

**Model of Political Reconciliation: Prophet
Muhammad's engagements with inter-community
conflicts**

A Dissertation Submitted to the University of Hyderabad in
Partial Fulfillment of the Requirements for the Degree of

MASTER OF PHILOSOPHY

IN

POLITICAL SCIENCE

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CERTIFICATE

This is to certify that this dissertation titled “**Model of Political Reconciliation: Prophet Muhammad’s engagements with inter-community conflicts**” submitted by **Mr. Muhammedali P** bearing Regd.No. 17SPHL02, in partial fulfillment of the requirements for the award of the degree of Master of Philosophy in Political Science, is a bonafide work carried out by him under my supervision and guidance that is a plagiarism-free dissertation.

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DECLARATION

I, **Muhammedali P**, hereby declare that this dissertation entitled, **“Model of Political Reconciliation: Prophet Muhammad’s engagements with inter-community conflicts”** submitted by me under the guidance and supervision of Prof. Arun Kumar Patnaik, Department of Political Science is a bonafide research work which is also free from plagiarism. I also declare that it has not been submitted previously in part or in full to this University or any other University or Institution for the award of any degree or diploma. I, hereby agree that my thesis can be deposited in Shodganga/INFLIBNIT.

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Acknowledgements

Thank you!

My Mother, for the everlasting care, supplications and reinforcements,

Dear Father, thank you very much for the silent encouragements and sound support,

Sisters, for the intriguing intervals and harmless mischiefs,

Prof. Arun Kumar Patnaik, my supervisor and mentor, for letting me challenge myself,

Dr Biju B.L, for thought-provoking questions and valuable suggestion to make the Research Assistance Committee meeting meaningful,

Prof. Jyotirmaya Sharma, for the book you gifted upon the request for lending it for few days,

Prof. Islam Dayeh: FB Geschichts- und Kulturwissenschaften Seminar für Semitistik und Arabistik, my supervisor and mentor at Freie University, Berlin during the Exchange Programme between September-December 2018, for the kind invitation to Berlin that opened a new world of possibilities.

Dr. Sara Dekhordi, Freie Universität Berlin, Otto-Suhr-Institute for Political Science, Guest Lecturer, for the insights through discussions we had both at the class and Mensa of OSI.

Dr Promod C Nair, Sree Kerala Varma College-Thrissur, for talking to me about a central university for the first time,

Comrades, for the refreshing company, lively engagements, and reassuring words,

The city of Hyderabad, for teaching me to be easy going by showing a placid life, like the free flow of Dakhini Urdu,

Members 'Cordoba Square', for extending your hands whenever I needed materials and sources,

Dé Bohemian Café, you not only helped me with a means of sustenance but also the friendly work atmosphere necessary for an academic pursuit.

All the workers in the mess, hostel, library and department office of both University of Hyderabad and the Freie University Berlin, for their work that made my research and life much easier.

In memory of
The ever singing Amjad Farid Sabri



اے میرے اللہ

میں تو دنیا کی دولت نہیں مانگتا

تاج و تخت و حکومت نہیں مانگتا

میرے اللہ میں جنت نہیں مانگتا

میرے فریاد میں اتنا تو اثر ہو جائیے

کہ دل جو تپے تو محمد کو خبر ہو جائے

O, my Lord!

Neither do I crave for earthly opulence,

Nor do I hanker after the seductive crown of power,

My Lord! The sheer glory of heaven I don't covet,

Let there just be such a vigorous potency in my plea

That the moment my heart seethes with a pang of anguish,

Same reaches the sublime ears of Muhammad (pbuh)

(Translation of the opening lines of the Qawwali O Muhammad Noor-e-Mujassam

URL:<https://www.youtube.com/watch?v=zwjcS5hGCc8>)

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Chapter I

Introduction

Legends, epics and historical accounts suggest that life is a story of conflicts. The chronicle of the origin of human life in the world itself is an account of conflict. According to the biblical and Quranic traditions the human conflicts had started in the first family itself. Holy bible explains the first ever murder of human life out of a conflict as follows.

“Adam made love to his wife Eve, and she became pregnant and gave birth to Cain. She said, “With the help of the LORD I have brought forth a man.”² Later she gave birth to his brother Abel.

Now Abel kept flocks, and Cain worked the soil.³ In the course of time Cain brought some of the fruits of the soil as an offering to the LORD.⁴ And Abel also brought an offering—fat portions from some of the firstborn of his flock. The LORD looked with favor on Abel and his offering,⁵ but on Cain and his offering he did not look with favor. So Cain was very angry, and his face was downcast.

⁶Then the LORD said to Cain, “Why are you angry? Why is your face downcast? ⁷If you do what is right, will you not be accepted? But if you do not do what is right, sin is crouching at your door; it desires to have you, but you must rule over it.”

⁸Now Cain said to his brother Abel, “Let’s go out to the field.” While they were in the field, Cain attacked his brother Abel and killed him.”¹

Alluding to the same incident, Quran says

“[Prophet], tell them the truth about the story of Adam’s two sons: each of them offered a sacrifices, and it was accepted from one and not the other. One said, ‘I will kill you,’ but the other

¹ Book of Genesis 4: 1-8

said, 'God only accepts the sacrifice of those who are mindful of Him' (Haleem, 2016, p. 70)²

Perpetuity of contestation and turning of them into violence have been an inextricable theme of history, art, religion, and politics. Nietzsche suggests that “in truth, the concept of Greek law developed out of *murder* and atonement for murder, finer culture, too, takes its first victor’s wreath from the altar of atonement for murder” (Nietzsche, 2006, p. 175). Nietzsche justifies his claim by alluding to the themes of artistic sculptures and historical writings of the Greeks. For him, the condition of pre-Homeric Greek would reveal the conflicts, wars, and vengeance. The thick air in the poems of Hesiod and the names of ‘Orpheus, Musaeus and their cults tell the story of a world of “combat and cruelty led- to nausea at existence, to the view of existence as a punishment to be discharged by serving out one’s time, to the belief that existence and indebtedness were identical”. At the centre of the conflicts of various degrees, nature and intensities were races, resources, religions, communitarian norms so on and so forth. When the conflicts go beyond the limits they threaten the peaceful existence of human life in the planet. Therefore attempts to resolve the conflicts or stopping them from going out of hands is very important. However the accounts of infinitely violent massacres found in the epics and historical entries suggests that keeping the conflicts non-violent always is an unearthly situation. Nevertheless the story of life, hence the story of conflict, has not been dangerously violent alone. What runs parallel to the story of conflicts turned into violence is the story of attempts to reconcile the conflicting parties and reach a solution either before the fight or afterwards. History is suggestive of the fact that many of those acts had paid of too. Wayne Booth convincingly suggests

² Qur’an Quran 5:27, Haleem, M. A. (2016). *The Qura'n A new translation*. Oxford: Oxford University Press. Pp 70

that “None of us would be here if reconciliation had not often triumphed over blind enmity” (Booth, 2015, p. 5) Every time when we see the obvious differences in society turning in to violent encounters in the forms of riots, persecutions, massacres or wars, we think of ways and methods to bring peaceful life back to the scene. Thought and action aimed at making a peaceful environment after a violent conflict by bringing the former oppressor and the former victim together could be called as reconciliation.

1.1 Islam and the Prophet Muhammad: a case for conflict and peace

The stories of empires are in fact, most often, the stories of battles and conquests and the heroes of those empires the cruellest among them. Even the emergence of nation states and spread of liberal democracy could not end the saga of conflicts and violence in the world. Colonialism, Struggles for independence from colonial yoke, revolutions, two World Wars, brutal civil wars, international terrorism etc. are suggestive of the aforementioned reality. In recent times, especially after the demolition of twin towers in the United States of America, Islam started getting an unprecedented attention in the discussions about conflicts and reconciliation. Islam being one of the biggest religion of the world, in terms of followers, is not free from the issue of conflicts and violence. Muslim, as it is true for members of any other social institutions, appear in conflicts and violence. Presence of terrorist outfits carrying Islamic names and brutal activities carried out by those groups find news rubrics quite frequently. Arguments and counter arguments about the commitment of this religion to peace and coexistence make into the headlines of both academic and popular literature.

This study of the ‘Model of Political Reconciliation: Prophet Muhammad’s engagements with inter-community conflicts’ deals with the inter-

community conflicts during the life of Prophet Muhammad. Though scholars differed on the year of birth of Prophet Muhammad, most of them unite on the year 570 CE^{3,4,5}. Since the biographers of Muhammad agree on the fact that he claimed Prophethood at the age of 40 and died at the age of 63, based on his birth year as 570 CE the time period of the preaching of Islam by him could be estimated to be between 610 to 632 CE. Biographies of Prophet Muhammad and *Hadith*⁶ texts point to various kinds of conflicts, wars and reconciliations during this time. This study covers the conflicts and responses of Prophet Muhammad in his life period: both before and after the proclamation of *nubuwwah*⁷. Historical accounts suggest the existence of series of wars in Arabia during the sixth and seventh centuries and Prophet Muhammad was born into that time and society. He grew among the jingoists and would later confront their passion for fight in the last twenty three years of his life. Since almost all of the Muslim groups of today, pacifists or war mongers, extremists or moderates, modernists or traditionalists, claim to represent the life of Prophet Muhammad, the last Prophet of Islam, in whatever they are doing, it would be substantially significant to look at the history of his life to see the ways in which he approached the issue of conflict and violence which is a ubiquitous theme of history.

Belligerently passionate tribal solidarity, endless battles over grazing land, scarce water sources, and oases, attacks on caravans traversing the desert to and

³ "No god but God: The Origins, Evolution, and Future of Islam: Reza

⁴ "Muhammad: A Prophet for Our Time: Karen Armstrong

⁵ "Muhammad: His Life Based on the Earliest Sources: Martin Lings "

⁶ A *Hadith* is one of various reports describing the words, actions, or habits of the Islamic Prophet Muhammad. The term comes from the Arabic language and means a "report", "account" or "narrative"

⁷ Nubuwwah is an Arabic word which means the Prophethood. Muhammad attained Prophethood at the age of forty.

from market outside the Hejaz were all incidents in a day to day basis in Mecca and Medina. Even the social norms were set in resonance with the never ending fights of the time. The socio-political situation in Arabia had a profound impact on the life of Prophet Muhammad and his ascendance to the status of the Messenger of Allah and the leader of a new religion in the subcontinent, in the early years of the religion before it spread across the globe, had deep influence on the social-political interaction of people too.

The responses of Prophet Muhammad to the conflicts and violence in his time is important in two respects. First, his reactions to the conflicts, as the response of any other individual, could have had an impact on the matter under consideration and the uniqueness of his model, if any, could be taken as the source of inspiration in our endeavours of the politics of peace. Secondly, his exceptional status of the Messenger of Allah and the exalted role of ‘perfect model’ for the Muslims demands keen understanding of what he did and did not do in terms of conflicts and their solution. The Quran says, “The Messenger of God is an excellent model for those of you who put your hope in God and the Last Day and remember Him often” (Haleem, 2016, p. 268). The exemplarity of the Prophet becomes reason for the following of his words, fulfilling his commands, avoiding what he did not like and, to be precise, imitating him to the smallest ever possible aspect of his life. Reza Aslan contends that “regardless of whether one is labelled as modernist or traditionalist, a reformist or a fundamentalist, a feminist or a chauvinist, all Muslims regard Medina as the Model of Islamic perfection. Simply put, Medina is what Islam meant to be” (Aslan, 2005 , p. 53). The influence of the Prophet in the daily life of Muslims and their popular culture is reflected in various art forms and expressions. Opening line of a very famous Quawwali song reads:

“O my Lord!
 Neither do I crave for earthly opulence,
 Nor do I hanker after the seductive crown of power,
 My Lord! The sheer glory of heaven I don’t covet,
 Let there just be such a vigorous potency in my plea
 That the moment my heart seethes with a pang of anguish,
 Same reaches the sublime ears of Muhammad (pbuh⁸)”.⁹

Each action of the Prophet with regard to the conflicts of his time, as it is true for any other aspect, means more than an ordinary person’s actions in time of conflicts for he has been followed to the nuke and corner by a people over a millennium. Not only the number of Muslims in the world that necessitates the study of this religion and its supreme leader, but also the profoundly insightful lessons that can be derived from the action of Prophet Muhammad with regard to the peace induces one to have a look at the life and action of the Prophet of Allah. It is in this context that one gets the motivation to read the life of Prophet Muhammad through the lenses of conflict and peace, for conflict has become omnipresent and peace rare in our time.

1.2 Statement of the problem

The sheer number of wars and severity of the violence in the sixth and seventh century Arabia is enough to shake the consciousness of human beings. Time span of wars, Buath war in Yathrib lasted for 120 years, and the toll it took on the human life was so severe that they could be called the catastrophe of the time. However the emergence of Islam and the actions of Prophet Muhammad could reduce the intensity and number of such conflicts. Though there were battles

⁸Abbreviation of ‘Peace Be Upon Him’. Muslims recite this verse upon reading, uttering or hearing the name of Prophet Muhammad.

⁹Translation of the opening lines of the Quawwali “O Muhammad Noor-e-Mujassam”
 URL:<https://www.youtube.com/watch?v=zwjcS5hGCc8>

and conflicts their nature, length, causalities, effects etc. were qualitatively different from the pre-Islamic conflicts. Historical accounts suggest many incidents of peace treaties and covenants of cooperation among former enemies in the Arabia during the time of Prophet Muhammad. Mutation of the Arabian society brought about by the emergence of Islam and the subsequent establishment of a new political system makes it a society in transition. The question of past wrongs and bringing together of the former enemies and oppressors in a transitional society makes the focus of the study of reconciliation. How is a transitional society to address the issue of past injustices? How are they to bring the former enemies together in the process of nation building? What sort of justice system could/should be adopted in the pursuit of peace and cooperation? These are the questions that concern the discourse of reconciliation. Various strands of thought have reflected on these question differently and the debate is yet to reach a unanimously agreed conclusion. The possibilities of retributive and restorative justice and creation of new political community have been tracked in academics and sometimes tried and tested in different societies¹⁰. It becomes imperative on us to think little deeply about the various ways of reconciliation available to us and the possible modifications to them to achieve the invaluable goal of peace in society. The search for a model of reconciliation in the history of an important faith group, Islam, may, hopefully, help us draw some insights about the dynamics of conflicts and complexities of reconciliation. It is in this context that the possibility of studying the responses of Prophet Muhammad to the inter-community conflicts through the prism of political reconciliation becomes significant.

¹⁰ Truth and reconciliation commission in South Africa, reconciliation missions in Rwanda and Mozambique are examples for the trying of reconciliation.

1.3 Introducing the location of study

As it has been stated in the previous paragraph that this study is concerned with the characteristic features of the engagements of Prophet Muhammad in the inter-community conflicts of his life time. Primarily, then, this study is the inquiry into the nature of inter-community conflicts in the sixth and seventh century Hejaz and the role played by the Prophet Muhammad in what course those conflicts took after his coming into the scene. There were a number of inter-tribal wars happening at the time of the birth of Muhammad. Many of those wars were continued for decades. Some of them lasted more than a century too. Prophet Muhammad lived sixty three years in the world. Since his responses to those conflicts are the main theme of the study, this inquiry covers about forty years. The first significant incident of reconciliation in the life of Prophet is about the dispute over the reinstallation of the black stone on the wall of Ka'ba at the time of its rejuvenation. The age of Prophet could be between thirty and thirty five at that time (Al-Mubarakpuri, 2008, p. 80).

Two main theatres of the enquiry are Mecca and Medina in the province of Hejaz in the present day Kingdom of Saudi Arabia. Prophet Muhammad was born in Mecca in AD 570¹¹ and lived there until he was fifty three years old. Due to the intolerably miserable persecutions from his own tribe and other pagans for his introduction of a new monotheistic religion that challenged their traditional believes and socio-political arrangements, he had to make his way to Yathrib, later renamed as Medina. The rest of his life, ten years, were spent in Medina. There were series of tribal conflicts and long standing battles in both Mecca and Medina

¹¹ Though there are difference of opinion about the exact birth year and date of the birth of Muhammad, majority of the scholars agree on the year 570. They area also united on AD 632 being his year of demise.

of those days. However, there was a political system established by the Prophet and both Mecca and Medina were under his direct control. Unifying a society that was fragmented on the lines of tribal identities into a single political community (*Ummah*), to which the Jews, pagan Arabs and Muslims were parties, is not a less significant achievement. To analyse the methods by which the Prophet could bring those former enemies into the fabric of fellow subjects/citizens is what inspired this study and since those incidents took place mainly in the centre and outskirts of the cities of Mecca and Medina they constitute the geographical space of this study.

1.4 Political reconciliation: theoretical framework

Prophet's engagements with the inter-community conflicts is being looked through the prism of the discourses around political reconciliation and transformation of conflicts. "Reconciliation would not be about transcending the conflicts of the past by striving for social harmony. Rather, reconciliation would condition the possibility of politics by framing a potentially agonistic clash of world views within the context of a community that is not yet" (Schaap, 2005, p. 4). Following Andrew Schaap in both understanding the necessity of a political conception of reconciliation and deriving from Hana Arendt's idea of 'worldliness', which helps us define the concept of the political without falling prey to the 'risk of the political' that is embedded in the famous Schmittian definition of the 'political', Prophet Muhammad's action in the field of social and political conflicts are put into to a close-reading. The concept of the political in Schmittian terms entails an ever continuing antagonism of the friend and enemy in the realm of politics. Arendt's idea of worldliness suggests a type of relationship in society that is not necessarily antagonistic but everyone perceives the world from different perspectives while it remains that the world they share is common. Symbiosis of

the concept of worldliness and the idea of political suggest a new framework to look at the relationship of various groups in society. Such a framework would also help us traverse the landscape of conflicts in a more meaningful way.

Arendt's idea of worldliness: A world is shared in common but perceived from various perspectives allows for conceiving politics as an agonistic relationship among various socio-cultural groups. This idea permits the conception of the political based on agonistic relationship that Arendt sees in Friendship. Friendship involves at least two different individuals engaging each other in the following way. Each acts autonomously to get their 'otherness/uniqueness' recognised. In the successful life of a friendship lies intimate awareness of the friend. This regard for the difference of the other and its worth makes friendship a powerful metaphor for arguing for agonistic relation which forms the foundational understanding of 'the political' as a relation as well as an undertaking based on contestation. Following this, any relation, in public sphere, or undertaking that is based on contestation qualifies the political. If this is true a conception of reconciliation aiming to end the violence involved in the conflict, notwithstanding contestation of worldviews of the contesting parties become 'political reconciliation' (Schaap, 2005).

Here the concept of political reconciliation is relied on as a framework of analysing the acts of the Prophet. A review of the existing literature suggests the predominance of nation-state centric nature that characterises most of the theoretical as well as policy oriented writings on the theme of political reconciliation. A critique of the project of the mainstream political reconciliation discourses that presupposes principal role of the nation state is brought in. Overemphasis of judiciary and limitation of the state in calling the conflicting

parties up on moral imperatives, especially towards forgiving the oppressor, encouraging everyone to make sacrifice, its unwillingness to autonomous and alternative actions on the part of communities in dealing with the conflicts through dialogue are accounted for in the critique and are helpful in imagining a much more meaningful way of transforming conflicts.

The Prophetic model of reconciliation of communities who were at war with each other was political, for he tried to forge a political community that permitted mutual co-existence without compromising on each one's worldview and religious convictions. He didn't have to punish the former oppressor to reconcile with the new society. This is evident in the unfolding of the key events like, Hijra Hudaibiyya, and the Conquest of Mecca which are discussed in detail in the chapter *"Prophet Muhammed in action: understanding the ethics and methods of engaging with inter-community conflicts"*. Neither did he have to incur reparations on the system or violators to unite the former enemies and attach them into the fabric of the new political community of his city-state. His methods and tools were something else and that is precisely what is sought to capture in this study.

1.5 A note on sources and methods

An enquiry into the model of political reconciliation by Prophet Muhammad demands a two sided study. One, the conceptual study of political reconciliation and the second, a historical reading of how did Prophet Muhammad respond to the conflicts of his time. For the first part of the study a chapter with an extended literature review of the concept of reconciliation has been dedicated. A critical reading of the famous studies among the existing writings on the topic has been done to reach a fairly clear notion of political reconciliation.

Second part has a historical tone as the life and actions of Prophet Muhammad belongs chronologically to the past. Reading the life of a person who lived before more than thirteen hundred centuries ago puts a lot of challenges on the reader. Determining the authenticity of the sources is one of the difficult tasks. Secondly reaching at the meanings of the texts of past sets formidable pressure and difficulty upon the researcher, for the language and vocabulary by way of which men communicate with each other significantly vary with the change in time and space. To understand the meaning of the texts one has to “reconstruct the objective world of the agent. Since the objective world is not given to the historian or available to him ‘ready at-hand’ it has to be constituted through analysis of particular expressions, and when the objective mind has thus been constructed we can understand a particular expression with reference to it” (Mahajan, 2011). Same words might mean different things in different times and different places. For example, in the classical Arabic the word *shaathwir* meant pick-pocketing or cutting the pocket in order to take the valuables whereas the same word is used to describe a smart and effective person in his job today. Unless the objective world of the agent, the source of the communication text, is reconstructed and the meanings of expression for the people of that time is understood the text may be left unknown or misunderstood. Some actions that might look senseless and horrendous to a secular individual might carry some celestial meanings to a believer. The implication of building and breaking a covenant might appear a silly and easy job for an autocrat but such an action would have serious consequences for a democratic leader. The controversy over Muslims’ refusal to shake hands with the peoples of opposite sex also bear the problem of understanding. For a secular person this could mean disrespecting others, especially if one had held out the hand

for a Muslim to shake hand. However, for a practicing Muslim this would not mean any such negative thing as his/her way of greeting a person from opposite sex is not shaking the hands¹². The same issue happens with the historical accounts of the life and political career of Prophet Muhammad too. Reading of the actions and expression of the people of sixth and seventh century Arabia without placing them in their context can either confuse or lead us astray. In order to avoid the maximum errors of this sort, texts which are produced by vigorous linguistic and historical exegesis are consulted in taking the meanings of the *Hadiths*, the Quranic verses and other incidents in the life of Prophet. Understanding of the actions of Prophet with regard to various communities have been different at different times. He fought with some people at sometimes, gave pardon to some at some other time, and some were punished by him. To recover the meanings of the actions and utterings of the Prophet and the people he engaged with, hermeneutics is used as the method of understanding. Historical nature of the topic and understanding, rather than explaining, the life world of the Prophet Muhammad being the prime objective, hermeneutics suits best to this study.

Little is known about the Arabia in the immediate pre-Islamic era. Poetry is one of the rare sources that survived to help us navigate the life of Arabs in the Middle Ages, especially two three centuries before the coming of Islam. The taste for poetry Arabs had was remarkable and the topic for constituting poems varied from vine, to war and tribal solidarity. All of the aspects of life were touched by the poems in the pre-Islamic era, though vine, war and women dominated the other

¹² News reports of controversy over Muslims' refusal to shake hands with persons of opposite sex were features in many dailies around the world. For example the report of the tribune "Muslim girl refuses to shake German president's hand" had stirred controversy. <https://tribune.com.pk/story/1268843/muslim-girl-refuses-shake-german-presidents-hand/>

choices of subjects of the poets. Philip K Hitti reflects on the veneration that Arabs had for poetry as follows “No people in the world, perhaps, manifest such enthusiastic admiration for literary expressions and are so moved by the word, spoken or written, as the Arabs” (Hitti,1970 p. 90). Standing testimony to their passion for word and language, many of the poetic creations have survived to throw light on the history of Arabs to the generations to come. Whatever the poetry may have meant for the Arabs those works of art would serve as a source of immeasurable value for the historians to come. “Poetry was the principal form of cultural expression of the Arabs in both the pre-Islamic and Islamic periods” (Kirzali, 2011, p. 27). And, may be for the same reason Ibn Khaldun is reported to have claimed poetry to be the public register of the Arabs¹³. As for the sources of pre-Islamic circumstances, *Muallaqas* have been used in this study. They are consulted to plot the historical situation of Arabs just before the emergence of Islam, for that is inevitable to get a clear picture of what change Prophet Muhammad and his religion had brought to the steppes.

