They replied: 'God and His messenger know better.' The Prophet ﷺ responded: 'It means to testify that none has the right to be worshipped but God and that Muhammad is His prophet, to offer prayers, to pay Zakat, to observe fasts during the month of Ramadan, and to pay *Al-Khumus* (a fifth of booty given in

God's cause).’ He ﷺ then forbade them from committing four things, namely *ad-dubbā’*, *Al-Ḥantam*, *Al-Muzaffat* and *Al-Muqayyar* (all of which are names for utensils used for the preparation of alcoholic drinks).¹⁰⁷ The Prophet ﷺ further said: ‘Memorize these instructions and relay them to those you have left behind.’¹⁰⁸

The Prophet ﷺ used different educational methods with them, sometimes intriguing their minds by asking questions and drawing out their knowledge, following it up with his comprehensive answers. Other times he gave general answers that were then developed into more detailed explanations. He ﷺ concluded by commanding them to preserve his guidance and to pass it on to those from their people who were not present.

The delegation of Banū Tamīm

Jābir b. ‘Abd Allāh narrated: ‘A delegation from Banū Tamīm came to see the Prophet ﷺ with their poet and orator. They called him ﷺ from outside his doorstep saying: “O Muhammad, come out to meet us, for our praise is nice while our censure is foul.” The Prophet ﷺ heard them and came out, saying: “Verily, it is only with God that this is the case. How can I help you?” They said: “We are people from Banū Tamīm. We have brought our poet and our orator to show you our excellence over you in poetry and boast about our merits.” The Messenger of God ﷺ replied: “I was not sent with poetry nor was I commanded to boast. But let us see what you have!” Al-Aqrā‘ b. Ḥasib said to one of their youths: “Stand up and mention your merit and the merit of your people.” The youth stood up and said: “Praise be to God Who has made us the best of His created beings. He gave us riches with which we do as we please.

We are, therefore, of the best inhabitants of the Earth and of those who have more means of wealth and arms. Whoever denies what we have said, let him say words better than our words and mention works better than ours.” The Messenger of God ﷺ said to Thābit b. Qays b. Shammās al-Anṣārī, who was the orator of the Prophet ﷺ: “Stand and respond to him!” Thus, Thābit stood up and said: “Praise be to God. I praise Him and seek His assistance. I believe in Him and in Him I fully trust. I bear witness that there is no deity except God, alone without any partners, and I bear witness that Muhammad is His slave and messenger, calling the Migrants from the offspring of his uncle—who are endowed with the most beautiful faces and the greatest understanding—and they responded to his call. So praise be to God Who made us the Helpers and aids of His messenger and a cause for the triumph of His religion. We therefore fight people until they bear witness that there is no deity except God. Whoever utters the expression of faith renders his own person and wealth inviolable as far as we are concerned. But we fight whoever rejects faith and his claim about God against us would indeed be easy for us. I say these words of mine and seek God’s forgiveness for the believing men and women.” Al-Zibriqān b. Badr then addressed a man among them, saying: “Stand up, O so-and-so, and say some poetry in which you mention your merit and the merit of your people.” He then stood up and said:

We are the nobles; no tribe is our equal
The leaders are among us and a quarter of all booties is
given to us.
In time of drought, we feed all people

From the thin clouds of Autumn, when wind-driven
clouds fail to show.

If we scorn, none can stand up to us
Thus, upon boasting do we rise.

The Messenger of God ﷺ instructed Ḥassān b. Thābit
to respond to Banu Tamim's poet to which he recited:

We supported God's Messenger and religion by force
Despite the enemy of the desert and settlements.
Do we not embrace death in the turmoil of battle
When the refuge of death becomes sweet among armies?
And we strike the heads of armoured fighters
as we belong

To a lineage from the root of the mighty Ghassan.
If it were not for diffidence towards God we would say,
displaying our nobleness
to people at the base of the two mountains, is there any
who would like to fight?

Our living ones are the best of those who have set foot
on the ground
And our dead are the best inhabitants
of the graveyards.

At this point al-Aqra^c b. Ḥābis stood up and said: "By
God, O Muhammad, I have come for something other than
that which these people have come for. I have composed
some poetry, so hear it!" "Let us hear it!" he responded.
Al-Aqra^c then recited:

To you we have come, so that people recognise
our merit

When they boast to us, mentioning noble traits.
We are the leaders of people in any company.
In the land of Hijaz, there is nothing like Dārim.
In every single raid, we have a quarter of the booty
Whether the raid is in Najd or the land of al-Tahā im.

The Messenger of God ﷺ then said: “Stand O Ḥassān and respond to him.” Ḥassān then rose and recited:

Banu Dārim, do not boast, for your boasting
Turns to your disadvantage on mentioning noble traits.
You lost your minds when you boasted to us when you
are
Our chattels, some of you are wet-nurses and others yet
servants.

The best glory and high rank you could ever get
Is to come next to us when mentioning elevated traits.

If you have come to spare your lives
And wealth and share what is to be shared,
Then ascribe not an equal to God and embrace Islam,
And do not boast to the Prophet ﷺ about Dārim.
Otherwise, by the Lord of the House, our hands will
strike
Your necks with sharp swords.

Al- Aqrā^c b. Ḥābis said: “O people, I do not know what this matter is. Their orator spoke better than ours and their poet composed better poetry than that of our poet.” Al- Aqrā^c then drew closer to the Messenger of God ﷺ and said: “I bear witness that there is no deity except God and that you are the Messenger of God,” on which the Prophet ﷺ said to him: “Whatever preceded before will not harm

you!”¹⁰⁹ He therefore gained precedence in accepting Islam before his people, and they followed him thereafter. It was also a good sign for them when they received the glad tidings from the blessed Prophet’s ﷺ words, “Whatever preceded you will not harm you.”

The delegation of Ḍamāmah b. Tha‘labah on behalf of his people Banū Sa’d b. Bakr

Anas b. Mālik narrated: ‘While we were sitting with the Prophet ﷺ in the mosque, a man came riding on a camel. On his arrival he made his camel kneel down in the mosque, tied its foreleg and then called out: “Who among you is Muhammad?” At that time the Prophet ﷺ was sitting among us, reclining on his arm. We replied: “This light-skinned man reclining on his arm.” The man then addressed him saying: “O son of ‘Abd al-Muṭṭalib!” “I am here to answer your questions,” replied the Prophet ﷺ. The man continued: “I want to ask you something and will be straightforward in my questioning. So do not get angry.” The Prophet ﷺ assured him: “Ask whatever you wish.” “I ask you by your Lord, and the Lord of those who were before you, has God sent you as a messenger to all humanity?” he asked. The Prophet ﷺ replied: “By God, yes!” The man further questioned: “I ask you by God, has He ordered you to offer five prayers in a day and night?” He ﷺ replied: “By God, He has.” The man further asked: “I ask you by God! Did He command you to observe fasting during this month of the year?” The Prophet ﷺ replied: “By God, He did.” The man further said: “I ask you by God, has He ordered you to take Zakat from our rich and distribute it among our poor?” The Prophet ﷺ replied: “By God, He has.” Thereupon the man said: “I have believed

in all that with which you have been sent, and I have been sent as a messenger by my people. I am ʿĪmān ibn Thaʿlabah from the brothers of Banī Saʿd ibn Bakr.’¹¹⁰ In another narration recorded by Imam Aḥmad, Ibn ʿAbbās narrates the man having said: ‘I bear witness that there is no deity save for God and that Muhammad is His messenger, and I will perform these obligations and avoid the prohibitions, without doing any more or any less.’ He then left and returned to his camel. Upon this the Prophet ﷺ said: ‘If he keeps to what he has said then he will enter Paradise.’¹¹¹

ʿĪmān b. Thaʿlabah did not grant the noble Prophet ﷺ any opportunity to respond except with brief answers, which sufficed in confirming or negating the information gathered about the Messenger of God ﷺ. From this incident, we can also see the Prophet’s ﷺ forbearance, forgiveness and generosity in bearing with the brusque ways of people. ʿĪmān b. Thaʿlabah immediately departed and returned to his people, gathering them together. The first thing he said was: ‘How hideous are Lāt and ʿUzzā!’ ‘Silence! O ʿĪmān’ they replied, ‘be fearful of leprosy and madness!’ ‘Woe unto you!’ ʿĪmān replied, ‘neither do they harm nor do they bring benefit! Indeed, God has sent a messenger and revealed to him a scripture with which He has saved you from your current situation. I bear witness that there is no deity but God and that Muhammad is His servant and Messenger, and I have come to you from him with all that he commands you to perform and all that he prohibits.’ By God, it was not yet evening except that everyone in the district had become a Muslim.¹¹²

The delegation of the Christians of Najrān

On their visit to the Prophet ﷺ, this delegation entered the mosque wearing gold rings, silken shawls and silk-hemmed garments. They met the noble Prophet ﷺ in the mosque after the afternoon prayer. The time for their own prayer had entered so they stood up and prayed in the mosque towards the East. The people present wished to prevent them from what they were doing, however the Prophet ﷺ instructed that they be left alone. A point worth mentioning here is that the Messenger ﷺ received them in his mosque while they were still Christians, wearing whatever attire they were accustomed to. He ﷺ wanted them to observe the prayer of the Muslims—one of the fundamental practices of Islam. When it was time for the delegation to perform their own prayer, the Prophet ﷺ did not scold them or eject them from the mosque for doing so, because this would have deterred them from embracing Islam. The jurists inferred from this incident the permissibility of letting the People of the Book enter the mosque and enabling them to pray in the presence of Muslims in occasional cases, yet not for regular occurrences.

Ibn ʿAbbās is reported to have said: ‘The Christians of Najrān and the Jewish rabbis convened in the presence of the Prophet ﷺ and they debated among themselves. The rabbis said, “Ibrāhīm was no other than a Jew!” and the Christians responded, “Nay, he was no other than a Christian!” On this, God revealed:

O followers of earlier revelation! Why do you argue about Ibrāhīm, seeing that the Torah and the Gospel were not revealed till [long] after him? Will you not, then, use your reason? Lo! You are the ones who

would argue about that which is known to you; but why do you argue about something which is unknown to you? Yet God knows [it], whereas you do not know. Ibrāhīm was neither a “Jew” nor a “Christian”, but was one who turned away from all that is false, having surrendered himself unto God; and he was not of those who ascribe divinity to aught beside Him [3:65-67].

One of the rabbis said: “O Muhammad, do you wish from us that we worship you like the Christians worship ‘Īsā b. Maryam?” A man from among the Christians of Najrān then questioned: “Is this what you wish and summon us to?” The Prophet ﷺ replied: “God forbid that I worship other than God or command you to worship a deity other than Him. This is not what I have been sent for or commanded to do!” God then revealed in this regard the following verse:

It is not conceivable that a human being unto whom God had granted revelation, and sound judgment, and prophethood, should thereafter have said unto people, “Worship me beside God”; but rather [did he exhort them], “Become men of God by spreading the knowledge of the divine writ, and by your own deep study [thereof].” And neither did he bid you to take the angels and the prophets for your lords: [for] would he bid you to deny the truth after you have surrendered yourselves unto God? [3:78-79].

He then mentioned the pledge that was taken by them and their forefathers by acknowledging Him upon themselves, and said:

And, lo, God accepted, through the prophets, this solemn pledge [from the followers of earlier revelation]: “If, after all the revelation and the wisdom which I have vouchsafed unto you, there comes to you an apostle confirming the truth already in your possession, you must believe in him and succour him. Do you”—said He—“acknowledge and accept My bond on this condition?” They answered: “We do acknowledge it.” Said He: “Then bear witness [thereto], and I shall be your witness” [3:81].”

The Prophet ﷺ made terms of peace with the Christians of Najrān and granted them residence in his mosque so they could perform their religious rituals and compiled for them a treaty in which it was mentioned: “Najrān, their clan and allies have the protection of God and Muhammad the Messenger of God ﷺ—to protect their lives, faith, land, property, the absent of them and those present. It is not permitted to remove a bishop from his bishopric, a monk from his monastic life or anchorite from his vocation as a hermit. Their churches, and bishops are not removed, and neither are monks or the donor of an endowment from his endowments. No right of theirs or their religion will be changed. No bishop, monk or church guard shall be removed from his position.” He ﷺ made many witnesses testify to this pact, from among them Abū Sufyān b. Ḥarb, al-Aqrā^c b. Ḥābis and Mughīrah b. Shu^cbah.¹¹³ Similarly, he ﷺ stated in the treaty: “For them is whatever they possess, whether great or small, in terms of churches, their prayers and monastic life. They are not required to be mobilized and no army shall trespass their land. None of their rights are to be removed nor any rulers or any of their

previous customs altered, as long as they continue to display good will and remain peaceful with their current state without being oppressed or being oppressors.”¹¹⁴

The delegation of Tujīb

Tujīb was from the tribe of Kandah, which descended from Ashras b. Shabīb b. al-Sakūn b. Kandah. They lived in the heart of the Hadramawt valley in Yemen. A delegation of thirteen men of Tujīb reached the Prophet ﷺ and they had brought with them a portion of their wealth that God had obliged them to bring (indicating that they had already believed in God and His Messenger ﷺ and they already knew of their duties, which they performed wholeheartedly with love). The Messenger of God ﷺ was very pleased, treating them with hospitality. ‘O Messenger of God ﷺ,’ they said, ‘we have brought to you God’s right on our wealth.’ ‘Take it back,’ the Prophet ﷺ said, ‘and distribute it among your poor.’ ‘O Messenger of God,’ they replied, ‘we have come to you with the surplus after giving to our needy.’

The joy of the Messenger of God ﷺ at the coming of this faithful delegation and their generosity is evident, for they said: ‘We have brought to you God’s right on our wealth,’ demonstrating that they already knew that the wealth they brought was the right of God and not a tax to be paid to Madīnah. Similarly, the Messenger of God ﷺ requested that they return with the wealth so it could be divided among their poor and they would understand that their faith did not impose anything on their wealth except the right of the needy from their people, to whom it should be granted. Abū Bakr said: ‘O Messenger of God ﷺ, there has been no Arab delegation like the people of Tujīb!’ To

which the Prophet ﷺ replied: ‘Indeed, guidance is in the hands of God, so whomever He wishes good for He opens his heart and fills it with faith.’

The Prophet ﷺ did not let this great educational opportunity pass—addressing his Companions and teaching them that whatever wealth a delegation may come with, it has no comparison to the magnitude of being blessed with faith. For only he whose heart has been endowed with belief by God is guided, and not the one who comes with wealth alone. The delegation asked the Prophet ﷺ questions about the Quran and *Sunnah*, which increased the affection of the Messenger of God ﷺ for them. This questioning was common among the delegations, for they all wished to learn about the religion from the Messenger of God ﷺ. However, what was unique about Tujīb was that they asked so many questions that the Prophet ﷺ responded with a document comprising all the answers. He was impressed and happy at their thirst for knowledge. The Prophet ﷺ instructed Bilāl to grant them hospitality. They only stayed for a couple of days, so when it was asked if something was not up to standard they replied: ‘We must return to our people and inform them of our witnessing the Messenger of God ﷺ, our discussions with him and his responses.’ They then went to the Prophet ﷺ to bid farewell, and he ﷺ sent to them Bilāl, who gave them the best gifts granted for delegates. He ﷺ then asked: ‘Is there anyone left remaining?’ ‘Yes,’ they replied, ‘there is a young lad we left behind with our mounts, who is the youngest of us.’ ‘Bring him to me,’ said the Prophet ﷺ. When they went back to their mounts, they said to the lad: ‘Go to the Messenger of God ﷺ and receive your wish from him, for he has granted us our requests and we have said farewell.’ The lad then

approached the Messenger of God ﷺ and said: ‘O Messenger of God ﷺ, I am from Banū Abthā from al-Raḥṭ, who have come to you previously when you resolved their requests, so please grant my own.’ ‘And what is your request?’ asked the Prophet ﷺ. ‘My request is not like that of my Companions, despite them coming with eagerness for Islam, and bringing what they did of excess wealth. By God, I have not come from my land save to ask that you seek forgiveness from God for me, that He bestows His mercy on me, and it is my heart that he enriches.’ The Prophet ﷺ then prayed: ‘O God, forgive him, have mercy upon him and place his riches in his breast.’ He ﷺ then ordered that the young man be given the like of what was given to his Companions and then they returned to their homes. After some time, they saw the Messenger of God ﷺ again at Minā in the tenth year after Hijra. They said to him: ‘We are Banū Abthā,’ to which the Prophet ﷺ enquired, ‘What happened to the lad who was with you?’ ‘O Messenger of God ﷺ,’ they replied, ‘We have not seen the like of him! There is no one more content than he with what God has provided him! Were the people to divide the *dunya*, he would not even turn to it nor give it any attention.’¹¹⁵

This narration demonstrates how the Messenger of God ﷺ showed mercy to all, without exception, whether old or young. He gave his attention to every delegate. When this young lad had been left aside with the mounts, the Prophet ﷺ asked about him, prayed for him and granted him the like of that which had been given to his compatriots. Likewise, the effects of the supplication for the boy were plain to see in the long run, as mentioned to the Prophet ﷺ by his companions years later when he had become the best of them in God-consciousness, scrupulousness and belief.

The delegation of Dhū Murrah

The delegation of Dhū Murrah came to the Prophet ﷺ in a group of thirteen men, led by al-Ḥārith b. ʿAwf, who said: ‘O Messenger of God ﷺ, we are your tribe, we are the people of Luʿay b. Ghālib.’ As previously mentioned, among the customs of the Messenger of God ﷺ was that he asked the delegations about themselves. Hence, they described their relation to the Messenger of God ﷺ, for they were from Banū Luʿay, and Luʿay b. Ghālib b. Fahr is from the forefathers of the Messenger of God ﷺ. The Prophet ﷺ then asked: ‘Where have you left your people?’ ‘At Silāḥ and its surrounding areas,’ they replied. ‘And how is your land?’ ‘We have been deprived of rain for long periods, and our cattle are consequently very frail, so pray to God for us!’ The Prophet ﷺ immediately supplicated: ‘O God, shower them with rain!’¹¹⁶ They remained a few days before departing to their land, but not before they went to the Prophet ﷺ to bid farewell. The blessed Messenger ﷺ instructed Bilāl to give them their gifts, so he gave them ten *awāq*¹¹⁷ of silver, and granted their leader al-Ḥārith b. ʿAwf twelve *awāq*.

After returning home, they discovered that it had rained. So, they asked when it had happened, only to be informed that it was on the very day when the Prophet ﷺ prayed for them. Consequently, their land became very lush and fertile.¹¹⁸

The delegation of Khawlān

Khawlān is a province of Yemen, ascribed to Khawlān b. ʿUmar b. al-Ḥāf b. Qu āʿah b. Mālik b. ʿAmr b. Murrah b. Zayd b. Mālik b. Ḥumayr b. Sabaʿ. It came under Islamic rule in either the thirteenth or fourteenth year during the

reign of ʿUmar and his general Yaʿlā b. Muniyyah. Before that, many people of Yemen worshipped fire.

The delegation came to the Messenger of God ﷺ as a group of ten in the month of Shaʿbān, 10 AH. They addressed the Prophet ﷺ, saying: ‘O Messenger of God ﷺ, we represent our people, and believe in God and His Messenger to have spoken the truth.’ ‘We have travelled a long distance to visit you, enduring the ease and hardship of the land. All grace belongs to God and His Messenger for what He has granted us. We have travelled all this way to visit you.’¹¹⁹ The Messenger of God ﷺ responded: ‘As for what you have mentioned of your journey, indeed, for every step your camels have taken, you have received a reward. And as for your saying that you are visiting me, the one who visits me in Madīnah is by my side on the Day of Resurrection.’ By these glad tidings, he reassured them that their efforts had increased their reward and that, due to their visit, they would be by the Prophet’s ﷺ side on the Day of Judgement. The Prophet ﷺ then inquired about their idol, known as ʿAmm Anas. They replied: ‘Glad tidings! God has replaced it for us with the message with which you came! However, there are still some elders who are attached to it. If we complete our return, we will destroy it by the will of God, for it has caused us plenty of tribulation and deception!’ ‘And what was the greatest tribulation you witnessed?’ asked the Prophet ﷺ. ‘We were once afflicted with a drought to the extent that we ate corpses, so we gathered whatever wealth we could and bought 100 bulls, which we sacrificed for ʿAmm Anas as an offering. We left the lions to feast on it despite ourselves being most in need. From that moment, the rain began to fall and we saw the pastures growing above our feet. One of us would say: “Amm Anas

has been favourable to us.’ They also told the Messenger of God ﷺ that they would divide their cattle and harvest, allocating a part for their idol and another portion for God. They said: ‘We would cultivate the crops and have the middle section for our idol and assign another for God. If the wind were to incline, we gave the section for God to ‘Amm Anas, and when the wind inclined to the allocation of ‘Amm Anas, we would allocate it to him also.’ The Prophet ﷺ then mentioned that God had revealed to him the following verse:

and out of whatever He has created of the fruits of the field and the cattle, they assign unto God a portion, saying ‘this belongs to God’, or so they falsely claim, and this is for our associates. But that which is assigned to their associates does not reach God, whereas that which is assigned to God reaches their associates. Bad indeed is their judgement!
[136:6].

They continued: ‘We would ask him to arbitrate and he would speak!’ To which the blessed Prophet ﷺ replied: ‘That was nothing but the devils speaking to you!’ highlighting the corruption of their previous beliefs.

They asked him ﷺ about their new religious obligations, which he taught, commanding them to fulfil their pledge and observe agreements, to be courteous with neighbours and not oppress anyone. The Messenger of God ﷺ said: ‘Indeed oppression is darkness and gloom on the Day of Judgement!’ After staying for a few days, they bid farewell and were granted gifts. They returned to their people and no time was spared before they destroyed ‘Amm Anas’.¹²⁰ In sum, like the delegations before them, they did not shy

away from asking the Messenger of God ﷺ about the religion and its practices, which he ﷺ explained, telling them about the universal aims of the Sacred Law, namely justice, security, honouring one's word, neighbourly courtesy and mutual coexistence.

