

Constitution of the City-State of Madina in the Time of the Prophet

The following is a translation into English of what was alleged (by Ibn Hisham in the early 800s CE) to have been the text of the Constitution of Medina by Muslim scholar [Muhamad Hamidullah](#) based on the following sources: the Seerah of Ibn Hisham[24] which quotes the Seerah of Ibn Ishaq,[25] Abu Ubaid's Kitab-al-Amwal,[26] and Ibn Kathir's *al-Bidayah-wan-Nihaya*. [27] A comparative translation of the two versions by Ibn Ishaq in Ibn Hisham's recension and Abu Ubaid has been published by Michael Lecker, who highlights the differences between the two texts. [28]

A Translation of the Constitution of the City-State of Madina in the Time of the Prophet (صلى الله عليه وسلم)

[I have tried to make the translation very clear so as not to require any marginal notes for its understanding. The clauses have been numbered, to facilitate easy reference. Since this numbering has been agreed upon and is the same in Germany, Holland, Italy, and other places, so whenever I have had to differ I have indicated my difference by subdividing the clause into (a), (b), etc., so as not to interfere with the international numbering.

In the name of God, the Beneficent and the Merciful

(1) This is a prescript of Muhammad (صلى الله عليه وسلم), the Prophet and Messenger of God (to operate) between the faithful and the followers of Islam from among the Quraish and the people of Madina and those who may be under them, may join them and take part in wars in their company.

(2) They shall constitute a separate political unit (Ummat) as distinguished from all the people (of the world).

(3) The emigrants from the Quraish shall be (responsible) for own their ward; and shall pay their blood money in mutual collaboration and shall secure the release of their own prisoners by paying their ransom from themselves so that the mutual dealings between the believers be in accordance with the principles of goodness and justice.

(4) And Banu 'Awf shall be responsible for their own ward and shall pay their blood money in mutual collaboration, and every group shall secure the release of its own prisoners by paying their ransom from themselves so that the

dealings between the believers be in accordance with the principles of goodness and justice.

(5) And Banu Al-Harith-ibn-Khazraj shall be responsible for their own ward and shall pay their blood-money in mutual collaboration and every group shall secure the release of its own prisoners by paying their ransom from themselves, so that the dealings between the believers be in accordance with the principles of goodness and justice.

(6) And Banu Sa'ida shall be responsible for their own ward, and shall pay their blood-money in mutual collaboration and every group shall secure the release of its own prisoners by paying their ransom from themselves, so that the dealings between the believers be in accordance with the principles of goodness and justice.

(7) And Banu Jusham shall be responsible for their own ward and shall pay their blood-money in mutual collaboration and every group shall secure the release of its own prisoners by paying their ransom so that the dealings between the believers be in accordance with the principles of goodness and justice.

(8) And Banu an-Najjar shall be responsible for their own ward and shall pay their blood-money in mutual collaboration and every group shall secure the release of its own prisoners by paying their ransom so that the dealings between the believers be in accordance with the principles of goodness and justice.

(9) And Banu 'Amr-ibn-'Awf shall be responsible for their own ward and shall pay their blood-money in mutual collaboration and every group shall secure the release of its own prisoners by paying their ransom, so that the dealings between the believers be in accordance with the principles of goodness and justice.

(10) And Banu-al-Nabit shall be responsible for their own ward and shall pay their blood-money in mutual collaboration and every group shall secure the release of its own prisoners by paying their ransom so that the dealings between the believers be in accordance with the principles of goodness and justice.

(11) And Banu-al-Aws shall be responsible for their own ward and shall pay their blood-money in mutual collaboration and every group shall secure the release of its own prisoners by paying their ransom, so that the dealings

between the believers be in accordance with the principles of goodness and justice.

(12) (a) And the believers shall not leave any one, hard-pressed with debts, without affording him some relief, in order that the dealings between the believers be in accordance with the principles of goodness and justice. (b) Also no believer shall enter into a contract of clientage with one who is already in such a contract with another believer.

(13) And the hands of pious believers shall be raised against every such person as rises in rebellion or attempts to acquire anything by force or is guilty of any sin or excess or attempts to spread mischief among the believers ; their hands shall be raised all together against such a person, even if he be a son to any one of them.

(14) A Believer will not kill a Believer [in retaliation] for a non-Believer and will not aid a non-Believer against a Believer.

(15) The protection (*dhimmah*) of Allah is one, the least of them [i.e., the Believers] is entitled to grant protection (*yujir*) that is binding for all of them. The Believers are each other's allies (*mawālī*) to the exclusion of other people.

(16) And that those who will obey us among the Jews, will have help and equality. Neither shall they be oppressed nor will any help be given against them.

(17) And the peace of the believers shall be one. If there be any war in the way of God, no believer shall be under any peace (with the enemy) apart from other believers, unless it (this peace) be the same and equally binding on all.