In order to plot the life of the Prophet Muhammad, three major sources; the Quran, *Hadith* and biographies of the prophet, are consulted. Firstly, Quran the most authentic and authoritative text in Islamic tradition is used to make sense of events in the life of the prophet. Since revelation happened over twenty three years and the verses of this holy book came down to the Prophet in piecemeal according to the circumstantial necessities, this book is a great source of historical value too. Knut Vikør affirms the acceptability of the Quran among Muslims as,

¹³ 8 'Abd al-Rahman b. Muhammad b. Khaldun, *The Muqaddimah: An Introduction to History*, - trans. Franz Rosenthal, ed. N. J. Dawood (Princeton: Princeton University Press,1969),554 quoted in Kirzali, S. (2011). Conflict and Conflict Resolution in the pre-Islamic Arab Society. *Islamic Studies*, 50(1), 25-53. Retrieved 09 26, 2017 , from <http://www.jstor.org/stable/41932575>

“The Koran has an established and certain content; there is no disagreement among Muslims over its actual words, but it needs to be read correctly to be understood” (Vikør, 2005, p. 32). Secondly, the corpus of *Hadith* that stands above the biographies in authenticity is also consulted to reconstruct the world of sixth and seventh century Arabia. *Hadiths* are generally understood as the ‘stories told about the Prophet and his community and his *sunnah*’. Though *Hadiths* are described as the stories told about the prophet, it is important to bear in mind some significant aspects of *Hadith* that differentiate it from other sources which might confuse one with *Hadiths* themselves. A lucid description of *Hadith*, that would help us understand the points of difference between *Hadiths* and other ditto like sources, is found in the work of Knut Vikør. He writes

“Not all *Hadiths* actually talk about the prophet, and not all stories about the prophet are *Hadith*. There are several genres of such stories. Some are merely biographical (*Sira*), or they relate the events of his military campaigns (*Maghazi*). These may be important for pious Muslims who want to emulate the prophet, but they are technically relating to the history of the prophet’s ‘human’ endeavours, where he acts in his own capacity. It is the *normative* stories, those that are meant to be important for how later Muslims should act and where Muhammad transmits directly or indirectly God’s intentions and will, that are given the name *Hadith*, and are thus subject to the detailed methodology that separates true from false”. (Vikør, 2005, p. 38)

Some Islamic scholars have placed the *Hadiths* with the status of the Quran itself. For them both are revelations, though with different attributes. Moreover scholars like Muhammad ibn Idris Shafi were of the opinion that the *Hadiths* are instrumental in understanding the Quran and without the former’s help the latter could not be explored at all. Asserting this point, Vikør (2005) has stated “both the Koran and true *Hadith* are equally valid expressions of God’s revelation”. Due to the critical importance in deriving the God’s laws, dutifully aware attempts were invested in compiling the *Hadiths*. There was detailed methodology applied in the vigorous scrutiny of narrations that were called

Hadiths. Scholars of *Hadiths* did not include a narration in their collections unless they were sure that the story could have been originated and transmitted the way it was presented to them. A *Hadith* has two components; one the chain of transmitters from its origin to the compiler (*isnad*) and the other is the text or body of the *Hadith* (*matn*). In order to ensure the authenticity of *Hadiths* the scholars keenly observed the transmitters of each *Hadith*. If there was a drunkard, a person with notoriously bad memory, a sectarian or so in the chain of transmitters, the story related was discredited. For the first century soon after the death of the Prophets there was hardly any, known, attempts to compile the *Hadiths* in written forms, instead they were orally transmitted. When the efforts to compile the *Hadiths*, started different versions of the same incident by various transmitters were collected and recorded. *Hadith* scholars who are well versed in the linguistic style of the Prophet and companions, their idioms, usages and general history could choose most appropriate among them. Scrutiny of narrators and the text were the main two basis of categorising a *Hadith* in to a ‘sound and true, *shaih*, or weak and less trustworthy, *daif* (Vikør, 2005).

Hadith collections of Abu Abdullah Muhammad bin Ismail al Bukhari and Muslim ibn al-Hajjaj are consulted for the details of the events that are important for this study. These two *Hadith* collections are considered to be most authentic texts after the Quran in the Islamic tradition for their vigour and watchfulness in selecting the *Hadiths* form the ocean of narrations regarding, words, actions, signs and pauses in the life of the Prophet Muhammad. The carefulness of these two collections have been recognised and praised across the Muslim world. The importance of *Hadith*, apart from its significance form the vantage point of a historian, is that “The canonical collections of Sunni *Hadith* literature, the so-called

'ahl-ul-kutüb-is-sitta'¹⁴, consist of thousands of individual reports considered as being the most authentic indicators of and therefore embodying Sunnah of the Prophet. As a whole, this body of literature presents a picture of the Prophet as issuing orders or advising the contemporary Muslim community on a vast number of issues concerning Islamic dogma, law, theology, ethics and morality, even to the extent of laying down rules concerning the most private spheres of an individual's life" (Dudcrija, 2009, p. 397).

Thirdly, world renowned biographies of the Prophet by both academic and religious scholars have been relied on for the details of the events that are important for the course of this project. These biographies are the commentaries on the classical literature of the *seerahs*¹⁵ and therefore are secondary sources. Academic nature and systematic approach of the biographers and comprehensiveness in the presentation makes the modern-day biographies more attractive. Moreover, these biographies are products of a time that is well ahead of the period of the origin of *seerahs*, hence the inauthentic narrations and accounts in the original corpus could be eliminated. Arafat (1976) has reflected on the inconsistency and inauthenticity in the number of people killed in the incident of Banu-Qurayza. His claims are based on the refutation of Ibn Ishaq's claims in his *Siratu Rasulillah*¹⁶ by Malik, one of the four major jurist and contemporary of Ibn

¹⁴ Six famous collections of Hdiths; Sahih al Bukhari, Sahih muslim, Sunan Abu Dawood, Jami al-Tirmidhi and Sunan ibn-Majah

¹⁵ The word *seerah* in Arabic means story. The corpus of *seerah* literature are voluminous works of historical accounts of the life of Prophet Muhammad. They are the collection of the oral traditions on the life of Prophet Muhammad.

¹⁶ The title of the biographic entries by Ibn ishaq by gathering the oral traditions and accounts of the life of Prophet Muhammad.

Ishahq, and insights derived from a paper presentation in the World Congress of Jewish studies in 1973¹⁷.

The Quran and the *Hadith* are not descriptive in nature when it comes to the historical events, instead they allude to events and occasionally give details of incidents. The wordings and way of elucidation in these two sources are very important in authenticating the incidents found in the *Seerah*, and the biographies based on them for that matter. Islamic traditions, especially Sunnis, revere the Quran and the *Hadith* over other sources and their position, respectively, prevail over the other sources in case of any contradictory reports. This has been agreed upon by the religious scholars and the same is expressed by Abdul Hakim Murad as, “For the Sunnis, authority was, by definition, vested in the Quran and Sunnah” (Murad, nd). Looking through an academic lens would also attest the claim of authenticity of the Quran and *Hadiths* in the revered collections because the originals of these works have been preserved and the vigorous scholarship invested in the gathering of parts of these two bodies into unified form is worthy of appreciation. The Quranic verses written on various materials such as bones, dried skins of animals and plants, stones, wood, etc. were compiled to form a book and the exactness of verses were confirmed by a group of companions who had the entire Quran memorised (Campo, 2009). In the case of *Hadiths* they were orally transmitted for more than a hundred years but were compiled into various collections by scholars later on. Six most trusted collections are admired and relied upon in the Islamic world as well as in the secular academia for their vigilance in selecting *Hadiths*. Each *Hadith* is reported with a chain of transmitters (*isnad*) that

¹⁷ For details Arafat, W. N. (1976). New Light on the Story of Banū Qurayẓa and the Jews of Medina. *The Journal of the Royal Asiatic Society of Great Britain and Ireland*(2), 100-107. URL:<http://www.jstor.org/stable/25203706>

trace the *Hadith* from the compiler to the origin. “For the Muslim scholarly class, the ulema, tracing the *isnad* of a *Hadith* back to Muhammad is to follow one’s genealogy of sacred knowledge back to its source. It is a medium of connection to the Prophet, ‘the beloved of God,’ and a link to the scholarly titans of the past. Even today, reciting one’s *isnad* is to walk back in memory through the pantheon corridor of great scholars whose labors had built up Islamic tradition” (Brown J. A., 2009, p. 13). The anecdotal account of Muahmmad Ismaeel Bukhari’s refusal to accept a *Hadith* from a person who was showing his sheep a bunch of leaves not to give it to the animal but to call it close certainly throws some light on how careful those compilers were in their endeavour of collecting *Hadiths* and documenting them.

Given the historical nature of the topic, it becomes important for me to rely on academic works also, apart from the religious texts and biographies, in the process of this work. Secondary sources, as they are called, provide information about the historical period under consideration and enhance our understanding. The information they provide; linguistic, historic and cultural, facilitate the reconstruction of objective world of the agent, here the world of Arabs, Jews and the Prophet. They also, some times, deal with the debates around the topic under enquiry and give valuable insights. Moreover, unlike the religious corpus of literature, the academic works invite the attention of the reader to the socio-economic conditions of the time and space, which is very much important in the social science research. In seeking to reach at the methods and tools of Prophet Muhammad in getting the former oppressors and victims united in a new socio-political order under his religio-political authority, careful reading of historical and linguistic exegesis is inevitable.

Chapter II

Conceptualizing political reconciliation

With the emergence of newly independent states, who freed themselves from the colonial past, the issue of deep divide in the society became a formidable challenge in the process of nation making and consolidation of democracy. Those societies were divided along the lines of races, religion, language, culture, and other categories. They had been witnessing grave wrongs done by one section of the society to the other, mostly with overt permission if not the support of the state, for a considerable amount of time. Apartheid in South Africa, the Mapuche conflict in Chile, the Catalanian problem in Spain and communal violence in India are all suggestive of this problem. Bringing together both the victims and the wrongdoers became a tough task for the newly formed states. Perpetual peace was the fundamental prerequisite for those infant nation-states to begin actions towards all that they had been dreaming under colonial rule and during the violent conflicts. The sheer number of wrongdoers, the immeasurable nature of violence, the presence of non-recorded/reported oppressions, and the impossibility of victims articulating the wrongs faced by them all meant that a judicial settlement of the issue was impossible (Brown & Poremski, 2015). It is in this context, where legalism and economic logic fails to address the issues in bringing together of former victims and former culprits to form a new nation-state that the discourse on political reconciliation takes off.

2.1 Understanding reconciliation

One has to have a good understanding of what is political and what is reconciliation to talk about political reconciliation in detail. For this reason, I

believe that it is reasonable to start off by discussing what reconciliation is. The verb “to reconcile” is defined by the Merriam-Webster dictionary as “to restore friendship or harmony” or “to settle or resolve”. In academia the word has been understood differently by various scholars. Wayne Booth points to the constellation of meanings that the term “reconciliation” includes, and gives a rough statistics of the references of different words with seemingly similar meanings in Google.com. Those words and phrases include, ‘mutual understanding’, ‘forgiveness’, ‘dispute resolution’, ‘conflict resolution’ and ‘agreement reached’ (Booth, 2015, p. 5).

A significant number of Google searches for all of the above words suggests that reconciliation has been understood generally with a great conceptual ambiguity. Having identified this conceptual ambiguity, Charles Lerche, (2000, p. 61) writes “There are, in fact, more and more people talking about reconciliation, but the question arises as to whether they are talking about the same thing”. Jens Meierhenrich in his essay ‘Varieties of Reconciliation’ also points to the conceptual ambiguity that exists among the scholarship regarding ‘reconciliation’ (Meierhenrich, 2008). Conceptualizing reconciliation as forgiving has been fashionable until recently. When reconciliation is conceptualized as forgiving the grave violence and oppression of the past, it demands the willingness of the victim. When victims have reasonable disagreement with any of the provisions of the reconciliation project, the state will have to enforce them to see to it that reconciliation is maintained. At this moment forgiving becomes anything but forgiving. Rather, it becomes forced acceptance of a given formulae that is not so different from a judicial settlement of conflict based on retributive justice (Murphy, 2010).

Most of the meanings attributed to reconciliation tend towards restoration of the chaotic present to a harmonious past; going back to a peaceful and friendly relations of yesterday. Reconciling one with a golden past of peace and harmony is very much theological. The Biblical account of the original sin and the exodus of man from heaven marks the breach of peace by violating the commandment of God. The original sin makes a break in the relationship between man and God. The blood of Jesus Christ on the cross reconciles man with God. “All this is from God, who reconciled us to himself through Christ and gave us the ministry of reconciliation” (2 Corinthians 5:18). Theology regards reconciliation to be restoration as it assumes a harmonious past to go back to. It also believes in solving the issue of conflicts once and for all by turning a blind eye towards the future relationship in society and towards the potential conflicts or outbreaks of violence. Approaching reconciliation theologically provides us with two ways of addressing the violence: through restorative justice or retributive justice. Emphasis on violence alone leaves conflicts unaddressed. What we need, then, is a conception of reconciliation capable of addressing both the issue of violence as well as conflict. Addressing violence alone is incomplete and tentative for it sets the source of violence aside. Theological reconciliation has lot of limitations in addressing the issue of meaning-less and violent conflicts. First of all, a past with an amicable relationship remains just an assumption in most circumstances. This becomes apparent in the case of transforming societies. The past they have to go back to would stand in the way of a meaningful transformation. A society at the doorstep of democracy cannot even afford to think of going back to a non-democratic past. None of the ‘Truth and Reconciliation Commissions’ have even alluded to the option of going back to the socio-political settings of precolonial past, though there

have been nostalgic reflections from writers like Chinua Achebe about the culture of yesterdays and cries about what fell apart with the arrival of the colonialists. This critique of colonialism does not write off the importance of democracy in such societies in any way.

Secondly, a remedy, which is agreed upon by both the oppressor and the oppressed is hard to reach in the cases of historical injustices. When the society in discussion is at the edge of transformation, they will have reasonable objection with the system of moral and legal structures and practices of the past. This becomes all the more ostensible when the reconciliatory project fails to ensure adequate representation of hitherto oppressed section of society whose stakes may be undermined if the design for reconciliation is prepared predominantly by the privileged class.

Thirdly, restorative logic takes unity to be the ultimate end of reconciliation (Schaap, 2005). If at all such a unity emerges, it will foreclose the openness of the society and possibility of passionate contestation of various world views, which is the hallmark of a plural and political community. A society free from all sorts of conflict imply either boring homogeneity or a heaven in the world. Any strand of political imagination that seeks such a society is non-political in its end. It does not negate the politics against the oppression or conflicts, rather the politics of such a society would come to an end with the realization of its goal of conflict free environment. Politics, the criterion of which is relations based on contestation in the public sphere, would be non-existence in a society composed of individuals or groups with uniform interests. If the objective of a political undertaking is a dream of mutual co-existence of groups with different ways of life and world of meanings and not uniformity of interests, it envisage a non-political

end. Such an endeavour may not necessarily be non-political in its mission because it may aware of the ‘risk of the politics’ involved in the conception of the ‘political’ by Carl Schmitt (Schaap, 2005).

Finally, any final reconciliation implies overcoming contingency and plurality. This has the danger of a homogenising tendency and setting norms in stone. Given these limitations, it is important that a new conception of reconciliation, one based on reconfiguring the society rather than restoring the past, can rise to the front. A conception of reconciliation sensitive towards contingency and plurality can address the issue of meaningless and violent conflicts. It requires a broader understanding of conflict, for only such an understanding can address the human problems emanating from conflicts. This is where the conceptual necessity of political reconciliation comes to the front. Before moving on to the concept of political reconciliation the concept of ‘the political’ needs little elaboration.

2.2 Importance of ‘the political’

In his theory of the natural origin of the States, Aristotle delineates the importance of state and hence the importance of political association. “Man is by nature a political animal. And he who by nature and not by mere accident is without a state, is either a bad man or above humanity” (Aristotle, 1995 , p. 174). The term ‘politics’ lacks a universally accepted definition. There have been attempts from various authors, statesmen, and others to define this term. Two strands of defining this term, in a broad sense, could be identified: one as those who tried to give it a substantive definition and the others who strived to base the term in relations. Substitutive definitions of politics attempt to give a restricted definition, which define some arenas in which politics take place, and some specific actions that could be called political. Whereas, the relational definitions of politics emphasise

the adjective ‘political’ rather than the noun ‘politics’. For them, politics is a kind of process, or relation, among people. The arena of politics, therefore, cannot be restricted to state or legal institutions. Politics takes place in every arena of human life: in family, community, state, and in every social institution. (Leftwich, 2004). In our use of the adjective ‘political’ we assume a certain power relation in what we are trying to describe. In this sense an action becomes political when it entails either conforming to or challenging the existing power relation in the society. Carl Schmitt is the most profound and useful thinker in developing a theory of the concept of political. His seminal work “*The Concept of the Political*” has defined political as a relation that can be reduced to that of a friend and enemy. He developed a theory in which distinction between friend and enemy works as the organising principle of politics (Frye, 1966). This definition entails that we be able to differentiate between political and other forms of relations based on the “degree of association and dissociation”. “As such, politics is inherently conflictual and ultimately turns around the terms of association and dissociation among people” (Schaap, 2005; Schmitt, 1996). This definition also imply that conflict is very much political in its nature because it entails, most of the time in history, a friend-enemy relation as foundational basis of distinction in its own terms (Carl Schmitt, 2010,2014). As the restorative/theological conception of reconciliation is inadequate to bring the conflicting groups, with differencing horizons of meanings emanating from various imaginations on metaphysics, together to form a new community, we are forced to think of a political solution to the political problem, hence to think of political reconciliation. To think of political reconciliation is to think of a concept that is formed by clubbing two mutually opposing concepts.

2.3 Politics-Reconciliation dichotomy: search for synthesis

Political reconciliation is an oxymoron. Inherently conflictual nature of ‘the political’ and closure and harmoniousness of reconciliation seems to be keeping them in two different poles. “In an important sense, reconciliation is at odds with politics. Whereas reconciliation tends towards closure, harmony, consensus and union, politics tends towards openness, agonism, conflict and plurality” (Schaap, 2005). When a concept with two mutually opposing, in meaning, terminologies are clubbed is brought into discussion, it takes some effort in conceptualizing it. Though there has been accounts of reconciliation, the term political reconciliation lacked a precise conceptualization until Andrew Schaap’s work titled “*Political Reconciliation*” saw the light of the day.

Peace and conflict studies have been grappling with the issue of conflict in transforming societies, who were deeply divided, with the methods of theology and legalism for a long period. Schaap, intervened in the discourse, with considerable success, in bringing forth the concept of political reconciliation to address the issue of incompatibility of political and reconciliation. In doing so he has thrown light upon the difference between reconciliation based on restorative justice and retributive justice and differentiated them from political reconciliation. Schaap’s conception of political reconciliation is useful in differentiating other concepts of the term such as therapeutic, theological and economic reconciliations. The point of divergence between political reconciliation and other forms of reconciliations is marked by the idea of restoration. Therapeutic, theological and economic reconciliations are predicated on a moral imagination of harmonious past. Deviation from that accord is addressed in different ways. While theological

reconciliation strives to bring back the unity,¹⁸ therapeutic conception tries to cure the illness happened to the body of moral thinking and action. Economic reconciliation is based on repayment to settle the accounts or revolving around the idea of reparations. Punishing the violator by the means of paying back in material form is impossible in the realm of social interactions. The discourse about reparations holds the former systems of exploitation and marginalisation responsible for what they had to suffer and ask for reparations in terms of money or means. Coates (2014) wrote under the title of the article “The Case for Reparations” that “Two hundred fifty years of slavery. Ninety years of Jim Crow. Sixty years of separate but equal. Thirty-five years of racist housing policy. Until we reckon with our compounding moral debts, America will never be whole”. While the moral debt remains a truth and the wound of moral injuries real, the scale of measuring that debt in order to ensure they are paid back is still unavailable. The task of assessing the moral injury itself is prone to be ambiguous for the fact that moving beyond confirming the moral injury is nearly impossible in it. If the insistence is on nodding the head of the aggressive system to the former exploited and oppressed in shame and regret, then the transformation of such previous regimes of discrimination and violations themselves should suffice. It is the regret or apologetic recognition of the vindictiveness of the past that inaugurates the change. If the argument takes another tone to assert that it is not the mercy of the oppressor that changes the system but the relentless struggles of the oppressed that brings liberation, expecting the repayment of moral debt from one who doesn’t change unless forced or pressured is far from making sense. Its, of course, true that the moral injury stays for long but insisting on paying the unpayable would only help

¹⁸ In Christian theology, oneness of sentiment, affection or behaviour

to prolong the peace and reconciliation. When the transformation is read substantially not procedurally, way to reconciliation might appear little more clear.

From Schaap's conceptualization of political reconciliations we get that political reconciliation is neither about restoring the chaotic, violent present with a harmonious, peaceful past, nor is it to take the tune of retribution, for we are dealing with a transforming society. Political reconciliation in a transforming society would mean reconfiguration of the nature of conflictual interaction. According to Schaap "reconciliation would not be about transcending the conflicts of the past by striving for social harmony. Rather, reconciliation would condition the possibility of politics by framing a potentially agonistic clash of world views within the context of a community that is not yet" (Schaap, 2005, p. 4). A politically reconciled society would be one in which the antagonistic interactions of conflicting world views are reconfigured into an agonistic competition. Formerly conflicting groups in such a society will still be able to compete each other on their own world views but without, possibly, striving to exterminate the other in their pursuits. Reconciliation becomes political when it aims at the preservation of conflictuality: the possibility of competing of interest and world views, hence the plurality. My conception of political reconciliation is that it is reconfiguration of political relationships, conflictual relationship between friends and enemies, which promote a political community in which the relationship among different subgroups is agonistic. Here, by agonistic relationship, I mean the possibility of contestation of different opinions in a way that doesn't assume an individual winner and prevents the growth of violence that impedes the existence of plurality.¹⁹

¹⁹ For a detailed understanding of agonistic competition, refer 'Homer's Contest' in, Nietzsche, F. W., In Kaufmann, W., Hollingdale, R. J., & Nietzsche, F. W. (1989). *On the genealogy of morals*

Hanna Arendt's ethic of worldliness is helpful in thinking of political reconciliation as the formation of a political community. When the world is thought to be shared by all in common but is perceived from various perspectives, there emerges the possibility of friendship among various communities. Communities may try to engage with each other without trying to transcend the otherness of the other groups. Schaap (2005) writes, "To forgive for the sake of who the other is to release him from the consequences of his actions so that he can remain a free agent". This gives the other an opportunity to act afresh without being bothered by the past as what happens in friendship where two individuals start a new relationship through their acting anew. "Forgiveness reveals the natality of the forgiver because, in contrast to retaliation, it is not a predictable reaction. Rather, it is a response that is both unexpected and unpredictable. As such, it entails an invitation to the other to engage in politics with us" (Schaap, 2005, p. 104).