The delegation of Banū Muḥārib

The delegation of Banū Muḥārib came to the Messenger of God ﷺ in the year of the farewell pilgrimage. During this time—when the Prophet ﷺ was inviting tribes to Islam—they were the most rude and coarse of the Arabs to him. The delegation consisted of ten men who had embraced Islam, and Bilāl would provide them with lunch and dinner. One day, the Messenger of God ﷺ came to them between the midday and afternoon prayer. The Prophet ﷺ recognised one of them and observed him closely. After noticing the long glance from the Prophet ﷺ, the man said: ‘O Messenger of God ﷺ, it seems as though you know me?’ ‘Indeed, I have seen you before,’ replied the Prophet ﷺ. ‘Ah yes,’ replied the man, ‘by God, you once saw and spoke to me, and I responded to you with the most hideous of speech and the worst of replies at ‘Ukādh, while you were mingling among the people.’ ‘Indeed,’ replied the Prophet ﷺ. ‘O Messenger of God ﷺ,’ said the man, ‘there was no one from all my companions more vehemently against you on that day, nor more distant from Islam! I therefore praise God, who spared me so that I could believe in you. As for those who were with me, they all died on their previous beliefs.’

The Prophet ﷺ then said: ‘Verily the hearts of man are in the hands of God.’ ‘O Messenger of God ﷺ, seek forgiveness for my stubbornness to you.’ ‘Islam wipes out

all disbelief that has preceded,’ answered the Prophet ﷺ. They then returned to their people.¹²¹

In this delegation’s visit, we see the noble Prophet’s ﷺ pardon, forbearance and immense character. When he noticed the man who had been previously rude—a man who had rejected his invitation in the vilest of ways—he did not accost him nor remind him. Rather, after the man’s acknowledgement of his abhorrent behaviour and God’s favour in guiding him to Islam while his associates had died as pagans, the Prophet ﷺ showed that his new religion opened up a new chapter with God, bringing much relief and ease for the man.

The delegation of Salāmān

The delegation of Salāmān b. Sa‘d was a tribe from Quḍā‘ah. It consisted of seven men, including Ḥabīb b. ‘Amr, who came to the Prophet ﷺ and embraced Islam. It is thus evident that some of the delegations visited while they were pagans and then embraced Islam in the presence of the Prophet ﷺ, whereas others visited as Muslims—like Tujīb—and others as pagans who remained so, nonetheless leaving in peace and with mutual respect.

Ḥabīb recalls: ‘We reached the door of the mosque and incidentally met the Prophet ﷺ, who was on his way to a funeral procession. When we saw him, we said: “Peace be on you O Messenger of God ﷺ.” The Prophet ﷺ replied: “And upon you be peace. Who are you?” “We are people from Salāmān. We have come to you to pledge allegiance to Islam and we are the representatives of our people.” The Prophet ﷺ then looked to Thawbān and said: “Prepare a dwelling for them where the other delegations stay.” We then departed with Thawbān until we reached a spacious

area where there was a palm tree and Arab delegations. It happened to be the abode of Ramlah bint al-Hārith al-Najjāriyyah.¹²² When we heard the call to prayer for Dhuhr, we set off to pray and, on arrival waited at the door of the Messenger of God ﷺ until he headed for the mosque and led the people in prayer, all the while examining us. He then entered his house, and it was not long until he came back out and sat in the mosque between the pulpit and his house. While his Companions surrounded him, I saw a man who was the closest to him. The Prophet ﷺ would turn and speak with him. I asked who he was and I was told it was Abū Bakr b. Abī Quḥāfah. We came and sat facing him, and at this point the delegation asked questions about the rulings of Islam. The delegation's questioner barely paused for a second to the extent that I feared the Messenger of God ﷺ may stand up, so I said: "We want what you want!" The Prophet ﷺ then smiled and silenced the questioner, so I continued, "O Messenger of God ﷺ, what is the best of deeds?" To which he replied, "Prayer at its prescribed time." He then proceeded to mention a long hadith.

This exchange reflects the intelligence of the Prophet ﷺ, for he smiled and understood Ḥabīb's intention, hence silencing the questioner and giving a chance for the former to speak and ask about the laws and the best of religious actions. On that day they prayed with him the midday and afternoon prayer. Once they finished, they complained to the Prophet ﷺ about the drought in their homeland. The Messenger of God ﷺ raised his hands and prayed: "O God, send rain to their abode." I then said: "O Messenger of God ﷺ, raise your hands higher, for it is more pleasant." The Prophet ﷺ smiled and raised his hands until I could see the

white of his arms. He then got up to leave and we all departed with him. We stayed for three days under his auspices. When we said farewell, he ordered that gifts be given to us, granting us five *awāq* to each of us. Bilāl apologised to us, saying that they did not have any coins. So I said: “How great is this and how pleasant what you have given!” We then departed back to our land, finding that it had rained on the day when the Prophet ﷺ had supplicated.’ Wāqidī added: ‘Their arrival at Madina was during Shawāl in 10 AH.’¹²³

The delegation of al-Azd

In his book *Maʿrifat al-Sahāba*, Abū Nuʿaym wrote on the authority of Suwayd b. al-Hārith, who had said: ‘I was the seventh of a delegation of seven men from my people who went to see the Messenger of God ﷺ. When we went in, we spoke and he ﷺ was surprised by our appearance and dress. He asked: “Who are you?” We replied that we were believers. The Messenger of God ﷺ smiled and said: “In every statement, there is a truth. What is the truth of your statement and your faith?” We replied: “There are fifteen essentials, five of which your emissaries ordered us to believe. Five you ordered us to act on and five we ourselves developed during the *jahiliyya* and still maintain unless you should dislike any of them.” He then asked: “What are the five my envoys ordered you to believe?” “They told us to believe in God and His angels, His books, His messengers and resurrection after death,” we replied. He then asked: “And what are the five I ordered you to act on?” We replied: “You ordered us to say: ‘There is no deity but God,’ to perform the prayers, to pay the zakat, to fast during Ramadan and to make pilgrimage to the *Kaʿba* if able.” He

asked: “And what are the five you developed during the *jahiliyya*?” “Being thankful when prosperous, observing patience during times of difficulty, being pleased with whatever fate brings, being truthful in discussions and refraining from cursing enemies,” we replied. The Messenger of God ﷺ commented: “Such wise and learned men! Their understanding is such as to make them almost prophets!” He then said: “I will now give you five more, then you will have twenty essentials. If you are as you say, then do not accumulate what you cannot yourselves consume, do not build what you do not inhabit, do not compete for something you will shortly leave behind, fear God to Whom you will be returned and before Whom you will be exposed, and desire strongly your destination and wherein you will be forever.” The party then left him, memorized his advice and acted on it.¹²⁴

The delegation of Thaḳīf

Thaḳīf are a tribe based in the mountains of Ḥijāz, between Makkah and Ṭāʾif. According to the soundest position, their location was the connecting point between the mountains of Ḥijāz and the coastal plains of Tuhāmāh. Ibn Ishāq said: ‘When Abū Ṭālib died, Quraysh began to persecute the Messenger of God ﷺ in ways they did not before his death. The Prophet ﷺ then set off to Ṭāʾif, seeking aid from Thaḳīf and protection from his tribe—also in hope that they would accept what had been revealed to him from God. He went alone. After reaching Ṭāʾif, he went to see individuals from the tribe of Thaḳīf who were their leaders at the time, namely three brothers—ʿAbd Yālīla b. ʿAmr b. ʿUmayr, Masʿūd b. ʿAmr b. ʿUmayr and Ḥabīb b. ʿAmr b. Umayr. In the presence of one of them was a Qurayshi

woman from Banū Jumah. The Prophet ﷺ sat and invited them to God, mentioning to them the reason for his presence; their support for Islam and jointly opposing those in conflict with him from among his people. One of them then said that he would tear up the cloth of the *Ka'ba* if God had sent him! The other said: "Could not God have found someone other than you to send?" The third said: "By God, I will never speak to you! If you are a Messenger from God as you say, you are far too important for me to reply to and if you are lying against God, it is not right that I should speak to you!" So, the Prophet ﷺ got up and left, despairing of any good from Thaḳīf. They then instigated their louts and slaves to insult and rally against him until a crowd gathered.' Ibn 'Uqbah said: 'They formed two lines on his route, so when he passed between the lines, he did not make a step except that his feet were pelted with stones until they bled.' Sulaymān al-Taymī added that when the stones hurt him, he sat on the ground and they immediately got him up so they could gain gratification from stoning him while he walked.' Ibn Ishāq said: 'In Ramaḍān 9 AH, the Messenger of God ﷺ returned from Tabūk and in that month the delegation of Thaḳīf came to him. When the Prophet ﷺ had left them, 'Urwah b. Mas'ūd al-Thaqaḑī followed his trail until he caught up with him before Madīnah. He embraced Islam and asked him if he could return to his people. However, the Prophet ﷺ warned: "They will kill you." For he knew about their proud opposition. 'Urwah said: "O Messenger of God ﷺ, I am more beloved to them than their firstborn.'" Ibn Hishām narrated: 'It is also said "than their eyesight".' Ibn Ishāq continued: 'He was a man who was loved and obeyed. He went out calling his people to Islam and hoping that they would not oppose him because of his

reputation. After he had explained to them his religion, on his departure, they shot arrows at him from all directions, with one hitting and killing him. After his death, Thaḳīf waited some months before consulting among themselves and deciding they could not fight all the Arabs who had paid homage and accepted Islam. Therefore, Thaḳīf took counsel and decided to send a man to the Messenger of God ﷺ as they had sent ʿUrwah. They spoke to ʿAbd Yālīla, who was a peer of ʿUrwah, and presented what they agreed before him but he refused to act, fearing that he would be treated as ʿUrwah on his return. He said that he would not go unless they sent some men with him. They decided to send two men from al-Aḥlāf and three from Banī Mālik—six in all. ʿAbd Yālīla went with them as leader. When they approached Madīnah and halted at Qanāh, they met al-Mughīrah b. Shuʿbah whose turn it was to pasture the camels of the Messenger’s Companions, for they rotated this duty. When he saw them, he left the camels with the Thaḳafīs and ran to give the Prophet ﷺ the good news of their arrival. Abū Bakr met him on the way when al-Mughīrah told him that riders from Thaḳīf had come to accept Islam on the Prophet’s ﷺ conditions, provided they could get a document guaranteeing the rights of their people, land and animals. Abū Bakr implored al-Mughīrah to let him be the first to tell the Messenger of God ﷺ so he agreed. Abū Bakr then informed the Prophet ﷺ while al-Mughīrah returned and taught the delegation how to address the Messenger of God ﷺ, although when they greeted him it was with the salutation of *jahiliyyah*. When they finally came to the Prophet ﷺ, he pitched a tent for them near his mosque.¹²⁵ ʿUthmān b. Abī al-ʿAṣī narrated: ‘When the delegation of Thaḳīf came to the Messenger of

God ﷺ, he made them stay in the mosque, so that it may soften their hearts. They stipulated to him that they should not be called to participate in *Jihād*, nor pay zakat nor offer the prayer. The Messenger of God ﷺ replied: “You may have the concession that you will not be called to participate in *Jihād* and pay zakat, but there is no good in a religion that has no prostration.”¹²⁶ The people then exclaimed: “O Messenger of God ﷺ! They enter the mosque while they are pagans?” To which the Prophet ﷺ responded: “Indeed the ground is not sullied by anything.” Al-Mughīrah b. Shu‘bah said: “O Messenger of God ﷺ, allow me to host my people, for I have just recently perpetuated a crime against them.” For previously he had left with thirteen men from Banī Mālīk and went to al-Muqawqas, who greeted Banū Mālīk while acting very coldly to him, being from al-Ahlāf.

When they reached Bisāq, Al-Mughīrah attacked them while sleeping and killed them, and then left with their wealth until he reached the Messenger of God ﷺ, whom he informed of his actions. He told the Prophet ﷺ to divide the wealth into five parts but he ﷺ replied: “We do not betray and we do not commit treachery,” rejecting the division of the wealth. Al-Mughīrah had Thaqīf reside at his abode in Baqī‘, which was a piece of land that the beloved Prophet ﷺ had granted to him. The Messenger ﷺ ordered that three camps be pitched from palm branches for them and be prepared in the mosque. As a result, they could hear the Quran’s recital at night and the Companions’ night vigil, and see them performing their obligatory prayers, only returning to al-Mughīrah’s home to eat and perform ablution, and meet all their needs while frequenting the mosque. They remained thus for several days,

visiting the Prophet ﷺ daily and leaving ʿUthmān b. Abī al-ʿAṣi—who was the youngest of them—with the camels. When they returned and slept, he would leave to see the Prophet ﷺ, ask him about the religion and request that he recite the Qurʾān. He secretly embraced Islam and frequently visited the Prophet ﷺ until he gained a good understanding of the religion and heard various segments of the Qurʾān. In this time, he had learnt surahs directly from the Prophet’s ﷺ blessed mouth. If he found the Messenger ﷺ sleeping, he went to Abū Bakr, asking him questions and requesting him to recite the Qurʾān. ʿUthmān did not disclose any of his activities to his companions and the Messenger of God ﷺ was very impressed with him.

Thus, the delegation remained a few days, frequenting the Messenger of God ﷺ while he called them to Islam. ʿAbd Yālīla then asked him: “Are you going to reach an agreement with us so that we may return to our families and kin?” The Messenger of God ﷺ replied: “Yes if you accept Islam, there will be an agreement between us and, if not, then there is no agreement and no peace terms.” ʿAbd Yālīla asked: “What are your thoughts about fornication? We are a community of unmarried men in a remote land. It is something we must do, for none of us can endure celibacy.”

The Prophet ﷺ replied: “It is from among those things that God has forbidden for the Muslims, for He said: *do not approach fornication, indeed it is an abomination and a hideous path* [17:32].” “What about usury transactions?” “Usury is prohibited,” replied the Prophet ﷺ. “All our transactions are usury-based” replied ʿAbd Yālīla. “You are entitled to your capital,” replied the Prophet ﷺ.

God has said: *O you who have attained to faith! Remain conscious of God, and give up all outstanding gains from usury, if you are [truly] believers* [2:278].

“What about alcohol?” he asked, “for it is brewed where we are, and we must have it”. “God has prohibited it,” replied the Prophet ﷺ, and then recited:

Intoxicants, and games of chance, and idolatrous practices, and the divining of the future are but a loathsome evil of Satan’s doing [5:90].

They then got up to leave and deliberate among themselves. ‘Abd Yālīla said: “Woe on you! How can we go back to our people with the prohibition of these three things? By God! Thaḳīf will not ever endure without liquor! Nor fornication!” Sufyān b. ‘Abd Allah said: “Listen! If God wishes good, they will persevere and go without! All of those who are currently with him were in the same situation, and they endured and left their past practices. Besides this, we are fearful of this man who has taken control of the land, while we are in a fortress on one side and Islam has spread all around us. By God, were we just to remain in our fortress for a month, we would die of hunger! I do not see any other option than the acceptance of Islam. For I am fearful of a day like the conquest of Makkah!” Khālīd b. Sa‘īd b. al-‘Āṣ was the go-between for both sides until they wrote their document, embraced Islam and finalised its details. Among their requests to the Messenger of God ﷺ was that he allow them not to touch and destroy their idol al-Lāt for three years. The Prophet ﷺ

refused such a proposal. They continued to bargain with him on the issue of timing, from two years to one year until they asked if they could leave it for a month after their return, although the Prophet ﷺ refused all such requests. They aimed to have a chance of winning over the foolhardy among their people, but also disliked the prospect of frightening them by the destruction of their idol until their compatriot's acceptance of Islam. However, the Prophet ﷺ refused and sent Abū Sufyān b. Ḥarb and al-Mughīrah b. Shuʿbah to destroy it. They also asked if they could avoid performing the prayers and destroying the idols themselves. The Prophet ﷺ replied: "As for destroying your idols, this we will excuse you from. And as for the prayer, there is no good in a faith devoid of prayer."¹²⁷

On the authority of Ghaṭīf b. Abī Sufyān who said: "The helpers came to the Messenger of God ﷺ and said: 'O Messenger of God ﷺ, pray against Thaḳīf!' So he supplicated: 'O God, guide Thaḳīf!' 'O Messenger of God ﷺ!' they repeated, 'supplicate against them!'. At which the Prophet ﷺ continued: 'O God, guide Thaḳīf!' They then returned and embraced Islam, and became among the most righteous people, with many Muslim leaders emerging from them in future years.

In the initial stages of their Islamic faith, they did not pray, which ʿUmar flagged up to the Messenger of God ﷺ. The Prophet ﷺ replied: "Leave them O ʿUmar, for they feel discomfort that they do not pray." They continued their day without praying and the next day was the same until the afternoon prayer, when they started to pray, although without ablution, which was again highlighted by ʿUmar. The Prophet ﷺ replied: "Leave them for they will perform ablution!" On the third day, they washed their faces, heads,

necks and hands up to the elbows while leaving their feet. ‘Umar said: “They have left out such and such!” to which the Prophet ﷺ said: “Leave them for they will perform ablution [in its entirety]!” It was not until the fifth day that they washed their feet. Ibn Ishāq said: “Informed me ‘Isā b. ‘Abd Allah b. ‘Aṭiyyah b. Sufyān b. Rabī‘ah al-Thaqafī from one of the delegations, who said: ‘Once we had become Muslims and were fasting with the Messenger of God ﷺ for what remained of Ramadan, Bilal used to bring our supper and our breakfast from the Prophet ﷺ. He came to us as the day was lighting up and we would say: ‘We see that the dawn has risen.’ He replied: ‘I just left the Prophet ﷺ eating at daybreak, due to the dawn meal being later.’ When he brought our evening meal, we said: ‘We see that the sun has not entirely vanished.’ He responded: ‘I did not come to you until after the Prophet ﷺ had eaten.’ Then he put his hand in the dish and ate from it.”

On the authority of ‘Uthmān b. Abu Al-‘Āṣ, who said: “The last thing the Prophet ﷺ enjoined on me when he sent me to Thaqīf was to be brief in prayer and to measure men by their weakest members, for there were old and young, weak and needy among them.” When the delegation returned to their people, they said: “We have made him ﷺ our judge and he has given us all that which we want, and we stipulated that which we wanted. We found him ﷺ to be the most scrupulous, righteous, unifying of ties, faithful, truthful and merciful of all people! He ﷺ left us to destroy our idol but we refused, so he informed us that he will send someone to destroy it.” A chief of Thaqīf who was of pagan belief said: “Is this, by God, the distinction between us? If he is able to destroy the idol, then he is right and we are wrong. If it prevents him, then there is doubt to his

credibility!” ‘Uthmān b. al-‘Āṣ said: “Your ego has presented you with falsehood and deluded you! What is this idol?! Does it even know who has worshipped it from who hasn’t? Such is the case with al-‘Uzzah!” Khālīd b. Walīd came alone and destroyed the idol. Also, *Isāf*, *Nā’ilah*, *Hubal* and *Manāt* were all destroyed by a single man.’¹²⁸

The legal rulings extrapolated from the Thaqīf delegation

1. The permissibility of granting residence to a pagan in the mosque, facilitating his hearing of the Qur’ān and allowing him to witness the actions and worship of Muslims, especially if he is interested in Islam.¹²⁹
2. The person worthy of leadership is the best and most learned among them concerning the book of God and the Sacred Law.

The Delegation of Ṭayyi’

Ibn Ishāq narrates: ‘The deputation of Ṭayyi’, which included Zayd al-Khayl as their chief, came to the Prophet ﷺ, and after some exchanges whereby he ﷺ explained Islam to them, they embraced the faith and became good Muslims. A man of Ṭayyi’, whom I have no reason to suspect, told me that the Messenger of God ﷺ said: ‘No Arab has ever been spoken of in the highest terms except when I met him, I found that he falls short of what was said of him except Zayd al-Khayl. For he reaches all that has been said about him.’ Then the Prophet ﷺ named him ‘Zayd al-Khayr’ and allotted to him *ḥayd* and some lands as fief.’¹³⁰

The Ash‘arī and Yemeni delegation

Anas reports that the Prophet ﷺ said: ‘A people are coming who have hearts more delicate than yours.’ Soon enough, the Ash‘arīs came and proclaimed: ‘Tomorrow we shall meet the loved ones... Muhammad and his beloved followers!’¹³¹ Abū Hurayrah mentioned: ‘I heard the Messenger of God ﷺ say: “The people of Yemen have arrived. They have the most tender of feelings and softest of hearts. Belief is that of the Yemenites, wisdom is that of the Yemenites, tranquillity is among the owners of goats and sheep, and pride and conceit are among the uncivil owners of the camels—the people of the tents in the direction of the sunrise.”’¹³²

The delegation of Muzaynah

It is reported on the authority al-Nu‘mān b. Muqarrin who said: ‘We came to the Messenger of God ﷺ and our number was 400 from the people of Muzaynah. When we wished to return, the Prophet ﷺ said: “O Umar, grant provisions to these people!” To which he replied: “I have nothing save for dates which I do not think will satisfy all their numbers.” “Go and provide for the people,” instructed the blessed Prophet ﷺ. ‘Umar then left with them, took them in his house and went with them to the upstairs room. When we entered, we found an abundance of dates. The people took what they needed and I was the last to leave. I looked back at the dates and they had not reduced in number.’¹³³

The delegation of Daws

Ibn Ishāq narrated: ‘Al-Ṭufayl b. ‘Amr al-Dawsī reported that he came to Makkah when the Messenger of God ﷺ

was present and some of the Quraysh immediately came up to him. He was a poet of standing and intelligence. They told him: "You have come to this land of ours and this man has done much harm, divided our community and broken up its unity. He talks like a sorcerer separating a man from his father, brother or his wife! We are afraid that he will have the same effect on you and your people, so don't speak to him or listen to a word from him!" He said: "They were so insistent that I decided not to listen to a word nor to speak to him and went so far as to stuff cotton in my ears when I would pass by the mosque, fearing that I might overhear a word or two unwittingly. When I got close to the mosque, the Messenger of God ﷺ was standing in prayer at the *Ka'bah*, so I stood near him. God had decreed that I should hear something of his speech and I happened to hear a beautiful saying. I said to myself: 'God bless my soul! Here am I, a gifted poet, knowing perfectly well the difference between good and bad, so what should prevent me from listening to what this man is saying? If it is good then I shall accept it, if bad then I shall reject it.' I stayed until the Messenger of God ﷺ went to his house. I followed and entered his house with him. I said: 'Your people have said such-and-such and scared me so much that I had stuffed cotton in my ears lest I should hear what you were reciting. But God had not allowed me to remain deaf and I heard a beautiful saying. So explain to me this affair of yours.' The Messenger of God ﷺ explained Islam to me and recited some of the Qur'ān. By God! I had never heard anything finer nor anything more just so I became a Muslim and testified to its truth. I said: 'O Prophet of God! I am a man of authority among my people and when I go back and call them to Islam, pray to God that He may give me a sign

that will help me when I preach to them.' He said: 'O God! Give him a sign.' I went back to my people and, when I came to the pass that would bring me down to the settlement, a light like a lamp appeared on my forehead. I said: 'O God! Not in my face! For I fear that they may think that a dire punishment has befallen me for leaving their religion.' Lo and behold, the light moved to the top of my whip. People approached and began to look at that light, which was attached to my whip like a candle, while I was coming down from the pass. As I reached them, my father came and I said: 'Be off with you, father! For I have nothing to do with you or you with me!' 'But why, my son?' he asked. I replied: 'I have become a Muslim and follow the religion of Muhammad.' He said: 'All right my son, then my religion is your religion.' I said: 'Go and wash yourself, and clean your clothes. Then come and I will teach you what I have been taught.' He did so and I explained Islam to him and he became a Muslim. Then my wife came and I said: 'Be off with you, for I have nothing to do with you or you with me.' 'Why?' she asked, 'may my father and mother be your ransom!' I said: 'Islam has come between us and I [now] follow the religion of Muhammad.' She declared: 'Then my religion is your religion.' I said: 'Then go and cleanse yourself.' So she went and washed and, when she returned, I introduced Islam to her and she became a Muslim. I then preached Islam to Daws but they held back. So I went to the Messenger of God ﷺ in Makkah and said: 'O Prophet of God, the attraction of adultery among Daws is far stronger than what I summon them to, so invoke a curse on them.' But he said: 'O God, guide Daws! Go back to your people and preach to them gently.' I continued in the land of Daws, calling them to Islam until

the Prophet ﷺ migrated to Madīnah and the Battles of Badr, Uhud and the Trench had passed. Then I went to the Messenger of God ﷺ with my fellow converts while he was in Khaybar. I arrived at Madīnah with 70 or 80 households of Daws. We then joined him in Khaybar and he gave us a share of the booty equal to other Muslims.”¹³⁴

The Prophet's ﷺ policy in sending invitational letters

The guidance of Islam came as a universal message, unconfined to the contours of Makkah or the Arabs, but for all humanity, affirming the statement of God:

Hallowed is He who from on high, step by step, has bestowed upon His servant the standard by which to discern the true from the false, so that to all the world it might be a warning [25:1]

The universality of Islam was emphasised in various verses, such as God's saying:

We have not sent thee otherwise than to mankind at large, to be a herald of glad tidings and a warner; but most people do not understand [34:28]

and His saying:

We have not sent you save as a mercy to the worlds. [21:108]

The blessed Prophet ﷺ said: “God has sent me as a mercy to all people.”¹³⁵

The following illustrates how Islam's universality was presented in the letters of the Prophet ﷺ to the kings and leaders of the various regions.

