

CONSTITUTION OF MEDINA

PROPHET MUHAMMAD, 622 CE

SUMMARY

The Constitution of Medina, written on behalf of the Islamic prophet Muhammad in 622 CE, outlines the rights and duties of the people living in the city of Medina (present-day Saudi Arabia). The document also regulates relations between Muslims and other communities on the basis of religion (as opposed to ethnicity or tribal affiliation).

The constitution protects all inhabitants of Medina, regardless of religion, and explicitly states that Jews and Muslims can practice their religions freely. Many historians consider the Constitution of Medina to be the first document in history to establish religious freedom as a right (though earlier documents, such as the Cyrus Cylinder, also mention religious freedom).

SOURCE

"Constitution of Medina (with full-text)," Muslims in Calgary, <http://muslimsincalgary.ca/constitution-of-medina/>. (2023 Update: Source website is no longer active)



Door of Al-Masjid an-Nabawi
(The Prophet's Mosque) in Medina
(Medium)

DOCUMENT TEXT

1. This is a compact from Muhammad the prophet, between the Mu'minun and Muslimun [Muslims] of the Quraysh and Yathrib and those who join them as clients, attach themselves to them, and fight the holy war with them.
2. They constitute one people to the exclusion of others.
3. The Muhajirun from the Quraysh keep to their tribal organisation and leadership, cooperating with each other regarding blood money [and related matters] and ransoming their captives according to what is customary and equitable among the Mu'minun.
4. The Banu 'Awf keep to their tribal organisation and leadership, continuing to cooperate with each other in accordance with their former mutual-aid agreements regarding blood money [and related matters], and every sub-group (ta'ifa) ransoms its captives according to what is customary and equitable among the Mu'minun.
5. The Banu l-Harith keep to their tribal organisation and leadership...
6. The Banu Sa'ida keep to their tribal organisation and leadership...
7. The Banu Jusham keep to their tribal organisation and leadership...
8. The Banu l-Najjar keep to their tribal organisation and leadership...
9. The Banu 'Amr b. 'Awf keep to their tribal organisation and leadership...
10. The Banu l-Nabit keep to their tribal organisation and leadership...
11. The Banu l-Aws keep to their tribal organisation and leadership...

12. The Mu'minun shall not neglect to give [aid] to a debtor amongst them [who is not entitled to support according to tribal law, but will aid him] according to what is customary in matters of ransom or blood money.
13. No Mu'min shall make an alliance with an ally of another Mu'min to the exclusion of the latter.
14. The god-fearing Mu'minun are against whosoever of them demands an excessive sum of blood money or desires a gift of injustice, sin, transgression, or evil among the Mu'minun. They shall all unite against him, even if he is the son of one of them.
15. A Mu'min will not kill a Mu'min in retaliation for a non-believer and will not aid a non-believer against a Mu'min.
16. The protection of God [as extended by the Mu'minun] is unvarying, [and hence] the least of them is entitled to grant protection that is binding for all of them.
17. The Mu'minun are each other's allies, to the exclusion of other people.
18. The Jews who join us as clients will receive aid and equal rights; they will not be wronged, nor will their enemies be aided against them.
19. The peace of the Mu'minun is unvarying, [and hence] a Mu'min will not make peace to the exclusion of another Mu'min in fighting in the cause of God, except on the basis of equality and equity between them.
20. Each raiding party that raids with us will take turns with each other.
21. The Mu'minun will fully retaliate on each other's behalf in the case of death or injury incurred while fighting in the cause of God.
22. The god-fearing Mu'minun guarantee the best and most upright fulfilment of this [treaty].
23. A polytheist will not grant protection to any property or to any person of the Quraysh, nor will he intervene between them [viz., the property or person] and a Mu'min.
24. Should anyone murder a Mu'min arbitrarily, and should undisputed evidence of this murder exist, he will be slain in retaliation, unless the agnatic kin of the deceased is appeased [with blood money]. All the Mu'minun are [united] against him, and it is not permissible that they not act against him.
25. It is not permissible that a Mu'min who acknowledges what is in this treaty and believes in God and the last day should support a murderer or give him shelter. Upon anyone who supports him or gives him shelter is the curse of God and his wrath on the day of resurrection, and neither repentance nor ransom will be accepted from him.
26. Whatever you differ about should be brought before God and Muhammad.
27. The Jews share expenses with the Mu'minun as long as they are at war.
28. The Jews of Banu 'Awf are secure [reading amana / amina / amina instead of umma] from the Mu'minun. The Jews have their religion and the Muslimun have theirs. [This applies to] their allies and their persons. But whoever acts unjustly and sins will destroy only himself and his agnates.
29. The Jews of the Banu l-Najjar have the same [rights] as the Jews of Banu 'Awf.
30. The Jews of Banu l-Harith have the same [rights] as the Jews of Banu 'Awf.
31. The Jews of Banu Sa'ida have the same [rights] as the Jews of Banu 'Awf.