The risk of perpetual violence entailed in the ever continuing friend-enemy distinction needs to be taken into account while thinking of political reconciliation. A conception of reconciliation subscribing to the ethic of worldliness is aware of 'the risk of the political'. It opens the possibility of enduring engagements among social groups without being occupied with the past for the ethic of 'worldliness' assumes a new beginning through new actions. The other is recognised as who they are as well as a partner sharing the same world, though differently in terms of how they perceive the world. Aspiration for peace, spontaneous or forced by the gruelling violence, is the motive of the undertaking of political reconciliation and acceptance of the ethic of worldliness by the society is not a utopian idea. It rests on the imaginative and skilful efforts of the leaders of

each group how successful they can be in making the ethic of ‘worldliness’ to regulate the conflict and violence.

2.4 Materialising political reconciliation

Karl Marx had said, “The philosophers have only interpreted the world, in various ways; the point, however, is to change it” (Engels, 1976)²⁰. The call for praxis; “reflection and action directed at the structures to be transformed” alludes to the vitality of action in everyday life of humans (Freire, 1970 , p. 126). Translating ideational blue prints into practice is more challenging than composing abstract formulations. It is in this context that the discourses on processes and methods of political reconciliation kick off. Giving amnesty to the former wrongdoers, forgiveness from the side of the victims to the culprits, formulation of a constitution detailing rights, responsibilities and statuses of citizen in the new state as well as the terms of relations and code of conduct of people in their socio-political life have been at the nucleus of deliberations about reconciliation. Since the primary aim of reconciliation is the configuration of a new political community, any attempt at reconciliation should be initiated on the invocation of a ‘WE’ among the former contenders.

2.4.1 Constitution (of a political Community based on agonistic relation)

As political reconciliation is impelled by the hope of establishing a new beginning, it is self-consciously enacted in the gap between past and future. In its political sense, constitution refers to the founding act by which a space for politics is established. Political reconciliation would begin with the invocation of a ‘We’ as the basis of a new political order (Schaap, 2005, p. 80). The constitution of a space for politics is the moment in which the initiation of reconciliation begins. It

²⁰ Theses on Feuerbach XI.

is the moment of reconfiguration of a political community. In this sense the term constitution is not a written or unwritten document to regulate and facilitate collective living by legally valid and enforceable principles. Rather, it is a point of origin of a new political community. Chistodoulidis (2000, p.199) contends the same as follows “Political community is predicated on the ‘recasting’ of the present as a point of origin”. This doesn’t rule out the salience of a formal constitution in its modern sense. Salience of a constitution in its legal sense is sustaining the beginning i.e. the moment of ‘We’. To put it differently, constituting the community precedes the formal constitution and the latter sustains the former.

A constitution, though it can be criticised for the strict legalistic nature and theological logic it entails, has many merits in a political reconciliatory process. First of all it is through a constitution, through its provisions, that the bitter contenders of the past come together to promise each other ‘a never again’ with regard to the violent conflicts. “The promise ‘never again’ locates the possibility of community between former enemies in their present intention to prevent the recurrence of wrongdoing” (Schaap, 2005, p. 87).

Secondly a constitution, in its political sense, provides a new moment in the history of conflicting societies which is neither a ‘sacred origin’ in the long past, nor the ‘end of history’ with the realization of salvation, or collapse of one powerful enemy.²¹ In its performative sense the constitution sustains this moment of reconciliation, which is not an end that can be a point in the past for the future

²¹ The sacred origin points to the restorative theological reconciliation which assume a sacred origin as a point to which the conflicting present should go back to. End of history with salvation alludes to the end of alienation of man from the god by the scarifies of Jesus Christ and reconciliation of man with the father. Another possible connection of end of history of conflict is with cold war. When the USSR collapsed, there emerged arguments about the end of history, possibly of the history of conflict. In fact, the world was to witness more vigorous conflicts afterwards in the form of transnational terrorism, civil wars, etc.

to look forward to in their confrontations with potentially violent conflicts. Hence a constitution both in its political sense; ‘as invocation of we’ and performative sense; actualising it through performative action, helps the political reconciliation to be the best way of imagining an end to the meaningless conflicts and maintenance of political friendship. As such, constitution of a space for politics is both ‘a beginning and promising’.

2.4.2 Forgiveness

If constitution creates the space for politics, willingness of the victims makes such a constitution possible. It is done by refusing the past to determine the possibilities of the present (Schaap, 2005). Though forgiving is not a necessary condition in the reconciliatory process it opens a horizon of possibilities. Forgiving, the intentional and voluntary process by which a victim undergoes a change in feelings and attitude regarding an offence, let go of negative emotions such as vengefulness, with an increased ability to wish the offender well (Association, 2006 (2008), p. 5). Any insistence from outside on the victim to forgive the wrongdoer would mean further imposition on those who have been suffering for long. Such an imposition directly from the State or indirectly by insistence of morality that victims should forgive in order to make reconciliation possible should be opposed because such a claim puts the responsibility of repairing the relationship on the shoulders of those who have been suffering (Garrard & McNaughton, 2010). A free and voluntary will being the operative term, imposition from outside makes it anything but forgiving. Forgiveness is not treated here as an integral part of reconciliation, rather it is of course looked as a category that is capable of facilitating it. Once the victim changes the attitude towards the harm-doer the possibility of the creation of ‘We’ is increased greatly. Quoting from

Jeffery Murphy, Rajiv Bhargava explains that “when a person is wronged he receives a message of his marginality and irrelevance. The wrongdoer conveys that in his scheme of things the victim counts for nothing. Since self-esteem hinges upon critical opinion of the other, the message sent by the wrongdoer significantly lowers the self-esteem of the wronged. In these circumstances, the insult and degradation inflicted constitute a deeper moral injury. The demand that past injustices be forgotten does not address this loss of self-esteem. Indeed, it inflicts further damage. Asking victims to forget past evils is to treat them as if no great wrong to them has been done, as if they have nothing to feel resentful about. This can only diminish them further” (Bhargava, 2012, p. 372). Although this is not a direct attempt to rule out the role of forgiving in reconciliation, it warns one of the dangers of levying forgiveness on the victim.

Conjectures made on forgiveness-reconciliation relations are often based on how one conceives forgiveness. Responding to the arguments against forgiving in general and its role in reconciliation in particular Rajiv Bhargava contends, that “One well-known argument against forgiveness is that it bypasses the act of wrongdoing. However, to forgive is not to convert a wrong into a right. It is not to justify the wrong done. Nor is it identical with excusing the wrong done, as when one excuses a child for causing some harm on the ground that she cannot really be held responsible for it. The process of forgiveness begins only after proper recognition of wrongdoing and is conditional upon it. Since the wrong is not simply whitewashed, to forgive is not to compromise with evil. Nor does forgiveness entail amnesty. Forgiveness is not to be confused with mercy” (Bhargava, 2012, p. 374). Blanket contempt for forgiveness by the secularist activism of the present by accusing it to be impediment for justice is insensitive to the potential political

relevance of it. As contended by Arendt, “forgiveness allows us to remain free agents, willing participants in the play of the world. As a response to the other that is unconditioned by the act provoked it’, forgiveness testifies to our shared potentiality to act new” (Arendt, 1998, p. 241).

Unlike the understanding of overtly right based movements, forgiving is neither passive, nor is it an imposed idea all the time. It is an independent and active enterprise that requires a determination of the self. As unconditioned response rather than mere reaction to another who has wronged us, forgiveness brings to an end to a process initiated by an original wrong, which might otherwise have endured indefinitely in human affairs.

2.5 Making reconciliation possible; salience of dialogue

As it has been explained, while constitution gives the imperative of the creation of a ‘We’ which is the beginning of political reconciliation and forgiveness a facilitating agent of such a constitution, one is, then, confronted with the method of bringing about these two agents to the front. The question of how are we to bring about the constitution and make forgiveness possible, without forcing, needs to be answered. Charismatic authority of a person, group, creed, etc. is one source of materialising these catalysts of political reconciliation. Max Webber defines a charismatic authority as “the authority of the extraordinary and personal gift of grace (charisma), the absolutely personal devotion and personal confidence in revelation, heroism, or other qualities of individual leadership” (Webber, 1919). The capacity of a charismatic leader to call for the obedience and the possibility of people answering that in conformity does not need any reiteration. On the back drop of conflicts and violence Gandhi is a classic example. Rajiv Bhargava (Bhargava, 2012) has affirmed this while discussing about the ‘Great Calcutta

Killing' of 1946 and Gandhi's intervention and calming down of the belligerent perpetrators of violence on both sides. The sense of trust people have on such charismatic leaders is profoundly deep. As Weber says "Men do not obey him by virtue of tradition or statute, but because they believe in him" (Webber, 1919, p. 79). The act of persuasion, in Aristotelian rhetoric, mastered by him can get things done by people the way he wants. Any human being with such an individual grace and committed to harmony and peace can contribute a lot to the sewing of the torn fabric of social and political relationships. The limitation of relying completely on a charismatic leader to come and solve the issue of conflict is that they are not produced on an industrial scale. What is at the core of popular loyalty of a charismatic person is his uniqueness and the infrequent nature of their emerging in the society.

Absence of a charismatic person to make a successful claim on people to set aside the past wrongs and work together calls for alternative ways and methods for the constitution of 'We' and create the ground for adequate forgiveness. Such a search would lead us to the possibility of political dialogues. There has been more and more people talking about dialogue, especially in the late twentieth century and the ongoing phase of twenty first century. Though people differ on the possibilities and modalities of it, most of them unite on the need for and potential of dialogue. On the background of Ayodhya dispute and consequent communal violence in India, Patnaik and Mudium explain the same as follows:

"Secular intellectuals are aware of the relevance and efficacy of dialogue as a dispute- solving mechanism but do not seem to consider interfaith political dialogue as a way of resolving the Ayodhya dispute. A number of them, like Romila Thapar, Arundhati Roy, Swami Agnivesh and Medha Patker, favour dialogue between the Indian state and the Maoists and even the Kashmiri separatists". (Patnaik & Mudium , 2014, p. 6)

The legalistic constitutional prejudices of a secular state evade the possibility of interfaith dialogue and many of the intellectuals also fall prey to it for many reasons. The apprehension of legitimising religious fundamentalism is the most important among them. As it has been explained in the beginning of this chapter, legalistic/ theological, not religious, approach to reconciliation has many limits and dialogue seems to be the best possible way out to bring about the political reconciliation. When politics is about agonistic engagements of different world views, dialogue becomes unavoidable tool to sustain it. Mutually engaging conversation of antagonistic views gets the contending parties to go beyond their own prejudices and reach the inevitability of sacrifices of 'maximalist' aspirations and claims. Patnaik and Mudium contends that "Only dialogue can help the disputant communities and their organisations to develop a shared understanding of the complications involved in the Ayodhya dispute and the importance of solving it in their own long-term interests" (Patnaik & Mudium , 2014, p. 12). What limits, today, the political-interfaith dialogue is the false binary between dialogue and legalism. It is very important to bear in mind that the inevitability of legalistic institutions and the perseverance on dialogue is not to replace judiciary altogether. Conversation of contesters on the matter of conflict can get the issue solved for a longer term. It entails building trust among the people and resolving the issues of enmity stemming out of false perception of the other. This false perception could either be created out of ignorance or a result of a political propaganda of violent nationalism. Unless a genuine conversation happens, conflicting groups seldom understand each other, hence the possibility of peaceful resolution stays elusive. Judiciary may

be able to stop the objectionable actions but only dialogue can address the attitudinal aspect of inter community conflicts.

2.6 Political reconciliation and the entanglement of the nation-state

As the circumstances of newly independent nation states are the main theatre of the discourses of political reconciliation of the late twentieth century, the project of reconciliation has largely been an undertaking of the nation states. Even the discourse on political reconciliations in the settler colonies like Australia and Canada, the nation-state plays a central role in the process of political reconciliation state. Consolidation of democracy is at the centre of state initiated or sponsored reconciliatory projects in the post-colonies. The involvement of the nation-state, which is of a specific historical and local phenomenon in its origin, in dealing with conflicts produced by itself demands the attention of any serious thought on reconciliation. Though the role of nation-state in creating new conflicts have seriously attended by seriously in the academia, especially anti-colonial movements and de-colonial theories in literature and international relations, implication of the centrality of it in the undertaking of political reconciliation is not given the attention that it deserves.

A close examination of the 'form properties' of the nation-state would help one understand how problematic it would be to take the role of nation-state for granted in the endeavour for political reconciliation. The concept of sovereignty and formation of subjectivity by the nation-state and over emphasis of the seemingly independent judiciary will reveal to us the impairing potential of the nation-state on political reconciliation. Metaphysical limitation of it on calling upon the people to forgive and begin anew as well as its unwillingness to allow for autonomous and alternative actions on the part of communities in dealing with the conflicts through dialogue are also worth thinking about in our imagination of a reconciled political community.

Drawing upon Wael B.Hallaq's close examination of the 'form properties of the nation state, the centrality of the nation-state in the process of reconciliation needs to be problematized. Four among the five 'form properties' of the nation-state 'without which it cannot, at this point in history' that Hallq talks are following.

- i) "Its constitution as a historical experience that is fairly specific and local",
- ii) "Its sovereignty and metaphysics to which it has given rise,"
- iii) "Its legitimate monopoly and related feature of monopoly over so-called legitimate violence,"
- ivs) "Its cultural hegemonic engagement in the social order, including its production of the national subject" (Hallaq, 2013).

All of these form properties have impacts on the nature of conflicts and the process of the transformation of conflicts in the non-European colonies. An undertaking of political reconciliation unaware of these properties and its implications will be futile.

Non-European societies have "followed or, if not, have felt the pressure" to follow "the western state" which is a "product of historical contingency". More interestingly it was the nature of the state and the process of colonialism through which this version of the state's introduction to the colonies was at the core of a number of enduring conflicts of the world today. Having not witnessed the specific experiences of the 17th century Europe and the forms of Enlightenment and sustaining, by and large various forms of political and social loyalties, the oriental and African societies did not have a

state in the modern sense until colonialism. Carl Schmitt contends the same as “the “state has been possible only in the West” (Quoted in Hallaq, 2013). It becomes the point of entanglement that the very source of conflict as well as the ‘forerunner’ of transforming the conflict is one and the same; the nation-state which hasn’t changed its form property. Apartheid and racial violence in the South Africa illustrates this entanglement very clearly. Institutionalised racism came to South Africa with the white man and his state, and it is the same nation-state without renouncing it’s ‘form properties’ trying to reconcile the racially divided South Africa. The liberal democracy and insistence on the institutional structures above the nature of the conflicts, keeping the judiciary in mind as the only saviour, creates lots of tension in the society. Institutional structures of the nation-state puts certain limitations on citizenship, the people under the constitution is still too small to include everyone alike, rather it creates qualitative differences between the people based on the instruments of law. In South Africa, only the whites were considered to be constitutive of the ‘*demos*’. It is the same state that divided the society on racial lines now trying play the role of mediator in the process of conflict reconciliation.

Hallaq makes a strong argument against the conception of sovereignty, another form property of the nation-state, as follows:

“Sovereignty is based on the popular will but it does not presupposes actual and active individual participation, but claims its collective force precisely because it is a fiction. The concept loses none of its force even when non-democratic power come to rule, for even in the absence of traditional democratic practices any state comes to expect its sovereign will to be embodied in the acts and speech of its rulers, even when they happen to be a band of devil” (Hallaq, 2013).

The fiction of popular sovereignty represented by the state has been successful in proving that it gets to speak legitimately on behalf of its citizens irrespective of the commonly accepted awareness that it is oppressive and unrepresentative. A state, especially in the divided societies, in which a certain section of people is represented in power and the same group is in conflict with another social group is susceptible to dominate hence the failure of political reconciliation. “To be a citizen” in the nation state, contrary to the liberal imagination, “therefore means to live under a sovereign will that has its own metaphysics. It is to live with and under yet another god, one who can claim the believers’ lives (Hallaq, 2013). The difference between the metaphysics of the modern nation-state and pre-modern forms of governances is that the former is unrestricted by any other authority’s dictates whereas the latter lives under one. This makes it impossible for the imagination, many a time, of higher morals than sustaining the state itself. It fuses the politics with the state and enjoys the hegemony over every aspect of life; both private and public which closes down the option of a conception of politics based on the ‘ethics of worldliness’

Monopoly over legislation, both derivative and original legislations, is the manifestation of the sovereign will of the nation-state. It does not recognise anybody else but itself as law giver for that would be compromising on sovereignty. Any attempt to think out of the judicial/legal structure to bring about reconciliation would be taken seriously by the state for it sees a potential of law making violence outside its purview. State would not entertain such attempts by individuals or groups for it may threaten, in the eyes of the state, its sovereignty and monopoly over legislation and violence. Walter Benjamin argues that “law’s interest in monopoly of violence visa-vis individuals is not explained by the intention of

preserving legal ends but, rather, by that of preserving the law itself; that violence, when not in the hands of the law, threatens it not by the ends that it may pursue but by its mere existence outside the law” (Benjamin, 1986, p. 281). Reconciliation’s requirement of dialogue between the conflicting parties and actions of groups independently of the legal system is seen as a threat by the state as it could be read as a challenge to the sovereignty of the state: the sole authority to make laws. What is true for the law making violence is also true for the law making capacity of non-state actors. To follow Benjamin, therefore, the process of reconciliation needs to cruise through this predicament.

Hegemonic engagement of the state in the social order, made through by equating the politics with the social, and its production of the national subject. Cultural penetration of the nation-state through destruction of internal entities, tribal or other local units that are the locus of political loyalty and strive to function independently of the state, is identified as the first concrete step in the state’s mission of establishing itself. National subject of the state is made, by way of destroying all sorts of other loyalties, to be ordered by the legal norms of the state. When the source of conflicts itself is the destruction of such socio-cultural units by the nation-state how is it justified to expect it to lead the project of political reconciliation. Description of the law of sedition in various countries reveals the truth of the matter that the national subject, who is made in such a way that the state can legitimately claim his/her life for its sake, not only restricted from having any political loyalty other than itself but also stopped from having any affinity towards anything that the state assumes to be against its interests. Article 124 A of the Indian Penal Code reads

*“[124A. Sedition.—Whoever, by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards,¹⁰² [***] the Government established by law in¹⁰³ [India], [***] shall be punished with¹⁰⁴ [imprisonment for life], to which fine may be added, or with imprisonment which may extend to three years, to which fine may be added, or with fine” (Central Government Act , nd).*

Pervasive presence of the nation-state irrespective of the forms of governments: democratic, dictatorial, monarchic etc., has created the conflicts of the last two centuries. To approach political reconciliation based on the idea of ‘the political predicated’ on the ethics of worldliness without being aware of the pervasive presence of the nation-state in the life of citizens is to approach the topic without being ware of the reality hence doomed to fail in its inception.

One reason behind the not so successful track record of the global initiatives of dialogue in pursuing reconciliation is the systemic impediments imposed by the structure of nation-state itself. Even in the time of globalization we are yet to see any qualitative changes in the form-characteristics of the nation-state. The state still holds the control over its sovereignty and regulates the socio-cultural life. Worsening of the refugee crises, increasing restrictions made on the immigration policies, rise of the far-right in various states across the globe are suggestive of the fact of the still existing cultural hegemony as well as unchallenged strength of the nation-state in maintaining its monopoly over legal violence.

Chapter III

Tracking the trajectory of conflicts in Hejaz

The Arabs being the participants of conflicts constitute the population of this study. The genealogy, evolution and economy and socio political history of Arabs needs to be delineated before one could proceed to talk about the nature of conflicts and the way they were approached and addressed by the Prophet Muhammad. I shall start off with outlining the history of Arabs in Hejaz²² and their socio-political state of affairs in the 6th century AD that is at the time of the birth of Prophet Muhammad. The nature of conflicts before and after the emergence of the Islam will be given elaboration in attempting to plot the trajectory of conflicts in Hejaz by looking at the socio-cultural and political economic condition of the province in the sixth and early seventh centuries.

3.1 Who are the Arabs?²³

Studying of conflict and reconciliation of Arabs throws the fundamental question who are they? The most precise way of defining the Arabs would be to follow Maxime Rodinson for he described the Arabs as “the people who sprang from the cradle of Arabia, which separated from the continent of Africa and Asia by the Red sea in the west by and Persian gulf in the east and speak Arabic, which is considered as the Semitic language” (Rodinson, 1981,p.1).

²² Hijaz is the western province of present day Saudi Arabia separated by the Red sea in the west, Jordan on the north, Najd in the east and Asir region in the south. The historic cities of Mecca, Medina and Taif are in this province.

²³ This subtitle is inspired by and adopted from the article “Conflict and Conflict Resolution in the pre-Islamic Arab Society” by Sadik Kirzadi.

3.2 Genealogy of the arabs

According to the biblical tradition the Arabs are ‘one of the Semitic groups’ as they are described as the descendants of Shem the son of Noah.²⁴ A Judeo-Christian tradition considers the Arabs to be the descendants of Ishmael the son of Abraham²⁵. Ishmael had been regarded as the rival on the matter of ‘the promised land of Israel’²⁶. The promise was made to Abraham and his Son Isaac, not to the other son of Abraham, Ishmael. The sons of Jacob, the grand child of Abraham through Isaac was called Israel hence his descendants the Israel²⁷. In the Islamic tradition the Arabs are regarded as the descendants of Adnan who was a descendant of Ishmael and the ascendant of Prophet Muhammad therefore both Judeo-Christian and Islamic rendering of the genealogy of the Arabs meet at Ishmael. Arabs are divided into three by the Arab genealogists; the extinct Arabs like A’d and Thamud²⁸, who lived in the region until the god punished them for their disobedience. Second category is the ‘pure Arabs’, “descendants of Qahta[–]n or Yaqta[–]n (the Yo[–]qta[–]n that Genesis genealogically links to Noah; Gen. 10:25)’ and the third group is The ‘arabised or arabicising Arabs” who “are believed to be the descendants of Ishmael through Adna[–]n, but in this case the genealogy does not match the Biblical line exactly. The label ‘arabised’ is due to the belief that Ishmael spoke Hebrew (sic!) until he got to Mecca, where he married a Yemeni woman and learnt Arabic” (Parolin, 2009, p. 30).

²⁴ Book of Genesis chapter 10.

²⁵ Book of Genesis 25:12-18, New International Version.

²⁶ The Promised Land is the land which, according to the Hebrew Bible was promised and subsequently given by God to Abraham and his descendants. The promise was first made to Abraham (Genesis 15:18-21), then confirmed to his son Isaac (Genesis 26:3), and then to Isaac's son Jacob (Genesis 28:13), Abraham's grandson. The Promised Land was described in terms of the territory from the River of Egypt to the Euphrates river (Exodus 23:31).

²⁷ Book of Genesis 35:10, New International Version.

²⁸ Ancient tribal groups lived in Hejaz. Quran 7:73-74 in Haleem, M. A. (2016). *The Qura'n A new translation*. Oxford: Oxford University Press. Pp 99.