The Prophet's ﷺ letter to the king of Yemen

On his return from Tabuk, the Messenger of God ﷺ received a letter from the kings of Himyar demonstrating their acceptance of Islam. They were Ḥārith b. ʿAbd Kulāl, al-Nuʿaym b. ʿAbd Kulāl, and al-Nuʿmān. It was sent with their emissary Mālīk b. Murra al-Rahāwī. The Messenger of God ﷺ responded to them in a document where he highlighted the rights and duties for the believers, and for the non-Muslim communities that had agreed to the treaties for the protection of God and His Messenger, as long they continue to pay *Jizyah*. He sent to them some men from his Companions, the leader being Muʿādh b. Jabal. The latter was a judge and arbitrator in disputes, a collector of alms and *Jizyah*, and also led the people in prayer. The Prophet ﷺ sent Muʿādh and Abū Mūsā to Yemen, telling them: ‘Treat the people with ease and don’t be hard on them. Give them glad tidings and don’t fill them with aversion. Be cooperative and don’t differ.’ Muʿādh would remain in Yemen until the passing of the Prophet ﷺ, whereas Abū Mūsā al-Ashʿarī returned to the Prophet ﷺ at the time of the Farewell Sermon.

The Prophet's ﷺ letter to Heraclius

The Prophet ﷺ sent a letter via Daḥyah b. Khalīfah al-Kalbī to the leader of Baṣra, who was to pass it on to Heraclius, Emperor of Rome. The letter read as follows:

‘In the name of God, the Beneficent, the Merciful. This letter is from Muhammad, the servant of God and His Messenger, to Heraclius, the ruler of the Byzantines. Peace be upon he who follows the right path. I am writing this letter to call you to Islam. If you become a Muslim, you will be at peace and God

will reward you twofold. But if you reject this invitation of Islam, you will bear the sin of having misguided your subjects. Thus do I urge you to heed the following: *O People of the Scriptures! Come to a word common to you and us that we worship none but God and that we associate nothing in worship with Him, and that none of us shall take others as Lords beside God. Then if they turn away, say: Bear witness that we are Muslims.*'

On receiving this, Heraclius sent for Abū Sufyān b. Ḥarb who was with a number of Qurayshi merchants doing business in the Levant at the time, which was in the period when the Messenger of God ﷺ had a truce with Abū Sufyān and Qurayshi infidels. So Abū Sufyān and his companions went to Heraclius at Ilya (Jerusalem). Surrounded by all the senior Roman dignitaries, Heraclius summoned them and questioned them through his interpreter: 'Who among you is closely related to this man who claims to be a prophet?' Abū Sufyān replied: 'I am the nearest relative to him.' Heraclius said: 'Bring him close to me and make his companions stand behind him.' Abū Sufyān later recalled: 'Heraclius told his translator to tell my companions that he wanted to ask some questions to me regarding the Prophet ﷺ and that, if I told a lie, they should contradict me.' He added: 'By God! Had I not been afraid of my companions labelling me a liar, I would not have spoken the truth about the Prophet ﷺ! The first question he asked was: "What is his family's status among you?" I replied: "He belongs to a good, noble family." Heraclius further asked: "Has anybody among you ever claimed prophethood before him?" "No," I replied. He continued:

“Was anybody among his ancestors a king?” I replied in the negative. Heraclius asked: “Do the nobles or the poor follow him?” “It is the poor who follow him,” I said. “Are his followers increasing or decreasing?” “They are increasing,” I replied. He then asked: “Does anybody among those who embrace his religion become displeased and renounce the religion afterwards?” “No,” I responded. Heraclius said: “Have you ever accused him of telling lies before his claim to be a prophet?” “Never,” I said. Heraclius said: “Does he break his promises?” “No. We are at truce with him but we do not know what he will do in it,” I replied. Heraclius asked: “Have you ever had a war with him?” to which I replied in the affirmative. Then he asked: “And what was the outcome of the battles?” “At times he was victorious and at other times defeated,” I responded. Heraclius said: “What does he order you to do?” “He tells us to worship God alone and not to worship anything along with Him, and to renounce all that our ancestors had spoken. He orders us to pray, to speak the truth, to be chaste and to keep good relations with our kith and kin.” Heraclius asked the interpreter to convey to me the following: “I asked you about his family and your reply was that he belonged to a very noble family. All the prophets come from noble families among their respective peoples. I questioned you whether anybody else among you claimed such a thing - your reply was in the negative. If the answer had been in the affirmative, I would have thought that this man was following the previous man’s message. Then I asked you whether any of his ancestors was a king. Your reply was again in the negative and, if it had been in the affirmative, I would have thought that this man wanted to take back his ancestral kingdom. I further asked whether

he was ever accused of telling lies prior to his claim of prophethood, and you replied in the negative again. So, I wondered how a person who does not tell a lie about others could ever tell a lie about God. I then asked you whether the rich followed him or the poor. You replied that it was the poor who followed him. And, in fact, all prophets have been followed by this very class of people. Then I asked you whether his followers were increasing or decreasing. You replied that they were increasing, and this is truly the way of genuine faith, till it is complete in all respects. I further asked you whether there was anybody who, after embracing his religion, became displeased and reneged. Your reply was in the negative, and this is also the sign of true faith, when its delight enters the heart and satiates it. I asked you whether he had ever committed a betrayal. You replied in the negative, for prophets never betray. Then I asked you what he ordered you to do. You replied that he ordered you to worship God, and God alone, and not to worship anything along with Him and that he forbade you to worship idols and ordered you to pray, speak the truth and be chaste. If what you have said is true, he will very soon occupy this place underneath my feet. Though I had knowledge from our previous scriptures that he was to appear, I did not know that he would be from among your people. If I could reach him, I would go immediately to meet him and, if I were with him, I would certainly wash his feet!”¹³⁶

The Prophet's ﷺ letter to Chosroes

‘In the Name of God, the Most Beneficent, the Most Merciful. From Muhammad, the Messenger of God ﷺ to Chosroes, king of Persia. Peace be upon he who follows

true guidance, believes in God and His Messenger and testifies that there is no deity but God alone, with no associate, and that Muhammad is His slave and Messenger. I invite you to accept the religion of God. I am the Messenger of God ﷺ sent to all people in order that I may warn every living person, and that the charge may be proved against those who reject the Truth. Accept Islam as your religion so that you may live in security, otherwise, you will be responsible for all the sins of the Magians.’¹³⁷

After the letter was read to him, the Chosroes ripped it up. When word of this reached the Prophet ﷺ, he said: ‘May God rip up his kingdom!’ And this is exactly what happened in the following years.

The Prophet’s ﷺ letter to the Negus

‘In the Name of God, the Most Beneficent, the Most Merciful. From Muhammad the Messenger of God ﷺ, to Negus, king of Abyssinia. Peace be upon he who follows true guidance. Salutations! I proclaim God’s praise, there is no god but He, the Sovereign, the Holy, the Source of peace, the Giver of peace, the Guardian of faith, the Preserver of safety. I bear witness that Jesus, the son of Mary, is the spirit of God and His Word which He cast into Mary, the virgin, the good, the pure, so that she conceived Jesus. God created him from His spirit and His breath as He created Adam by His Hand. I call you to God, alone with no associate, and to His obedience, and to follow me and believe in that which came to me, for I am the Messenger of God ﷺ. I invite you and your men to God, the Glorious, the All-Mighty. I hereby bear witness that I have communicated my message

and counsel. I invite you to listen and accept my advice. Peace be upon he who follows true guidance.'

The emissary with the letter was 'Amr b. Umayyah al-Damri. Ibn Ishāq related: "Amr said to him: "O Aṣḥama, I am going to talk and you need to listen. You have been very gentle with us and trustful. We never expected any good from you save that we received it, and we did not have fear of anything except that you granted safety. We have taken the proof against you from your very mouth. The Bible is before us as a witness that is not rejected or a judge that is not impartial.' The Negus replied: 'I testify before God that he is the unlettered Prophet ﷺ who the People of the Book had been anticipating. That he is the glad tiding of Moses, by his riding of the donkey, and the good news of Jesus with his mounting of the camel, and that witnessing is no more comforting than an account.'"

The Negus then wrote a letter to the Prophet ﷺ which read: 'In the Name of God, the Most Beneficent, the Most Merciful. From Negus Aṣḥama to Muhammad, the Messenger of God ﷺ. Peace be on you, O Messenger of God ﷺ! And mercy and blessings from God, besides Whom there is no god. I have received your letter where you have mentioned Jesus and, by the Lord of heaven and earth, Jesus is not more than what you say. We fully acknowledge that with which you have been sent to us, and we have received well your cousin and his companions. I bear witness that you are the Messenger of God ﷺ, true and confirming those who have gone before you, and I pledge allegiance to you through your cousin and surrender myself through him to the Lord of the worlds.'

The Negus died in the ninth year after Hijrah. The

Prophet ﷺ was informed on the very day of his passing, and at that very moment he departed to the place of prayer and prayed *janazah* for him with four *takbīrāt*.¹³⁸

The Prophet's ﷺ letter to al-Muqawqis

‘In the Name of God, the Most Beneficent, the Most Merciful. From Muhammad, slave of God and His Messenger, to Muqawqis, vicegerent of Egypt. Peace be on he who follows true guidance. I invite you to accept Islam. If it is security that you seek, then accept Islam. Were you to accept Islam, God, the Sublime, shall reward you twofold. But if you refuse to do so, you will bear the burden of the transgression of all the Copts. *Say: ‘O people of the Scripture (Jews and Christians), come to a word that is just between us and you, that we worship none but God, and that we associate no partners with Him, and that none of us shall take others as lords besides God.’ Then, if they turn away, say: ‘Bear witness that we are Muslims [3:64].’*

He sent it with Ḥaṭīb b. Abī Balta‘ah. When the latter came into Muqawqis’ presence, he said: ‘There was a man before you who claimed divinity and God made an example of him in this life and the next. He took revenge on him and then from him, so learn your lesson through the actions of others and do not let others learn a lesson from you.’ On this, he said: ‘We have a religion that we do not leave save for that which is superior.’ Ḥaṭīb responded: ‘We merely summon you to the religion of God—Islam, of which God Himself is protector. Indeed, this Prophet ﷺ invited the people. Those most severe with him were Quraysh, those

most hostile to him were the Jews, and those closest to him were the Christians. I swear Moses' glad tiding of Jesus is no different from Jesus' glad tiding of Muhammad. We do not call you save to the Qur'ān, just like you called the people of the Torah to the Bible. Every Prophet that reaches a people in time, then they are of his community and are thus obliged to follow him. And you are of those that he has reached, and we do not prevent you from the religion of the Messiah, in fact we command you to it!' The Muqawqis replied: 'I have looked into the affair of this Prophet ﷺ and I have not found him summoning to complete abstinence or preventing pleasure. Likewise, I do not find him to be a deviant sorcerer or a lying soothsayer. With him are the signs of prophethood, in his revealing the concealed and his being informed of confidential talk. I will look into it.'

He took the parchment and ordered it be kept in an ivory casket, which he sealed and handed over to a maid. He then called for an Arabic scribe to write the following response to the Messenger of God ﷺ: 'In the Name of God, the Most Beneficent, the Most Merciful. From Muqawqis to Muhammad b. 'Abd Allah. I have read your letter and understood what you have written. I know that the coming of a prophet is imminent but had thought he would be born in Syria. I have treated your messenger with respect and honour. I am sending two maids to you as gifts. These maids belong to a very respectable family among us. In addition, I send you clothes and a steed for riding. May God bestow peace on you.' He did not add to this and he did not embrace Islam. As for the two maids, they were Māriyyah and Sīrīn. The steed was Duldul, which remained till the time of Mu'āwiyah.¹³⁹

The Prophet's ﷺ letter to al-Munthir b. Sāwā, governor of Bahrain

Wāqidī mentions, with his chain of transmission on the authority of ‘Akramah, who said: ‘I found this document among those of Ibn ‘Abbās after his death, so I copied it and came across the following: “The Prophet ﷺ despatched al-‘Alā’ b. al-Hadramī to the governor of Bahrain, al-Munthir b. Sāwā, with a letter inviting him to embrace Islam. In reply, al-Munthir b. Sāwā wrote the following letter: “O Messenger of God ﷺ! I read your letter, which you wrote to the people of Bahrain, extending an invitation to Islam to them. Islam attracted some of them and they embraced it, while others did not find it appealing. In my country, there live Magians and Jews, and therefore you may inform me of the treatment to be extended to them.”

The Prophet ﷺ replied with the following letter:

“In the Name of God, the Most Beneficent, the Most Merciful. From Muhammad, Messenger of God ﷺ to al-Munthir b. Sāwā. Peace be on you! I praise God with no associate, and I bear witness that Muhammad is His slave and Messenger. Thereafter, I remind you of God, the Mighty, the Glorious. Whoever accepts admonition, does this for his own good. Whoever follows my messengers and acts in accordance with their guidance, he, in fact, accepts my advice. My messengers have highly praised your behaviour. You shall continue in your present office. Give the new Muslims full chance to practice their religion. I accept your recommendation regarding the people of Bahrain, and I pardon the offences of those who offend. Therefore, you may also forgive them. Of the people of Bahrain that wish to remain in their

Jewish or Magian faith, then they should be made to pay *jizya*.”¹⁴⁰

Al-Munthir b. Sāwā said to al-‘Alā’ b. al-Hadramī: “I have looked into this affair before me and found it to be of worldly interest and not of the hereafter. And I have looked into your religion and found it to be of the hereafter and the life of this world. So, what is there to prevent me from accepting a religion that includes the hope of a prosperous life and peace in death? Yesterday I was astonished about anyone who would accept it, and today I am astonished at someone who would reject it! It is out of reverence for the one who came with it that his emissary is glorified. I will deeply reflect upon this matter.”¹⁴¹

Indeed, from the revealed epistles we see that the Prophet ﷺ addressed every king and tribe leader according to his status, a method understood in the science of rhetoric as ‘the observance of the demands of the situation.’ Hence, he chose appropriate words, with gentleness and mercy, and all that engaged the recipient’s mind before his heart - drawing him to the message due to his grace and wisdom alongside his prophetic radiance.

The policy of the Prophet ﷺ in avoiding conflict and decisively ending it

Islamic law commands us to base judgements according to what is evident, without delving into hearts. Hence if during battle, a fighter should proclaim faith, then he is no longer an enemy and is safe. This has been illustrated by the following examples:

- The narration on the authority of Miqdād b. Aswad, who said: ‘O Messenger of God ﷺ, what do you say

if I met a person among the infidels in the battlefield who attacked me, struck me and cut off one of my hands with his sword, then, in order to protect himself, took shelter behind a tree and said: “I become Muslim for God’s sake.” Messenger of God ﷺ, can I kill him after he had uttered this?’ The Messenger of God ﷺ said: ‘Do not kill him.’ I said: ‘But Messenger of God ﷺ, he cut off my hand and uttered this after doing so. Should I not then kill him?’ The Messenger of God ﷺ said: ‘Don’t kill him! For if you kill him, verily he is in the same position as yourself before you killed him and indeed you are in his position before he had uttered the testimony of faith!’¹⁴²

- It is narrated on the authority of Usāmah b. Zaid that, during the encounter of Huraqat, from the tribe of Juhaina, he caught a man who proclaimed: ‘There is no deity but God.’ Usāmah said: ‘Yet I attacked him with a spear. It occurred to me to talk about it with the Prophet ﷺ. The Messenger of God ﷺ said: “He professed ‘there is no deity but God’ and even then you killed him?” I said: “O Messenger of God ﷺ, he made his profession from fear of death.” The blessed Prophet ﷺ replied: “Did you delve into his heart in order to find out whether he had professed from it or not?” He went on repeating it to me till I wished I had just embraced Islam that very day.’¹⁴³
- God has said in His Divine Book: *And do not say unto anyone who offers you the greeting of peace, “Thou art not a believer”* [4:94]. This verse was recited by Nāfi^c, Ibn ʿĀmir, Ḥamza and Khalaf with the

meaning of ‘peace’ instead of ‘the greetings of peace’, with the meaning being that someone expresses that he has peaceful relations with you.¹⁴⁴ In sum, if someone were to testify that there is no deity except God and Muhammad is the Messenger of God ﷺ, or says ‘I am a Muslim,’ then he is judged as a Muslim due to the variant reading: *and do not say unto anyone who offers you peace, “Thou art not a believer”*. Likewise, if you were to interpret the verse as ‘offering greetings’ then there is no issue also, since his expression of the Islamic greeting is also an announcement of his submission, and it also entails the possibility of disengagement from conflict. Consequently, if he were to say: ‘Peace be on you,’ he should not be killed until he knows what is exactly intended by it, since it is an area of uncertainty. In the opinion of Mālik, it is not enough to say: ‘I am a Muslim’ or ‘I am a believer’, or that he prays until he pronounces the words of protection (the testimony of faith) in accordance with the statement of the blessed Prophet ﷺ: ‘I have been commanded to fight the people until they say: “There is no deity save for God”’. ”¹⁴⁵ Al-Shāfi‘ī said: ‘The sole reason that the Messenger of God ﷺ refrained from killing the hypocrites is because of their outward acceptance of Islam, despite his knowledge of their hypocrisy. For what they apparently adhere to alleviates whatever preceded. This is substantiated with the Prophet’s ﷺ saying in a hadith whose authenticity is unanimously agreed upon: “I have been ordered to fight against the people until they testify that there is no deity save for God. If they announce it, their lives and property

are exempt from me except with due right and then their reckoning is with God.”¹⁴⁶ The meaning of this is that the rulings of Islam apply to one who has outwardly declared faith. If he believes in it, then its reward is found in the next abode and if he does not truly believe, then the application of the rulings during the life of this world will be of no avail to him in the hereafter. Ibn al-^cArabī said in his *Aḥkām*: ‘Al-Tirmidhī and others reported that the Prophet ﷺ said: “I have been ordered to fight against the people until they testify that there is no deity except God. If they announce it, their lives and property are exempt from me except with due right and then their reckoning is with God.’ He then recited: *And so, [O Prophet,] exhort them; thy task is only to exhort: thou canst not compel them to believe* [88:21-22], explaining the verse and revealing its subtlety: ‘If the people say there is no deity except God, you have no power of knowing their secrets; all you are obliged to adhere to is the evident, for previously the Prophet ﷺ was not instructed to judge by the evident or the concealed. However, when God commanded him to fight according to the evident, he consigned their secrets to God. This hadith is sound in meaning and God knows best.’¹⁴⁷ Ibn ^cĀshūr deems the verse *there is no compulsion in religion*, to warn against compulsion. He also believes that, at the advent of Islam, there was a command to fight the pagans. For evidence, he cites the hadith: ‘I have been ordered to fight against the people until they testify that there is no deity except God. If they announce it, their lives and property are exempt from me except with due

right.' He therefore considers that the hadith includes an injunction to fight the pagans during the emergence of Islam. He also believed the verse *there is no compulsion in religion* was revealed after the conquest of Makkah and the Muslims' dominion over Arab lands, which means the verse abrogated the previous ruling of fighting the pagans, as many had now accepted Islam. For he said: 'The hadith *I have been ordered to fight against the people* was abrogated. This is what appears to me regarding the meaning of the verse, and God knows best.'¹⁴⁸ However, there is no command in the hadith to fight the pagans so as to coerce them to accept Islam. Compulsion is banned at all times and places—during times of peace and war. Fighting is only employed against those who fight or transgress against us. The hadith is merely defining the goal at which fighting comes to a halt regardless of its reasons. Hence it is a hadith of mercy and tolerance and is not, as has become muddled among a few, emphasising a reason for fighting.¹⁴⁹ Sheikh Rashīd Riḍā mentioned in his *Tafsīr al-Manār*: 'The meaning of this hadith has been mentioned in the sound compendiums with various wordings, which include confinement to the testimony of faith as in the agreed-upon hadith of Abū Hurayrah. Rather some mentioned its mass-transmission as in al-Jāmi' al-Ṣagīr, which is: "I have been ordered to fight against the people until they testify that there is no deity save for God, if they announce it their lives and property are exempt from me except with due right and then their reckoning is with God." And in other narrations, confinement to

the wording: *there is no deity save for God*. After much scrutiny, the dominant position is that the meaning of the verse and the hadiths with variant wording unite on a single meaning, namely relinquishing disbelief and the acceptance of Islam. For the acceptance of Islam, there is a particular wording which suffices as soon as it is uttered, including during times of war. This wording is the two statements of faith. Sufficient from a pagan is *there is no deity save for God*, because they used to negate it, and it is the first thing they are summoned to. The Prophet ﷺ renounced Khālīd b. al-Walīd when he killed an individual from Banū Jathīmah after he said he had left his previous religion. The Prophet ﷺ said: ‘O God, do not hold me to account for Khalid’s act!’ The reason is that the individual intended by his statement to indicate his acceptance of Islam. The account is mentioned in Ṣaḥīḥ al-Bukhārī and is reported to explain the criteria when fighting ceases against those who fight us. It does not include the explanation of how a believer becomes a disbeliever.”¹⁵⁰