32. The Jews of Banu Jusham have the same [rights] as the Jews of Banu 'Awf.
33. The Jews of Banu l-Aws have the same [rights] as the Jews of Banu 'Awf.
34. The Jews of Banu Tha'laba have the same [rights] as the Jews of Banu 'Awf. But whoever acts unjustly and sins will destroy only himself and his agnates.
35. The Jafna are a tribal group of the Tha'laba and are on an equal footing with them.
36. The Banu l-Shutayba have the same [rights] as the Jews of Banu 'Awf.
37. The righteous man will restrain the sinner.
38. The allies of the Tha'laba are on a par with them.
39. The nomadic allies of the Jews are on a par with them.
40. None of them [viz., of the Jews' nomadic allies] may go out [of Medina] without Muhammad's permission.
41. There is no refraining from retaliation for a wound.
42. He who kills [someone entitled to security] kills himself and his agnates, unless he [viz., his victim] acted unjustly.
43. God guarantees the most righteous fulfilment of this [treaty].
44. Incumbent upon the Jews are their expenses and upon the Muslimun theirs.
45. They will aid each other against anyone who is at war with the people of this treaty.
46. There is among them sincere advice and counsel.
47. The righteous man will restrain the sinner.
48. A man will not betray his client; aid will be provided to him who has been wronged.
49. The jawf of Yathrib is a haram (sacred territory) for the people of this treaty.
50. The protected neighbour is like oneself, as long as he does not cause damage or act sinfully.
51. No protection will be granted without the permission of the parties to this treaty.
52. Every murder [or another major crime] or dispute between the people of this treaty from which evil is to be feared should be brought before God and Muhammad.
53. God guarantees the truest and most righteous fulfilment of the clauses of this treaty.
54. No protection will be granted to the Quraysh nor to anyone who supports them.
55. They [viz., the participating parties] undertake to aid each other against anyone who attacks Yathrib.

56. If they [the Jews] are called [by the other parties to the treaty] to conclude and accept (‘) an agreement, they will conclude and accept (‘) it; and if they [the Jews] call for the same, it is incumbent upon the Mu’minun to give it to them, with the exception of those fighting for religion. Everybody should pay their share at their own expense (‘).
57. The Jews of Aws, their allies and their persons, have the same standing as the people of this treaty, together with the righteous and sincere among the people of this treaty.
58. The righteous man will restrain the sinner.
59. He who offends, offends only himself.
60. God guarantees the most loyal and most righteous fulfilment of this treaty.
61. This compact does not intervene to protect an unjust man and a sinner.
62. He [of the Jews] who leaves [opting not to participate in the compact] is safe, and he who stays is safe, except him who acts unjustly and sins.
63. God is the protector of him who is righteous and God-fearing and so is Muhammad, the Messenger of God.
64. The most worthy of them [the Jews] to participate in this treaty are the righteous and sincere.