3.3 Arabs in Hejaz: the story of perpetual conflicts

‘Pure Arabs’ were from the southern region of the province and were sedentary people whereas the Arabicised or arabicising Arabs were from the northern part of the Hejaz which was known for the harsh climatic condition that did not allow the people to cultivate or settle down. Sand desert, arid steppes and mountains divided the settlers in to small groups who stayed far from each other in relative isolation. The “way of life was shaped by that landscape” (Rodinson, 1981, p. 12). The Bedouins²⁹ lived in closely knit tight tribal groups in the desert, obeying the dictation of the environment. Due to the limited number of oases in the desert various tribal groups had to fight each other to ensure the availability of resources for survival. The harsh condition of the desert and the unavailability of resources shaped the relationship between various tribal groups. The environment had a profound role in shaping not only the relation among tribal groups but also on the culture and ethics of tribes themselves. The Bedouin conception of justice was based on *muruwa*; “the tribal code of conduct that was composed of important Arab virtues like bravery, honor, hospitality, strength in battle, concern for justice, above all assiduous dedication to the collective good of the tribe” (Aslan, 2005 (2011), p. 29). In other words *Muruwa* “meant courage, patience, endurance, it consisted of a dedicated determination to avenge any wrong done to the group, to protect its weaker members, and defy its enemies. To preserve the honour of the tribe, each member had to be ready to leap to the defence of his kinsmen at a moment’s notice and to obey his chief without question” (Armstrong, 2007, p. 24). “The consolidation of *Murwah* codes and tribal solidarity led to blind crystallization of

²⁹ The English word *bedouin* comes from the Arabic *badawī*, which means "desert dweller" and is traditionally contrasted with *ḥāḍir*, the term for sedentary people. Bedouin, in this context, means the grouping of nomadic Arab peoples who have historically inhabited the desert regions in North Africa, the Arabian Peninsula, Iraq, and the Levant.

cultural practices which were at the beginning simply a part of survival techniques. This got inoculated to the pride of each tribe and the fights conducted for the resources gave way to the fights for pride and supremacy. The history of Hejaz at least for couple of centuries prior to the arrival of Prophet Muhammad was the history of perpetual conflicts and battles between tribes. Reasons for the fights varied from affection of a person towards the female of another tribe or a brawl started over the killing of a camel. Regardless of the intensity of the cause of the fight many of them lasted for years. The war of Basus between two cousin tribes (Thaghlib and Bakr) that started over the brawl of killing of a camel lasted for 40 years of sixth century is the best example of the severity of the situation in Hejaz.

Causes of the perpetual conflicts in Hejaz have been broadly categorised by the historians as three; extreme group solidarity in Arab tribes, scarcity of resources in the peninsula and egocentric corruption that caused moral disorder (Kirzali, 2011).

3.3.1 Tribal solidarity/ *Asabiyyah*

Asabiyyah refers to “social solidarity with an emphasis on unity, group consciousness and sense of shared purpose, and social cohesion originally in a context of tribalism and clanism” in pre-Islamic Arabia (Zuanna & Michilli, 2004). The origin of *Asabiyya* has been delineated by Karen Armstrong as “in the steppes, the tribe needed men who refused to be bowed down by circumstances and who had the confidence to pit themselves against overwhelming odds” (Armstrong, 2007, p. 27). With frequent inter-tribal fights coupled with the pride in one’s own *Muruwah*, the tribal solidarity began to be romanticised by the poets and that led to the fanning of anger stirred up by environmental and economic reasons. *Asabiyyah* must have been originated for the survival of tribes in the steppes but

later on it has become a kind of ultra-nationalistic feeling among the people that prevented them from thinking about any Arab virtue outside their tribe. Armstrong contends this as “*Asabiyyah* (tribal solidarity) encouraged bravery and selflessness, but only within the context of the tribe” (Armstrong, 2007, p. 25).

Pre-Islamic poets of Arabia had spent a considerable amount of time to praise their tribe and to ridicule the other to provoke them into a war. Many of those poems used to be recited in public near the Ka’ba³⁰ and hung on its walls. These poems that were hung on the Ka’ba were known as *Muallaqas*. Main themes of these *Muallaqas* used to be wine, women and war. Poets praised the charm and beauty of their loves, talked high about the drinks that helped them dream and sea the heavens and they were powerful articulators of the pride of their tribe and the war skill of their tribe men. The poet Zuahir ibn Abi Salama cried on top of his voice, it is not enough for “a warrior, fierce as lion, to strike back and chastise the enemy who has struck him with a blow he should rather attack first and become the aggressor when no one wrongs him” (Armstrong, 2007, p. 27). The boastful proclamation of tribal pride by A’mir bin kulthum is another illustrious account of how aggressive the tribal solidarity had become over time. Kulthum, in his *Muallaqa*, sang to the foes of Taghlib³¹ that

“they will meet more than their match in the field.
Well wot, when our tents rise along their valleys,
The men of every clan
That we give death to those who durst attempt us.
To friends what food we can;
That staunchly we maintain a cause we cherish,
Camp where we choose to ride,
Nor will we aught of peace, when we are angered,
Till we are satisfied.
We keep our vassals safe and sound, but rebels

³⁰ The black erupted building in Mecca that Muslims face in their daily prayers and circumambulate during pilgrimage.

³¹ One of the tribes in Hejaz who fought against the Bakr tribe in the notorious Baus war that lasted forty years.

*We soon bring to their knees;
 And if we reach a well, we drink pure water.
 Others the muddy lees.
 Ours is the earth and all thereon: when we strike.
 There needs no second blow;
 Kings lay before the new-weaned boy of Taghlib
 Their heads in homage low.
 We are called oppressors, being none, but shortly
 A true name shall it be!
 We have so filled the earth 'tis narrow for us.
 And with our ships the sea!*
 (Reynold A. Nicholson, 1907, p. 113)

As it has been yelled in this *Muallaqas*, many a times the *Asabiyyah* led to violent encounters that lasted decades due to a romanticised idea of blood revenge on the enemy at play. "Revenge was taken upon the murderer, or else upon one of his fellow tribes, but in some cases it was the beginning of a regular blood feud in which the entire kin of both parties were involved" (Reynold A. Nicholson, 1907, p. 93). Deep seated attachment towards personal tribe also entailed scornful disregard for outsiders. "The spirit of the clan demands boundless and unconditional loyalty to fellow clansmen, a passionate chauvinism, His allegiance, which is the individualism of the member magnified, assumes that his tribe is a unity by itself, self-sufficient and absolute, and regards every other tribe as its legitimate victim and object of plunder and murder" (Hitti, 1960, p. 15). A deadly indifference towards life outside one's group and belligerent engagement with them were the prevailing norms, with few obvious exceptions, until the second half of sixth century in Arabia. "Crimes committed against those outside the tribe were not only unpunished, they were not really crimes" (Aslan, 2005, p. 30). The deep emotional connexion to the group or excessive pride of one's own tribe brought to the fore the ambition, arrogance, greed and hedonism. Thus, more often than not, this used to stimulate violent conflicts.

3.3.2 Scarcity of resources

As the Bedouins were wandering in search of oases and grazing lands for their livestock tribal groups hostilely met each other in many instances. The fury of tribal pride and determination to take hold over the scarce resources of the desert put various tribes at odds with others. Non-judiciously distributed scarce resources caused competitions and any hurt to the sense of pride of one could break a long lasting fight in Hejaz. This situation prevailed more and more in the surroundings of Mecca as it was bereft of cultivating lands and sedentary tribes. The case of Yathrib³² was little different as it had cultivating lands and settled tribes engaged in agriculture, crafting, weapon making and trading centres.

Few scholars claim there existed a comparatively peaceful relation between the nomadic Bedouins and sedentary dwellers based on their assumption of economic interdependence. The sedentary tribes depended on the Bedouins for livestock like Camels, goat, for food and transport. While they relied on the nomads for animal related products like wool, tent materials, milk, etc the Bedouins received all that they needed from the cities ranging from clothes, spices, to ornaments and weapons in return (Donner, 1999 (2017)). Yet instances of conflict were not rare at all. “These relations might be peaceful, but, given the appalling poverty against which Arab communities had often to contend, there was a strong temptation to lay forcible hands on the (often very relative) wealth of those who were somewhat more fortunate. What ensued was a *ghazii*, a *ghazwa* (*razzia*, or raid), the rules of which were laid down by tradition. Wherever possible, goods were seized without loss of life. This was because manslaughter carried severe

³² The name of Medina until the arrival of Prophet Muhammad. Yathrib was one of the main centres of Hejaz during the late antiquity with plenty of cultivating lands and settled economy.

penalties according to the unwritten law of the desert” (Rodinson, 1971 (1985), p. 14). Precisely it was the competition over scarce resources that would have brought various tribes to fight with each other in the beginning and led to the development of cultural norms and social arrangements according to the economy and environment of the desert. However, the solidification of the cultural norms like *Muruwah* and *Asabiyyah*, later on, ignited violent conflicts at no time when two men of different tribes argued anything at each other, regardless of the weight of topic of dispute.

3.3.4 Egocentric corruption

Solidification of *Asabiyyah* and frequency of fights did not exhaust the Arabs in the steppes, rather it gave them more reasons to fight. Moral values of Arabia were relegated to the jurisdiction of one's own tribe. Virtues of compassion, hospitality, generosity etc. were practices endemically in tribes. Tribe had overgrown the humanity and its virtues in Hejaz. Questions of right or wrong were determined by the membership of a person in a tribe. People took sides not based on their conviction of truth but on their allegiance towards the men in dispute. Tribal loyalty surpassed regard for any other value vis-à-vis a person from another tribe. “Honour required that a man should stand by his own people through thick and thin.

“I am of Ghazirya: if she be in error, then I will err;
And if Ghazirya be guided right, I go right with her!”
(Reynold A. Nicholson, 1907, p. 84).

Tribal pride had transmuted into belligerence and ego in the minds of Arabs. In the Islamic tradition this state of affairs is known as *Jahiliyyah*; crudely translatable as belligerently foolishness. It is a term, in Islamic tradition, to mean a

blanket condemnation of pre-Islamic society. Scholars differ on their use of the term *Jahiliyyah*; general understanding of the term among the scholars is that it meant “pre-Islamic Arabia in its ignorance and disregard for divine precepts” (Qutub, 2006, p. 11). To put it straight way, it was not *Jahilliyyah* that inspired the conflicts but certainly it could have been a fertile soil, a kind of Hobbesian state of nature, for conflicts to spread fast. The competition for scarce resources and fights over the perceived supremacy of tribes were fuelled and sustained by the moral corruption of the time.

Having outlined the cultural context of Hejaz in the late antiquity, I shall proceed to the specific events of conflicts during the late 6th century and early 7th century, in two prominent cities of the province: Mecca and Medina. It was in the former that Prophet Muhammad was born and preached his religion for the first thirteen years of his Prophetic career and in the latter spent the last ten years of his life and established a political administrative unit under his authority. The focus of this study being the engagements of the Prophet in the inter-community conflicts of his time, the outline of such conflicts is needed. In what follows I shall delineate the short history of the two cities and point towards how the inter-community conflicts happened there.

3.4 Mecca: starting place of Islam and new conflicts

The city of Mecca has a significant location in Islam. It is to *Ka'ba*, the holy cubical structure, in the shrine of Masjid-ul-Haram³³ of the city that Muslims all over the world direct themselves in their daily prayers. It is the central part in

³³ Holy mosque, of Muslims, situated in Saudi Arabia. It is believed to have made the first mosque in the world by Muslims.

the Hajj³⁴ too. According to Islamic tradition the *Ka'aba* in the holly sanctuary was rejuvenated by Abraham, the Prophet and son Ishmael after it collapsed in the great flood during the time of Noah³⁵. The biblical patriarch Abraham and son Ishmael are believed to be the ascendants of the Arabs in which the inhabitants of Mecca are included. Twelve son of Ishmael namely Nabet, Qidar, Edbael, Mebsham, Mishna, Duma, Michah, Hudud, Yetma, Yetour, Nafis and Qidman formed twelve tribes inhabiting in Mecca and engaged on trade between Yemen, geographical Syria and Egypt. Only the descendants of Nabet and Qidar survived in the city. Nabeteans: the tribes of Nabet are believed to have settled in the north of Hejaz. They were dismantled by the Roman expediency. There exist a view among some historians and genealogists that the Ghazzanids kings, who were the descendants of Azd tribe from Yemen and settled in Levant around 3rd century, Aws and Khazraj tribes, who were again descendants of Azd tribe but these two were from Tha'labah bin 'Amr and had settled in Yathrib, were not Qahtanis, pure Arabs, but rather the descendants of Nabet the Son of Ishmael. Qidar another survived son of Ishmael had a son called Adnan who is considered as the 21st grand father in the series of the Prophetic ancestry. Nizar the only son of Ma'ad son of Adnan had 4 children who branched out into four great tribes in Mecca. Eyad, Anamr, Rabi'ah

³⁴ Hajj is one of the five pillars of Islam. It is a mandatory pilgrimage made at least once in life by a Muslims who is capable of bearing the expenses of it after meeting what is needed for the survival of himself and his dependants and fit to do so with his/her health.

³⁵ "We made the House a resort and a sanctuary for people, saying, 'Take the spot where Anraham stood as your place of prayer.' We commanded Abraham and Ishmael: 'Purify My House for those who walk round it, those who stay there, and those who bow and prostrate themselves in worship. Abraham said, 'My Lord, make this land secure and provide with produce those of its people who believe in God and the Last Day.' God said, 'As for those who disbelieve, I will grant them enjoyment for a short while and then subject them to the torment of the Fire-an evil destination". Quran; 2:125-127 Haleem, M. A. (2016). *The Qura'n A new translation*. Oxford: Oxford University Press. Pp 15

and Mudar. From Mudar came Qais Ailan bin Mudar and they were succeeded by Banu Sulaim, Banu Hawazin and Banu Ghatfan tribes. Elias another son of Mudar was the ancestor of Tamim bin Murrah, Hudhail bin Mudrikah, Banu Asad bin Khuzaima Kinanh bin Khuzaimah tribes. From Kinanah bin Khuzaimah came the tribe Quraysh. Qusayy bin Kilab of the Quraysh had two sons, Abd-al-dar bin Qusayy and Abd-Manaf bin Qusayy. The tribe of Abd-Manaf was sub branched into four clans Banu Abd-Shams, Banu-Nawfal, Banu-Muthalib and Banu-Hashim. Abdu-Manaf the son of Hashim gave birth to Shaybah, who later known as Abd-al-Muthalib. Abdullah the son of Abdul Muthalib was the father to whom Prophet Muhammad born in Mecca (Al-Mubarakpuri, 2008, pp. 63,64).The picture of Arab tribes in an around Mecca is summarised in the following narration of Prophet Muhammad himself in the following *Hadith*³⁶ “Wathila b. al-Asqa' reported: I heard Allah's Messenger (ﷺ) as saying: Verily Allah granted eminence to Kinana from amongst the descendants of Isma'il, and he granted eminence to the Quraish amongst Kinana, and he granted eminence to Banu Hashim amongst the Quraish, and he granted me eminence from the tribe of Banu Hashim”³⁷.

3.5 Medina: the new abode with old conflicts

Earlier known as Yathrib, Medina is a city in the Hejaz. Geographically it is situated north of Mecca and 190 kilometres away from the Red Sea. By the fourth century, Arab tribes started to migrate from Yemen, and there were three prominent Jewish tribes that inhabited the city into the 7th century AD: the Banu Qaynuqa, the Banu Qurayza, and Banu Nadir. The Banu Qurayza is believed to have served as tax collectors for the Persian

³⁶ A *Hadith* is one of various reports describing the words, actions, or habits of the Islamic Prophet Muhammad. The term comes from the Arabic language and means a "report", "account" or "narrative".

³⁷ Recorded by Muslim from Wathila b. al-Asqa' in the Chapter of the Virtue of the lineage of the Prophet 2/245.

Shah during the Persian domination. With the arrival of Banu Aws and Banu Khazraj, the descendants of Tha'labah bin 'Amr of Azd tribe the supremacy of Jews in Medina began to depreciate (Al-Mubarakpuri, 2008, pp. 222-224). In the beginning these tribes were allies of the Jewish tribes however, they later emerged independent. Eventually towards the end of the 5th century the Banu Aws and Banu Khazraj got the control of the city from the hands of the Jewish tribes. Jewish Encyclopaedia records "By calling in outside assistance and treacherously massacring at a banquet the principal Jews, these Arab clans finally gained the upper hand at Medina toward the end of the fifth century. From this time the Jews retired into the background for about a century" (Montgomery, 1904, p. 422). Later on the Jewish tribes became clients of the Banu Aws and Ban Khazraj. Though the Jewish tribes lost their supremacy to Banu Aws and Banu Khazraj and the latter two came to prominence in the city, their interaction was not peaceful throughout the history. Hostility started growing between the two Arab tribes and it grew to the extent that they ended up fighting each other for around 120 years. Banu Nadir and the Banu Qurayza were allies of the Aws, while the Banu Qaynuqa were with the Khazraj. The last and bloody battle between the Aws and Khazraj was the Battle of Bu'ath that was fought a few years before the arrival of Muhammad (Lecker, 2011).

3.6 Birth of Islam and new twists in the conflicts

Until the emergence of Islam the conflicts in Mecca and Medina were on the line of tribal solidarity and pride. However the proclamation of a new faith by Muhammad the son of Abdullah of Hashimi clan of Quraysh tribe turned things around. Though the inter-tribal enmity persisted, the declaration of a new faith that disregards the traditional tribal gods and worshipping the idols was good enough to bring a kind of unity among hitherto fighting tribes against a new common enemy. Muhammad experienced the revelation from god when he was meditating in the cave Hira of mount Jabal annur. He was forty years old

when he received the first revelation. Afterwards he preached the new faith for 13 years in Mecca and the rest of 10 years of his life in Medina (Lings, 2006, p. 44).

The Arabs found the teachings of Muhammad very disturbing as the core of his belief was totally unacceptable for them. They could not have digested a new sermon which declared their old deities not worthy of anything let alone worshipping them³⁸. They could not have afforded to think of leaving their lords and deities behind to worship a shapeless, formless God alone. Moreover, the teachings of the new religion rejected many of the traditional practices of Arabia. It brought regulations on the marriage relations, unheeded tribal norms and pride, it asked them to be kind towards the weak irrespective of their clan or tribe. It urged them to raise voice against people of their own tribes when they wronged. All these could have contributed to the culmination of a sense of threat for the existing religious and socio cultural system of their land. Most of the historians have pointed out that the introduction of monotheism and dismantling of tribal associations and values were at the root of pagans' hatred towards the new religion brought about by Muhammad who had been beloved and trustworthy to each of them until the reach of this new message. However, Reza Aslan (2005) has contested the argument of introduction of monotheism being the root cause of animosity of the Arabs towards Muslims. According to him Arabs were aware of Monotheism and formless God

³⁸ "Yet the disbelievers take as their gods things beneath Him that create nothing, and are themselves created, that can neither harm nor help themselves, and have no control over death, life, or resurrection" Quran 25:3, translation in Haleem, M. A. (2016). *The Quran A new translation*. Oxford: Oxford University Press. Pp 227

through their interactions with the Sassanid Empire of Persia and Roman Empire. What would have turned the Arabs against Muhammad and his followers, according to Aslan, is that the new religion relegated the existing tribal norms and as they were very few believers in the beginning with Muhammad he made them marry each other. A marriage without any regard for the existing tribal norms would be strong enough to rip to pieces the socio-political formations of the then Arabia (Aslan, 2005, pp. 44,45).

Muhammad preached his religion in secret for the first three years and started teaching the faith in open from the fourth year of revelation. From then onwards the pagans of Mecca started opposing the new faith in various ways. In the beginning the opposition to Islam was in the form of spreading distorted versions of what Muhammad had taught. In doing so they must have expected to stop people from accepting the new faith. The Quran has mentioned such distortions in few places:

“And those who disbelieve say, "The disbelievers say, ‘This can only be a lie he has forged with the help of others’-they themselves have done great wrong and told lies”. (Haleem, 2016)³⁹

And “We know very well that they say, ‘It is a man who teaches him,’ but the tongue of the person they maliciously allude to is in capable of expression, which this revelation is in clear Arabic” (Haleem, 2016, p. 173). Quran 16:103 refers to the attempt of distortions made by the pagans.

Along with distorting the teachings of the Prophet some of the Arabs were ‘degrading, ridiculing and taunting’ the Prophet to get him give up his mission. The Quran mentions this in the following verses.

³⁹ Quran 25: 4, Haleem, M. A. (2016). *The Qura'n A new translation*. Oxford: Oxford University Press. Pp 227

“They say, ‘Receiver of this Qur’an! You are definitely mad’”. (Haleem, 2016, p. 162)⁴⁰

“The disbelievers think it strange that a Prophet for their own people has come to warn them: they say, ‘He is just a lying sorcerer’”. (Haleem, 2016, p. 290)⁴¹

“The disbelievers almost strike down with their looks when they hear the Qur’an. They say, ‘He must be mad!’ ”. (Haleem, 2016, p. 386)⁴²

“The wicked used to laugh at the believers-they would wink at one another when the believers passed by them, joke about them when they got back to own people and say, when they saw them, ‘These people are truly misguided,’ ”. (Haleem, 2016, p. 413-414)⁴³

What to follow the verbal abuse and allegations were the physical torture and persecutions. Mus’ab bin Umair one of the early convert from a wealthy family was put to starvation and later he was expelled from his family. Bilal the slave of Umaiyah bin Khlaf was severely beaten by his master. He was dragged through the street and was subjected to prolonged deprivation of food and drink. Had it not been for the intervention of Abu Bakr’s, another companion of Muhammad, empathy, as he purchased Bilal from his master and set him free, Bilal would not have survived the tortures. Summayah the mother of Ammar bin Yasir was killed, after prolonged torture in the burning desert, by Abul Hakam⁴⁴ and became the first woman martyr in Islam (Al-Mubarakpuri, 2008, pp. 107-108).

⁴⁰ Quran 15:6, Haleem, M. A. (2016). *The Qura’n A new translation*. Oxford: Oxford University Press. Pp 162

⁴¹ Quran 38:4, Haleem, M. A. (2016). *The Qura’n A new translation*. Oxford: Oxford University Press. Pp 290

⁴² Quran 68:51, Haleem, M. A. (2016). *The Qura’n A new translation*. Oxford: Oxford University Press. Pp 386

⁴³ Quran 83:29-32, Haleem, M. A. (2016). *The Qura’n A new translation*. Oxford: Oxford University Press. Pp 413-414

⁴⁴ Who is known as Abu Jahal the greatest enemy of Prophet in the early days of Islam until his death in the Battle of Badr.

As Prophet was from one of the respected clan of a powerful tribe in Mecca, no Arab would dare to attack him directly for the tribal *Asabiyyah* still prevailed in Hejaz with adequate command. Nonetheless there were people from Muhammad's own tribe who dared to raise voice against him. Abu Lahab a paternal uncle of Muhammad and his wife were the forerunners of torturing Muhammad and companions. Abu Lahab insisted to his two sons that they divorce their wives Ruqaiyyah and Ummu Kulthum, who were daughters of Muhammad. He also called the Prophet 'the man who cut off with off spring' when the second son of Prophet too was died. It was in his context that the Surat Kawthar⁴⁵ revealed to Muhammad. Once when the Prophet was worshipping the God near Ka'ba rotten womb of a camel was placed on his back while he was in prostration (Al-Mubarakpuri, 2008, pp. 112-114)⁴⁶.

3.7 In search of new abodes: migration to Abyssinia

As the persecution touched its limit and when the Prophet felt that his companions are exhausted, he sent them to Abyssinia, to the other side of the Red Sea in the Fifth year of revelation. There were 12 men and 4 women in the group of emigrants. They were given asylum in Abyssinia by the king Ashamah who held the title of Negus the King of Abyssinia. Following some misinformation that peace had brought in Mecca some of the emigrants came back only to witness the grave situation of believers remaining unchanged. In

⁴⁵ 108th chapter of Quran that reads "We have truly given abundance to you [Prophet]-so pray to your Lord and make your sacrifices to Him alone-it is the one who hates you who has been cut off". Haleem, M. A. (2016). *The Qura'n A new translation*. Oxford: Oxford University Press. Pp 440

⁴⁶ This incident is quoted from Sahih al Bukhari, Book of Ablution; chapter 'When dead body or polluted thing touches the praying person'.

the Following year a group of eighty three men and eighteen or nineteen women set out for Abyssinia. They were welcomed and given protection in the kingdom. Quraysh and allies followed the Muslims to Abyssinia and tried to get the King kick out the refugees. Quraysh had to go back to Mecca without achieving what they had crossed the sea for (Al-Mubarakpuri, 2008, pp. 118-120).