- Islam affirmed the principle of peace between the tribes and communities, hence underlining that peace is the default and war is an exception. God has said: *O you who have attained to faith! Enter comprehensively into peace* [2:208]. Additionally, Islam urged the avoidance of the horrors of war and dispute, expressing the human disdain for fighting, even if it was an obligation and for the purpose of defence. God said: *Fighting is ordained for you, even though it be hateful to you* [2:216]. He said: *And, lo, God*

gave you the promise that one of the two [enemy] hosts would fall to you: and you would have liked to seize the less powerful one [8:7]. Despite this, Islam did not fail to provide rules of engagement during war, for fighting is one of the loftiest ranks when performed in defence and not in attack. God has said: *Hence, fight against them until there is no more oppression and all worship is devoted to God alone; but if they desist, then all hostility shall cease, save against those who [wilfully] do wrong [2:198].* Previously in times of war, there were many casualties, including combative prisoners. Islam established guidelines to deal with these situations—the most significant being when the Messenger of God ﷺ sent a general with an army advising him and the accompanying Muslims: ‘Do not embezzle the spoils, do not break your pledge, do not mutilate the dead bodies and do not kill the children, women or the elderly.’¹⁵¹ He ﷺ is reported to have said on the day of the conquest of Makkah: ‘Nay! A person who flees is not to be killed, the injured are not to be slain, and whoever locks his door, then he is safe!’¹⁵² For this reason, it was the custom during times of conflict that Muslims did not chase someone who had fled the battle, nor killed a prisoner who had surrendered, nor cut down a tree, fill a well with earth nor destroy a house. Islam strongly encouraged the dignified treatment of prisoners of war—that his dignity was not violated, regardless of his religion nor on account of his being an adversary. Such treatment is considered among the attributes of the righteous, for God said in their regard: *and who give food—however great*

be their own want of it—unto the needy, and the orphan, and the captive [76:8]. The Prophet ﷺ also advised his Companions to treat captives amicably, saying: ‘Treat the captives gently.’¹⁵³ In this manner, Islam transformed retribution against an enemy captive to an application of virtue and mercy. Hence the prohibition was not confined to torture and starving, but rather the advice extended to treating him well and making him equivalent to the needy and orphans. By this, an outcome of war—despite its savageness—was that it became a form of worship in which the participant hopes for the pleasure of God and that it may lead him to become righteous. At a time when nations surrounding the Islamic state were killing, enslaving and humiliating captives, Islam established the foundations by which the captive is protected and his dignity preserved. It removes every human being from the humiliating treatment that was so rampant at the time, and raises him to a principled humanity where there is no preference between an Arab and a non-Arab, except for God-consciousness.

God said: *O men! Behold, We have created you all out of a male and a female, and have made you into nations and tribes, so that you might come to know one another. Verily, the noblest of you in the sight of God is the one who is most deeply conscious of Him. Behold, God is all-knowing, all-aware* [49:13].

Indeed Islam, with its definitive texts from the Qur ān and the *Sunnah*, and the practical and affirmative applications from the Messenger of God ﷺ, provides civilisational lessons for the world in the

treatment of captives. Islam preceded the international treaties on the rights of prisoners of war by fourteen centuries, demonstrating thereby that it came as a mercy to the worlds and to spread tolerance until the Day of Judgement. An illustration of this is when the Prophet ﷺ gave a captive to Abu al-Haytham b. al-Tayhān and advised him to be good to him. As a result he said to his captive: 'The Messenger of God ﷺ has ordered that I treat you well, so you are free in the name of God.'¹⁵⁴

After God granted the Muslims victory in the Battle of Badr, 70 members of Quraysh were captured and were well treated by the Messenger of God ﷺ. He also commanded his Companions to treat them in a dignified manner. Abū 'Azīz b. 'Umayr, one of the captives of Badr and a brother of Mus'ab, later commented: 'I was within a group of captives among the Helpers after we were detained, and they provided food, specifically giving me bread while they ate dates due to the advice of the Messenger of God ﷺ on how to treat us. There would not fall into the hand of one of them a crust of bread except that they would offer it to me.'¹⁵⁵ Similarly, the Prophet ﷺ encouraged his Companions to be generous towards them. Ransom was accepted from some of them, while those that were unable to pay were asked to teach ten Muslim children how to write, while others were forgiven altogether without any expectations whatsoever. This was all in conformity with the words of the Most Wise:

now when you meet [in war] those who are bent on denying the truth, smite their necks until you overcome them fully, and then tighten their bonds; but

thereafter [set them free,] either by an act of grace or against ransom, so that the burden of war may be lifted [47:4].

The Messenger of God ﷺ presented for us the ideal model to follow in dealing with captives in all scenarios. An example being during the Battle of Badr, the noble Prophet ﷺ rebuked some of the Companions who had struck two Qurayshi lads that had been captured, saying: ‘You hit them if they tell you the truth and you leave them if they lie?!’¹⁵⁶

CHAPTER V

THE CONCLUSION OF THIS STUDY

1. From these four models of coexistence, and all that we have derived from the prophetic guidance on establishing an Islamic community and in turn an Islamic state, it is possible to produce multiple models. One may be novel yet based upon the same prophetic method, and another may be an assimilation of two or more from the four models identified, depending on the current reality. For the contemporary Islamic state may require a paradigm that is a synthesis of two or more, especially after the knowledge that authority in the state is divided among more than one agency. Every authority has its own will and direction, which may agree or differ with others. Educational establishments and media outlets, with all they possess in terms of management of intellectual and cultural activities, are among authorities that possess responsibility in a state. From among such authorities are those which we may call 'shadow governments' like security and intelligence bodies. Others include those which are responsible for decision-making like the presidency, military and judiciary. These powers may not all agree on a particular direction, rather it may be the case that one agency may have an orientation that opposes the orientation of another, all of which means that the Muslims will have to function in paradigms derived from these four. The directing force in all this is the

achievement of the priorities and objectives of the law; working to improving the image of Islam and the Muslims with all that provides the invitation to the religion of God, and the adherence to the legislations of the land without conflict in the contemporary setting. Another guiding force is granting precedence to the Muslims' collective welfare (*ma laha*) over an individual's welfare (after securing his own and his family's stability). Henceforth, the Muslim does not make decisions based on whims of desire. On the contrary, his choices are according to the clear compound criterions that we have mentioned.

2. The manifestation of many inter-relations within these four paradigms can also be of avail in the field of deduction, religious renewal and our current reality. An example is the establishment of some of the Muslims in Abyssinia and their acclimating to life therein whilst maintaining their connection with the Prophet ﷺ and the Muslims in Madīnah after the formation of the Islamic state therein. Despite this they refrained from returning even after the Messenger ﷺ became consolidated there with the absence of censure from the Prophet ﷺ to them, contrary to the case when he censured the Muslims that refrained from migrating from the hostile pagan Makkan society to the Muslim community in Madīnah. Similarly, these inter-relations became clear in the documents sent by the Prophet ﷺ to distant lands where he had not ordered anyone to migrate from his country, for he said: 'There is no migration after the conquest of Makkah, however there is *jihad* and intention.'

3. On the macro level, benefit can be derived from these four coexistence models—and the prophetic guidance—by

an Islamic state and an Islamic community, regardless of whether it is a minority or a majority. On a micro level, it is also possible for the individual Muslim to draw benefit from them according to their individual circumstances, age and locality. Hence a Muslim's conduct in his personal life and interactions is an issue connected to himself, however the individual or state adherence to behavioural values and prophetic *Sunnah*, stemming from monotheism and the universal outlook, is connected to law and the Sharī'ah. The Islamic creed is a universal framework that governs a Muslim's life and it is natural that we not only find several models of coexistence within a single century, but rather, in the life of a single individual, they can change and vary. This does not mean that he is overshadowed with hypocrisy in regard to his principles, for the process of coexistence is forever established on deep-rooted aims stipulated by the Qur'ān and applied by the blessed Prophet ﷺ. The Muslims of the past understood this and practised it from the prophetic age until our current day, except that many centuries have passed in which the world has not changed in such an unprecedented manner like the change we witness in our contemporary world. In many of our writings, we have referred to the technological revolution and mass communication, which has caused people to be incapable of living now as they did previously. Slow change through the ages drove Islamic jurisprudence towards ossification, and also being impacted by the prevailing situation of the age within Islamic history, where the Muslims were in a state of tension with the others, with skirmishes far and wide. In the east, there were the crusaders and their attacks on the Islamic state, and in the west—Andalusia and Morocco—all aggressions they had to face. These events continued

until modern colonialism sieged the Muslim world in the 19th Century. Due to the fact that there have been fundamental changes, and technological developments which have reached such an extent that a reckless soul can set off a single bomb that consequently destroys everything, we are obliged to observe the values of peace and see it spread. All conflicts that preceded are disregarded, with a new chapter of peace beginning between nations and governments. A peace that focuses on the future through collaboration and support in building a human civilisation. A future where every human being is respectful to another, and everyone is free to believe and adopt the faith of his/her choosing on the condition that it calls to peace, adheres to it, and works towards it.

4. There is no conflict in the extrapolation of benefit from these four models, their application and implementing their rulings—if the contemporary reality agrees with the reality in which it was legislated, or for which it was legislated—and the established legal rulings that the Messenger of God ﷺ left us with in terms of obligations and prohibitions, due to them being the essence of Islam and its undetachable reality.

The four paradigms for coexistence, and whatever results from them in terms of new or compound models, are all ‘active’ for application, without one of them abrogating the other. Each model has its circumstance and area for implementation, and therefore has precedence for the establishment of the Muslims’ welfare and the objectives of the Sacred Law. The disappearance of conflict between the four models and the established laws requires a new theory

in understanding the evidence so that it does not negate the concept of abrogation in its totality but rather enables us to benefit from the Qur'ān and what the infallible Prophet ﷺ applied in terms of procedures and paradigms. This theory is the theory of '*al-Nasā*' and was identified by some of the Muslim scholars like al-Zarkashī and al-Suyūṭī, after whom it was accepted. This theory does not negate abrogation, with its basis being that human welfare varies according to time and place, for it is not unreasonable that God knows the soundness of an act at one time and its unsoundness in another, thus commanding to its benefit in its initial stage, and prohibiting it later due to its lack of suitability. The knowledge of God in regard to the two cases is pre-eternal and endless. Similarly, it is possible that the All-Wise Legislator nurtures His legally responsible servants in stages, in order not to shock them with that which is too burdensome. Concerning these four paradigms of prophetic guidance, they are not susceptible to abrogation, i.e. that their rulings are removed in totality. Abrogation [in the absolute sense] does not occur within the rulings that have been mentioned in the Qur'ān, because it is the inimitable book of God where He placed the laws for human welfare in every epoch and locality. It is the final word from the Lord of all the worlds to mankind, and we are in need of all that He commanded and prohibited, guided and instructed. Hence there is no abrogation in His rulings—not in the divine Book or the blessed *Sunnah*.

We then understand that the foundations and objectives which have clearly manifested in the four examples of coexistence, have been stipulated in the Qur'ān in many of its verses. The application of the Prophet ﷺ in his *Sunnah*

indicate the importance of their implementation. This is so that the Muslims' welfare may be facilitated and that they may live life in peace. With an absence of application, Muslims will undoubtedly live a life of discord. They will be unable to handle current affairs and new circumstances, effectively handicapping their ability to adapt, whereby life will constrain their natural disposition and fundamental principles will oppose them, for they will be unable to reconcile religious teachings and everyday social interactions.

Appropriate for what we have asserted here is the position of *al-Nasā'*—that there be a ruling qualified with an attribute, or dependent upon a condition, and hence we apply it when the attribute or condition occurs, and do not apply it when one of the two is absent. By this, we have granted the Qur'ān its worthy status and hence its wonders continue to open new understandings with every reading, and serves as a source for rulings within the guidance of the *Sunnah* in every situation.

In summary, we can say that all Qur'ānic verses which have been said to be abrogated in fact affirm a legal ruling in particular instances. As for the verses that are said to abrogate, they affirm another ruling when the aforementioned instance has changed from the initial state to another. By this, it is understood that if the original state were to return then its corresponding ruling would also return, hence the opposing rulings are only in opposition because they are in reference to contrasting circumstances.

Among the Muslim scholars, it was rumoured that Abū Muslim al-Asbahānī had rejected abrogation in its totality, which is incorrect. He did not deny the abrogation of the Sacred Law by the Sacred Law, or the Qur'ān by the *Sunnah*, but rather denied the abrogation of something from

the Qur'ān. He inferred as evidence God's saying: *No falsehood can ever attain to it openly, and neither in a stealthy manner, [since it is] bestowed from on high by One who is truly wise, ever to be praised* [41:42].

He cited this based on the understanding that all verses are relevant, and their application obligatory. We believe in the correctness of this position and find it congruent with what al-Zarkashī and al-Suyūṭī both implied, namely the differentiation between abrogation and *al-Nasā'*. We also believe that what are excluded from abrogation are the definitive applications from the infallible Prophet ﷺ, and what came in the form of methods in understanding and securing coexistence. As for the statement of both al-Zarkashī in al-Burhān and al-Suyūṭī in *al-Itqān*, its text follows:

'Section three concerning abrogation: that which has been commanded due to a reason and then the reason expires, like the command at times of weakness and need to be patient and forgiveness for those who wish to meet God in such circumstances. Similarly, the like of which does not obligate the command to enjoin good and prohibit the evil, and *jihad* and the like, all of which were not compulsory and then obligated. The truth in their regard is that this is not abrogation but rather *Nasā'*, as God has said: *aw nunsī'aha (or consign)* [2:106]. Hence, the *nasā'* is the command to fight when the Muslims are strong, and at times of weakness the ruling is the obligation of patience during persecution.¹⁵⁷ With this verification, the frailty of what many of the exegetes have continuously stated becomes manifest in regard to some of the verses that command to harmony and the

avoidance of confrontation are all abrogated with the verse of fighting. However, this is not the case, rather it falls within *al-Nasā'*, meaning that every command must be applied at its suitable time, the time in which there remains its *ratio legis* that obligated the ruling. The ruling then changes with the change of the *ratio legis* into another ruling, and this is not abrogation. Abrogation is the removal of an old ruling with a new rule, while the previous ruling becomes non-existent. Al-Shāfi'ī alluded to this in his *Risālah* when he spoke of storing slaughtered meat due to guests, for the permissibility of doing it after this incident did not constitute abrogation, rather falling within the realm of 'the disappearance of the ruling with the disappearance of the *ratio legis*.' This then renders the ruling of the one who has a large group of guests—which is the *ratio legis* in this case—that he is prohibited from storing slaughtered meat. The like of this is God's saying:

You who believe, you are responsible for your own souls; if anyone else goes astray it will not harm you so long as you follow the guidance [5:105].

This ruling was at the beginning of Islam, when the Muslims were weak. When they grew in strength, enjoining good and prohibiting the wrong became obligatory, and even fighting when there was transgression against them. Were the state of weakness to return as it was when the verse was revealed, then the ruling would also return to being applicable, namely *you are responsible for your own souls*. This was alluded to by the Prophet ﷺ when he said: 'Islam

began as strange and will return to being strange as it began,' as reported by Muslim. Likewise, this ruling was mentioned by the Prophet ﷺ when he said: 'If you see submission to greed, desires being followed, precedence granted to the world, and every possessor of an opinion impressed with what he has to say, then in this case focus solely upon yourself,' as reported by al-Tirmidhī.¹⁵⁸

Among the most important cases where abrogation played a prominent role in shaping rulings is that of *Jihad*. When jurists performed *ijtihad* in cases concerning this topic, abrogation was a key feature employed to extrapolate rulings. Some scholars said that a number of verses for *jihad* have in fact been abrogated by verses of forgiveness, while others have maintained the contrary, arguing that the original rulings of *jihad* remain as they always have been. In this study, we do not want to delve into the details of *jihad* or the exact role that abrogation had in its regard. What we do wish to emphasise is a point of extreme importance, namely that the objective of *jihad* in Islam does not reside in the domain of *ijtihad* but rather it is a definitive principle, highlighted by the universal maxims revealed after the complete survey of the Sacred Law. The conclusion was that, after a review of the textual evidence, *jihad* was legislated for the purpose of defending oneself, and to end aggression and tyranny. It was never a means to attack others outright in order to impose one's religion. God has said:

Fight in God's cause against those who fight you, but do not overstep the limits: God does not love those who overstep the limits. Kill them wherever you

encounter them, and drive them out from where they drove you out, for persecution is more serious than killing. Do not fight them at the Sacred Mosque unless they fight you there. If they do fight you, kill them—this is what such disbelievers deserve, but if they stop, then God is most forgiving and merciful. Fight them until there is no more persecution, and worship is devoted to God. If they cease hostilities, there can be no [further] hostility, except towards aggressors. A sacred month for a sacred month: violation of sanctity [calls for] fair retribution. So if anyone commits aggression against you, attack him as he attacked you, but be mindful of God, and know that He is with those who are mindful of Him. Spend in God's cause: do not contribute to your destruction with your own hands, but do good, for God loves those who do good [2:190-195].

This is the constitution of *jihad* in the Qur'ān, where fighting is merely one of the many forms of *jihad*, as suggested in the Qur'ān:

And strive hard in God's cause with all the striving that is due to Him [22:78].

God also said:

But as for those who strive hard in Our cause—We shall most certainly guide them onto paths that lead unto Us: for, behold, God is indeed with the doers of good [29:69].

The Messenger of God ﷺ classified physical combat as the minor *jihad*, whereas the *jihad* of the inner-self was

ranked as superior. Jābir recalls: ‘Some people came to the Messenger of God ﷺ after a battle, whereupon the Prophet ﷺ said: “You have returned a mighty return from a minor *jihad* unto a superior *jihad*.” “And what is the superior *jihad*?” they asked. “A servant’s struggle against his desires!” replied the Prophet ﷺ.’ Similarly, the Prophet ﷺ deemed the enjoining of good and prohibiting the wrong as a form of *jihad*. Imam ‘Alī narrated that the Messenger of God ﷺ said: ‘*Jihad* is four: enjoining the good, forbidding evil, truthfulness at times of patience, and resentment of the iniquitous.’¹⁵⁹ The blessed Prophet ﷺ said that Hajj was the *jihad* of women and the elderly. Lady ‘Ā’isha asked: ‘O Messenger of God ﷺ, should we not depart and engage in *jihad* with you all?’ To which the Prophet ﷺ replied: ‘No, your *jihad* is a righteous hajj, that for you is your *jihad*.’¹⁶⁰ No one should therefore insinuate that Muslims in the course of history fluctuated between forsaking *jihad* during times of weakness, and unleashing hostility as soon as they had the upper hand. This is in conflict with the reality of Islam and Muslim behaviour throughout the ages. Since their *jihad* was to directly stop hostility, prevent it potentially surfacing or reclaiming seized rights. This is emphasised by the Divine Book, the *Sunnah* and the prophetic biography. For when the Prophet ﷺ was residing in Madīnah, he was exposed to aggression in the Battle of Badr, then Uhūd, then al-Khandaq and the rest of the battles, and said, as narrated by Ibn ‘Umar: ‘I have been ordered to fight against the people until they testify that there is no deity save for God and Muhammad is the Messenger of God ﷺ, perform the prayer, and pay the zakat. If they announce it, their lives and property are exempt from me except with due right.’¹⁶¹ The meaning of ‘the people’

in this hadith, as has been mentioned by many of the hadith commentators, are the Arab pagans who would not leave the blessed Prophet ﷺ to openly propagate the faith, rather they fought him with all the resources they possessed. Hence his *jihad*, in all its stages, was to repel hostility and to remove tyranny. For that reason, this hadith is the kind which is general in wording but specific in meaning (*‘ām urīda bihi al-khāṣ*) [as mentioned in the manuals of legal theory], since ‘people’ here does not mean all of them, just the antagonists whose issues are like those of the hostile Arab pagans.

5. The study of the four prophetic models of coexistence between the Muslim and his brother in humanity, whether Muslim or non-Muslim, provides a paradigm to renew religious thought and how to activate legislative rulings in the lives of the Muslims. Such a study also breathes a breath of fresh air into our jurisprudential tradition, making it more suitable for the life of the current Muslim, enabling him to develop civilisation, with the awareness that he has a correct sense of direction and purpose while worshipping the exalted Creator. Such a study then makes it possible for Muslims to pursue the path of felicity both in the domain of this world and the life to come.

The significance of this study, its contemplation, and its renewal comes as a fulfilment to the supplication of the Prophet ﷺ and his command, for it has been narrated by Abū Hurayrah that the blessed Prophet ﷺ said: ‘Indeed God sends at the turn of every century someone who will renew for the Muslims their religion.’¹⁶² The Prophet’s ﷺ statement that, every hundred years, God sends someone

from among the Muslim scholars who renews for them the affair of their religion is a supplication and command for renewal. It is answered by the one who God has facilitated, granting him the talent and knowledge that are necessary for renewal. This supplication was answered by the Proof of Islam al-Ghazālī whose most famous book alluded to the issue of revival of religious thought, *'Iḥyā' 'Ulūm al-Dīn*, which functioned as intended, replete with revival and renewal.