(18) And all those detachments that will fight on our side will be relieved by turns.

(19) And the believers as a body shall take blood vengeance in the way of God.

(20) (a) And undoubtedly pious believers are the best and in the rightest course. (b) And that no associator (non-Muslim subject) shall give any protection to the life and property of a Quraishite, nor shall he come in the way of any believer in this matter.

(21) And if any one intentionally murders a believer, and it is proved, he shall be killed in retaliation, unless the heir of the murdered person be satisfied

with blood-money. And all believers shall actually stand for this ordinance and nothing else shall be proper for them to do.

(22) And it shall not be lawful for any one, who has agreed to carry out the provisions laid down in this code and has affixed his faith in God and the Day of Judgment, to give help or protection to any murderer, and if he gives any help or protection to such a person, God's curse and wrath shall be on him on the Day of Resurrection, and no money or compensation shall be accepted from such a person.

(23) And that whenever you differ about anything, refer it to God and to Muhammad (صلى الله عليه وسلم)

(24) And the Jews shall share with the believers the expenses of war so long as they fight in conjunction,

(25) And the Jews of Banu 'Awf shall be considered as one community (Ummat) along with the believers—for the Jews their religion, and for the Muslims theirs, be one client or patron. But whoever does wrong or commits treachery brings evil only on himself and his household.

(26) And the Jews of Banu-an-Najjar shall have the same rights as the Jews of Banu 'Awf.

(27) And the Jews of Banu-al-Harith shall have the same rights as the Jews of Banu 'Awf.

(28) And the Jews of Banu Sa'ida shall have the same rights as the Jews of Banu 'Awf

(29) And the Jews of Banu Jusham shall have the same rights as the Jews of Banu 'Awf.

(30) And the Jews of Banu al-Aws shall have the same rights as the Jews of Banu 'Awf.

(31) And the Jews of Banu Tha'laba shall have the same rights as the Jews of Banu 'Awf. But whoever does wrong or commits treachery brings evil only on himself and his household.

(32) And Jafna, who are a branch of the Tha'laba tribe, shall have the same rights as the mother tribes.

(33) And Banu-ash-Shutaiba shall have the same rights as the Jews of Banu 'Awf; and they shall be faithful to, and not violators of, treaty.

(34) And the mawlas (clients) of Tha'laba shall have the same rights as those of the original members of it.

(35) And the sub-branches of the Jewish tribes shall have the same rights as the mother tribes.

(36) (a) And that none of them shall go out to fight as a soldier of the Muslim army, without the per-mission of Muhammad (صلى الله عليه وسلم). (b) And no obstruction shall be placed in the way of any one's retaliation for beating or injuries; and whoever sheds blood brings it upon himself and his household, except he who has been wronged, and Allah demands the most righteous fulfillment of this [treaty].

(37) (a) And the Jews shall bear the burden of their expenses and the Muslims theirs.

(b) And if any one fights against the people of this code, their (i.e., of the Jews and Muslims) mutual help shall come into operation, and there shall be friendly counsel and sincere behaviour between them; and faithfulness and no breach of covenant.

(38) And the Jews shall be bearing their own expenses so long as they shall be fighting in conjunction with the believers.

(39) And the Valley of Yathrib (Madina) shall be a Haram (sacred place) for the people of this code.

(40) The clients (mawla) shall have the same treatment as the original persons (i.e., persons accepting clientage). He shall neither be harmed nor shall he himself break the covenant.

(41) And no refuge shall be given to any one without the permission of the people of the place (i.e., the refugee shall have no right of giving refuge to others).

(42) And that if any murder or quarrel takes place among the people of this code, from which any trouble may be feared, it shall be referred to God and God's Messenger, Muhammad (صلى الله عليه وسلم); and God will be with him who

will be most particular about what is written in this code and act on it most faithfully.

(43) The Quraish shall be given no protection nor shall they who help them.

(44) And they (i.e., Jews and Muslims) shall have each other's help in the event of any one invading Yathrib.

(45) (a) And if they (i.e., the Jews) are invited to any peace, they also shall offer peace and shall be a party to it; and if they invite the believers to some such affairs, it shall be their (Muslims) duty as well to reciprocate the dealings, excepting that any one makes a religious war. (b) On every group shall rest the responsibility of (repulsing) the enemy from the place which faces its part of the city.

(46) And the Jews of the tribe of al-Aws, clients as well as original members, shall have the same rights as the people of this code: and shall behave sincerely and faithfully towards the latter, not perpetrating any breach of covenant. As one shall sow so shall he reap. And God is with him who will most sincerely and faithfully carry out the provisions of this code.

(47) And this prescript shall not be of any avail to any oppressor or breaker of covenant. And one shall have security whether one goes out to a campaign or remains in Madina, or else it will be an oppression and breach of covenant. And God is the Protector of him who performs the obligations with faithfulness and care, as also His Messenger Muhammad (صلى الله عليه وسلم).