3.8 Boycott of Banu Hashim and Muttalib

More than the perseverance of the Prophet and the Muslims the support Muhammad got from his clan bothered Quraysh the most. Banu Hashim and Banu Muthalib were keen to make sure that none of the scuffle and brawl did physically harm Muhammad. A declaration of general boycott barring all from engaging in any business or marriage relations with the members of Banu Hashim and Banu Muttalib. Social relations with them, visiting any of them or even any verbal contact with them was declared. This boycott lasted for three years, from seventh year of preaching to the tenth year, and the sanctioned clans were confined to Shu'ab Abi thalib. They were deprived of food, water, cloth and all that was needed for the survival except in case someone smuggled those for them. Abu Lahab and family were exempted from the ban as he was the spear runner of atrocities against Muhammad and companions (Lings, 2006, pp. 90-94).

3.9 Aqabah: onset of a new journey

During the annual pilgrimage people used to come to Mecca from all around Arabia and ever since the preaching in open started Muhammad used to call people from outside Mecca during the pilgrimage. In the eleventh year of preaching Muhammad got to engage with some people from Medina. Seven pilgrims from Medina responded to the call of Prophet and proclaimed their faith

in what Muhammad had brought. They were Asab bin Zurarah, Awf bin Harith, Rafi' bin Malik, Qutab bin 'Amir, Uqbah bin 'Amir, and Jabir bin Abdullah. This incident would, later, have profound impact on the trajectory of the journey of Islam and its Prophet. Those first Muslims from Medina would, in the next year, bring seven more people along with them, except Jabir bin Abdullah, to make a pledge with Muhammad at midnight, hiding themselves from the Meccan enemies. Subsequent conversation that Prophet had with those twelve member group was basically was reflection of the Medians on the prevailing situation of their land. They were tired of long lasting tribal fights between the Aws and Khazraj with the Jews of Medina joining either of the sides. They were in search of peace that seemed elusive for such a long time. The last fight they had, or still in happening as they met Muhammad in Mecca, was of 120 years (Al-Mubarakpuri, 2008, pp. 186-193). These twelve men representing most of the prominent Arab tribes⁴⁷ of the city invited Muhammad to arbitrate and profess his religion freely and under their protection. Albert Hourani puts it as “they belonged to two tribes and needed an arbiter in tribal disputes; having lived side by side with Jewish inhabitants of the oasis, they were prepared to accept a teaching expressed in terms of a Prophet and a holy book” (Hourani, 1991).

3.10 Expatriation: from the land of persecution to a new horizon

Having survived the persecutions of thirteen years, the Prophet Muhammad decided to leave his native city which was so beloved to him. Followed by the news of a plot by the enemies to assassinate him, Muhammad

⁴⁷ Abul Haritha bin Tainhan and Uwaim bin Saidah were from Aws and the rest of five who joined in the second year were from Khazraj.

and Abu Bakr left the city at midnight hour under obscurity. This incident that happened in 622 AD is known as the Hijra. The intolerably miserable conditions in Mecca and Invitation of seventy-five men, after the second pledge of Aqaba, “to make Yathrib (al-Medinah) his home, hoping thereby to secure a means for reconciling the hostile Aws and Khazraj” were the chief factors that drove Muhammad out of his birth place and beloved city. Before setting out to Medina Muhammad had “allowed two hundred followers to elude the vigilance of the Quraysh and slip quietly into Al-Medinah” (Hitti, 1970, p. 26). Many of the Muslims had nothing but their life in hand when they left for Medina as their tribes and the general public in Mecca where blatantly opposed to their belief hence their escape from the city. Those Muslims who fled Mecca would later be called Muhajirs; those who travelled and the Muslims in Medina who hosted the refugees with hospitality, honour, and kindness would be called Ansars; the helpers.

3.11 Badr to Hunain: battles Prophet participated

Contrary to the hope of Muslims, the Quraysh followed the expatriates in Medina too. There were series of wars between Muslims and the Quraysh and their allies in the years to follow the Hijra. Prophet Muhammad himself led the Muslim camp in the battls of Badr, Uhd, Khandaq (trench), Khaibar, Mootah, Tabuk and Hunain. Muslims had victory over the enemies in all of the battles except that they faced powerful blow and were pushed to the back foot in Uhd and Huanin. Around thousand lives were taken in all the military encounters between Muslims and enemies. Prophet himself had engaged in seven battles and the rest were led by his appointees (Nydell, 2012, p. 124).

Apart from the battles and ghazu expeditions⁴⁸, Muslims had to face some treacheries from the tribes who were aligned with or inclined towards the Quraysh of Mecca. The tragedy at the well of Mua'nah is a painful episode. Abu-Bara 'Amir Bin Malik once came to Prophet and requested the Prophet to send some men of knowledge to teach the lessons of Islam to the people of Najd. The Prophet send men, forty according to Ibn Ishaq and Seventy in Sahih Bukhari's account, with Abu Bara but when they were attacked near the well of Mau'na by men of Banu A'mir and contrary to his assurance to the Prophet Abu-Bara did not protect the Muslims instead he joined the attackers. All seventy/forty of them were massacred that put the Prophet under immense pain (Al-Mubarakpuri, 2008, pp. 352-353).

3.12 People of book as well as differences: Muslim and Jews in Medina

Prophet was invited to Medina to act as the arbiter between the Aws and Kahazraj tribes to find solution for their long standing conflicts. Immediately after his arrival at Medina the Prophet concluded a treaty with the Aws and Khazraj tribes and the rest of the Muhajirs and Ansar, the travellers and helpers, declaring all of them to be one Ummah, a single community of the believers. This covenant later went on to be called as the constitution of Medina. Prophet also realised the need to include all the existing groups in the city into the covenant to ensure the security and prosperity of all in general and Muslims and Islam in particular. The Jews, Muslims, other non-Muslim tribes and their allies were included in the covenant and the provisions of the charter declare all the members of one Ummah, a united community.

⁴⁸ Conventional Arabian raids in which people plundered the caravans for resources and in which shedding of blood was prohibited.

The document was divided into two parts; the first parts purporting the regulation of the relations among Muslims; the refugees and helpers as well as the non-Muslim Arabs. Second part was about the role right and responsibilities of both the Jews and Muslims in their relations. “In both of them one sentence has been repeated, to the effect that the last court of appeal will be the Holy Prophet himself” (Hamidullah, 1975, p. 13).

The constitution of Medina sew a city-state in Medina with people of multiple identities to the members of the same unit⁴⁹. Their status was neither citizens in its modern sense because Medina was not a liberal democratic country with universal adult franchise and law making bodies elected by the people in stipulated intervals. However there was provision in the new constitution for the autonomy of each group in their religious and internal affairs. It was based on the principle of non-intervention and mutual respect. The general instructions were related to the security of the state. In that case everybody had to come together in the defence of the city⁵⁰. No group was expected or allowed to help the enemy of any of the partner of the covenant. In a sense Prophet Muhammad established a political community including Jews, idolaters and Muslims. Religious arena of various groups was passed on to each of them. Decisions regarding the ransom, blood money, blasphemy, marriage etc. were taken based on the religious practices and scriptures of each group.

⁴⁹ For example the article 25 of the Constitution of Medina reads; “And the Jews of *Banu ‘Awf* shall be considered as one political community (*Ummat*) along with the believers—for the Jews their religion, and for the Muslims theirs, be one client or patron. He, however, who is guilty of oppression or breach of treaty, shall suffer the resultant trouble as also his family, but no one besides”.

⁵⁰ Article 24 reads; “And the Jews shall share with the believers the expenses of war so long as they fight in conjunction”.

Though there has been many attempts at unity and peaceful co-existence from the part of the Prophet the relation between main Jewish tribes and Muslims was not tranquil. There were despite the Muslims and the Jews being people of books and descendants of same Prophets in the history, there were strong differences among them that often led to hostile encounters. The reason at the root for these animosity has been political rather than theological. Martin Lings describes the same as follows “whereas the Arabs were in favour of the man, the Jews were in favour of the message but against the man” (Lings, 2006, p. 59).

In an incident some of the members of Banu-Nadir made a treachery to assassinate the Prophet. When he went to the Banu-Nadir to ask their contribution towards the blood he had to pay to Banu Kalb for the two men ‘Amir Bin Umaiyah-al Damiri had killed by mistake, Amr bin Jahash of Banu-Nadir came forward to put a huge milestone upon the Prophet and companions who were sitting near to the wall. When their plot was exposed the Prophet gave them ultimatum to leave the city with all their possession for they had breached the covenant between themselves and the Muslims. Upon the assurance of Abdullah bin Ubai, one of the hypocrites among the Muslims, to support in fight against the Prophet and Muslims, Huyay bin Akhtab the leader of the tribe decided to not vacate the city. When the Muslims surrounded the forts of Banu-Nadir after the ultimatum, neither Abdullah bin Ubay nor his supports from the Ghassan tribe came to help the Jews hence they had to leave the city with whatever they could carry along with them. The orchards and houses the Banu-Nadir left behind were divided among the Muhajirun, those who travelled from Mecca to take refuge in Medina (Lings, 2006, p. 211).

During the battle of trench Banu Qurayza, a prominent Jewish tribe, breached the covenant and helped the Quraysh. Taking offense from such an action that could have proved dangerous for the city of Medina in general and Muslims in particular. Prophet and companions besieged the habitat of Banu-Qurayza and after the confinement of the Jews for several days Sa'd bin Mua'dh from Banu-Aws, who were the allies of Banu Qurayza, was appointed as the arbiter to decide as to what was to be done in the case. Sa'd declared that the adult men of the tribe be killed, women and children be kept under custody and the wealth be captured. According to mainstream narrations more than 600 men of Qurayza were beheaded.

Twenty three years of preaching was immensely painstaking for the Prophet Muhammad and companions as they had to witness persecutions of various kinds. Having suffered all the tortures for thirteen years in Mecca they immigrated to Medina. When haunted by the Quraysh even in exile, Muslims engaged in many wars with them. All these mark series of conflicts during the life time of the Prophet. From Mecca he was actually invited to Medina to arbitrate the fights between Aws and Khazraj tribes. Amidst of all these conflicts, violence and persecutions, arguably Prophet Muhammad emerged in settling many of the long standing conflicts of his time. Reconciling those conflicts were certainly a big challenge, especially the conflicts were too complicated and they involved multiple actors with different interests and stakes. Responses of the Prophet to the conflicts and the methods of dealing with them makes a valid topic of deliberation.

Chapter IV

Prophet Muhammad in action: understanding the ethics and methods of engaging with inter-community conflicts

Prophet Muhammad was born into the environment of inter-tribal conflicts that often started for trivial reasons and lasted for years. In his youth he would retire himself, at times, from the public to take refuge in solitude as he was not so pleased with the environment of anger, hatred and grief of Mecca. More than staying away from the wrestles he participated actively in resolving the issues as much as he could. He was ready to dispose whatever was in his power to end fights. His participation in *Hilf-ul Fulul*; confederacy of the virtuous⁵¹, when he was young reveals his commitment towards peace and tranquillity. A famous member of the clan of Sahm had bought some goods from a Yemeni merchant from Zabid. Having taken hold over the good the Meccan, from the clan of Sahm, refused to pay upon what the deal was agreed. The man of Sahm had the conviction that the merchant had no confederate in Mecca to help him get what he deserved. However the merchant with a strong resolve to not let the issue go off approached the Quraysh to get justice done (Lings, 2006, p. 32). Prophet Muhammad had registered his place in the confederacy of those who felt that they should help the merchant (Al-Mubarakpuri, 2008, p. 77). In another incident a skilfully strategic intervention of Muhammad stopped a catastrophic fight which was imminent in Mecca. The rejuvenation of Ka'aba was in progress with participation of all the tribes. The work proceeded

⁵¹A confederacy of leaders was formed to ensure justice was done to a Yemeni merchant by making the member of the tribe sahm pay what he owed to the merchant.

smoothly until the issue of fixing the Black Stone⁵² in its proper place raised to the fore. As men from each tribe claimed their eligibility to fix the Black stone and were not ready to give the opportunity to anybody else, another fight among the tribes of Mecca was looming forth. There seemed no amicable solution to the problem as everybody had taken the issue to be the prestige of their tribe. As it has been reported, after few days of brawl fortunately all of them agreed to consult the first person to come to the holy sanctuary henceforth. To the delight of every one it was Muhammad to enter the sanctuary ever since they had reached the agreement. Upon hearing the issue he took himself the responsibility to solve the issue wisely. He asked for a towel to be spread and the Black Stone placed over it. Representatives of each tribe present were asked to joint their hands on the edge of the towel to raise it to the level where the Black Stone had to be fixed and Muhammad put it in its place with his own hands (Al-Mubarakpuri, 2008, pp. 79,80) . It was a bloodshed that Muhammad stopped with this seemingly insignificant action. In his youth Muhammad was loved, cared and respected by people around him but once he started preaching a new religion against the worship of all the traditional gods of Mecca he became their enemy. Having faced countless maltreatments and persecutions he fled his birthplace to Medina. In Medina he was an arbiter between two rival tribes who had been fighting for more than a century. Muhammad's visionary actions brought the long lasted tribal conflict between the Aw and Khazraj. Nonetheless there were many battle fought between the Quraysh and the Muslims but

⁵² Black Stone is a small piece of stone on one of the walls of Ka'ba which is believed to have been brought from the Heaven by Angels. Believers touch, face or kiss it with reverence during their circumambulation of Ka'aba.

eventually towards the end of his life the conflicts were settled down and the society was reconciled.

4.1 Responding to the persecutors after victory over them

“When the army had passed, Abu Sufyan went back to Mecca with all speed and standing outside his house he shouted at the top of his voice to a quickly gathering crowd: “O men of Quraysh, Muhammad is here with a force ye cannot resist. Muhammad is here with ten thousand men of steel. And he hath granted me that whoso entereth my house shall be safe.” Hind⁵³ now came out of the house and seized her husband by his moustaches. “Slay this greasy good-for-nothing bladder of man,” she cried. “Thou miserable protector of a people!” “Woe betide you.” He shouted, “Let not this woman deceive you against your better judgement, for there hath come unto you that which ye cannot resist. But whoso entereth the house of Abu Sufyan shall be safe.” “God slay thee!” they said. “What good is thy house for all our members?” “And whoso locketh upon himself his door shall be safe,” he answered, “and whoso entereth the Mosque shall be safe,” whereupon the crowd that had gathered dispersed, some to their houses and some to the Mosque”. (Lings, 2006, p. 311)

Looking at the groups of people who had taken refuge inside the Masjid Prophet Muhammad asked: “What say ye, and what think ye?” They answered: “We say well, and we think well: a noble and generous brother, son of a noble and generous brother. It is thine to command.” He then spoke to them in the words of forgiveness that, according to the Revelation, Joseph spoke to his brothers when they came to him in Egypt: “Verily I say as my Brother Joseph Said: This day there shall be no upbraiding of you nor reproach. God forgiveth you, and He is the most Merciful of the Merciful”. (Lings, 2006, p. 314)

Prophet Muhammad asked for Utbah and Ma'ttib sons of Abu Lahab, who was at the forefront to persecute him and Muslims. Uthbah had repudiated Ruqayah the daughter of Prophet Muhammad under the pressure from Abu Lahab and seemingly they were scared to show their face to the victorious Prophet. They were brought in front of the Prophet upon his command to Abbas to do so. Having entered Islam both of them were taken by hand by the Prophet

⁵³ Wife of Abu Sufyan

and he walked in between them. When remarked about the joy in the face of the Prophet at those moments he would answer: “I asked my Lord to give me these two sons of mine uncle, and He hath given me them” (Lings, 2006, p. 315).

These three incidents on the day of the Conquest of Mecca summarise the response of Prophet Muhammad to the Quraysh of Mecca. After all that they did to the Muslims they were given amnesty and assured safety. Persecutions in the homeland, exoduses to Absynia and Medina, continues fights for the following nine years, treacherous attacks on Medina with help of neighbouring tribes all that were forgiven on that day. Mecca had become peaceful so much so that there would not be any single opposition from any of the non-believing man towards Muslims when they would come for the farewell pilgrimage of Prophet in the following year. Those who embraced Islam were welcomed to the faith without any reluctance. Those who chose to remain steadfast on their traditional faith were allowed to do so. This act of granting amnesty on the moment of irresistible strength and unquestionable authority manifests the commitment of Prophet to peace and reconciliation.

4.2 Getting the victims forgive their enemies: religious impetus and conception of the life

Whenever forgiveness is discussed in relation with reconciliation, the first question to arise is about the modalities of getting the former people forgive the oppressors. Colleen Murphy’s objection to conceptualising of reconciliation as forgiveness is also based on the willingness of the victims. As she points out if the victims have any reasonable objections to the provision of the reconciliatory project and the state goes on to assert the same on the society it becomes anything but reconciliation (Murphy, 2010, p. 13). The role of religion

and authority of a Prophet in making people forgive their enemies is profound and often underestimated by the secular intelligentsia. By way of providing a hope in fruitful and ecstatic life hereafter in return for the compassion and mercifulness that man shows towards his fellows; both friend and enemy, religion and Prophet can get people forgive their enemies without much difficulty. The religious conception of life in the world also help in making people compromise on the world affairs for the sake of something greater. The triviality and limited nature of this world, in the eyes of religion, and belief and hope in an everlasting life in the hereafter gives a strong impetus for the people to let go the anger, and vengeance. The Prophet and companions had been facing all the difficulties for their choosing of a belief and it would not have been so much difficult for them to forgive their enemies if it was again the command of their lord and Messenger. To invoke Webber, the charismatic authority of a Prophet can do magic with the mind of people. It can invoke the strength in them at times when they are the most vulnerable and it can invoke the calmness at times of trembling anger. The gift of religion and Prophetic authority is such that their offers are accepted by the followers instantaneously, for they believe in religion and in the Prophet. Obedience flowing from belief has the capacity to surpass the individual grief or vengeance. The hope of reward from lord for forsaking those who wringed was the main catalyst in keeping the cool of ten thousand victorious soldiers on the day of conquest of Mecca. To respond in affirmation to the call of the God: "Let the harm be requited by an equal harm, though anyone who forgives and puts things right will have his reward from

God Himself-He does not like those who do wrong”⁵⁴ and to forgive their enemies were not so difficult a task for them because they had suffered all that they did only for the sake of Allah.

4.3 Politics of piety⁵⁵: patience and sacrifices in seeking reconciliation

Forgiving the enemy after his surrender might be possible even without a religious impetus as it provides a high moral ground for the one who forsakes. Contrary to this there could be incidents where equally zealous groups confronting each other. Avoiding an actual fight at such situation calls for sacrifices from at least one of the parties, if not from both. Patience and sacrifices for peaceful settlement of disagreements and avoiding violence are often undervalued and those who stand for it are ridiculed for being weak and fearful of the enemy. But Gandhi would tell: “Believe me that a man devoid of courage and manhood can never be a passive resister” (Gandhi, 1989). At times agreeing to the conditions of the enemy to avoid a bloodshed could be prudent action even when it look like succumbing to the strength of the enemy. More often than not one tend to forget that stopping the enemy from spilling the drop of blood itself is the victory. One get to see such incidents more than once in the life of Prophet Muhammad and the most important and illustrious among them is what follows. Here reconciliation acquires an instrumental meaning. Patience and sacrifices becomes tools for reconciliation. Though reconciliation may appear to be the end accomplished through the means of patience and sacrifice, for a system of belief based on divine principles it, the end; reconciliation,

⁵⁴ Quran 42:40 Haleem, M. A. (2016). *The Qura'n A new translation*. Oxford: Oxford University Press.Pp 314

⁵⁵ The first part of this subtitle is inspired by and adopted from the Magnum opus of Saba Mahmud: *Politics of Piety the Islamic Revival and the Feminist Subject*.

means something else. A believer is reconciling through patience, sacrifice and forgiving not just for the sake of reconciliation and an eternally peaceful life in this world but for the '*murafaqah*' (*intimate proximity*) of his/her God in the life here after.

4.4 Incident of Hudaibiyyah

The incident of Hudaibiyyah reveals the story of patience, sacrifices and committed and continued dialogue. On the 6th year of Hijra Prophet set out for Umrah, the lessor and voluntary pilgrimage. He was accompanied by thousand and four hundred companions. They all left Medina unarmed, except the traditional sword the Arabs carry with them during travel. When the Quraysh heard the march of Muhammad and companions to Mecca, they anticipated, not a true anticipation though, an attack and set Khlid bin Alwalid and his contingency near the entrance of the holly city, exactly at a place called Al Ghamim to stop the Muslims. Upon hearing the incident and sign from his camel Qaswa, Prophet Muhammad stopped at Hudaibiyya. Afterwards there were many emissaries sent back and forth to communicate the intentions of each sides to the other. Budail bin Waraqa Al-Khuzai was the first one to go from the side of Muslims. He himself was not a Muslim but a wise man who did not want any fight to happen in the holly city. Prophet told him "We have not come to fight anyone, but to perform the Umra. No doubt, the war has weakened the Quraysh and they have suffered great losses, so if they wish, I will conclude a truce with them." After Budail explained the Quraysh what Muhammad had told him Urwa bin Masud was sent from the Qurayshi side. After Urwa a man from Bani Kinanah was sent to the Muslims and he was welcomed by the Muslims with a splendorous sight of sacrificial animals and he told the Quraysh "I saw the

Budn⁵⁶ garlanded with coloured knotted ropes) and marked (with stabs on their backs). I do not think it is advisable to prevent them from visiting Ka'aba. Afterwards Suhail bin Amr came followed by Mikraz bin Hafs. There was a truce written between Suhail bin Amr and Muhammad. At the beginning of the treaty Muhammad asked his scribe Ali ibn Abi Thalib to write 'By the Name of Allah the Most Gracious and the Most Merciful' to which Suhail replied "As for gracious, I do not know what it means. So write by your name Allah⁵⁷." Then the Prophet said "Write By Your Name O Allah" "This is the peace treaty which Muhammad, the messenger of Allah has concluded." Suhail replied "By Allah, if we knew that you are Allah's Messenger we would not prevent you from visiting the Ka'abah. So. Write: "Muhammad bin Abdullah" when Ali bin Abi Thalib refused to delete the title of Muhammad, the Messenger of Allah, Prophet himself rubbed it off and said "By Allah! I am Messenger of Allah even if you people do not believe me" and Asked Ali to write "Muhammad bin Abdullah. After wards Suhail told Muslims will not be allowed to perform the *Umrah* this year but will be allowed to do it in the coming year. They also stipulated that anyone who leaves without the permission of their tribe Mecca to join Medina, having embraced Islam, should be returned, however no one from Medina, if he/she wished and gone to Mecca would not be returned. Before this condition was written down Abu Jandal the son of Suhail bin Amr reached the Muslim camp. He had escaped from the custody of his father and had markings and wounds of torture on his body. Suhail insisted that Abu Jandal was the first man on whom the condition would apply. He was not ready to accept any pleading

⁵⁶ Sacrificial animals garlanded with knotted ropes

⁵⁷ Even the Quraysh called their higher god Allah.

from the Prophet's side and contrary to his own and all the companions' expectations Abu Jandal was returned to the Quraysh. The truce forbade war between Quraysh and Muslims for ten years (Bukhari, 1997, p. 308).