It was in this manner that the torch-bearers of religious thought throughout history operated by leaving for us suggestions and insights that enabled us to evaluate with extra clarity. They fathomed its relevance, illuminating the way for future generations, and recognised the latter's importance in also fulfilling their role in re-evaluation. This begins with the understanding of the works they left for us. The renewing mujtahids from our past did not suffice with just the duty of their age and its demands in terms of renewal, *ijtihād*, and resolving contemporary issues. They went above and beyond the call by providing us with tools for the continuation of this renewal process. Thus indeed, he is wrong who believes that renewal is a step towards the destruction of the efforts of the predecessors and the tradition.¹⁶³ Such an assumption is no more than the abandonment of all realities and foundations, which severs the human being from the spirit and character of his tradition built through the ages, alongside all the experience of those that preceded, thus rendering it 'a start from afresh' instead of a pursuit for the renewal and expansion of what currently exists.

Were we to envision a person who followed such a course—that he cast aside all efforts and experiences of the

past, and all the inherited good, alongside religiosity and knowledge—then such an individual would inevitably be returning to a blank page. In such an instance there is a strong possibility that he would start from scratch, basing all his judgements on his own intellect, traits and characteristics. This will ultimately mean that a person may begin with the inclination of war and destruction, or preferring evil over good, overlooking everything except his material wants and needs, killing indiscriminately and merely fulfilling his base desires. If such a person were to follow his caprice with no boundary, then he would undoubtedly bring ruin to every civilisation.

Based on the aforementioned and in performance of my role in renewing Islamic jurisprudence—a duty which has been obligated upon us by our contemporary lives—I have recorded through my readings of our jurisprudential tradition some of the indications and suggestions which were we to excel in their development and derive worthy benefit from and apply analogically as theories and universal maxims—we may resolve many of our problems and issues which *fiqh*, in its old setting, cannot address. These theories are spread throughout the books of jurisprudence. They were discussed by our scholars as solutions to certain jurisprudential problems, although in most cases not in great detail but they rather sufficed with their being a solution and means to reaching a verdict in a subsidiary matter. This is something common. For these theories did not have a prominent role at that time in which they could be used, beyond the case in hand. However, they are today of utmost importance and absolutely necessary in the domain of *ijtihad* for many novel cases before us. There is every possibility that these theories may serve as key tools

in producing solutions to the problems of the age while remaining faithful to the tradition of Islam.

Examples of these theories include:

A. The subtle moment (*al-Laḥṭha al-Latīfah*)

The ‘subtle moment’ theory enables us to authenticate some of the new original contracts—contracts that were we to apply them to the general jurisprudential maxims, we would have judged them to be incorrect. Of that which there can be no doubt is that the fast-paced development in the current world demands the production of new contracts that contain highly complex details as soon as possible. Such contracts must be able to determine economic, social, academic and political relations between members of a society, and between the latter and other societies, which are governed by different cultures, custom and various understandings. Our jurists discussed the ‘subtle moment’ in the form of an indication or as a means of solving a juristic puzzle, and an issue based on the cases at their time. For example, this theory was mentioned within the manuals of jurisprudence under the Chapter of Emancipation. Despite the formal abolition of slavery worldwide, this chapter is still needed for the study of some key concepts and its refinement, alongside extrapolating some of the general key concepts and approaches which can be applied elsewhere in jurisprudence for determining rulings that fit most appropriately with the general objectives of the Sacred Law, i.e. the law that ultimately seeks freedom, establishing procedures that in its essence and over the passage of time saw to the actual termination of slavery from the lives of man.

The theory was mentioned in the following context: A

man went to the market and bought a slave, paying his price and taking ownership of him, only to find out that this slave was actually one of his descendants or forefathers, i.e., one of his sons, or his father or grandfather. The point being that this is considered a legal hindrance that prevents him from appropriating this slave, with the contract being rendered incorrect and the sale annulled, as the law does not permit bondage of offspring or forefathers. Thus, according to the general legal maxims, the individual is obliged to return the slave and receive his money back from the vendor. The vendor takes the slave and puts him up for sale once more. In this case, and according to the general maxims of the law, this slave will remain in bondage, which begs the question, is there not a solution or means to accomplish the slave's freedom without wasting the buyer's money or the vendor's stock?

In response to this, the jurists devised the 'subtle moment' concept and said: 'We shall envision a *subtle moment* where we place this human being among the property of the buyer, like the beam of light that lands on the surface of a mirror and is then reflected instantly. The meeting of the beam of light with the mirror occurred in a *subtle moment*, and the mirror did not absorb it and prevent it from reflecting like many other bodies, rather the light only reflected when it descended on it for a subtle moment. It is during this very moment that the slave became free from bondage only for there to appear a prevention, namely that he was the son or father of the buyer which contravenes the law. Therefore, consideration is granted to this split second when he is removed from ownership and becomes free. Hence 'the subtle moment' in this instance is an emancipation for the slave and not a

return to bondage with the original seller,' actualising his freedom alongside the soundness of the contract.¹⁶⁴

The jurists also discussed the 'subtle moment' in the chapter of endowments:

An endowment is that item which an owner has removed from his own property and placed in the property of God, i.e. it has been removed from the property of the individual and granted to the property of the group. An endowment thus entails removing something tangible you have into the path of good while you are living. After your passing, it is not considered part of your bequests and cannot be inherited.

The legal query here is that there are moments when someone wishes to make an endowment, while fearing that time will pass and he will become in great need of whatever he endowed. He does not wish to make it a bequest, since bequests can only be up to a maximum of one-third of an individual's wealth. Anything above this requires the legal inheritors' consent. Furthermore, he is not confident that the value of this endowment at the time of his death is less than one-third of the remainder of his belongings, and he does not believe that his inheritors would grant his bequest if it exceeded this. In resolving this issue, the jurists referred to the 'subtle moment' so that they could verify the different objectives. Accordingly, they said: 'If a Muslim endows this item before his death by a "subtle moment", saying: "I have endowed this item beginning from the 'subtle moment' before my passing," then the endowment is effective. When he dies, the item is not considered of his bequest, hence we managed to secure his welfare for him and fulfilled his wish in doing good.'

From this theory we can derive great benefit in financial

transactions, in determining rulings of legal persons in the field of guaranty, mortgaging and many other areas.

B. The disappearance of the subject of the ruling (*thahāb al-maḥal*)

The legal theorists have mentioned this under the title ‘the effect of the disappearance of the subject of a ruling’. Imam al-Rāzī called it ‘abrogation with the intellect’, although this appellation was opposed by al-Shawkānī, since abrogation never occurs with the intellect—what actually happens is that the ruling disappears with the disappearance of the circumstance it depends on. We do not agree with Imam al-Rāzī in regard to the name he granted it, since abrogation is the removal of the ruling, and the ruling in this case remains but its application is not possible. There is a distinct difference between annulling a ruling on the one hand and simply not applying it on the other. Likewise, there is also a difference between dissolving and halting the law. It is the law itself that legislated its cessation, for this in itself is a form of application of the Sacred Law. However, dissolving is a form of cancellation, which is a departure from the ruling of God and has been addressed in the Qur’ān:

For they who do not judge in accordance with what God has bestowed from on high are, indeed, deniers of the truth! [5:44].

As for the case of ‘cessation and halting’ in the Sacred Law, due to the absence of required conditions, this was something applied by our master ‘Umar b. al-Khaṭṭāb, the second Caliph, who the Prophet ﷺ commanded us to follow when he said: ‘Adhere to my *Sunnah* and the *Sunnah*

of the rightly guided Caliphs after me; hold on to it with your molar teeth, and beware of newly created matters!’¹⁶⁵

During a year of drought, when the famine was severe and people were starving, our master ‘Umar b. al-Khaṭṭāb halted the application of the legal punishments for stealing. This was because the hunger of the people and their need for food was considered an obscurity that prevented the application of the law, as our master the Messenger of God ﷺ said: ‘Repel legal punishments with obscurities.’¹⁶⁶

Examples of the disappearance of the object of a ruling:

- The Sacred Law has commanded ablution and has included among its obligations the washing of one’s hands to the elbows. Now with the hands being an area of ablution, if one hand was totally severed in an accident or legal punishment or the like, then the area of rule and application has disappeared. So what would then be the ruling? The answer being that the individual with a severed hand is not obliged to do anything and he no longer has to wash both hands due to the disappearance of one. However, were we to envision, hypothetically, that his severed hand was to return, then in such a case he would be obliged once more to wash them both. The obligation of washing both hands in ablution had not become annulled but rather had been suspended due to the disappearance of the limb. If it is presumed that the area will return, then so too will the ruling and obligation.
- Among the dispensations mentioned in the Sacred Law is the emancipation of a slave. It is a dispensa-

tion for breaking an oath, saying to one's wife that she is like 'the back of my mother', manslaughter and intentionally eating during Ramadan. Yet slavery has been formally abolished in our age since the mid-nineteenth century. This is an example of the disappearance of the area of rule, although the disappearance in this case is the removal with a substitute articulated by the Legislator, unlike the previous example where there is no alternative. By this we mean that the scripture has mentioned an alternative dispensation that takes the place of the emancipation of a slave, which is the feeding of the poor, clothing them and doing a compensatory fast. God has said: *God will not take you to task for oaths which you may have uttered without thought, but He will take you to task for oaths which you have sworn in earnest. Thus, the breaking of an oath must be atoned for by feeding ten needy persons with more or less the same food as you are wont to give to your own families, or by clothing them, or by freeing a human being from bondage; and he who has not the wherewithal shall fast for three days [instead]. This shall be the atonement for your oaths whenever you have sworn [and broken them]. But be mindful of your oaths!'* Thus God makes clear unto you His messages, so that you might have cause to be grateful [5:89].

Concerning manslaughter, God said: *and it is not conceivable that a believer should slay another believer, unless it be by mistake. And upon him who has slain a believer by mistake there is the duty of freeing a believing soul from bondage and paying an indemnity to the victim's relations, unless they forgo it by*

way of charity. Now if the slain, while himself a believer, belonged to a people who are at war with you, [the penance shall be confined to] the freeing of a believing soul from bondage; whereas, if he belonged to a people to whom you are bound by a covenant, [it shall consist of] an indemnity to be paid to his relations in addition to the freeing of a believing soul from bondage. And he who does not have the wherewithal shall fast [instead] for two consecutive months. (This is) the atonement ordained by God: and God is indeed all-knowing, wise [4:92].

Concerning *al-Dhihār* (saying you are as unlawful to me as my mother), He said: *However, he who does not have the wherewithal shall fast [instead] for two consecutive months before the couple may touch one another again; and he who is unable to do it shall feed sixty needy ones: this, so that you might prove your faith in God and His Apostle. Now these are the bounds set by God; and grievous suffering [in the life to come] awaits all who deny the truth [58:4].*

C. Division of rulings (*tafriq al-aḥkām*)

The concept of ‘division of rulings’, as previously outlined by our jurists, greatly assists in understanding many of the tools for jurisprudential thought and in knowing their methods for comprehending the legal verdicts. It aids the legal experts in shaping the law for justice and countering contraventions. The concept of ‘division of rulings’ also assists the judge in passing sound judgements, without falling into restriction, hardship or confusion. Let us begin with an example and then reach the concept.

There was a young man who lived in a distant village under the protection of his father. He then married a woman whom he loved and, despite her beauty and good character, his father ordered him to divorce her without reason. Out of obedience to his father, he did so and later married another woman, only for the same situation to occur again. He then married for a third time and the instruction to divorce was again given. Out of despair, the young man left his village and went to a city, where he found a girl from a good family, who lived with her mother. He asked about her father and the mother informed him that she married a man who had come from afar and she did not know him in any detail. He was known as Shuhrah Mu‘īn—and at that time the people were still unfamiliar with registering names and getting certification of the marriage etc—however she had a child with him from this sound marriage. In any case, the young man married the girl and consequently had children together. They continued in peace until the mother passed away and the father came from the countryside to visit his son. When he spoke with his son’s wife and asked her name and that of her mother, and the place where she used to lived, he claimed that she was his daughter. Now, based on the son’s previous dire experience with his father, and how the latter caused him to divorce three times, he believed that his father was concocting this story so that he will divorce for a fourth time. Hence, he refused to accept his father’s claim that she was a direct relative, and they remained married. The jurists on this matter applied ‘the division of rulings’, ruling it permissible that the man attribute the girl to him, because she takes the ruling of someone whose lineage is unknown, while we are in complete belief that she came

about from a legally sound marriage. Her mother had died and so too had the witnesses who testified to the marriage. Hence it is virtually impossible to find any proof for the soundness of the claim that she is the daughter of the father of her husband. Despite allowing the attribution, we do not include the ramifications, meaning that the girl does inherit from the father, and he does not inherit from her if she dies before him. At the same time, it is permissible for the young man to deny his father's claim and continue in his marriage, whereby the marriage contract remains valid.

In this example, we divide the rulings. We grant her inheritance because the man claimed to be her father, and at the same time we affirm the marriage, because the husband denied the relation. This is the practical application of the 'division of rulings'.

There are other examples like the aforementioned, where we are forced into dividing rulings, due to the occurrence of granting preponderance to one side without the existence of a predominant factor granting preference to one of the two options, which ultimately leads to oppressing one of the two parties. For this reason, the situation remains from both perspectives, and the conflicting rulings reconcile both positions as we have seen in the preceding example.

The division of rulings exists in many of the chapters of *fiqh*, starting from the book of purification, followed by prayer, zakat and ending with financial transactions and world relations. Thus, the topic is vast and requires independent study on the possibilities of legal applications of this theory.

D. The relation of ‘division of rulings’ with the theory of ‘precaution’ (*al-iḥṭiyāt*)

There lies a connection between ‘division of rulings’ and the theory of ‘precaution’ in Islamic jurisprudence. Precaution may be obligatory if the ambiguity is that of object (*maḥal*), and it may be recommended if the ambiguity is about interpretation (*madthab*). Precaution however does not exist at all in the ambiguity of the agent (*fāʿil*), and these are the three ambiguities that the jurists have spoken of.¹⁶⁷

i) *The ambiguity pertaining to the agent*

By this, we mean an incident that occurs without premeditation from the agent, such as a car that accidentally hit something, a plane crash or a boat sinking—all occurring without intention from the agent but rather due to a lack of clarity in his mind. Examples of this include when someone drinks something he thought was water, only to find out that it was alcohol, in which case there is no sin on him.

God has said: *You will not be blamed if you make a mistake, only for what your hearts deliberately intend.* [33:5]

In a hadith, it says: ‘Indeed actions are according to intention, and for every individual is what he intended.’¹⁶⁸ Concerning the consumer of the alcohol in this example, he did not want to commit a sin, but an ambiguity appeared before him and he thought it was water. The contrary is also correct. So if an individual was audacious enough to pick up a cup of water while thinking it was alcohol, he inevitably falls into sin, due to his intention to drink the intoxicant. For he inclined to the sin. The fact that the cup was full of water removes the possibility of a punishment,

according to one of the opinions of the jurists, however he incurs the sin for what he intended. There is a distinct difference between the disobedient person warranting the sin and the warranting of the punishment. The one who dares to venture in the areas prohibited by God, he warrants a sin. But as for the punishment, this has conditions and regulations that must be met, and, for that reason, the scholars were divided in two positions as to the obligation of the punishment in such circumstances. Another example would be if a man were to have sexual relations with a woman that is not his wife, boldly transgressing the sacrosanct laws of God, only to find out that the woman was in fact his wife. This is an ambiguity where the perpetrator has unanimously sinned. As for the implementation of a punishment, there are two opinions mentioned in the book *Fawā'id al-Riḥlah* of Ibn al-Ṣalāḥ, according to al-Asnawī in his *Tamhīd*.

ii) *The ambiguity of area*

An example of this is when a Muslim consumes meat without knowing if it is *halal* or *haram*. This is an ambiguity of area where precaution is an obligation.

iii) *The ambiguity of interpretation*

An example is the invalidation of ablution by touching women. The Shāfi'ites have stated: 'The touching of a woman, even if she is your wife, invalidates ablution.' The Ḥanifities on the other hand said: 'The ablution is not annulled by touching a woman, whether wife or otherwise.' Hence we see an ambiguity where the individual takes precaution although it is not an obligation, rather recommended. This then raises the question as to how does one

interact with ambiguities and their divisions, and when does precaution take precedence. How does one apply the theory of choice, alongside the theory of division of rulings? All considerations need to be carefully measured, illustrating the intricacies that a qualified jurist must engage with.

The connection between ‘the division of rulings’ and the ‘change of juristic method’

The concept of ‘change of juristic method’ is connected to ‘division of rulings’, although in a manner contrary to its relationship with the theory of precaution. For example, regarding the ambiguity of interpretation, it is permissible for someone to embrace an opinion of a certain school, and then change his trajectory and adopt an opinion from another school, with the ramifications being variant rulings. An illustration of this is a man who married according to the Ḥanafite school of law without a guardian (*waliy*), while it is known that such a marriage is considered invalid within the Shāfi‘īte school. Later on, the man divorced her three times and went to one of the Shāfi‘īte jurists, who judged that the whole marriage contract was void from the offset, that this marriage was ambiguous and the divorce is also unsound, because it did not occur on valid grounds for a ruling to be applied. Accordingly, the Shāfi‘īte jurist deemed that a new marriage contract can be established with the presence of a guardian so that the contract can be sound according to the Shāfi‘īte school, and so the three divorces uttered are effectively overlooked.

This also has a close connection with the legal maxim: ‘The *ijtihad* of one does not invalidate the *ijtihad* of another’—an extensive maxim and its relevance is highlighted by our master ‘Umar, when he said: ‘That [previous

opinion] was what we judged by then, and this is what we judge by now.’¹⁶⁹

Now the question remains, is what the Shāfiʿite jurist performed correct, and what is the ruling on changing the trajectory? Is it suitable or not? Do its benefits outweigh its deficiencies? Or is the opposite true? These are all questions that the astute jurist must consider. It is our belief that such hidden treasures buried in our tradition have yet to receive the full attention they deserve, let alone study and development, to arrive at sound juristic outcome.

E. The obligation of the age

Reverence of the tradition in light of the theory of ‘obligation of the age’

The ‘obligation of the age’ is that which unites for us every good. The good in respecting the tradition and deriving benefit from it, and the good in working according to our contemporary age and *ijtihad* for the sake of facilitating necessary rulings that may be practically applied in people’s daily lives whilst in accordance to the Sacred Law and prophetic guidance.

The inherited Islamic tradition is the result of the Islamic approach throughout the ages. It cannot be wasted or ignored. This would go against the intellect and contradict the maxim that confirms human knowledge is an accumulative process. No community can begin building a civilisation on its own without awareness of the accumulative knowledge inherited through time, especially if the tradition is specific to its forefathers. If our community wishes to suffice with rising on the shoulders of Western tradition, which is alien to them, then although it may be a community, were it to build a civilisation and succeed, it has

done so without any specific identity, whereby its success is attributed to someone other than itself.

The meaning of 'the obligation of the age' is that the mujtahid works and performs *ijtihad* in deducing legal rulings from its sources in any way that keeps the contemporary lives of people in motion during the actual endeavour of *ijtihad*, and not solely depending on the *ijtihad* of past scholars who related to a different time. It is possible, and this is normally the case, that their reality has succumbed to mass changes from all directions that play a prominent role in the alteration of rulings. Consequently, every age has its obligation of *ijtihad*, since realities and relations all change, as the world does not remain fixed in a single state of affairs. Due to this perpetual motion, we must also change our interactions to reach the same objectives that our predecessors wished to achieve in their age.

Respect of heritage and fulfilment of the obligation of the age obliges us to scrutinise our tradition, taking from it the procedures and theories from which we can benefit in our contemporary era, without confining ourselves to the *ijtihad* of the past but rather utilising their procedures, not necessarily their rulings, and developing them. This is achieved by adding to them whatever is required for the *ijtihad* of the current age, and then working towards fashioning a contemporary format that facilitates its comprehension and application. This is the duty of the age that the Islamic scholars are legally responsible to accomplish. As for anyone who wishes to turn to the books of tradition and transmit from them directly without taking into account current circumstances, then he is in manifest error. Such an approach is a form of ignorance because he may be in constant referral of past opinions with the conviction

that he and his contemporaries are unable to produce an *ijtihad* superior to what preceded, and that the *ijtihad* of the past is absolute. With such a belief he understands that the efforts and *ijtihad* of the past may not be developed, rejected or even recognised as being unsuitable for the current age, preventing a more fitting contemporary *ijtihad*. The person who wishes to confine himself to his predecessors' positions and halt time, envisioning that the world is not changing, is in flagrant error. He has fused the absolute and the relative, between the sacred and the human. Jurisprudential *ijtihad* is a human effort to understand the divine rulings. The former succumbs to change while the latter is fixed, with the majority of misconceptions occurring as a result of conflating between the two.

The obligation of the age is that we engage in *ijtihad* once more just like our predecessors did, and this requires knowledge and dexterity. It requires deep understanding of Arabic, and knowledge of the areas of agreement and debate in *ijtihad*. The areas that have been agreed on cannot be opposed, while the areas of disagreement, which are vast, are where we can perform *ijtihad* in the framework of achieving the objectives of the Sacred Law, placing outcomes into consideration and presenting the true message of Islam to the world.

CHAPTER VI

CONCLUSION

It is incumbent upon us to study the prophetic biography alongside the prophetic *Sunnah* in order to deduce the integrals of the Muslim personality. This is regardless of whether it is from a conceptual or practical perspective, or from the aspect of the methodology that the blessed Prophet ﷺ applied in evaluating situations, forming relations, understanding affairs and facing the world; whether by his way of living, collaborating, understanding, worshipping God, cultivating the land or rectifying the self. Such an in-depth study is essential so we can truly embrace the Prophet ﷺ as the ideal example, and so the legal responsibility of being a testimony against mankind can be accomplished.

God said: *We have made you [believers] into a just community, so that you may bear witness [to the truth] before others and so that the Messenger may bear witness [to it] before you [2:143].*

The like of this study assists in providing strong adherence to the prophetic guidance and shields against wayward paths from his blessed practice. For deviancy can stem from the removal of all contextualisation, false interpretation, lack of comprehension, exaggeration, understating

or fabricating in both conduct and application, along with other wayward actions.