This illustrious incident of a peace treaty is revealing in many sense. The prudence of Prophet Muhammad as a leader stands out in this event. Although the number of Muslims was good enough to give them the confidence to fight any contingent and they had taken resolve to fight till the end upon hearing the rumour of the killing of Uthman bin Affan⁵⁸, the Prophet must have been thoughtful about the following facts. First of all Muslims had reached *Hudaibiyyah* after the journey of fourteen days of travel through the desert taking difficult and unfamiliar ways⁵⁹.a fight with fresh and energetic Quraysh near to their own den could have proved fatal. Secondly, since Muslims had set out for *Umra*, in *ihram*⁶⁰ and they were advised to not to carry any weapon or armouries. Even hunting was forbidden for them, as it is true for any pilgrim for Hajj or Umra even today. All that they carried with them was a sword for the purposes of their cattle and defending from wild animals of the desert. To wage a war in such a situation would have been a big mistake to make from the part of a sensible leader. Thirdly even if they fight and win over the enemies the intention of this travel that is to perform *Umrah* would not have been fulfilled with peace and satisfaction. A genuine commitment to peace knotted with the circumstantial necessities led the Prophet to make the proclamation to his

⁵⁸ Uthman bin Affan was sent as an emissary by the Prophet to the Quraysh and when he took more than the usual time to return a rumour of his killing was spread and all the companions took a pledge of allegiance and assurance of fighting the enemies till the end (Lings, 2006).

⁵⁹ Muslims were reported to have travelled an unfamiliar and long way to reach *Hudaibiyyah* for they had given the information of Khalid bin Walid's contingent at the usual entrance of Mecca.

⁶⁰ The ritualistic clothing for pilgrimage; one unstitched cloth to drape the upper part of the body and another one to knit around the waste to cover the lower part.

companions that “By the Name of Him in Whose Hands my soul is, if they ask me anything which will respect the Ordinances of Allah, I will grant it to them.” (Bukhari, 1997, p. 528). And as it has been explained in the previous paragraphs he had agreed to make amendments to his choice of conditions for the options of the Quraysh. He was even ready to wipe out what the basic tenet of Islam and his own identity i.e. the messenger of Allah. The status of messenger of Allah and the belief in it was the point of distinction between Muslims and non-Muslims. All the persecutions of past years had been upon this faith, however the Prophet agreed to delete that sentence from the beginning of the truce when it was demanded by Suhail bin ‘Amr. The conditions of returning Muslims who leave Mecca, without permission of their tribe, henceforth to the Quraysh and non-reciprocity with regard to anyone who might leave Islam and Media had stirred discomfort among the companions and is evident in Umar bin Khattab’s question to the Prophet at the completion of the truce. He asked the Prophet first and repeated the same to Abu Bakr: “Aren’t you truly the messenger of Allah?” “Isn’t our cause just and the cause of the enemy unjust?” “Then why should we humble in our religion” (Bukhari, 1997, p. 533). The questions of Umar explain the state of mind of the people who will be asked to be patient and make sacrifices for the sake of peace and tranquillity. Instead of explaining the reasons for such a move from his part and the potential good in it the Prophet invoked the god and said “I am Allah’s Messenger and I do not disobey Him, and He will make me victorious” (Bukhari, 1997, p. 533). The response of the Prophet to the question reveals the potential of religion in making people sacrifice their personal interest and emotions for the sake of the God. The Muslims had to leave most of their wealth and home town during the *Hijra* and a war at the door

of the city of Mecca would mean just taking revenge. However, the Prophet could get them pacified and sacrifice their ego and urge to retaliate. Umar bin Khattab was restless to the clauses in the treaty of Hudaibiyya nonetheless, he restrained himself for the better good; peace and tranquillity. How far it is possible to direct such an attitude of sacrifices and patience towards the end of peace and reconciliation is what we need to ponder more.

Hudaybiyyah illustrates the imaginative action of the Prophet in stopping the enmity of the Quraysh from breaking out to another war. It was through dialogue, by explaining the intentions of him and his flock to the Quraysh, that he could prevent the eruption of violence. The incident of displaying the cattle for ritualistic sacrifice the Meccan emissary points to how one could exhibit the commitment to peace to the other with whom he seeks a dialogue. The Prophet and companions had with them herds of animals to be sacrificed at the end of the pilgrimage. He asked his followers to decorate them as the people of Mecca would do to their animals before sacrificing them. Urwa was stunned to see the spectacle of decorated sacrificial animals as he approached the Prophet and group. Both the Muslims and non-Muslims valued the sacrificial animals very much. Prophet would get Urwa moved by such a marvellous display before he could explain the latter about the intention of the visit to Mecca. It was clear for Urwa that the Prophet and companions had come for nothing but a peaceful pilgrimage and a bloody clash is the last thing they wanted. By adopting such an imaginatively strategic step the Prophet could exhibit his intentions as well as readiness to have a dialogue with the Quraysh. Only a dialogue could clear off the fear of each group had about the other and the Prophet did not mind whether that dialogue was a mediated one or direct

talk. In the beginning he tried to talk to the Quraysh through Urwa; a mediator. Towards the end he engaged in a direct dialogue with the Quraysh through Suhail; the emissary sent by the Quraysh. Here the act of exhibiting the readiness for dialogue by the Prophet and making it clear the commitment for peace by showing the sacrificial animals, something that is valued by both the parties stand out as effective steps for a peace process. The display of animals for sacrifice has another important aspect too. It is not only important to have an intention to engage in dialogue but necessary for at least one group, in the beginning, to exhibit that intention to the other either directly or through any medium available. Unless the willingness is conveyed to the other, exhibiting that willingness speaks louder than conveying it by words or letters, the initiation of dialogue is impossible. As for the Prophet the initiation of a good thing is better than responding to a good in affirmation. These acts worked for both setting a platform for dialogue as well as declaration of ones commitments to what they try to expedite through the dialogue. Such imaginative steps gets one far more miles ahead in the journey. Platforms of institutionalised dialogues and other forms of formal reconciliation are often not malleable enough to allow the parties for such imaginative actions that would facilitate dialogue through the actions from a side that could be easily related by the other side.

4.5 Concept of *Jahiliyyah* the facilitator of Political Reconciliation

The concept of *Jahiliyyah* is a powerful tool that the Prophet used to deal with the past filled with conflicts. The word *jahiliyyah* could be crudely translated into heedless stupidity. It was a term of ‘blanket condemnation’ of

pre-Islamic Arabia invoked by the Prophet many times to doom the acts that he felt unjust and not appropriate for his companions. Overriding presence of tribal solidarity and heedless contempt for any virtue outside one's tribe was explained as the value of *jahiliyyah* and reduce in importance by the Prophet. *Jahiliyyah*. Concept of *Jahiliyyah* divided the history of Arabia, for Muslims, into two: the past of heedless ignorance and the present of dutiful awareness of Allah. It was not simply a tool of historical categorisation rather *jahiliyyah* worked as a term of value judgement. When the companions of the Prophet were divided into Aws and Khazraj and were at the verge of a fight that started with the invocation of the tribal pride the Prophet asked them did you not free yourself from the hold of *Jahiliyyah* (Lings, 2006). An also in the farewell sermon the Prophet stated "All matters of the *Jâhiliyyah* are abolished beneath my feet. The blood feuds of the *Jâhiliyyah* are abolished" (Muslim I. A.-H., 2007, p. 349). There was a contemptible disregard for many of the values and practices of pre-Islamic Arabia prevalent among the Muslims. Meaningless conflicts and violent aggressions were attributed to *Jahiliyyah*. Whatever termed as *Jahiliyyah* attracts the disdain of believers. *Jahiliyyah* is a point of departure for the Islamic community from a heedless past. By equating the uncontrolled anger and thirst for vengeance as acts of *Jahiliyyah*, the Prophet could bring the urge for reconciliation with enormous success. This is a powerful idiom with profound reconciliatory capacity at the hands of those who seek reconciliation in the midst of conflicts and violence. The condemnation of tribal *asabiyyah*⁶¹ as a source to meaningless pride and violent conflict has been explained in the *Hadith*

⁶¹ See Tribal solidarity/ *Asabiyyah* in, Chapter II, Tracking the trajectory of conflicts in Hejaz.

Narrated from Abū Hurairah that the Prophet said: "Whoever rebels against obedience and splits away from the Jamâ'ah (main body of the Muslims) and dies (in that state) has died a death of Jâhiliyyah. Whoever fights for no real cause, getting angry for the sake of tribalism, calling for tribalism, or supporting tribalism, and is killed, dies in a state of Jâhiliyah. Whoever rebels against my Ummah, striking righteous and wicked alike, and does not spare the believers, and does not pay attention to anyone who has a covenant of protection with the Muslims, he is not of me and I am not of him."⁶²

(Muslim I. A.-H., 2007, p. 182)

4.7 Constitution of Medina: initiation of reconciliation through building up of a new political community

Prospects of political reconciliation is predicated on a political community (Schaap, 2005). Establishing a community that is inclusive of various identities and interests and allows them to engage in a passionate contest for the world view of each group in their own ways, not interfering in others and harming them, is at the core of a political community, hence the nucleus of political reconciliation. One cannot evade the efforts of the Prophet Muhammad in the direction of building of a plural and political community in upon his arrival in Medina. He was invited to Medina to act as an arbiter between the Aws and Khazraj tribes. The saga of tribal rivalry and perpetual fights were to be avoided for a meaningful and prosperous life in the erstwhile Yathrib⁶³. He strived to bring the conflicts to an end with a new method, which was hitherto unknown for the Arab world. Relegating the tribal solidarity to the sides he

⁶² Tribalism is the word used here for *Asabiyyah* in the original text.

⁶³ Yathrib was renamed to Medina by the Prophet.

brought about a new constitution that called each one of the party to it a member of the *Ummah* a word that corresponds to brotherhood. The Muslims; both emigrants and helpers, Jews and non-Muslim Arabs were part of the constitution that established a city state, to use the widely accepted term in the discipline of political science, in Medina with Muhammad at its helm holding the supreme position of appeal in all matters. This constitution was capable of providing a ‘we’ feeling after the long history of conflict in Medina. The former enemies were brought together to work in sync with the other for the protection of their new state. A new powerful enemy that is Quraysh of Mecca, getting ready to attack their city-state was an enough political reason for them to unite and set-aside the enmity among them that were often fuelled to fights.

4.8 Taxation: a deal of allegiance to the state and assurance of protection

Bringing various groups who were at odds with each other for a long time meant creating a new political community in a new political system. Sustaining a new political state, especially amidst of threats of attacks from all sides was not so easy job to do. Any community aligning to the new state needed assurance of protection in need and the state needed assurance of the consistency of the allegiance too. Especially after the incidents of three Jewish tribes, which will be discussed later in the chapter, the surety of allegiance of the new additions from various communities and tribes to the political state under the authority of the Prophet became an issue of serious concern. In the 8th year of Hijra after the battle of Tabuk, a new system of collecting tax from the non-Muslim communities under the dominion of the state was introduced. This tax, called as *Jizya* both in the Quran and the literature have been subjected to severe criticism. *Jizya* has been termed as the tool of humiliation and discrimination of non-

Muslims under Islamic rule. Not investing much into that debate for the problem under study does not require that, I shall touch upon the system of taxation and its implication on the project of reconciliation. *Jizya* a tax paid either in money or in kind to the state was made obligatory on the non-Muslims by the Prophet. This tax was neither a poll tax nor land tax but a general tax that paid in return of the assurance of the protection of the payees'/ community's "persons, properties and performance religious rites" (Ahmed, (WINTER 1975, p. 296). The amount of the tax varied from community to community and place to place. Upon paying the *Jizya* the non-Muslim communities and individuals were exempted from participating in the battles against the enemies of the state. This system of tax payment in return for the protection gave assurance to the non-Muslims of their security and the Prophet the allegiance of the community. Whoever refusing to pay the tax were considered as breaking the pact of allegiance. This assurance was very much important as they were attempts of treacherous breaking of alliance at the time of outside attacks earlier. Secondly this system of taxation was not imposed on every non-Muslim in the similar fashion. There were exceptions made for those who needed relaxations. "specially exempted among the adult males from the poll tax were the poor, the unemployed, the blind, the sick, the insane, the beggars, and the abbots and monks of monasteries, on the principle that those dependent on charity escaped" (Dennett, reprint 1950, p. 26). Furthermore it is to be kept in mind that a tax, in the name of *Zakat*, was obligatory on believers as well. This taxation devised a new adjustment of governance in which the subjects were treated on an equal but differentiated basis. The role of subjects were difference and the minimum basic rights were given to every one equally without any regard for their creed.

Muslims were to fight the wars and were entitled to war booty whereas the non-Muslims did not have to go to the battle field hence were not given the booty. This equal but differentiated principle in treating the subjects strengthened the Prophetic state and ensured stability of alliances which was very crucial for the sustenance of the new political community. Communities included in the constitution of Medina were to be treated as equal parties to the constitution but their duties to the state varied significantly. Each of the communities, tribes/clans to be specific as it is mentioned in the Constitution of Medina, were given equal freedom in matters related to their beliefs and internal affairs. Help, at times of any external attack, and equality, in matters of practicing religion, were promised to the non-Muslims in the Constitution of Medina. Article 16 of the Constitution reads as follows “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” (Hamidullah, 1968, p. 35). Muslims and the non-Muslims, Jews as it is mentioned in the constitution, were to spend equally whenever they fought together. Article 25 reinstates this as follows: “And the Jews shall share with the believers the expenses of war so long as they fight in conjunction” (Hamidullah, 1975, p. 37). The attacks from the Meccans on Medina were not only on the Muslims alone but also significantly on the *Ummah*, the community established by the Prophet through the Constitution of Medina⁶⁴. However, only the Muslims were expected to fight battles with the attacking Meccans. Non-Muslims communities were expected to wage wars if

⁶⁴ Article 25 of the Constitution of Medina reads: And the Jews of *Banu ‘Awf* shall be considered as one political community (*Ummat*) along with the believers—for the Jews their religion, and for the Muslims theirs, be one client or patron. He, however, who is guilty of oppression or breach of treaty, shall suffer the resultant trouble as also his family, but no one besides. (Hamidullah, 1975, p. 37)

only they were attacked by any outsider and they were to be helped by the Prophet and his followers. What the non-Muslim communities were expected to perform as duty was to pay taxes to exhibit the consistency of their allegiance to the political community. A close look at the principle of equal but differential treatment, a crude way of consociationalism, would reveal that a profound idea of sacrifice at play in the life of the political community established in Medina. There were levels of sacrifice to be performed by each of the parties to the constitution. Muslims were expected to sacrifice their physical labour to protect the state by fighting wars against the Meccans as well as any other external aggressor against any of the parties to the constitution. Non-Muslims were primarily required to pay tax/ *Jizya* and refrain from any alliance with the Meccans in latter's plots against the Muslims. A certain sense of sacrifice of each one's interest for the sake of sustaining the political community was equally applicable to all, though the amount and nature of sacrifice varied for each groups. The trembling down of that community would mean two things at a time; the failure of Islam in Medina and the going back of Hejaz to the former situation of endless fights, resembling Hobbesian human nature

4.9 The text and what it entails: introducing the Constitution of Medina

Dr. Muhammad Hameedullah considers the constitution of Medina to be world's first written constitution. According to him this document must have been written in two phases. In the first phase the first part of it which deals with the relationship between the emigrants and helpers along with the relationship between non-Muslim Arabs and Muslims were elucidated. The second phase would have been written after the Battle of Badr and the additional part of the

document was about the relationship between the Jews and Muslims (Hamidullah, 1975, pp. 15,16).

Two parts of the document put together has fifty three clauses. Twenty five clauses in the first part are about emigrants and helpers while the twenty eight clauses of the second part deals with the rights and responsibilities of the Jews. The centralised form of ordering with Prophet Muhammad as the last court of appeal regarding any thing for Muslims and any inter communal issues in which Jews, Muslim of non-Muslim Arabs are involved was in response to the anarchic nature of the state of affairs in Medina. Muslims and non-Arab tribes accepted Muhammad as the final authority of the state without a second thought for representatives of their tribes had agreed and pledged to obey him earlier⁶⁵ and the assurance of the representative was the assurance of every member of that tribe. As for the Jews, according to Hamidullah, the defeat of Quraysh in the battle of Badr must have impelled them to recognize the political leverage and power of Muhammad and therefore they would have agreed to obey him at the same time when they disregard him as the Messenger of Allah. The document mentions eight tribes of Arabs; both Muslims and non-Muslims along with the emigrants and ten tribes of Jews by their name, except that the clients of Tha'laba is not mentioned by name. And it is mentioned that each of this group will have same rights and responsibilities. The most important clause that would later lead to the punishment of three Jewish tribes is clause number forty three and it reads "The Quraysh shall be given no protection nor shall they who help them" (Hamidullah, 1975, p. 40). More importantly this documents

⁶⁵ See Aqabah; Onset of a new journey, in Chapter II, Tracking the trajectory of conflicts in Hejaz.

expresses that the religious matters of each of the groups shall be dealt internally⁶⁶. In this regard this document gives autonomy various groups. Various groups/tribes, both the believers and non-believers were safeguarded against interference in their socio-religious and internal matters. “Institutions like ransom, blood-money, asylum or quarterly, membership pf tribe by treaty agreement and other customs were left untouched” by the constitution (Hamidullah, 1975, p. 27). Articles 25, 31 and 40 of the constitution of Medina testifies the claim for the autonomy of various groups⁶⁷.

Most important feature of this document relevant to the discussion of political reconciliation is that it established a common community comprising of former enemies. Arab tribes of Aws, Khazraj and their Jewish allies were all included in the *Ummah* along with the Muslims. It stipulated the unity of these groups in defence of an outside attack.

Clause 2: “They shall constitute a separate political unit (*Ummat*) as distinguished from all the people (of the world)”. And clause 25: “And the Jews of *Banu ‘Awf* shall be considered as one political community (*Ummat*) along with the believers—for the Jews their religion, and for the Muslims theirs, be one client or patron. He, however, who is guilty of oppression or breach of treaty, shall suffer the resultant trouble as also his family, but no one besides.”

⁶⁶ Article 25 reads: “for the Jews their religion, and for the Muslims theirs, be one client or patron. He, however, who is guilty of oppression or breach of treaty, shall suffer the resultant trouble as also his family, but no one besides.” (Hamidullah, The First Written Constitution of The World ; An Important Document on the Time of Holy Prophet, 1975, p. 37)

⁶⁷ Article 31 reads: “And the Jews of *Banu Tha’laba* shall have the same rights as the Jews of *Banu ‘Awf*. Of course, whoever is found guilty of oppression or violation of treaty, shall himself suffer the consequent trouble as also his family, but no one besides”. And article 40 follows: “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” (Hamidullah, The First Written Constitution of The World ; An Important Document on the Time of Holy Prophet, 1975, pp. 38,40)

(Hamidullah, 1975, p. 37). Outlined a new way of political alignment in the city-state of Medina. While the tribal organisation of society was still prevalent this initiative strived to bring a new realm of unity that could effectively mitigate the urge for conflict outflowing from the aggressive tribal pride. The status of Prophet Muhammad as the supreme authority of appeal meant that the latent conflicts could be addressed before they went out of hands and resulted in wars. Differences of opinion and interest did not necessarily resulted in violent fight from that time in Arabia.

To go further about the argument of the creation of a plural society in Medina we need to examine the modalities of bringing the people together within The Constitution of Medina. One finds at least three groups whose relation to each other is explained in the document. Muslims comprising of the Travellers and Helpers in which the Helpers were predominantly from Banu Aws and Banu Khazraj who had been at constant fight with each other, Jews and other tribes. The promulgation of The Constitution of Medina in itself was a great achievement of the Prophet with regard to the question of reconciliation because three different groups having different types of conflicts with others are brought together as a community with different responsibilities and equal rights of peaceful life.

The Muslims, the major party to The Constitution of Medina are two groups; the travellers who came from Mecca and settled in Medina and the Helpers who hosted the travellers in their homeland. There would have been tensions between the travellers and helpers in terms of sharing resources including war booties and norms related to the conduct of social life. The status of travellers would mean secondary in a society that was living with tribal pride

for a long period of time. However the Prophet could bring these two groups together and establish equality among them with the help of the conception of equality of believers before the God. His attempt at establishing the equality of status of believers was based on the following verse from the Quran “People, We created you all from a single man and a single woman, and made you into races and tribes so that you should get to know on another. In God’s eyes, the most honoured of you are the ones most mindful of Him, God is all knowing, all aware” (Haleem, 2016, p. 339)⁶⁸. By asserting the equality of everyone in the eyes of the God in a society lead by aggressive tribal nationalism, the Prophet was able to bring the conflicts, over material resources and social status, between his followers. It is an easy for a Prophet in the religion as he is considered by the uncontested authority of God’s rules in the world and the followers of a Prophet believe in him.

The question of reconciling between the Banu Aws and Banu Khazraj has a non-political dimension. Two tribes and their longstanding conflicts had come to an end mainly due to unification of the members of the two tribes into the new religion. Unification of people into a new set of belief and creating solidarity among them based on the new value system in lieu of the old tribal solidarity of two camps is non-political because it stands for unity of people on one set of world view. Tribal morality and enmity started fading away as more and more people moved to Islam. It is worth mentioning that this unification had happened without any violence and the reasons for the joining of people from these tribes to the new religion is out of the scope this study. The fact that it was

⁶⁸ Quran 33:26-27 Haleem, M. A. (2016). *The Qura'n A new translation*. Oxford: Oxford University Press. Pp 339.

only by the end of 8th year and the beginning of the 9th of the Hijra (*exodus from Mecca to Medina*) that most of the small clans among these tribes and other smaller tribes joined Islam completely points to absence of any sort of coercion from the Prophet on them for conversion (Hussain, 2015/2018, p. 50). However the dimension of non-political reconciliation with direct impetus of new religion may not be missed out when the reconciliatory project of the Prophet is looked at in its entirety. Theology, rather than politics, played a significant role in intra-community conflict resolution during the life of the Prophet.

4.10 The risk of the political: the breach of covenant and the punishments of Jews

If the reconciliation is risky, sustaining reconciliation is riskier. Political reconciliation entails passionate engagements of various world view without the fear of violent conflicts. Yet the possibility of conflicts is not completely closed. The risk of politics in the Schmittian schema of thought is that it entails everlasting distinction between friend and enemy. This distinction implies the politics be the engagement for the extermination of the enemy as well. However a politics imagined with its basis founded on the idea of worldliness conceives a political community in which the world shared in common is perceived from various vantage points. How should a member/group who acts against the common security and interest of the political community is a question seldom addressed in the reconciliation discourses. All the discussion have been about the dealing of past conflicts. Course of action or thought regarding the potential conflicts in the future needs to be brought in to the discourse of political reconciliation. The case of Prophet Muhammad's Medina provides such cases of conflicts after reconciliation. Three Jewish tribes

Banu-Nadir, Banu Qainuqa and Banu-Qurayza were punished for the charge of the breach of covenant.

4.11 Banu Qainuqa: open declaration of war and expulsion

Banu Qainuqa, one of the prominent Jewish tribes were a strong community thriving on trade and business of ornaments. They were gold smiths and traders. They were also members of the constitution of Medina by way of being the allies of Banu Khazraj. Abdullah bin Sallam, a former Jewish rabbi and now the companion of Prophet Muhammad helped the later get information about the uneasiness of Jews, especially men of Banu Qainuqa, in accepting the victory of Muslims in the Battle of Badr. They were dismayed with the news of the triumph of Muslims, their official partners in covenant, against the Quraysh. Their mind, in the apprehension of Prophet and companions, was with the Quraysh, helping whom was considered as offence by the constitution of Medina. Prophet Muhammad reported to have visited the marketplace in the south of Medina on a day after the battle of Badr and called the people of Banu Qurayza to accept his religion and avoid the wrath of Allah that had recently descended upon the Quraysh to which they replied “O Muhammad be not deluded by that encounter, for it was against men who had no knowledge of war, and so thou didst get better of them. But by God, if we make war on thee, thou shalt know that we are the men to be feared”

This was read as the open declaration of war by the Prophet and the companions for such a statement would not have carried no other meaning in those days. To the dismay of those who love peace, in one of the following days a Muslim woman was insulted in the marketplace of Banu Qainuqa. Her cloth was pinned to the floor by one Jew so that she got naked upon standing up from

the seat. A Muslim helpers intervened in the scene and the Jew was killed by him. The Jewish people around could not stop themselves from charging out to the man who killed their fellow brother hence two lives were taken in quick succession. Not ready to approach the Prophet the authorised arbiter of conflicts in which two people from different communities were involved the Jews chose to fight and get the justice done for their dead companion. They were expecting the help from their Arab ally Banu Khazraj, especially from their close friend Abdullah bin Ubayy and Ubadah bin Samit. Abdullah bin Ubayy could not keep his promise to support the ally of his tribe while Ubadah bin Samit renounced the ties with the Jews and stood for the new constitution. Driven to the despair of non-help from where expected Banu Qainuqa had to surrender unconditionally. They were commanded to be kept captives however upon the request of Abdullah bin Ubayy their matter was given to him. Prophet told him “I grant thee their lives”. Afterwards the tribe was expelled from the city having to leave their land and wealth behind. The expelled tribe made their way to settle near the boarders of Syria (Lings, 2006, p. 166).

The issue could have been solved by approaching the Prophet, for he was the authoritative arbiter of conflicts that involved people from different groups. Clause forty two of the constitution of Medina reads “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 and God will be with him who will be most particular about what is written in this code and act on it most faithfully” (Hamidullah, 1975, p. 40). By choosing to fight the men of Banu Qainuqa made their breaking of the covenant public. Here the mechanism of sustaining the reconciliation being

retributive lead to the exile of the tribe. Although the clan of Banu Qainuqa was forced to move out of the city, they were given the opportunity to have their voice heard by the Prophet through Abdullah bin Ubayy. It was customary to have a war upon the one who breach the covenant but that did not happen in this case. Banu Qainuqa was also allowed to take all their belongings along with them which was contrary to the practices of the day in which one would flee with nothing but their life during an expulsion.

4.12 Banu Nadir: the eviction for secret plan of assassination

The expulsion of Banu Nadir is little more disreputable story. Their allegiance to the covenant, in the eyes of Muslims, was not sincere. The political contingency made them agree to the treaty in public while their heart was beating for and with the Quraysh. Banu Nadir were the confederates of Bani Amir and they were bestowed with equal rights and responsibilities of their host tribe. When Prophet Muhammad approached them to seek help to pay the blood money to the Banu Kalb for the killing of their two men by ‘Amir bin Umaiyah-al Damiri by mistake they had agreed to give him the money first. Nonetheless, Prophet left their vicinity after sometime and he was followed by his companions under the leadership of Abu Bakr. Later in the mosque Prophet told his companions that he was informed by Gabriel⁶⁹ about the plan of Banu Nadir to assassinate him. Muhammad bin Maslama was sent to them by the Prophet to convey his message that “By your proposing to slay me, ye have broken the pact I made with you”. They were then given ten days to leave the city. Upon receiving the word of assurance to support from Abdullah bin Ubayy, ibn Huyayy the leader of Banu Nadir refused to vacate and sent message to the

⁶⁹ The angel who brings revelation to the Prophets

Prophet. Prophet Muhammad surrounded the fortress of Banu Nadir with his men to slap a siege on them. Few days since the siege started the men of Banu Nadir realized that reality of the expected help from outside. “The Bani Qurayzah refused to break their pact with the Prophet, the Bani Gatafan maintained an enigmatic silence, and again Ibn Ubayy was forced to admit he could do nothing” (Lings, 2006, p. 211). Having being thrown into hopelessness Banu Nadir were left with no option but to surrender unconditionally. They were commanded to leave the land, arms and armour behind and were allowed to carry all other things that their caravan could take along with them. The tribe left Medina and their departure turned out to be the display of how much opulent they were inside their fortress. The ousted broke in to group and one left for Khybar while the other moved towards south of Syria.

This episode of ostracising Jews is critiqued by many for there was no explicit reason to point out for their breaking of covenant. This has been expressed in the Jewish encyclopaedia as follows: “In the summer of 625 Mohammed attacked and besieged the Banu al-Nadīr. There appears to have been no satisfactory pretext for the attack. Mohammed claimed that he had received a revelation telling him of the treachery of the Jews” (Joseph Jacobs, nd, p. 422).

Accounts about the incident do not show any of the allies of Banu Qainuqa denying the charges made by the Prophet. While taking the action, dialogue had happened and demands of the tribe were met with, that their belongings other than land and armours were allowed to be taken with them. This implies their acceptance of the charge of the Prophet hence proves that Banu-Nadir had broken the covenant.

4.13 Banu Qurayza: alliance with Quraysh and execution

The debate about the story of Banu Qurayza is yet to be settled down. The beheading of ‘all adult men and capturing of women, children and wealth’ is a notorious episode in the history. The charge that was levelled against Banu Qurayza too was the breaking of alliances. However this time the gravity of the issue appeared to be serious for Muslims because the former was allegedly helping the Quraysh against Muslims in the Battle of trench. As Jewish encyclopaedia says

“Some of the Jewish exiles, chief among them being the above-mentioned Huyayy, had stirred up the ẖuraish and other Arab tribes against Mohammed, and they persuaded the Banu ẖuraiza to join them in their plans. Mohammed, however, succeeded in making the Jews and their Arab allies suspicious of each other; and the allies, who had been besieging Medina, suddenly departed in the midst of a storm, thus leaving the ẖuraiza unsupported. Mohammed marched against them, claiming to have received a special revelation to that effect, and laid siege to their fortress, which was a few miles to the southeast of the city. They surrendered after a month's siege, without having risked a fight”. (Joseph Jacobs, nd, p. 423)

When Banu Qurayza surrendered their allying tribe, the Aws came to the Prophet asking the matter should be left to them as the matter of Banu Qainuqa and Banu Nadir were given to Ibn Ubayy, hence to the Khazraj. Prophet delegated Sa’d bin Mua’d, the leader of

Aws, to declare the verdict over the Banu Qurayza. He had declared that the men among them be slain, women and children captured and the property distributed. In the following days most of the men of the tribe were beheaded. Some individual exceptions were made such as Zubayr bin Battah was spared on request of Sabith bin Qais bin Shammas for the former's help to the latter in the battle of Buath (Al-Mubarakpuri, 2008, pp. 377-378).

There is a serious debate, still inconclusive, regarding the number of people beheaded in the episode of Banu Qurayza. Ibn Hisham estimates it to be in-between six hundred to seven hundred, while Imam Ahmad's account finds four hundred people. In a relatively recent study by way of mentioning a report at the 1973 World Congress of Jewish Studies by Dr. Trude Weiss-Rosmarin, W.N Arafat asserts a possibility of an old story of mass suicide of Jews in Judeo tradition being reported more accurately in details (Arafat, 1976). The accuracy of the accounts found in *sirah* literature is not as well-established as it is in the case of *Hadiths*. There is no agreement of the scholars on the accuracy of the number stated in Ibn Hisham's version. Malik the jurist, who was contemporary of Ibn Hisham criticised him for his choosing of unreliable sources to report the incident of Banu Qurayza. Malik was a scholar of *Hadith* as well as jurist therefore very particular about the methodology of establishing the validity and authenticity of reports. Moreover the report of the same in the Quran does not mention the number but confirms the punishment on them. It says

“He brought those People of the Book who supported them down from their strongholds and put panic into their hearts. Some of them you [believers] killed and some of you took captive. He passed on to you their land, their

houses, their possessions, and a land where you had not set foot: God has power over everything". (Haleem, 2016, p. 268)⁷⁰

No confirmation of beheading or the number of such a killing, if any, is found either in the Quran or in *Hadith* but only in the *Siras*. Apart from the criticism of Malik, another subtle aspect needs to be considered here is that the narrative style of the *siarhs*. The time period of the consolidation of the *Sirahs* coincide with the expansion of the Muslim empire beyond the frontiers of the Arabia. Accoutns of the bravery of the Muslim fighters, incidents of the failure of the enemies of the Muslim political contingents are all meant for the boosting up of the spirit of the Muslim armies under later Rulers after the Prophet and four *Khalifas*⁷¹ in their expeditions. *Sirah* travelled from generation to another like stories and legends were *Hadiths* were venerated for they were to be followed or practiced in the daily life of Muslims.

Nonetheless the incident of Banu Qurayza is still criticised for the harsh manner in which the Jews were dealt with. The response to such a criticism is found in the footnotes of Martin Ling's work where he points toward the punishment enshrined in the Old Testament for those who break the treaty of peace. According to him the Sa'du bin Mu'ad had declared the verdict of God from the book of Jews themselves. Commandment of god in Old Testament reads

¹⁰ When you march up to attack a city, make its people an offer of peace. ¹¹ If they accept and open their gates, all the people in it shall be subject to forced labor and shall work for you. ¹² If they refuse to make peace and they engage you in battle, lay siege to that city. ¹³ When the LORD your God

⁷⁰ Quran 33:26-27 Haleem, M. A. (2016). *The Qura'n A new translation*. Oxford: Oxford University Press. Pp 268

⁷¹ Khalifa in Arabic means the representative. Technically the four Khalifas who were both the spiritual and political leaders of the Muslims after the demise of the Prophet are called the rightly guided Khalifs.

delivers it into your hand, put to the sword all the men in it. ¹⁴ As for the women, the children, the livestock and everything else in the city, you may take these as plunder for yourselves. And you may use the plunder the LORD your God gives you from your enemies. (Deuteronomy 20:10-14)

The cloud of indignation is very thick when the incident of Banu Qurayza is approached from the immaculate concept of modern human rights but the context of the incident points to the fact that the verdict was given according to the law of the Jews. Like in the cases of Banu Qainuqa and Banu Nadir Quarayza also did not deny the charges on them however the actions were different and it deserves some reflections.

The incident of the Banu Qainauqa was first of its kind after the conclusion of the covenant. Banu Nadir's case was an attempted assassination on the life of Prophet alone and he had the choice to not take revenge on them. However the case of Banu Qurayza is very immediate and was in a state of emergency. The result of the ploy of the tribe could have been fatal had Banu Qurayza succeeded in their plan. It would mean the failure and wiping out of Muslim community as whole by the enemies because the ploy of Banu Qurayza took place during the time of War in their own home. Muslims were surrounded from all three sides of the city of Medina. Technically the Banu Qurayza was at war with the political community of Medina as a whole, hence the tough decision followed⁷². Their plans to ally with the Quraysh through the

⁷² Breach of covenant by any party was condemned in the Constitution itself. Any unreasonable attack on any of the partners of the covenant would mean a breach. Narrated from Abū Hurairah that the Prophet said: "Whoever fights for no real cause, getting angry for the sake of tribalism, calling for tribalism, or supporting tribalism, and is killed, dies in a state of Jāhiliyah. Whoever rebels against my Ummah, striking

intermediation of Huyayy, the leader of previously evacuated Jewish tribe: Banu Qainuqa, was the clear cut breach of the covenant and it could have been fatal for the community. The strategic position of their households, as they lived in the south west of Medina where the defending army were unable to dig a trench, made their plot more dangerous. Had the Banu Qurayza succeed in their plan, the entire state could have been crashed by the Quraysh. It could also bring the earlier tribal conflicts back to the stage as the other Jewish tribes living in Medina were not in support of the Qurayzas. It is also important to note that there is no, even a claim, for other Jewish tribes getting implicated with the decision taken against the Banu Qurayza. Jewish Encyclopaedia affirms it as: “Neither Mohammed, however, nor his successor drove all the Jews out of the country” (Joseph Jacobs, nd, p. 423).

It is worth noting that both the constitution of Medina and the Quran do not lump a community together for a crime done by a member. At the most a tribe is held responsible for a crime of its member unless the particular tribe disown that act. Article 25 of the constitution of Medina has it this way: “And the Jews of *Banu ‘Awf* shall be considered as one political community (*Ummat*) along with the believers—for the Jews their religion, and for the Muslims theirs, be one client or patron. He, however, who is guilty of oppression or breach of treaty, shall suffer the resultant trouble as also his family, but no one besides”

righteous and wicked alike, and does not spare the believers, and does not pay attention to anyone who has a covenant of protection with the Muslims, he is not of me and I am not of him.”⁷² (Muslim I. A.-H., 2007, p. 182)

(Hamidullah, 1968, p. 37). Making the same point with much more scope of generalisation Qur'an says that "...No soul will bear another's burden" (Haleem, 2016, p. 176). There are incidents of Muslims getting help from Jewish persons during other wars and both Muslims and Jews living together in piece afterwards. On the authority of Ibn Ishaq, Stillman states: Mukhayriq, a wealthy Jewish rabbi joined the Prophet and companions to fight the Quraysh/Meccans in the battle of Uhd (Stillman, 1979, p. 121). Muqtedar Khan wrote "Mukhayriq died in battle against the Meccans. And when Muhammad, who was seriously injured in that battle, was informed about that death of Mukhayriq, Muhammad said, 'He was the best of Jews.' " (Khan, 2009).

A *Hadith*, which is often cited by the historians and Islamic religious scholars to describe the aftermath of the battle of Khybar, is revealing about the civic engagements and social bindings between the Prophet Muhammad and the Jews. Though the *Hadith* is cited with reference to the negotiation between the defeated people of Khybar and winning Prophet, it tells another story of social interaction between communities in the city state of Medina. This particular *Hadith* is reported in the Sahih-al Bukhari and it reads

"When Khaibar was conquered, Allah's Messenger was presented with a poisoned (roasted) sheep. Allah's Messenger said, "Collect for me all the Jews present in this area." (When they were gathered) Allah's Messenger said to them, "I am going to ask you about something; will you tell me the truth?" They replied, "Yes, O Abal-Qasim!" Allah's Messenger said to them, "Who is your father?" They said, "Our father is so-and-so." Allah's Messenger said, "You have told a lie, for your father is so-and-so." They said, "No doubt, you have said the truth and done the correct thing." He again said to them, if I ask you about something; will you tell me the truth?" They replied, "Yes, O Abâl-Qâsim! And if we should tell a lie you will know it as you have known it regarding our father." Allah's Messenger then asked, "Who are the people of the (Hell) Fire?" They replied, "We will remain in the (Hell) Fire for a while and then you (Muslims) will replace us in it." Allah's Messenger said to them, 'You will abide in it with ignominy. By Allah, we shall never replace you in it at all.' Then he asked them again, "If I ask you something will you tell me the

truth?" They replied, "yes." He asked, "Have you put the poison in this roasted sheep?" They replied, "yes," He asked, "What made you do that?" They replied, "We intended to learn if y m were a liar in which case we would be relieved from you, and if you were a Prophet then it would not harm you" ". (Bukhari, 1997, p. 369)

This *Hadith* tells the warmth of relationship among various communities in their good gestures of bringing gifts to others, inviting the other for feasts and treating the other well. Here the Prophet had accepted the food provided by Zainab bint al Harith, a Jewish lady. Had it not been for the good social relation between the Muslims and the Jews, She would not have had an option to give a meal to the Prophet and the Prophet would not have accepted it. Secondly the Battle of Khybar has another important story of good relationship between communities and goodwill among each other. Prophet Muhammad married Safiyya bint Huyayy (Safiyya the daughter of Huyayy). Huyayy was the chief of Banu Nadir, the Jewish tribe exiled from Medina and it was the same person who worked as an intermediary between Banu Qurayza and the Quraysh. She was married twice before her marriage with the Prophet. This marriage eased lots of tension between the Jews and the Muslims after the battle of Khybar. She is considered as one of the "mothers of the believers" by the Muslims still today. When she died, "She left an estate of 100,000 dirhams in land and goods, one-third of which she bequeathed to her sister's son, who followed Judaism" (Vacca & Roded, 2012). These two incidents point to the continued cultural and social relationship among various cultural groups even after the incident of Banu Qurayza.

Chapter V

Prophetic model: reflecting on key features and lessons for us

In the late antiquity, a covenant of trust and non-aggression meant peace and reconciliation in most of the cases due to various factors. This era was characterised by the empires and tribal polities in places where the empires did not have direct control. History before the popular struggles and revolutions of the modern world suggest that the decision of the rulers, emperors or the tribal patriarchs were decisive and definite. When they conclude treaties with their counterparts it brought peace and war was imminent and unavoidable when the covenant was broken. Institutionalised forms conflict management and institutions are seldom seen in the texts. Constitution of Medina was, in a way, following the same thesis on the breach of covenant. The constitution of Medina warns the parties against the breach of covenant four times in articles 25, 37, 46 and 47 respectively. Article 25 specifically mentions that those engaged in the breach of the covenant may suffer the ‘resultant trouble’. There was war and the absence of it by any means would suggest the existence of peace because the economic engagements of the time, be it trade or transport, were all based on competition of might and strength. There was hardly any international bodies or norms to regulate the engagements of various entities and most of the time the conflicts of economic nature would metamorphose to conflicts over identities, tribal, religious and so on, and the war follows. The most important ways of bringing reconciliation were either unification of conflicting parties, either conversion of one group into the other or conversion of both parties into a new religion. In cases of non-conversions covenants are the most peaceful way

of reconciliation. However, there had always been the risk of the breaking of covenants and the inevitable wars following them.

The war between the Isaurians and the Romans in 270s explains what happened when a covenant was broken by a party or at a time when there was a perceived breach. When the Isaurians were attacked by the Persian king Shapur the Romans did not come to help the former against the latter. The account of what followed alludes to the meaning of a breach of the covenant during the time. Breach of covenant meant indignity to the violated and a war followed in most of the cases.

“From the perspective of the Isaurians, however, this action on the part of a Rome, with whom they considered themselves covenant partners, was the ultimate breach of covenant agreement”. “Covenant partners were bound to protect not to destroy one another. Prior to this incident the Isaurians, with small reprisals, had endured lesser breaches of covenant such as the imposition of taxes and the exacting of tributes. This breach, however, was of unbelievable and unacceptable magnitude, an outrage praetor more, beyond the bounds of Isaurian custom. This indignity demanded war” (Drake, 2016).

The incidents of the tribes of Banu Nadir, Banu Qainuqa and Banu Qurayza were examples of the breach of covenant however a war or execution did not happen in the first two cases. However, the case of Banu Qurayza was the ultimate breach of covenant in which the life of Muslims and the fate of the city of Media could have been fatal. This, most probably, could have been the reason behind the reason for the execution.

5.1 Three Jewish tribes: Political Reconciliation an elusive destination?

Incidents of three Jewish tribes after the conclusion of a general covenant with all of them throws some fundamental questions in the way we think about Political reconciliation. Andrew Schaap has called the project of political reconciliation as establishing a political community that is ‘not yet’. The problem with defining political reconciliation in such a manner is that any failure of the reconciliatory project could be given the concession of the ambiguity surrounding the idea of reconciliation itself. If one dares to define it in fixed terms and finds certain exceptions to the general rule this issue might be brought to a logical conclusion. In the case of Jews in Medina, though three tribes were subjected to retributions the historical accounts of civic engagements between the Jews and Muslims before and after those incidents suggests that the political ambitions of these three tribes were so much so that they wanted to rule, the land they lived for so long, for much more. More importantly, reading this incident in connection with reconciliation is also somewhat problematic because the issue of retribution to them was not based on who they were or what they did in the past. For political reconciliation is about dealing with the problems of past skilfully in the present for a peaceful future, the issue of the three Jewish tribes needs to be discussed separately as the issue of contention and its consequences were not concerned with the past injustices or conflicts, though they may be read as the continuation of the past. The political priorities in the roster of parties involved in a reconciliation process is a decisive factor in the success of the project of reconciliation. If one group aspires for separate polity and thick reconciliation; thinking of reconciliation in an aggressive nationalistic line, a society of agonistic engagement becomes elusive.

While insisting on only one truth, Islam and the Prophet recognises the idea of worldliness; a world shared in common but perceived from various perspectives. The Islamic conception of this world is what allows it combines the seemingly contradictory conception of one truth and multiple perspectives of the world. By way of treating this world as just a transit for the human to the eternal paradise or a temporary adobe, the life in which one ought to perform the divine decrees in order to qualify for the best life in the next and not insisting on making this world itself a heaven, Islam sets itself aside from an ideological undertaking. Its conviction is not in tandem with the political aspiration of creating a utopia where people would live forever in peace and lead a conflict-free life in this world. It doesn't aspire to realize the only truth it subscribes to be realized in this world by any means. Rather it envisions a life hereafter where the virtuous humans are rewarded with a life of unrestrained freedom, absolute justice, and eternal peace. This conception of life hereafter, only where absolute justice is realized makes Islam anti-political in its end/objective. However, the other side of the coin, the conception of the life in this world as just a transit, makes it political. When this world is perceived just as a transit where one meets a lot of people and engage with them about the purpose and ways of his travel is a wonderful way of appreciating the idea of worldliness. The Quranic verse "you have your religion and I have mine" affirms if not celebrates the idea of a world shared by many contending perspectives (Haleem, 2016, p. 441).

This agonism may give way to war at times when the life of Muslims is threatened if the legal system fails to protect the right of Muslims for life and religion utterly. To read this through the metaphor a traveller's temporary abode, one is made to fight with others when his travel is stopped either by robbing his

means of travel or his way is blocked. This nature of anti-political in its end and affirmation of worldliness simultaneously allows the Prophet of Islam to seek both the political and non-political ways of reconciliations according to the circumstantial needs. In general, Muslims are reconciled non-politically and inter-religious conflicts politically.

The incidents of three Jewish tribes pose a fundamental question regarding our thought about political reconciliation. The scope of retributive and restorative justice based on adjudications of conflicts or alternative ways of dealing with them in a reconciled society calls for further thought and engagement. How to address any potential conflict that might restore the past conflicts for another time becomes a formidable question and the answer the Prophetic model suggests is a retributive judicial settlement with a possible sub-clause of dialogue and negotiations. The involvement of ibn Ubayy and Sa'ad bin Mua'd suggest the possibility of dialogue, however, to expect a peaceful settlement for all the time could be too ambitious. Survival/sustenance of political reconciliation rests on the willingness of groups in society to sacrifice their interests in order to maintain peace or for the further reforms in society. Political reconciliation prevails during the reconciliation process and theological/ retributive or restorative reconciliation occupies the stage in a post reconciliatory society as long as the provisions of the reconciliatory project, including the clauses for retribution, are envisioned in documents/covenants like in the case of the treaty of Hudaibiyya or The Constitution of Medina. Restorative idiom finds its place in the constitution, formal or informal, of a new political community. Any future break from that point of 'beginning' could be termed as the reference point of the breach of the order. Secular democratic

regimes that seek reconciliation of confronting groups could certainly use the religious idioms with reconciliatory capacity in their endeavours of the politics of peace.

An alarming fact to be found here is that the three Jewish tribes, Banu Qainuqa, Banu Nadir and Banu Qurayza were not reconciled with the Muslims and Arabs in Medina. Though they were included in the constitution of Medina, they were never prepared to accept the political dominion of the Prophet Muhammad. Their acceptance of the peace treaty seems to be temporary and a political tactic. They must have accepted the peace treaty due to the circumstantial necessity by withholding the political aspirations for a while. This invites the attention of one who thinks of a fundamental aspect of political reconciliation; the willingness of a community to be reconciled. The acceptance of the political authority or its legitimacy is instrumental for materialising political reconciliation. If a political system is bereft of legitimacy and acceptance from a group that it seeks to reconcile with another, then reconciliation will be an elusive dream. That is why secessionist movements become more difficult to handle than subnational movements. Subnational movements put the question of responsibility to act judiciously, either according to the existing rules and provisions or by amending them, within the political system whereas the secessionists find the solution for their resentment only in breaking away from the fabric of the existing schema of things.