The legal theorists have established a legal maxim that reads '*to apply the text is superior to ignoring it*'. The meaning of this maxim being that the ability to apply a text and granting it a legal ruling is superior to ignoring and abandoning it, rendering it annulled. The reason for this is that its application includes benefits and outcomes contrary to the ignored text which is then equivalent to frivolous talk void of any benefit. Indeed God, when He described His servants, said: *And those that avoid frivolous talk*. [23:3]

The 'avoidance' in the verse means paying no attention and having no interest in idle talk due to it being completely void of any beneficial wisdom. The default in regards to the speech of the morally accountable (*mukallaf*) is that it is protected from neglect, and that some sort of meaning is explored so that his/her speech can be interpreted in accordance with it. For this reason, the legal jurists mentioned subsidiaries and examples for this maxim. One such example being if a person was to endow something to his children but they had all passed away, however his children had offspring, then his declaration of endowment is to be understood to apply to them in order that his statement is not neglected. Hence, if the discourse of the religiously accountable is protected from neglect, then more fitting for preservation is that of the discourse of the Legislator, whether it is the Lord of the Worlds, or that of His prophet ﷺ. Based upon this, and due to what we have before us in terms of elucidating the pure prophetic biography and the blessed prophetic states of being, it is incumbent upon us to derive the utmost benefit from it, and this is not accomplished except by applying all four models, without neglecting any of

them. For wisdom dictates that one should implement the model suitable to the contemporary setting.

Verily the absence of understanding these four models of coexistence among the extreme groups have made them simplify the affair, depicting the world as an abode of *jāhiliyyah* and the state of affairs prior to the advent of Islam, hence rendering all the Muslims as disbelievers. Additionally, they summon their followers to isolate themselves from society which they call *al-walā wa al-barā* (loyalty and disavowal), and dream of a new Islamic state under their command after erasing the current Islamic states by fighting and destroying its systems and populace due to them being disbelievers and apostates, ascribing to an idolatry law. Some have even claimed that Islam and its state has been removed from the world since the caliphate of the companions, and will not return in modern times except by one of them attaining leadership. All of which is delusional bigotry.

Indeed, Islam and its state, from the time of the Prophet ﷺ and his companions whom established its foundations in Madīnah onwards, was to succumb to times of prosperity and decline, but was always to remain as our Master the Messenger of God stated: “There will continue to be a group of my community manifest upon truth until the final day.” Similarly, it is also true that for every extremity there is another opposing extremity, as we have seen with the propagators of modernism and secularists who negate the suitability of religion, in particular Islam, in guiding and directing the modern state, or providing the key principles and objectives for its cultivation. They understand Islam and the modern civil state to be opposites that cannot unite, denying that the Muslims have any historical experience in

creating an immense civilisation and grand state that was to be a wonderful example for advancement and growth.

Appendices of Sermons

APPENDIX I

THE FAREWELL SERMON

The following is mentioned in *Tārīkh al-Ṭabarī*:

‘The Messenger of God ﷺ continued his pilgrimage, showing people the rites and rituals of Hajj, and teaching them its *Sunnahs*. He delivered a sermon before the people, clarifying various things. He praised God and extolled Him and then said: “O people, listen carefully to what I have to say, for I do not know whether I will see you again after this year at such a place. O people, your blood and wealth should be considered sacrosanct, as sacrosanct as this very day of yours and month. You will meet your Lord and He will ask you about your deeds. I have indeed conveyed the message. Whoever of you is entrusted with a trust, then let him return the trust back to its rightful owner. All usury has been rendered void, and unto you is your capital to keep. You should not oppress nor should you be oppressed. God has ordained that there is no usury. And indeed, the usury of Ibn ‘Abbās b. ‘Abd al-Muṭṭalib is completely void. Every right regarding murder from *jahilliyah* is abolished, beginning with the blood of Ibn Rabī‘ah b. al-Ḥārith b. ‘Abd al-Muṭṭalib, who was nursed in Banū Layth and then killed by Banū Huthayl. This is the first case that I start with regarding the murder cases of

jahiliyyah. O people, Satan has lost hope of ever being worshipped in this land of yours, however he is satisfied that he will be obeyed regarding deeds that you consider insignificant. Thus, be mindful of him in regard to your religion. O people, verily the intercalation of months is but an increase in disbelief by which the disbelievers are led astray. They declare this intercalation to be permissible in one year and forbidden in another in order to conform outwardly to the number of months which God has allowed, attempting thereby to make permissible that which God has forbidden. The duration of time has remained constant since the day God created the Heavens and the Earth. The number of months unto God are twelve laid down in God's book on the day He created the Heavens and the Earth, and out of these, four are sacred. Three of which are successive, and the other is Rajab of Muḍar, which lies between Jumāda and Shaʿbān.

O people, you have rights over your wives and they have rights upon you. From among your rights upon them is that they should not allow anyone you detest into your residence or perform any open iniquitous acts. If they were to do this then God has permitted that you admonish them by not sharing the bed with them and reprimanding them in a way that does not injure or mark. If they then desist then continue to provide and clothe them in an amicable way. Do treat your wives well for they are like captives under your guardianship who possess nothing for themselves. Indeed, you have taken them as your wives under the trust of God and have deemed a

marital bond permissible through God's word. Reason well O people, and listen to my words carefully, for I have indeed conveyed the message and left with you that, which if you adhere by, you will never go astray, the Book of God and my *Sunnah*.

O people, take heed of my words, for I have conveyed, and think carefully. Know that every Muslim is the brother of every Muslim, and that all Muslims are one brotherhood. Nothing is permissible for someone from his brother unless he gives it to him willingly. Do not wrong yourselves! By God have I not conveyed the message?" "Indeed you have!" the people replied. The Messenger of God ﷺ then supplicated, "O God! Be a witness to this."

It has been reported by Imam Aḥmad in his *Musnad* (no. 17193) on the authority of Khubayr b. Muṭ'īm, who said: 'May God illumine the person who hears what I say, understands it and then conveys it to someone who did not hear it. It is possible that a bearer of knowledge may have no understanding of what he is bearing, and it is also possible that a bearer of knowledge may convey it to someone who has better understanding and is more knowledgeable. Three acts, if applied, then the heart of the believer will not be filled with rancour: sincere deeds for the sake of God, counsel to leaders and adhering to the majority. For the supplication of the majority encompasses him.'

Imam Aḥmad in his *Musnad* (no. 24212) also reported from the Companions of the Messenger of God ﷺ who said: 'The Messenger of God ﷺ rose among us upon a red camel of ancient descent and said: "Verily I will precede you all to the Fountain of Life, where I will see each and

every one of you. You will be the largest community so do not fail me for you have seen me and heard all that I have told you, and you will all be asked about me. As for he who lies about me, then let him take his place in the Fire of Hell. Indeed, I will strive to save many while others will be taken from me, and I will say: "O Lord, they are my Companions!" And it will be said: "You do not know what they did after you."

The Prophet ﷺ said at Mina on the days of *tashrīq*, while mounted on a camel:

'Fear God! And do not rob people of their wealth or act mischievously on Earth. If anyone has a trust, then he should fulfil it.' He then said: 'All people in Islam are equal. Everyone has imperfections and shortcomings. O people, indeed your Lord is One, and your forefather is one. There is no preference for an Arab over a non-Arab, nor for a black over a white. Preference lies solely in God consciousness. Have I not conveyed the message?' 'Yes you have,' they replied. 'Then let he who is present inform the ones who are absent.'

He then said: 'Do not come to me with your lineages but come with your deeds so that I will say to the people one thing and to you something else. Have I not conveyed the message?' 'Indeed, you have!' they replied. 'O people of Quraysh do not come with the *dunya*, holding it above your necks while others come with the deeds of the Hereafter. For I will not be able to help you from God.'

He continued: 'I advise you in regard to what your right hands possess; that you feed them from what you eat, and clothe them from what you wear, and if

they do wrong then assign their punishments to the sternest of you. Have I not conveyed the message?’ ‘Indeed, you have!’ they replied. ‘O God, bear witness,’ said the blessed Prophet ﷺ, peace and blessings of God be upon him.

Jarīr narrated: ‘The Prophet ﷺ said during the farewell sermon, “Let the people hear and know that you are not to return to disbelief after me and to striking one other’s necks.”’¹⁷⁰

APPENDIX II

THE SERMON OF ABŪ BAKR AL-SIDDĪQ AFTER BEING ELECTED CALIPH

Al-Ṭabarī reported in his *Tārīkh* (2:127-128): On the authority of ʿĀṣim b. ʿUdayy who said: ‘Two days after the death of the Messenger of God ﷺ, Abū Bakr’s public crier called out so that the mission of Usāmah could be completed: “Up now! No one from Usāmah’s army should remain in Madīnah but should go out to his camp at al-Jurf.” Abū Bakr stood up among the people, praised and extolled God, and said: “O people, I am like you. I do not know, perhaps you will impose on me that which the Messenger of God ﷺ was able to bear. God chose Muhammad above all else and protected him from imperfections, but I am only a follower, not an innovator. If I am upright, then follow me but if I deviate, then straighten me out. The Messenger of God ﷺ died with no one of this community having a claim against him concerning anything wrongfully taken for which the punishment would be one lash of the whip or even less. Nay, I have a Satan that occupies me, so when he comes to me, avoid me so that I may have no ill effect even on your hair and skin. You come and go in this life at an appointed time, knowledge of which is hidden from you, so if you are able to ensure that this set time elapses only while you are engaged in good works, then do so, but you will only be able to do that through

God. Compete therefore in putting off your allocated times before your appointed time surrenders you to the severance of your works. Beware of being like a tribe that forgets their appointed times and leaves the doing of good deeds to others! Hasten! Hurry! Seek salvation! For behind you is one who searches swiftly, an appointed time whose passage is rapid. Beware of death. Be forewarned by your deceased forefathers and sons and brothers, and do not envy the living except on account of that which you envy the dead.”

He also stood up and, after praising and extolling God, he said: “God only accepts those works through which His countenance was desired, so strive for God in your works. Know that whatever you sincerely direct to God is among your good works, whether obedience you have rendered, or sin you have overcome, or obligations you have paid, or a good work you have sent forward from this ephemeral world to that everlasting Hereafter, to the time of your poverty and need. Servants of God! Be forewarned by whoever among you has died and ponder about those who were with you before. Where were they yesterday, and where are they today? Where are the tyrants, and where are those who were renowned for fighting and victory on the fields of battle? Time has abased them, and they have become decayed bones upon whom have been perpetuated gossip—*loathsome women for the loathsome men, and loathsome men for loathsome women*. Where are the kings who tilled the Earth and cultivated it? They have perished and their remembrance forgotten, and they have become as if nothing. God has preserved the consequences of their evil deeds against them and cut them off from the desires of this world, and they have passed away. The deeds they did are still reckoned works, but their world is now the world of

others. We remained after them, and if we take warning from them, we will be saved, but if we are deceived by them, we will end up like them. Where are the fair ones of outward beauty? They have become dust, and what they neglected to do before has become a source of grief for them. Where are those who built cities and fortified them with walls and made in them wondrous things? They have left them to those who came after them. These are now the abodes of others, while they themselves are in the darkness of the grave. Do you perceive anyone of them, or hear a sound from them? Where are those sons and brethren of yours whom you know, whose appointed times have elapsed? They have arrived according to what they sent forward, alighting upon it and abiding in misery or happiness after death. Between God, who has no associate, and between any one of His creatures, there is no means of access by which He may grant him grace or divert evil from him, unless it be through obedience to Him and following His command. Know that you are indebted servants of God and that what is with Him is only attained through obedience to His command. What seems good is not good if its consequence is the Fire of Hell and what seems evil is not evil if its consequence is the Garden of Paradise.”

Then Abū Bakr went out until he reached the dispatched army and bade them go forth. He followed them on foot while Usāmah was riding and ‘Abd al-Raḥmān b. ‘Awf led Abū Bakr’s mount. Usāmah said to him, “By God, O Caliph of the Messenger of God ﷺ, either you ride or I too dismount.” But Abū Bakr replied, “By God, Usamah, don’t dismount nor, by God, will I ride. It will not hurt me to get my feet dusty for an hour in God’s way, but for each step that the warrior takes, 700 rewards are destined for him,

and 700 stations are made visible to him, and 700 sins are lifted from him.” When they had reached the point of departure, Usāmah enquired, “If you think you might help me out by lending me the services of ‘Umar, then do so.” Abū Bakr gave him permission to do so and then said: “O army, stop and I will order you to do ten things. Learn them by heart: You shall not engage in treachery, you shall not act unfaithfully, you shall not engage in deception, you shall not indulge in mutilation, you shall not kill a child, an old man or a woman. You shall not fell palm trees or burn them, you shall not cut down any fruit-bearing tree, you shall not slaughter a sheep, cow or camel except for need of food. If you pass hermits, then let them be and leave alone whatever they busy themselves with. You will come to a people who will bring you vessels of various foods. If you eat anything offered by them, then mention the name of God over it. You will also come across a people who have shaven the middle of their head and have left around it a ring of hair like a headband. Strike them with the sword! Go ahead, in God’s name. May God martyr you through wounds and the plague!”

Al-Tabarī reported in his *Tārikh* (2:120): Anas b. Mālik informed us: ‘After Abū Bakr was given the oath of allegiance at Saqīfah, he sat on the pulpit and ‘Umar stood up and spoke before him. After praising God and extolling Him, he continued to give a speech. Then Abū Bakr spoke. After praising God and exalting Him, he said: “O people, I have been put in charge of you although I am not the best of you. Help me if I do well and rectify me if I do wrong. Truthfulness is loyalty and falsehood is disloyalty. The weak among you is strong in my eyes until I ensure his right, God willing, and the strong among you is weak in

my eyes until I wrest the right from him, God willing. No one from you should refrain from fighting in the cause of God because if it is forsaken by a people, God will smite them with disgrace. Foul things never become widespread among a people except that God brings calamity upon them. Obey me as long as I obey God and His Messenger. If I disobey them, you are not bound to obey them. Now rise to perform your prayers, may God have mercy upon you!”

APPENDIX III

THE SERMON OF ʿUMAR B. AL-KHAṬṬĀB AFTER BEING ELECTED CALIPH

At being agreed as the next Caliph, ʿUmar b. al-Khaṭṭāb ascended the pulpit and supplicated: ‘O Lord! I am stern so soften me... I am weak so strengthen me... and I am miserly so make me generous.’

It has been reported that he said in his first public sermon: ‘Indeed God has tested you with me and me with you. By God, I will not allow that your concerns be brought to my attention and for them to be seen to by another. If anything bypasses me, then I will ensure they are dealt with by trustworthy, qualified confidantes. If they excel, then I will be most excellent to them and if they are grossly incompetent, then I will make an example of them.’ An individual who was present during the sermon and narrated it commented in future years, ‘By God, he did exactly this until the day he left this world.’

It has been narrated that when ʿUmar was inaugurated as Caliph, he ascended the pulpit and had the intention to sit in the place of Abū Bakr. He then checked himself saying: ‘It is not fitting that God see me deem myself worthy to sit in the place of Abū Bakr.’ He then went down a step and praised God, exalted Him and said: ‘Read the Qurʾān and you will be known by it. Act according to it and you will be of its people. Evaluate yourselves before you are

evaluated and beautify yourselves for the immense spectacle when you are all brought before God and nothing is concealed. The right of the ruler is not fulfilled if it means disobedience to God. My position concerning the wealth of God is like the guardian of an orphan, if I am free of need then I remain untainted and if I am in need, then I take only what is legally permissible.'

In another narration, it was reported that after becoming Caliph, he addressed the populace about their concerns over his strictness. It became clear to 'Umar that he must make this clear to the people. He ascended the pulpit and mentioned some of his experiences with the Prophet ﷺ and his Caliph (Abū Bakr), and how they both passed on having been pleased with him. He said: 'O people, I have been put in charge of your affairs. Let each one of you know that my sternness has been weakened, however it remains directed towards those who oppress and transgress. If anyone were to oppress another or transgress someone's rights, then I will place his one cheek on the dirt and my foot on the other until he succumbs to truth. Likewise, aside from that sternness of mine in establishing justice, I will place my cheek before the people of virtue and restraint. O people, it is your right upon me that I be characterised with particular traits which I shall mention to you, so demand them of me. It is your right that I do not touch any of your wealth or the spoils which God has granted you, except where it's lawfully due. It is your right that if such wealth is collected, it is only distributed according to the dictates of the Sacred Law. It is your right also that I increase you in wealth and provision by the will of God, by seeing to the protection of the borders. It is your right that I do not send you to your demise and keep you away on military missions for exten-

ded periods of time. If you are absent on an expedition, then I am the father of your dependents until you return. Be conscious of God, O servants of God! Assist me against yourselves with self-restraint and obedience and assist me against myself by commanding me to good and prohibiting me from evil, advising me regarding the duties that God has consigned to me in your stead. I have said what I needed to say and I ask God for forgiveness for myself and you all.'

In another narration, 'Umar is reported to have said: 'The likeliness of the Arabs is that of a submissive camel that follows its leader, hence let its leader look where he leads. As for me, by the Lord of the *Ka'bah*, I will indeed carry them on the road!'

APPENDIX IV

THE SERMON OF ʿUTHMĀN B. ʿAFFAN

Ṭabarī reports in his *Tārikh* (2:428): ‘When the men of the *shūrā* had rendered their oath of allegiance to ʿUthmān, he went out more distressed than any of them. He came to the pulpit of the Messenger of God ﷺ and preached to the people, praising and exalting God and sending blessings upon the Prophet ﷺ. He said: “Verily, you are in a transitory abode and in the flower of life, so set forth until the time appointed for your death and aim for the best you can attain, for you may be met by your end in the morning or evening. This world harbours deceit, so let not the present life delude you, and let not your own deceptive thoughts about God disillusion you! Consider those who have gone before you, then be earnest and do not be neglectful, as you will surely not be overlooked. Where are the sons and brothers of this world who tilled it, dwelt in it, and were long granted enjoyment therein? Did it not spit them out? Cast aside this world for God has cast it aside and seek the Hereafter! Indeed, God has coined a parable for it and for that which is better.

The Almighty has said: *Propound unto them the parable of the life of this world, it is but like water which We send down from the skies, and which is absorbed by the plants of the Earth, but in time they turn into dry stubble which the winds blow away. It is God alone who determines all matters. Wealth and*

children are an adornment of this worldly life, but good deeds—the fruit whereof endures forever—are of far greater merit in thy Lord's sight and a far better source of hope. [18:45-46]."

The masses then came forward to render the oath of allegiance to him.'

The first letter written by 'Uthmān to his officials was as follows: 'God has commanded leaders to be like shepherds, and did not direct them to be tax collectors. Indeed, the beginning of this community were made shepherds and not tax collectors. However, your leaders are on the verge of becoming tax collectors and not shepherds. If this becomes the case then modesty of manners, integrity of character and good faith will be at an end. Verily, the most just conduct is for you to examine the affairs and obligations of the Muslims, so that you may give them what is duly theirs and take what they legally owe. Do likewise concerning the Pact of Protection of minorities, give to them what is theirs and take from them what they owe. As to an enemy you encounter, faithfully seek God's succour against them.'

According to some authorities, the first letter that he wrote to the commanders of the armies on the frontier was as follows: 'Verily you are the guardians and protectors of the Muslims, and 'Umar laid down for you instructions that we are all aware of. They were indeed in accordance with our counsel. Let me hear of no change or alteration on the part of any one of you, lest God change your situation and replace you with others. Thus examine your conduct, for I shall examine what God has required me to examine and watch over.'

According to some, the first letter that he wrote to tax

officials was as follows: ‘God created mankind in truth, and he accepts naught but the truth. Take what is right and give what is right. Strive for integrity! Uphold it and be not the first to violate it, so that you may share what you acquired with those who come after you. Keep faith! Keep faith! Do not wrong the orphan nor any with whom you have made a pact, for God is the opponent of he who wrongs them!’

It has also been mentioned that his letter to the common people was as follows: ‘You have attained so much only by strict adherence to sound models of conduct. Let not this world turn you away from your proper concerns, for this community will become involved in innovation after three things occur together among you: complete prosperity, the attainment of adulthood by the children of your female captives, and the recitation of the Qur’ān by both Arabs and non-Arabs. The Messenger of God ﷺ has said: “Disbelief lies in unfamiliarity with the Arabic language. If something is ambiguous to the non-Arab, he will exceed its meaning and innovate.”’

Tabarī reports in his *Tārīkh* on the authority of ‘Awn b. ‘Abd Allah b. ‘Utbah, who said: ‘After the oath of allegiance had been rendered to him, ‘Uthmān preached to the people the words: “I have been burdened with a heavy load, and I have accepted it. Verily I will be a follower, not an innovator. Verily you may demand three things from me, besides obedience to the Book of Almighty God and the *Sunnah* of His Prophet ﷺ. First, that I follow those who preceded me in matters that you have agreed on and established. Second, that I adhere to the path laid out by pious and virtuous men in matters that you have not established by general consensus. Third, that I avoid coercion against you save in cases deemed necessary. Verily, this world is a

verdant meadow that has been made to seem desirable to the people and towards which many among them incline. Do not rely upon this world and put no trust in it, for it is not a thing to be trusted. Know that it only leaves alone the one who has left it alone!”

APPENDIX V

THE SERMON OF ʿALĪ B. ABĪ ṬĀLIB

Ṭabarī mentions in his *Tārīkh* (3:16), Imām ʿAlī said: ‘The Almighty and Glorious God has sent down Revelation as a guide. In it, He has made clear what is good and what is evil, so take hold of good and shun evil. Perform the religious duties for God and He will lead you to Paradise. God has made a number of inviolable ordinances, which are well-known, and He has favoured the inviolability of the Muslim over all others, strengthening the Muslims with the declaration and belief in one God. A Muslim is someone from whom people are safe, except when there is just cause. It is not allowed to harm a Muslim, except when it is obligatory. Hasten to common good because death awaits every individual. The people are before you and, whatever is after you, the final hour is inducing you. Keep your sins light and you will reach Paradise, for the people are awaiting their hereafter. Fear God in your dealings with humanity and the environment. You are responsible even for the well-keep of land and animals, so obey Almighty God! Don’t disobey Him! If you see good then follow it, and if you see evil then refrain from it. Harken back to the days when you were few in number and considered weak.’

APPENDIX VI

THE ORDERS OF ʿALĪ B. ABĪ ṬĀLIB TO MĀLIK B. AL-HĀRITH AL-ASHTAR AFTER INSTALLING HIM AS GOVERNOR OF EGYPT

‘In the name of God, the most Merciful, the most Compassionate. These are the directives that God’s servant ʿAlī b. Abī Ṭālib issued to Mālik b. al-Hārith al-Ashtar in his agreement with him when appointing him governor of Egypt for the collection of its revenues, fighting its enemies, seeking the rectification of its people and making its cities prosperous.

He has ordered him to fear God, to give preponderance to His obedience and to follow what He has commanded in His divine Book in terms of His obligatory and voluntary duties, which bring felicity to the one who follows them and render wretched anyone who ignores or denies them. He has instructed him to support the cause of God, the most glorified, with his heart, speech and actions. God, the Holy Sublime, has taken the responsibility of serving those who serve Him and honouring those who honour Him.

He also orders him to sever himself from passions and desires, and to restrain them at the time of intensity, for indeed the self commands to evil save for those that God has bestowed His mercy upon.

Know, O Mālik, that I have sent you to an area where

there have been governments before you, both just as well as oppressive. People will now scrutinise your dealings as you scrutinised the dealings of the rulers before you. They will criticise you as you criticised them. Surely, the righteous are known by the reputation that God circulates through the words of His servants. Therefore, make the collecting of good deeds the most beloved of what you amass. Control your passions and be miserly with your personal wants in regard to what is not lawful, for miserliness of the self is to detain it justly between what it loves and loathes. Accustom your heart to be merciful towards the subjects, to display affection and kindness towards them. Do not stand over them like a voracious beast eager to devour them, since they are either your brethren in religion or your like in creation and humanity. They will commit slips and make mistakes. They may act wrongly, consciously or out of negligence, so extend to them your forgiveness and pardon them in the same way as you would like God to forgive and pardon you. You are above them and your commander is above you, while God is above the one who appointed you and He has commanded you to manage their affairs, see to their welfare and tried you through them.

Do not set yourself to oppose the commands of God as you have no power to contest His punishment, nor can you do without His pardon and mercy. Do not harbour regret for forgiving and do not rejoice when punishing. Act not hastily during your anger if you can find a way out of it. Do not say, "I am in command, my order is obeyed!" because it creates corruption in the heart, weakness in the religion, and it takes one to his ruin. If the authority in which you are placed produces pride or vanity in you, look

at the greatness of God's domain above you and His power over you, the like of which you do not even possess over yourself. This will curb your haughtiness, cure you of your sternness and bring you back to your senses from which you had departed. Beware of comparing yourself to God in His excellence or likening to His might, for God humiliates every tyrant and disgraces everyone who is self-conceited. Exact justice for God and be just to the people even if it's not in your favour or that of your close family and associates, for if you do not, you will have oppressed. Whoever oppresses the servants of God, then God becomes his opponent and when God is the opponent of a person, He tramples his plea and such a soul will remain in a state of war with God until he retracts and repents. Nothing encourages the reversal of God's bounty or the hastening of His retribution than unceasing oppression. Indeed, God hears the prayer of the oppressed. He is ever on the watch for those who persecute!

The way most coveted by you should be the most equitable for what is right, the most universal by way of justice and the most comprehensive with regard to the satisfaction of the citizens. For discontent among the laymen sweeps away the satisfaction of the elite, and the discontent of the elite can be disregarded when compared with the satisfaction of the commoners. No citizen is more burdensome to the ruler in the comfort of life, less helpful in distress, more disliking of equitable treatment, trickier in asking favours, less thankful at the time of giving, less appreciative at the time of refusal and weaker in endurance at the time of discomforts in life than the elite class. It is the laymen of the community who are the pillars of the religion, the power of the Muslims and the defence against the

enemies. Your leanings should, therefore, be towards them and your inclination with them.

Let the most distant of your citizens from you be those that are most inquisitive of the shortcomings of the masses because all people have shortcomings, and the ruler is the most appropriate to conceal them. Do not disclose whatever is veiled from you because your obligation is to correct what is manifest before you, while God will judge regarding that which is concealed. Therefore, conceal as much as you can, and God will conceal that which you would like to remain shielded from your subjects. Remove every knot of hatred in the people and sever from yourself the cause of every enmity. Feign ignorance concerning everything that seems inaccurate to you. Do not hasten to believe a backbiter because a backbiter is a swindler even if he appears in the garb of an advisor.

Do not include among those whom you consult a miser who will prevent you from being generous and remind you of poverty, nor a coward who will make you feel too weak for your affairs, nor a covetous person who will embellish for you greed. The reason being that miserliness, cowardice and greed are diverse qualities that unite in holding a bad opinion about God.

The worst minister for you is one who has been a minister for wicked people before you and associated with them in committing sins. Therefore, such should not be your confederates. Such are assistants of vice and brothers of oppressors. You can find good substitutes for them who will be like them in their views and influence while not being like them in committing sins and vices. Those who never assisted an oppressor in his oppression or a sinner in committing sins. They will be the least trouble for you and

the best support, the most considerate towards you and the least inclined towards others. Therefore, make them your chief companions in privacy as well as publicly.

Make the most preferable among them those who openly speak bitter truths before you and who support you, and make the least preferable those who assist you with those deeds that God detests His friends committing, regardless of how beloved they may be to you. Associate yourself with God-fearing and truthful people. Make them accustomed to refraining from over-praising you or extolling an act and attributing it to you despite you not having performed it. Excessive praise produces arrogance and drives you closer to conceit.

The virtuous and the immoral should not have equivalent stations before you, as this can cause the virtuous to become distant in their virtuousness and encourages the immoral to continue in their immorality. Grant each party what they have made binding on themselves.

Know that there is nothing more conducive for the good opinion of the ruler by his subjects than displaying benevolence towards them, reducing their hardships and the avoidance of compelling them to unbearable troubles. So maintain a good opinion of your subjects, since your good opinion will remove from you much hardship in the long run. Certainly, the most appropriate for your good opinion is he to whom your behaviour has been good.

Do not abolish a virtuous practice which the earlier people of this community convened on and through which the subjects prospered. Do not invent practices that damage any previous practice because in such a case the reward for those who established the practices will continue, but the burden for discontinuing them will be on your shoulders.

Remain in study with the scholars and discussions with the wise concerning how to stabilize the prosperity of the areas under your authority and how to maintain that in which the earlier people had remained steadfast.

Know that subjects consist of classes who prosper only with the help of one another and cannot function independently. Among them are the army of God, then the secretarial workers of the common people and the elite, then the dispensers of justice, then those engaged in enforcing law and order, then the payers of head tax (*Jizya*) and land tax (*khirāj*) from protected unbelievers and common Muslims. Then there are traders and men of industry. Then the lowest class of the needy and the destitute. God has fixed the share of each one of them and laid down His precepts about the limits of each in His Book and in the *Sunnah* of His Prophet ﷺ by way of a divine settlement which is preserved with us.

The army, by the will of God, is the fortress of the subjects, the ornament of the rulers, the strength of the religion and the means of achieving peace. The subjects cannot exist without it, and the army cannot exist except by funds appropriated by God from the revenues through which it can remain sustained, acquire the strength to fight its enemies, and on which its prosperity depends and its needs met. These two classes cannot exist without the third class, namely the judiciary, the executives and the secretaries who pass judgments about contracts, gather revenues and are relied on in matters both general and particular.

Likewise, these classes cannot exist except with traders, entrepreneurs and men of industry who provide them with all their necessities, establish markets and make it possible for others who cannot do all of this with their own hands.

Then comes the lowest class of the needy and the homeless. Support and help for them is an obligation, and God has declared that for every one of them is a share in livelihood. Likewise, the ruler is obliged to provide according to what is needed for each individual's prosperity. The ruler cannot exonerate himself from all obligations laid on him by God in this matter except with concern and seeking help from God, by training himself to adhere to virtue and by patiently enduring all the burdens upon him, light or heavy.

Make as commander of your forces the man who in your view is the best adviser for God, His Prophet ﷺ and your Imam. The purest of them in heart and the most patient. Choose from those who are forbearing in their anger, merciful to excuses, kind to the weak and firm with the strong. Violence should not stimulate him and weakness should not keep him sitting.

Then associate with considerate people from families of respectful lineages, virtuous households and decent traditions, then people of courage, valour, generosity and benevolence, because they are repositories of honour and fonts of virtue. Strive for their affairs as a parent strives for his children. Do not deem anything that you do to strengthen them as too great, nor should you consider anything that you have agreed to do for them as being too trivial, because this will drive them to give you sincere advice and will create a good reputation for you. Do not neglect to attend their minor matters as well as their major ones. Observing their small affairs will also be of benefit to them while the important ones are such that they cannot be ignored.

Let your most preferable military leaders be the one who goes above and beyond the call of duty and spends from his money on his regiment and their relatives who stayed

behind so that their sole concern is waging war with the enemy. Your kindness to them will incline their hearts to you. The most pleasing thing for the ruler is the establishment of justice and the manifestation of love from the subjects. However, the subjects' love appears only when their hearts are pure. Their advice will only prove correct when they maintain goodwill for their commanders. Do not regard their empire to be a burden and do not keep anticipating the end of their tenure. Be broad-minded concerning their aspirations. Continue to praise them and recount their immense actions and sacrifices because the mention of such rouses the brave and awakens the weak by the will of God.

Know that for every individual lies the reward of his performance. Do not attribute the performance of one to another, and do not minimize the reward below the level of the accomplishment. Do not let the high status of a man make you regard his small actions as immense, nor the low status of a man make you see his big actions as small. Refer to God and to His Prophet ﷺ the affairs that worry and confuse you, for God Most Sublime said to a people He wished to guide:

O you who believe! Obey God and obey the Prophet and those vested with authority from among you; then if you quarrel about anything, refer it to God and the Prophet [4:59].

Referring to God means acting according to what is clear in His Book and referring to the Prophet ﷺ means following his unanimously agreed *Sunnah* regarding which there are no contentions.

As for the settlement of disputes among people, select who you consider to be the most distinguished among your

subjects. An individual whose affairs do not vex him - disagreement should not make him an obstinate disputant. He should not insist on any wrong point and should not hesitate to accept the truth if he is aware of it. He should not lean to greed, nor should he content himself with a cursory understanding of a matter, but rather develop a deep appreciation. He should be most ready to pause to ponder on ambiguous points, most considerate of proofs, least frustrated to re-examine litigants, most patient at probing in cases and most courageous at the time of insight when ruling. Praise should not make him vain nor incitement stir him. Such people are very few so become accustomed to checking his verdicts and provide for him wealth so that he has no excuse for being dishonest and there remains no occasion for him to turn to others for his needs. Give him that rank in your audience that even your chiefs revere so that he may remain safe from the harm of those around you. Look into this matter carefully because this religion has formerly been a prisoner in the hands of evil doers who only acted for their personal interests and to amass worldly wealth.

Look then into the affairs of your executives. Appoint them after testing them. Do not appoint them according to partiality or favouritism because these two things make up the sources of injustice and deceit. Select from among them those of experience and modesty, of virtuous background and longevity in their loyalty to Islam, for such individuals are more noble in their manners and have more virtuous honour. They are the least covetous and are more insightful in the conclusions of matters.

Grant them abundant livelihoods. This gives them strength to maintain themselves and their independence. It

will also stand against them if they were to violate your command and breach your trust.

You should also keep tabs on their actions and send truthful people to monitor them. For your monitoring in secret will encourage them to be faithful. Be gentle with the citizens. Be careful also with the assistants and deputies. If one of them were to extend their hand to betray, as confirmed by the reports of your informants, then you should suffice with this as proof, exact a just punishment on him and remove him from his position. You should then put him in a place of disgrace, blacklist him with the charge of betrayal and make him wear the chain of shame due to his offence.

Look after the affairs of government revenue in such a way that those engaged in it remain prosperous, for with their prosperity lies the prosperity of all others. Others cannot prosper without them because all people are dependent on both revenue and its payers. You should also keep an eye on the cultivation of the land more than on the collection of revenue because revenue cannot be obtained without cultivation. Whoever demands revenue without cultivation destroys both the land and the people. His affair will not last but for a very short while. If they complain of the burden of the revenue, disease, floods or droughts, then you should reduce the revenue to the extent that you hope it will improve their affair. The remission granted by you for the removal of distress from them should not be grudged by you because it is an investment which they will return to you in the shape of the prosperity in your country and the progress of your domain, in addition to earning their praise and your own appreciation for being just. You would be able to depend on their strength because of your

investment in them through catering for their convenience. You can have confidence in them because of the justice extended to them by your kindness. It may be that circumstances will arise where you will have a need for their assistance. It is then that they will bear it happily, for prosperity is capable of bearing whatever you load on it. The ruin of the land is caused by the poverty of cultivators. Cultivators become poor when officers concentrate on the collection of taxes solely for the prosperity of their own careers and derive no benefit from past mistakes.

You should then take care of your secretarial workers. Put the best of them in charge of your affairs. Entrust the writings that contain your policies and secrets to someone who possesses the best character, who is not elated by accolades lest he should dare oppose you in public. He should not be negligent in enabling communications between you and your officers or in matters of receipts and payments. He should not make any damaging agreement on your behalf and should not fail in repudiating a contract not in your favour. He should be aware of the extent of his own status in matters, since whoever is ignorant of his own status is even more ignorant of the status of others.

Your selection of these people should not be solely on the basis of your insight, personal inclination and good regard for them because people gain the insights of officials through affectation and personal service, but with nothing of advice or trustfulness. You should rather test them by what they did under the command of virtuous people prior to you. Take a decision in favour of one who has a good name among the common people and is the most renowned in trustworthiness because this will be a proof of your regard for God and for the one on whose behalf you have

been appointed to this status. Establish one head over each work department. He should not be incapable of burdensome matters and complex work should not perplex him. Whenever there is a defect in your secretaries which you overlook, you will be held responsible for it.

Take good care of traders and industrialists. Give them good counsel whether they are settled shopkeepers or travelling traders because they are the sources of benefit and the means of providing valuable things from distant lands - areas which others cannot reach or even dare to venture. They are peaceful. From them no treason is feared. Look after their affairs wherever they may be in your land. Be informed also that most of them are very financially troubled and awfully avaricious. They hoard goods for profiteering and for manipulating stock prices. This is a source of harm to the people and a fault on the part of the officers in charge. Stop the hoarding because the Messenger of God ﷺ has prohibited it. The sale should be smooth, with correct weights and prices, not harmful to either the seller or the buyer. If anyone hoards after you have warned of its prohibition then give him an exemplary but not excessive punishment.

Fear God with regard to the deprived class, those who have few means: the poor, the destitute, the penniless and the disabled, because in this class are both the discontented and those who beg. Take care, for the sake of God, of His obligations to them with which He has made you responsible. Fix for them a share from the public purse and a share from the crops of lands taken as booty for Islam, because in such a scenario those unable to join battle have a claim just like those who are able. All these people are those whose rights have been placed in your charge. Therefore

you should not be distracted from them by overindulgence in luxuries. You cannot be excused in ignoring trivial matters simply because you were burdened with immense ones. Consequently do not be unmindful of them, nor should you turn your face away from them out of vanity nor fail to look into the affairs of those who approach you, because they are of unappealing appearance or whom the people regard as lowly. Entrust for them some faithful people who are God-fearing and humble. They should inform you of these people's conditions. Then deal with them in a manner with which God will excuse you on the Day you meet Him. Of all subjects, these people are the worthiest of fairness, and for everyone, you should fulfil their rights so as to take account with God.

Look after the orphans and the elderly who have no means of livelihood nor are capable of requests in their best interest. This is a heavy burden on the officers. In truth, every obligation is heavy. God lightens it for those who seek the Hereafter, hence they endure hardships in belief of the truthfulness of God's promise to them.

Appoint a time for requests wherein you make yourself free for those who bring them to you. Sit with them in an open gathering and be humble therein for the sake of God. During this gathering, you should keep away your army and assistants such as the guards and police so that anyone who wishes to speak up may do so without feeling intimidated. I have heard the Messenger of God ﷺ say more than once, "A society is not purified as long as the rights of the weak are not secured from the strong without fear." Tolerate their abruptness or inability to articulate properly. Keep away from narrow-mindedness and haughtiness. May God spread over you the covers of His mercy and grant you

optimism in the His divine grace. Whenever you give, give joyfully and if you must withhold, then do so handsomely.

There are certain matters which you cannot avoid performing yourself. For example, replying to your officers regarding things your secretaries are unable to, or tending to the petitions of people on the day they reach you. Finish the work meant for every day because every day has its own work. Keep for yourself the better and greater portion of these periods as a time between you and God, even though all these matters are for the sake of God provided your intention is pure and the subjects safe.

Let the particular thing by which you cleanse your religion for God be the fulfilment of those obligations that are specific to Him. Hence devote to God some of your physical activity during the night and day, and make sure that any act you perform for God is fulfilled in a complete sense, untarnished and void of any deficiency, no matter how much exertion it may involve. When you lead the people in prayer, do not make it too long as to be tiresome nor too short as to be wasteful because among the masses are those who have impediments and others who have important needs to attend. When the Messenger of God ﷺ sent me to Yemen, I enquired about how I should lead them in prayer. He, peace and blessings of God be upon him, replied, "Perform your prayer like the prayer of the weakest of them and be merciful to the believers."

Do not remain secluded from the public for extended periods, for seclusion of those in authority from the subjects is a form of restriction and ignorance of their affairs. Seclusion from the people prevents them from the knowledge of those things they need to know. As a result, they begin to regard major matters as trivial and trivial matters

as major, good matters as bad and bad matters as good, and truth becomes confused with falsehood. The governor is no more than a human and cannot have knowledge of things that people hide from him.

There are no clear signs for truth to differentiate its various expressions from falsehood, rather it is only known through examination, which is a result of mingling. You can be one of two kinds. Either a man who is generous in granting rights—in which case it would be asked why you are secluding yourself from discharging your obligations? Or a man who is a victim of miserliness—in which case your seclusion will only cause people to abstain from petitioning you and to increase their loss of hope in ever getting a generous reply from you. Having said this, the majority of people's needs do not involve any hardship on you, such as the complaint against oppression or the request for justice in a case.

Additionally, a governor has executives and people of easy access to him. Among their attributes is that they are presumptuous, have a sense of self-importance and do not observe justice in matters. You should destroy the root of evil in such individuals by cutting away the causes of these defects. Do not sever any land grants to your confederates. They should not expect from you the possession of land that may harm neighbours in matters such as irrigation or public services, where they place its burdens on others. If this were to happen, the benefit will be their's rather than yours, and the blame will lie on you in this life as well as in the next.

Apply equity to whomever it is due, whether nearby kin or far-off strangers. In this matter, you should be patient and watchful even though it may involve your relatives and

executives. Keep in view the eventual return of whatever appears burdensome on you because its reward is surely handsome.

If the subjects suspect you of oppression, explain to them your reason to remove their suspicion, for this will be an exercise for your soul and a means of compassion for them. Likewise, your explanation will secure your aim of keeping them firm on the truth.

Do not reject peace when your enemy may invite you and wherein lies the pleasure of God, for peace brings rest to your army, relief from your worries and safety to your country. But beware of your enemy after peace because enemies often offer peace to benefit from your negligence and relaxation. Therefore, be cautious and scrutinise your good opinion in this regard.

If you conclude an agreement between yourself and your enemy or enter a pledge, fulfil your pact and faithfully carry out your oath. Maintain your promise with your life, for there is nothing on which people are more strongly united—despite their differences in ideas and views—than respect for fulfilling pledges. Even the pagans abide by agreements among themselves due to their knowledge of the negative consequences in the wake of violation. Therefore, do not belie your enemy! No one has the audacity to go against God save the wretched. God made His pledge as a security that He has spread over His creatures through His mercy and a sacred precinct in which they abide in His protection and hasten to His nearness. Thus, there should be no deception, trickery or disloyalty! Do not enter an agreement that may admit different interpretations. Do not rely on substandard linguistic usage after the conclusion and confirmation of an agreement. If a pact puts you in hardship,

then do not seek its repudiation without justification because the endurance of hardships is something through which you expect relief and a noble result is better than a violation and its consequences. Remain fearful that you will one day be called by God to account for it.

Beware of shedding blood without justification, for nothing invites Divine retribution—is greater in evil consequence and more effective in the decline of prosperity and decrease in one's life—than the shedding of blood without just, legal cause. On the Day of Judgment, God the Most Glorified will commence giving His verdict among the people in the cases of bloodshed committed by them. Do not, therefore, strengthen your authority by shedding blood because this will not only weaken and reduce your power, but rather destroy it and shift it elsewhere. You will have no excuse before God or before me for any wilful killing, because it invites corporate punishment. If you are trialled for being involved in it by error, by an excessive use of your whip or sword, or unintentional harshness in inflicting punishment—as sometimes even a blow with a fist or a smaller stroke can cause death—then do not consider that your authority will relieve you from paying any due blood-money.

You should avoid self-admiration and trusting in what appears to be good of yourself. Do not have any affinity for any exaggerated praise as it is one of the most reliable opportunities for Satan to obliterate the good deeds of the virtuous. Similarly, avoid demonstrating the weight of your obligation to your subjects like mentioning the good things you have done for them, praising your own actions, or making promises and then breaking them. Indeed, promoting the greatness of such obligations destroys goodness, self-praise takes away the light of truth, and breaking

promises earns the anger of God and of the masses. God the Most High says,

“Most loathsome it is in the sight of God that you say what you do not do.” [61:3]

Avoid haste in matters before their time, or sluggishness till their proper moment, insistence on them when the propriety of action is not known or reluctance when it becomes clear. Assign to every matter its proper place and do every job at its appropriate instance.

Do not appropriate for yourself that which others have an equal share of, nor be indifferent to matters that have come to light with the excuse that you are responsible for others. Soon, the curtains of all matters will be raised from your vision and you will be required to render redress to the oppressed. Have control over your sense of prestige. Beware of any outburst of anger, the might of your hand or the sharpness of your tongue. Guard yourself against all these by avoiding haste and by delaying severe measures until your anger subsides and you regain your self-control. You cannot withhold yourself from this unless your remembrance of your return to God is abundant.

It is necessary for you to recall the state of affairs of those that preceded you, be it those of a just government, a virtuous tradition, the precedent of our Prophet ﷺ, or an obligatory command in the Book of God. You should follow them as you have seen us acting by them and you should exert yourself in adhering to what I have enjoined you to follow in this treatise wherein I have verified the proof for myself against you so that you now have no excuse if your mortal self advances towards its caprice.

I ask God, through the medium of His immense mercy

and the greatness of His power, to grant me and you success in all that includes His pleasure in terms of establishing justice for Him and His creation and handsome praise among the people, prosperous impact on the country, an increase in blessings and a rise of dignity, and that He may allow myself and you to die a death of happiness and martyrdom. Indeed, we are eager to return to Him. And may peace and blessings be on the Messenger of God ﷺ and his pure household.'

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- ¹¹ Bukhārī, *Ṣaḥīḥ*, (3856).
- ¹² Ṣaḥīḥ Al-Bukhārī, (3854).
- ¹³ Ṣaḥīḥ Al-Bukhārī, (3852).
- ¹⁴ *Al-Sīrah al-Nabawīyyah*, Ibn Hishām, 1:317-8.
- ¹⁵ *Ansāb Al-Ashraf, Al-Balā Thirī*, 1:185.
- ¹⁶ *Ansāb Al-Ashraf, Al-Balādhiri*, 1:185.
- ¹⁷ *Al-Sīrah Al-Nabawīyyah*, Ibn Hishām, 1:317.
- ¹⁸ *Al-Mustadrak ‘alā al-Ṣaḥīḥayn*, 2:389.
- ¹⁹ *Al-Sīrah Al-Nabawīyyah*, Ibn Hishām, 1:320.
- ²⁰ *Sunan al-Kubrā*, al-Bayhaqī, 9:9.
- ²¹ Reported by al-Bayhaqī in *al-Sunan al-Kubrā*, no. 18190.
- ²² *Al-Sīrah al-Nabawīyyah*, Ibn Hishām, 1:334-338.
- ²³ This statement of al-Shāfi‘ī is mentioned in his *Umm* (4:242). Within this discussion it becomes clear that the contextual reality and societal condition upon which many major works and jurisprudential opinions were coined had an impact in directing and granting preponderance to one aspect of the many aspects of prophetic coexistence over another. For the Islamic civilisation during its early stages was at the pinnacle of its power and bloom, and the jurist consultants at that time were occupied with current jurisprudence, and the duty of their day, to which there is no objection. However, every stage of time has its duty which the inhabitants of knowledge and understanding have to address by performing *ijtihād* regarding its issues and events. On the condition that they do not depart from the legal framework whose application is founded upon the prophetic biography, the blessed *Sunnah*, and actions and approvals of the noble Prophet ﷺ.
- ²⁴ *Dalā‘il al-Nubuwwah*, al-Bayhaqī (2:188).
- ²⁵ *Al-Sīrah al-Nabawīyyah*, Ibn Hishām, 2:645.
- ²⁶ *Rawḍ al-Unuf*, 2:116.

- ²⁷ *Rawḍ al-'Unuf*, 4:103.
- ²⁸ *Ibid*, 2/118.
- ²⁹ Reported by Ibn Mājah (the book of clothing—the chapter of the prohibition of golden rings).
- ³⁰ Reported by al-Bayhaqī in *al-Sunan al-Kubra*, 1:282, number (1394).
- ³¹ Reported by Ibn Dāwūd (the book of etiquettes—the chapter of the prohibition of singing).
- ³² Reported by al-Bukhārī (the book of merits—the chapter on the story of Abyssinia).
- ³³ Abū 'Abd Allah al-An ārī, *al-Mi bāḥ al-Muḍī* , 2:36.
- ³⁴ Reported by al-Bukhārī (the book of clothing—the chapter of the black striped garment).
- ³⁵ *Al-Sīrah al-Nabawiyyah*, Ibn Hishām, 1:340.
- ³⁶ This point was stressed upon by the likes of al-Ghazālī in his *Beginning of Guidance* when he said: "...the state of one's being is more expressive than that of one's tongue, and human nature is such that it is inclined more to take part in what is done than to obey what is said."
- ³⁷ Al-Bukhārī, Chapter of the attributes of the Helpers, 3.
- ³⁸ Al-Tirmidhī (2487).
- ³⁹ *Musnad*, Aḥmad 4:258, (2443).
- ⁴⁰ 'Uyūn al-Athar, Ibn Sayyid al-Nās, 1:231-232.
- ⁴¹ Ibn Hishām, *al-Sīrah al-Nabawiyyah*, 1:504-507.
- ⁴² Ibn Hishām, *al-Sīrah al-Nabawiyyah*, 1:492.
- ⁴³ Dr. Akram Ḍiyā' al-'Umri addressed the question of authenticity and various chains of narration of this document in his book *al-Sīrah al-Nabawiyyah al-Ṣaḥīḥah*, commenting: 'It is elevated, when united all together, to the rank of authentic.' He also elucidated that the linguistic nature of the document was an indication of its authenticity, since its text is made up of words and expressions that were customary during the time of the Messenger but became less prevalent in the generations to follow. Likewise, there is nothing in the document that praises an individual or a group, or specifically selects someone for praise or censure. There is also a great resemblance between the style of the document and the styles of the other documents and epistles of the Prophet.
- ⁴⁴ There was an exclusive pact between the Prophet ﷺ and Banī al-Naẓīr from the Jews specifically, which stipulated cooperation and mutual assistance in paying blood money. Similarly, there were agreements and ties between Banī 'Āmir and Banī al-Naẓīr, and the payment of the blood money, for the two men would go some way in calming unrest and keeping trade ties whose benefits were actually going back to Banī al-Naẓīr.
- ⁴⁵ Reported by al-Bukhārī in the chapter of Divorce—the section of using gestures to express the decision of divorce and other affairs.
- ⁴⁶ Reported by al-Bukhārī in the chapter of traits, the section of God's saying: "they know of you just like they know of their own children, and indeed a group of them intentionally conceal the truth."

- ⁴⁷ Reported by al-Bukhārī in the chapter on the narrations about the Prophets, the section of God's saying: "*And mention in the Book, the story of Maryam.*"
- ⁴⁸ Reported by Aḥmad in his *Musnad* (no. 24204).
- ⁴⁹ Reported by al-Bukhārī in the book of etiquettes, the chapter on the support of the believers among one another.
- ⁵⁰ Reported by al-Bukhārī, Hadith: 6011.
- ⁵¹ Ibn Hishām, *al-Sīrah al-Nabawiyyah*, 1:513.
- ⁵² *Ibid*, 1:551.
- ⁵³ *Ibid*, 2:48.
- ⁵⁴ *Ibid*, 2:189.
- ⁵⁵ Al-Bukhārī, the Book of Maghāzī.
- ⁵⁶ Reported by Aḥmad in the *Musnad* on the authority of ʿĀʾisha, no. 25839. Sheikh Abul Hasan ʿAlī Nadawī said regarding this incident: "Saʿd b. Muʿādh's verdict was nothing more than what is laid down by the Israelite law of war. The fifth book of Moses, Deuteronomy, containing the sacred law of the Jews on the subject, reads: *When thou comest nigh unto a city to fight against it, then proclaim peace unto it. And it shall be, if it make thee answer of peace and open unto thee, then it shall be, that all the people are found therein shall be tributaries unto thee, and they shall serve thee. And if it will make no peace with thee, but, will make war against thee, then thou shalt besiege it; and when the Lord thy God hath delivered it into thine hands, thou shalt smite every male thereof with the edge of the sword; but the women, and the little ones, and the cattle and all that is in the city, even all the spoil thereof, shalt thou take unto thyself; and thou shalt eat the spoil of thine enemies, which the Lord thy God hath given thee.* Jews adhered to this practice since ancient times. We read in the Book of Numbers that: And they warned against the Midianites, as the Lord commanded Moses; and they slew all the males. And they slew the kings of Midian, beside the rest of them that were slain; namely, Evi and Rekem, and Zur, and Hur, and Reba, five kings of Midian; Balaam also the son of Beor they slew with the sword. And the children of Israel took all the women of Midian captives, and their little ones, and took the spoil of all their cattle; and all their flocks, and all their goods. And they burnt all their cities wherein they dwelt, and all their goodly castles, with fire [Num. 31:7-10]. This law not only enjoyed the approval of Moses but was also enforced by Him; And Moses, and Eleazar the priest, and all the princes of the congregation, went forth to meet them without the camp. And Moses was wroth with the officers of the host, with the captains over thousands, and captains over hundreds, which came from from the battle. And Moses said unto them: Have ye saved all the women alive [Num. 31:13-15].
- ⁵⁷ Ibn Hishām, *al-Sīrah al-Nabawiyyah*, 2:237.
- ⁵⁸ Ibn Hishām, *al-Sīrah al-Nabawiyyah*, 2:240.
- ⁵⁹ Al-Mubārkaḥūrī, *al-Raḥīq al-Makhtūm*, 280.
- ⁶⁰ Ibn Hishām, *al-Sīrah al-Nabawiyyah*, 2:238.

- ⁶¹ Al-Wāqidī, *al-Maghāzī*, 2:513-514.
- ⁶² Ṣaḥīḥ Muslim, the book of greetings of peace, the chapter of the prohibition of Initiating greetings of peace with the people of the Book, and how one is to respond. A point worth mentioning here is that Ibn al-Qayyim has stated that it has been mentioned that this hadith was in regard to a specific situation, namely when they were marching to the tribe of Banū Quraytha.
- ⁶³ Al-Nawawī, *Sharḥ Ṣaḥīḥ Muslim*, 14:145.
- ⁶⁴ *Tafsīr al-Qur'ān*, 11:103.
- ⁶⁵ The pact being that if an enemy attacked Yathrib, both the Jews and the Muslims should partake in its defence.
- ⁶⁶ Ṣaḥīḥ al-Bukhārī, the book of etiquettes, the chapter of the Prophet not being obscene or impudent.
- ⁶⁷ Ibn Mājah (the book of etiquettes—the chapter on sending salutations upon people of the covenant). Also reported by al-Bukhārī in *al-Adab al-Mufrad* and Ibn Abī Shaybah in *al-Mu'annaf*.
- ⁶⁸ Musnad Aḥmad no. 27997.
- ⁶⁹ Faṭḥ al-Bārī, 11/42.
- ⁷⁰ Ṣaḥīḥ al-Bukhārī, the book of *Tafsīr*.
- ⁷¹ Ibn Hishām, *al-Sīrah al-Nabawīyyah*, 2:292.
- ⁷² Ṣaḥīḥ al-Bukhārī, the book of Funerals, 22.
- ⁷³ *Ibid.* The chapter regarding the dislike of prayer upon the hypocrites and seeking forgiveness for the pagans.
- ⁷⁴ Ibn Hishām, *al-Sīrah al-Nabawīyyah*, 1:499.
- ⁷⁵ Ṣaḥīḥ al-Bukhārī, the book of *Tawḥīd*.
- ⁷⁶ *Ibid.* the Book of *Jizyah*.
- ⁷⁷ Sunan Abū Dāwūd, the book of *al-Kharāj*.
- ⁷⁸ Ṣaḥīḥ al-Bukhārī, the book of *Janā'iz*.
- ⁷⁹ Asbāb al-Nuzūl by al-Wāḥidī, 120.
- ⁸⁰ Ṣaḥīḥ al-Bukhārī, the book of Punishments.
- ⁸¹ *Musnad Aḥmad*, 5:411.
- ⁸² Abū Dāwūd, the book of blood money.
- ⁸³ Ibn Hishām, *al-Sīrah al-Nabawīyyah*, 2:337.
- ⁸⁴ Ṣaḥīḥ al-Bukhārī, the book of *jihād*.
- ⁸⁵ Badr al-Dīn al-ʿAynī, *Umdat al-Qārī*, 80:24. Ibn al-Ṭallāḥ, Muhammad b. Faraj Abū Jaʿfar al-Qurṭubī servant of Muhammad b. Yaḥyā al-Bakrī al-Mālikī. Born in year 404 AH and died in 497 AH. From among his works is *Aḥkām al-Nabī*, which is also called *Aqḍiyat Rasūl Allah*.
- ⁸⁶ Ṣaḥīḥ al-Bukhārī, the book of *adab*.
- ⁸⁷ *Ibid.*, the book of *Maḡhāzī*, no. 4394, and Muslim, book of *Zakat*, no. 1064.
- ⁸⁸ Ibn Ḥajar, *Faṭḥ al-Bārī*, 200:13. The hadith is found in Ṣaḥīḥ al-Bukhārī the book of rulings.
- ⁸⁹ Ibn Hishām, *al-Sīrah al-Nabawīyyah*, 2:293.
- ⁹⁰ Al-Balādhiri, *Futūḥ al-Buldān*, 1:46.
- ⁹¹ *Ibid.*, 1:39, and Ibn Hishām, *al-Sīrah al-Nabawīyyah*, 2/410.

- ⁹² Consisting of camels, sheep and goats.
- ⁹³ This remark was a play on words indicating the Prophet's optimism of reaching terms after the arrival of Suhayl b. 'Amr, since the name Suhayl is from the same root as the verb to 'become easy' and 'trouble free'.
- ⁹⁴ Tafsīr Ibn Juzay, (2:289).
- ⁹⁵ Tafsīr al-Ṭabarī, (21:282).
- ⁹⁶ Zād al-Mī'ād fi Hady Khayr al-'Ibād, Ibn al-Qayyim, 3:278.
- ⁹⁷ Tafsīr al-Qurṭubī, (16:279).
- ⁹⁸ Ibn Hishām, al-Sīrah al-Nabawiyyah, 2:322.
- ⁹⁹ *Al-Raḥīq al-Makhtūm*, 1:300.
- ¹⁰⁰ Ṣaḥīḥ al-Bukhārī, the book of *al-Khums* (one-fifth of plunder).
- ¹⁰¹ *Ibid*, the book of *ḥajj*.
- ¹⁰² Ṣaḥīḥ Muslim, the book of *faḍā'il*.
- ¹⁰³ Ḥamīd Allah, Muslim State of Conduct, 266.
- ¹⁰⁴ Al-Siyāsah al-Shar'iyyah, Maḥmūdhā, Ma'ādiruhā, Majālātuhā, Dr. Ibrāhīm 'Abd al-Raḥīm, 1003.
- ¹⁰⁵ Ibn Sa'd, *al-abaqāt al-Kubrā*, 1/266, 358.
- ¹⁰⁶ *Al-Asās fi al-Sunnah* (2/1014).
- ¹⁰⁷ Ṣaḥīḥ al-Bukhārī, Vol. 1, Book 3, Hadith Number 87.
- ¹⁰⁸ These were the names of pots in which alcoholic drinks used to be prepared.
- ¹⁰⁹ *Ibid*.
- ¹¹⁰ *Ma'rifat al-Sahābah*, Abū Nu'aym, 1:336-337.
- ¹¹¹ Ṣaḥīḥ al-Bukhārī, Vol. 1, Book 3, Hadith Number 63.
- ¹¹² *Musnad Aḥmad*, 4:210-211, no. 2380.
- ¹¹³ *Ibid*.
- ¹¹⁴ Ibn Sa'd, *al-abaqāt al-Kubrā*, 1:266, 358.
- ¹¹⁵ *Uyūn al-Athar*, Ibn Sayyid al-Nās, 2:308-9.
- ¹¹⁶ As was the custom of the Prophet ﷺ, he would ask any delegation about the state of their land, their people, how they are, what was their circumstance when they left them, regardless of whether they were Muslims or not, rich or poor, peaceful or militant. Likewise, it was also his custom to supplicate for any delegation that came to him for goodness, growth, blessings and faith.
- ¹¹⁷ As mentioned, it was customary for the Prophet ﷺ to gift any delegation with whatever was available. What was new in this case is that the Messenger of God ﷺ was extra generous to their chief and leader, increasing his portion. This was not out of distinction but rather the noble Prophet ﷺ sensed the burden that this leader was bearing, namely all the obligations and responsibilities that he would be forced to deal with would foreseeably cause him to spend double what he may normally require.
- ¹¹⁸ *Uyūn al-Athar*, Ibn Sayyid al-Nās, 2:316.
- ¹¹⁹ It seems here that the Messenger of God ﷺ asked them about themselves and requested that they introduce who they were, due to their announcement that they were the ambassadors of their people to the Messenger of God ﷺ, and had belief in God and His Messenger ﷺ.

- ¹²⁰ *Uyūn al-Athar*, Ibn Sayyid al-Nās, 2:316-317. From the nature of the discussion, we can conclude that the Messenger of God ﷺ asked them about their journey, and their encounters. Despite the hardship of their trip, through their etiquettes and faith, they revealed the immense gratitude for the divine grace that had been bestowed upon them, their great joy at their visit and that, for the sake of its actualisation, any hardship is trivial.
- ¹²¹ *Ibid*, 2:318.
- ¹²² In this incident the blessed Prophet ﷺ had an exclusive abode for the delegations to stay in, with its description being expansive with a palm tree, namely an abode by which the Prophet ﷺ reveals to the delegations his appreciation and hospitality to them.
- ¹²³ *Uyūn al-Athar*, Ibn Sayyid al-Nās, 2:321.
- ¹²⁴ *Al-Sīrah al-Nabawiyyah*, Ibn Kathīr, 4:180-181.
- ¹²⁵ *Zād al-Mīʿād*, Ibn al-Qayyim, 3:436-437. *Uyūn al-Athar*, Ibn Sayyid al-Nās, 2:281-282.
- ¹²⁶ Abū Dāwūd, no. 3026.
- ¹²⁷ *Uyūn al-Athar*, Ibn Sayyid al-Nās, 2:281-282, *al-Maghāzī*, al-Wāqidi, 3:964-968.
- ¹²⁸ *Sīrah* Ibn Hishām, 1:419.
- ¹²⁹ *Zād al-Mīʿād*, Ibn al-Qayyim, 2:652.
- ¹³⁰ *Sīrah* Ibn Hishām, 2:577.
- ¹³¹ *Musnad* Imām Aḥmad, no. 12026.
- ¹³² Muslim, book of faith, no.96.
- ¹³³ *Musnad* Imām Aḥmad, no. 23746.
- ¹³⁴ *Dalā'il al-Nubuwwah*, al-Bayhaqī, 5:360.
- ¹³⁵ *Al-Mu'jam al-Kabīr*, al-Ṭabarānī, 14:391.
- ¹³⁶ Ṣaḥīḥ al-Bukhārī, Vol. 1, Book 1, Hadith Number 7, and Muslim, book of *jihād*, no.1733.
- ¹³⁷ *Uyūn al-Athar*, Ibn Sayyid al-Nās, 2:334.
- ¹³⁸ *Ibid*, 2:330-331.
- ¹³⁹ *Ibid*, 2:332,333.
- ¹⁴⁰ *Zād al-Mīʿād*, Ibn al-Qayyim, 3:600.
- ¹⁴¹ Al-Suhaylī, *Rawḍ al-Unuf*, 4:390.
- ¹⁴² Ṣaḥīḥ Muslim, 1:54, no. 284.
- ¹⁴³ *Ibid*, no. 157.
- ¹⁴⁴ See *Al-Taḥrīr wa al-Tanwīr*, Ibn ʿĀshūr, 5:167.
- ¹⁴⁵ Al-Tafsīr al-Munīr fī al-Aqīdah wa al-Sharīʿah wa al-Minhaj, Wabḥah al-Zuhaylī, 5:219.
- ¹⁴⁶ Ṣaḥīḥ Muslim, book 1, no. 32, Ṣaḥīḥ al-Bukhārī, Book 1, Hadith Number 25.
- ¹⁴⁷ Aḥkām al-Qurʾān, Ibn al-ʿArabī, (4:384).
- ¹⁴⁸ *Al-Taḥrīr wa al-Tanwīr*, Ibn ʿĀshūr, 3:27.
- ¹⁴⁹ Namely that when fighting does ensue, it comes to an end as soon as someone testifies to faith, and not that it begins so that the testimony of faith may be uttered.

¹⁵⁰ *Tafsīr al-Manār*, 10:153.

¹⁵¹ *Al-Tirmidhī*, 5:447.

¹⁵² *Ibn Abī Shaybah*, 6:498.

¹⁵³ *Al-Muʿjam al-Kabīr*, 22:393.

¹⁵⁴ *Shuʿab al-ʿImān*, 10:128.

¹⁵⁵ *Rawḍ al-Unuf*, 3:96.

¹⁵⁶ *Ibid.*, 3:96.

¹⁵⁷ We affirm the generalisation of this statement in order to form a theory for *al-Nasāʾ*, whereby we may understand the texts which are claimed to be abrogated.

¹⁵⁸ *Al-Zarkashī, al-Burhān fī ʿUlūm al-Qurʾān*, 2:42-43, and *al-Itqān*, 2:21.

¹⁵⁹ *Al-Hilyah*, Abū Nuʿaym, 5:10.

¹⁶⁰ *Musnad Aḥmad*, 6:71, no. 24467.

¹⁶¹ *Al-Bukhārī*, book. 1.

¹⁶² Reported by Abū Dāwūd.

¹⁶³ *Al-Qarāfī* said: “Whatever custom newly appears then consider it, and whatever departs then remove it (from consideration), and do not become ossified with what has been penned in the manuals of *fiqh* all your life. Rather, if a man appears from an area other than your own requesting a legal edict, then don’t apply to him the custom of your abode, but rather ask him about the custom of where he is from and apply this to him and issue a fatwa in accordance with it, other than your own custom and what has been established in the books. This approach is the clear truth, and ossification upon what has been transmitted continuously is misguidance in religion, and ignorance as to the intentions of the Muslim scholars and the *salaf* of the past”, (*Al-Furūq*, V. 1, p. 386-387).

¹⁶⁴ The subtle moment is like a hypothetical split second in which the father enters the possession of his son, which is pardoned out of necessity, and is similarly in that very moment emancipated by way of the Law.

¹⁶⁵ *Abū Dāwūd*, 2:61, no. 4607, *Ibn Mājah*, 1:15, no. 42.

¹⁶⁶ *Kanz al-ʿAmmāl*, 5:205.

¹⁶⁷ *Al-Dimyātī* said in *Iʿānat al-Ṭālibīn* (3:337): ‘Know that ambiguity is of three kinds: the first, the ambiguity of the agent, like the one who engaged in intercourse on the belief of marriage or ownership. The second: the ambiguity of the area, like the one who engaged in intercourse with a mutual lady servant. The third: the ambiguity of interpretation, and this is when a scholar whose opposition is recognised holds a position. As for the first ambiguity, it is described as permissible and not forbidden, since the agent is heedless and hence not legally responsible. The second ambiguity is forbidden, and the third, if he follows the position of the one who permits, then there is no forbiddance otherwise it is impermissible.

¹⁶⁸ *Al-Bukhārī*, 1:3, no. 1.

¹⁶⁹ Reported *al-Dārimī* in his *Sunan*, 1:162, no. 645.

¹⁷⁰ *Al-Bukhārī, (kitāb al-Dīyāt).*



The Four Models of Prophetic Guidance on Social Coexistence, by Sheikh Dr. Ali Gomaa, can be rightly considered as one of the most relevant works of this age. The reason being that it has provided, via a methodology extrapolated from the prophetic biography, several modes by which Muslims can coexist and communicate with all other communities—while maintaining their faith and all its fundamentals, without undermining their own reality, whatever it may be.



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