The willingness of the living perpetrators and victims to be recognised is crucial for political reconciliation to be realized. Retributive justice approach to reconciliation may disagree with this on the account of the possibility of forcing one to be reconciled. However, such a stand emanates from the disregard

for the goal of moral rapprochement that reconciliation seeks to achieve. Reconciling a group with the aspiration of the partition of the political system, seceding away from the dominant arrangement or winning over the existing system to change it altogether to a new way is doubtful, if not impossible.

Discussion of virtue in politics is also important while thinking about reconciliation. A Machiavellian double virtue followed by a group may put the reconciliation in the centre of an unnavigable sea. The virtue of non-treachery with a partner in covenants, or keeping the promise, especially in the state of emergency, cannot be overlooked. Especially, in this case, both parties; Muslims and Jews draw the fundamental virtues from one source. The Quran calls the Jews and Christians the 'People of Book' and Muslims are also given a book. Both parties believe in previous Prophets and revere their virtuous life. As Philip Hitti would suggest Islam is "so closely allied to Judaism and Christianity. Historically, Islam is an offshoot of these other two, and of all faiths, it comes nearest to being their kin. All three are the product of one spiritual life, the Semitic life. A faithful Moslem could with but few scruples subscribe to most of the tenets of Christian belief" (Hitti, 1970, p. 2). Both the Muslims and the Jews shared the same moral philosophy of virtues, therefore, any of the non-virtuous action from either of the party meant the same thing for both. This could be one of the important reason why other Jewish tribes did not turn up for the three tribes who breached the covenant. Apart from the issue of moral judgements, religious virtues and moral principles are helpful to create an atmosphere of mutual-trust and ethical direction in inter-community relations which is essential for the success of political reconciliation.

What the story of three Jewish tribes in Medina suggest is that, if reconciliation was not in the top of the priority list of a group, and they are ready to risk what it might bring to them, political reconciliation is an impossibility. The value of peace needs to be realized and recognized in the first place. It is very important to bear in mind that reconciliation rests on the willingness of the acceptance of mistakes by both sides and mutual agreement to non-breaking of peace in the future. It is very helpful to invoke the intrinsic beliefs of both parties to make them stand steadfast to peace. It also means that, in a premodern world, to have provisions of retribution to parties based on their own religious sources for the mistakes they may do in the future because if the punishments are based on their own scriptures a further conflict over the kind of punishments acted upon them is less likely hence they have less incentive to portray the retributions as unjust. If a group sees the regimes that try for reconciliation to be colonial and dominating, then it would be freedom, self-determination, and liberation that concern them than reconciliation. One cannot think of reconciliation while being worried about survival and dignity. After all, reconciliation is all about shaping a peaceful present based on a bitter past for a bright future. Reconciliation is dealing with the past in the future for which one should feel the affordability of such a thought in the first place. For the Jews in Medina, the arrival of Muhammad from Mecca and his status of the Messenger of Allah was an upsetting development. They were waiting for the arrival of a new messenger of God from among themselves to lead the people in astray to the straight path. Since Muhammad was not from among them but from the Arabs, the message he brought and the peace he talked about did not entice them.

The inquiry about reconciliation should not be stopped with the Prophet Muhammad, what followed his career is also important for many reasons. One, the four Caliphs, widely recognized as the rightly lead caliphs in the Muslim world, after Muhammad was also instrumental in consolidating the career of the Prophet into a strong political system with enormous command and success. Study of the modalities of their following the Prophet in terms of inter-community issues would give a nuanced view of the picture of reconciliation in the classical Islamic society. What happened after the Ban Qurayza incident, especially to Jews from other tribes who were in Medina and under Islamic rule during the reigns of the four caliphs is also an important question to ask. Some exceptions were made in the case of executing the members of Banu Qurayza. For example, Zubayr bin Battah was spared on request of Sabith bin Qais bin Shammas for the former's help to the latter in the battle of Buath (Al-Mubarakpuri, 2008, pp. 377-378).

Reading of the Prophetic initiatives of political reconciliation may inspire one to explore the connection of peace and reconciliation vis-à-vis the virtues of freedom, self-determination, self-respect etc. in moral thinking. National liberation movements or independent struggles were all revolving around those ideas and the issue of political reconciliation seems to be a post-materialist or post-independent phenomenon. Its connection with nation-building and the role ideology plays in it will be interestingly significant projects to take over.

More importantly, thinking about reconciliation in terms of a permanent solution for all the conflicts would be an attempt to erase the political aspect of reconciliation itself. Reconciliation in its 'thick' sense is predicated on

harmony and that “risks treating significant differences as threats to the social order and thus inimical to reconciliation. The rejection of political disagreements leaves us with a few conceptual tools to distinguish between acceptable political contestation and domination. Indeed, the tendency to equate reconciliation with consensus, if not deep harmony, means that the other key aspects of politics-such as argument and disagreement- are erased” (Verdeja, 2017, p. 229). The tendency of equating reconciliation with harmony and non-contestation has the danger of homogenisation and authoritarian domination lurking behind it, for all those ambitions of the ruling elite will be justified in the name of peace and thereby prosperity. The most striking feature of authoritarianism always has been to invoke ‘peace and prosperity of the people’ but who include in the people they talk about is very constricted. Using political reconciliation for such a purpose by the vocational political elite will be the last thing that can be imagined by a genuine aspirer of reconciliation and peace.

5.2 Dialogue/ treaty and the dynamics of the relationship

The treaty of Hudaibiyyah deserves great attention for it helps us reflect on the contemporary attempts at political reconciliation. The background of the treaty and its provisions give us perspectives to approach the issues of communal polarisation, historical crimes and violence. First of all, the agreement between the Prophet and the Quraysh at Hudaibiyyah was a watershed in the History of Prophetic mission as it helped them gain the opportunity to be an equal partner with the Quraysh in a bilateral treaty. The Prophet and his companions were, until the conclusion of the treaty, not considered by the Quraysh as a political unit on par with them. By way of

concluding the treaty Prophet's state in Medina got its ratification from another political community, though the Quraysh might not have done it voluntarily. The Prophet and his people were hitherto responding to what the Quraysh dictated in all the battles that preceded the Hudaibiyyah but they attained the status of an independent state, free from the external attack of the Quraysh/Meccans, who were able to negotiate their terms and conditions with the other with the inception of the treaty.

Any platform of dialogue in the process of reconciliation between a historically oppressed group and oppressors mean the beginning of a new relationship between them. The hitherto marginalised group who were not given a chance to speak to the other group and were only trying to survive the oppression and violence will attain the status of a recognised group whose narratives needs to be heard. It is the beginning of reconciliation as the relation between these groups are changed with the inauguration of the dialogue. Prior to the beginning of the dialogue process, the oppressed remain a group responding to the oppressors. The former is devoid of the opportunity to set agendas or put forward their demands or claims due to the power dynamics. With the inauguration of dialogue, they not only get the opportunity to be heard, but also a change in status to a negotiator from the respondent. This change in the nature of the relationship between the oppressor and the oppressed to negotiators, in the case of a treaty, or adversarial contenders in itself is very important as it enables initiation of reconciliation. A destination is never reached without setting out the journey in the first place.

Even though most of the provisions of the treaty of Hudaibiyyah were not in favour of the Prophet and his companions, it culminated in the change of

political relations between the two groups. The violent conflictual relationship changed into partners of a no-war pact. Had it not been for the diplomatic skill of the Prophet to overcome a scuffle over the issues of beliefs like the Quraysh's refusal to agree to the title of the Prophet; "the Messenger of Allah" and the title of God as "Rahman" the treaty would not have materialised as it would be deemed to fail due to the fundamentalist arrogance of both sides. The Prophet was convinced about what he believed and preached but he was also intelligent enough to understand that the treaty of peace is to achieve a no-war pact and the status of a negotiator and not to make the other group agree to what he believed to be true. The audacious insistence of communities on their version of truth even before a dialogue take place impedes the possibility of both the change in the relationship and a chance to freely express their side of the story.

5.3 Sacrifice and Reciprocity

Close analysis of the model of reconciliation by the Prophet Muhammed would reveal to us two virtues: moral, ethical and religious, that are very important for lasting peace in society. The initiation of reconciliation in a conflicting society by a group is predicated on the willingness of those groups to make sacrifices: to give up something for the good of all. What one group has to sacrifice could be some aspects of their own identity, financial resources, individual ego especially when one has a legitimate claim for retaliation when one's rights are violated by another. If every group were to stand resolute on their claims for rights without any regard for responsibilities for collective good violent conflicts may stay unresolved forever. It is good in sacrificing something if that brings peace for everyone as it helps all. Sacrifice brings a symbiosis in society by recognising mutual collective responsibilities. Transcending one's

needs, not everything is a must for an individual to be able to participate in society, at least in a democracy. Since democracy is an ongoing process depending on reforms in society, it cannot flourish without sacrifice. Sacrifice is necessary because democratic reform is depended on it. The interdependence of groups is the hallmark of a heterogeneous society for no group can survive in complete isolation. This also makes the sacrifice necessary for refining democracy and strengthening the peace process.

Prophet Muhammad's action affirms the importance of sacrifice in reconciliation. Sacrifice holds a key role in the teachings of the prophet and in the history of Islam. The act of sacrifice, leaving something for something better is part of Islamic theology. The fourth pillar of Islam, Zakat/ mandatory charity is to make one's wealth sacred/ purify one's wealth. It is also important to note that the prophet had declared the city of Medina a sanctuary/ a sacred place where killing, hunting, or taking revenge or any act of violence is completely prohibited. It is deeply rooted in the history of Arabia as the city of Mecca, especially the surrounding place of Ka'ba had been considered as a sanctuary where all forms of violence are prohibited. By way of prohibiting violence altogether, the Prophet reiterated the importance of sacrifice to the faith and spirituality of Muslims.

Incidents of Hudaibiyyah, the conquest of Mecca and the constitution of Medina show various forms of sacrifices made by Muslims as well as non-Muslims. Provision in the covenant of Hudaibiyyah, such as those who leave Medina and Islam be returned to Mecca and not expecting the same in case of one leaves Mecca without the permission of family, erasing of the title of the Prophet: the Messenger of God, and returning from the place without

performing Umara are all examples of sacrifices. It was not only physical sacrifice like retuning without achieving the intended goal of the travel: to perform Umra and agreeing to start the covenant in the terms suggested by the Quraysh but also spiritual and moral sacrifice of one's ego as the companions of the Prophet were convinced that they had all the rights to fight the Quraysh for the conditions that they suggested in the covenant. Unconditional amnesty given to all the Quraysh on the day of the conquest of Mecca is often read as an outstanding example of forgiving by the Prophet but what lies behind such a spectacle is a moral imperative for sacrifice. One needs to have an extraordinary sense of sacrifice to let go of the urge to retaliate when he is at the helm of a people who had been harassing him as his people for a long time. It is impossible for one to forgive his enemies who are in a helpless condition, without sacrificing the sense of absoluteness that men attach to themselves. The constitution of Medina required both the Muslims and non-Muslim parties to make sacrifices in the form of providing physical labour and even life at times of war to defend the newly constituted political community in Medina and financial alms in the form of taxation. It was a non-equal way of sacrifice enshrined in the city-state of Medina where the Muslims were required to fight the wars and the non-Muslims had to pay taxes in return for their protection. Each group had to sacrifice something of their own: money, men, and other political priorities such as having a different state of one's own. The Jews and other non-Muslims were also to sacrifice all that they might have received from a possible alliance, alliance for war or trade, with the Quraysh.

While the two incidents: the Hudaibiyyah and the conquest of Mecca were examples of non-reciprocal sacrifices, the constitution of Medina envisioned a

model of reconciliation based on the reciprocal sacrifice. Each of the groups was to make sacrifice although the degree and nature of that sacrifice varied substantially. It would have been not so difficult for the Prophet to convince both his followers and the Jews about the importance of sacrifice as both Islam and Judaism treats it to be a virtue. While the concept of sacrifice means, in the normal circumstance to give up something for the something better, theologically it also has another meaning: to make things sacred, in Islam and to draw oneself near to God in Judaism. The following verse from chapter 9 of Qur'an reads: "In order to clean and purify them [Prophet], take alms out of their property and pray for them, your prayer will be a comfort to them. God is all hearing, all knowing" (Haleem, 2016, p. 125). Here, the compulsory charity is a sacrifice of one's wealth in the way of God and it is believed to purify the believer and his wealth. Qorbanot: a Hebrew word denotes sacrifice or offerings in Judaism. It suggests giving up something. Although it is about giving something up as part of a ritual, the word Qorbanot also means 'to draw near' which indicates the most important purpose of the action: to draw one near to God. One of the 613 commandments of God in the Torah is to sacrifice animals. The commandment "to sanctify the firstling clean cattle and offer it up" is derived from the holy bible: Exodus 13:2 and Deuteronomy 15:19 (Rich, 1998-2011).

Reciprocity is an ethic and virtue which is very important for the peaceful life of a diverse society. Reciprocity in cultural exchanges has begun to attract the centre of attraction in discussions on tolerance, multiculturalism, and conflict resolution and peace studies. Pointing out to the inevitability of reciprocity Simon Rabinovitch writes: "it is impossible for any group to live in

a society, or at least a liberal-democratic society, non-reciprocally. There are always individual non-contributors, but no group can exist within a society without reciprocal exchange” (Rabinovitch, 2018). Unlike the liberal notion of tolerance or toleration, idealising of which embeds dominance, reciprocity entails mutual interaction and influence. Liberal tolerance has historically been an idea of unilateral action from the side of the majority towards the recognized minorities. It had worked for advancing the interests of the majority to legitimise itself. It was also used as a means to regulate the minorities by the majority. Moreover, the liberal idea of toleration many times patronises the minority which effectively denies the right to mutual interaction and the possibility of mutual influence of various groups. Reciprocity, on the other hand, seeks cultural exchanges on a daily basis and open the door for influencing each other in the process of reform in the society.

Prophetic Model of reconciliation entails the idea of reciprocity, at the realm of social relations and cultural exchange, in a political community. This model of reciprocating in a good manner to both good and evil is encouraged by the Quran in the verse “Good and evil cannot be equal. [Prophet], repel evil with what is better and your enemy will become as close as an old and valued friend, but only those who are steadfast in patience, only those who are blessed with great righteousness, will attain to such goodness” (Haleem, 2016, p. 309). Here the Quran argues that reciprocating evil and good with better is a virtue worth pursuing. Although it may not be helpful to look for a perfect democratic model in a pre-modern system of administration, Prophet’s Medina could be considered as an impressive initiative for a model of political reconciliation based on Sacrifice and reciprocity. There were cultural exchanges in society

among Muslims and non-Muslims to a great extent. Jews and Muslims were recognized as the people of the Book: descendents of Abraham. Islam in its evolution sustained many of the Jewish practices. Most of the commandments of the Jewish faith were adopted by Islam and it differed only on a very few fundamental questions of faith and practices. Apart from the cultural exchanges, civic engagements were also encouraged by the Prophet. At the beginning of reconciliation, the Prophet Muhammad worked as an initiator of the peace process for which he had shown willingness to make a unilateral sacrifice. His awareness and skills were good enough to recognize the need to institutionalise a system of the equal but differentiated system of sacrifice and a norm of reciprocity once a political community was established in Medina.

The model of political reconciliation underlined by the principle of sacrifice and reciprocity offers an optimistic future for our current democratic society. It is widely accepted that the deepening of democracy, both in its procedural and substantial sense, requires social reforms. It is impossible to imagine a smooth, successful and non-violent reform without a sense of sacrifice in each of the groups in our society. No group in a diverse society can afford to practice unidirectional and non-reciprocal sacrifice all the time for the obvious reasons. The success of reforms and democracy depends very much on the synthesis of sacrifice and reciprocity.

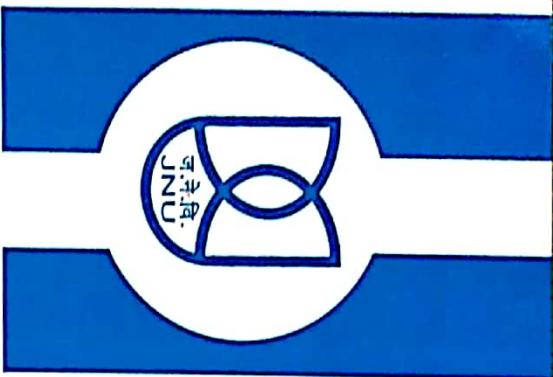
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8th CWAS Young Scholars' National Seminar, 2018

Re-reading WANA: Territory, Subjectivity and Politics

27th-28th March, 2018

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Model of Political Reconciliation: Prophet Muhammad's Engagements with Inter- community Conflicts

by Muhammedali P

Submission date: 24-Jun-2019 03:08PM (UTC+0530)

Submission ID: 1146627177

File name: (780.54K)

Word count: 34189

Character count: 171573

Chapter I

Introduction

Legends, epics and historical accounts suggest that life is a story of conflicts. The chronicle of the origin of human life in the world itself is an account of conflict. According to the biblical and Quranic traditions the human conflicts had started in the first family itself. Holy bible explains the first ever murder of human life out of a conflict as follows.

“Adam made love to his wife Eve, and she became pregnant and gave birth to Cain. She said, “With the help of the LORD I have brought forth a man.” ² Later she gave birth to his brother Abel.

Now Abel kept flocks, and Cain worked the soil. ³ In the course of time Cain brought some of the fruits of the soil as an offering to the LORD. ⁴ And Abel also brought an offering—fat portions from some of the firstborn of his flock. The LORD looked with favor on Abel and his offering, ⁵ but on Cain and his offering he did not look with favor. So Cain was very angry, and his face was downcast.

⁶ Then the LORD said to Cain, “Why are you angry? Why is your face downcast? ⁷ If you do what is right, will you not be accepted? But if you do not do what is right, sin is crouching at your door; it desires to have you, but you must rule over it.”

⁸ Now Cain said to his brother Abel, “Let’s go out to the field.” While they were in the field, Cain attacked his brother Abel and killed him.”

Alluding to the same incident, Quran says

“[Prophet], tell them the truth about the story of Adam’s two sons: each of them offered a sacrifice, and it was accepted from one and not the other. One said, ‘I will kill you,’ but the other said, ‘God only accepts the sacrifice of those who are mindful of Him’ (Haleem, 2016, p. 70)

Perpetuity of contestation and turning of them into violence have been an inextricable theme of history, art, religion, and politics. . Nietzsche suggests that “in truth, the concept of Greek law developed out of *murder* and atonement for murder, finer culture, too, takes its first victor’s wreath from the altar of atonement for murder” (Nietzsche, 2006, p. 175). Nietzsche justifies his claim by alluding to the themes of artistic sculptures and historical writings of the Greeks. For him, the condition of pre-Homeric Greek would reveal the conflicts, wars, and vengeance. The thick air in the poems of Hesiod and the names of ‘Orpheus, Musaeus and their cults tell the story of a world of “combat and cruelty led- to nausea at existence, to the view of existence as a punishment to be discharged by serving out one’s time, to the belief that existence and indebtedness were identical”. At the centre of the conflicts of various degrees, nature and intensities were races, resources, religions, communitarian norms so on and so forth. When the conflicts go beyond the limits they threaten the peaceful existence of human life in the planet. Therefore attempts to resolve the conflicts or stopping them from going out of hands is very important. However the accounts of infinitely violent massacres found in the epics and historical entries suggests that keeping the conflicts non-violent always is an unearthly situation. Nevertheless the story of life, hence the story of conflict, has not been dangerously violent alone. What runs parallel to the story of conflicts turned into violence is the story of attempts to reconcile the conflicting parties and reach a solution either before the fight or afterwards. History is suggestive of the fact that many of those acts had paid of too. Wayne Booth convincingly suggests that “None of us would be here if reconciliation had not often triumphed over blind enmity” (Booth, 2015, p. 5) Every time when we see the obvious differences in society turning in to violent encounters in the forms of riots, persecutions, massacres or wars, we think of ways and methods to bring peaceful life back to the scene. Thought and action aimed at making a peaceful environment after a violent conflict by bringing the former oppressor and the former victim together could be called as reconciliation.

Islam and Prophet Muhammad; a case for conflict and peace

The stories of empires are in fact, most often, the stories of battles and conquests and the heroes of those empires the cruellest among them. Even the emergence of nation states and spread of liberal democracy could not end the saga of conflicts and violence in the world. Colonialism, Struggles for independence from colonial yoke, revolutions, two world wars, brutal civil wars, international terrorism etc. are suggestive of the aforementioned reality. In recent times, especially after the demolition of twin towers in the United States of America, Islam started getting an unprecedented attention in the discussions about conflicts and reconciliation. Islam being one of the biggest religion of the world, in terms of followers, is not free from the issue of conflicts and violence. Muslim, as it is true for members of any other social institutions, appear in conflicts and violence. Presence of terrorist outfits carrying Islamic names and brutal activities carried out by those groups find news rubrics quite frequently. Arguments and counter arguments about the commitment of this religion to peace and coexistence make into the headlines of both academic and popular literature.

This is study of the ‘Model of Political Reconciliation; Prophet Muhammad’s engagements with inter-community conflicts’ deals with the inter-community conflicts during the life of Prophet Muhammad. Though scholars differed on the year of birth of Prophet Muhammad, most of them unite on the year 570 CE. Since the biographers of Muhammad agree on the fact that he claimed Prophethood ⁹ at the age of 40 and died at the age of 63, based on his birth year as 570 CE the time period of the preaching of Islam by him could be estimated to be between 610 to 632 CE. Biographies of Prophet Muhammad and Hadiths texts point to various kinds of conflicts, wars and reconciliations during this time. This study covers the conflicts and responses of Prophet Muhammad in his life period: both before and after the

proclamation of *nubuwwah* . Historical accounts suggest the existence of series of wars in Arabia during the sixth and seventh centuries and Prophet Muhammad was born into that time and society. He grew among the jingoists and would later confront their passion for fight in the last twenty three years of his life. Since almost all of the Muslim groups of today, pacifists or war mongers, extremists or moderates, modernists or traditionalists, claim to represent the life of Prophet Muhammad, the last Prophet of Islam, in whatever they are doing, it would be substantially significant to look at the history of his life to see the ways in which he approached the issue of conflict and violence which is a ubiquitous theme of history.

Belligerently passionate tribal solidarity, endless battles over grazing land, scarce water sources, and oases, attacks on caravans traversing the desert to and from market outside the Hejaz were all incidents in a day to day basis in Mecca and Medina. Even the social norms were set in resonance with the never ending fights of the time. The socio-political situation in Arabia had a profound impact on the ¹⁷ life of Prophet Muhammad and his ascendance to the status ⁷ of the Messenger of Allah and the leader of a new religion in the subcontinent, in the early years of the religion before it spread across the globe, had deep influence on the social-political interaction of people too.

The responses of Prophet Muhammad to the conflicts and violence in his time is important in two respects. First, his reactions to the conflicts, as the response of any other individual, could have had an impact on the matter under consideration and the uniqueness of his model, if any, could be taken as the source of inspiration in our endeavours of the politics of peace. Secondly, his exceptional status of the Messenger of Allah and the exalted role of ‘perfect model’ for the Muslims demands keen understanding of what he did and did not do in terms of conflicts and their solution. Quran says “The Messenger of God is an excellent model for those of you who put your hope in God and the Last Day and remember Him often” (Haleem, 2016, p. 268) The exemplarity of the Prophet becomes reason for the following of his words, fulfilling his

commands, avoiding what he did not like and, to be precise, imitating him to the smallest ever possible aspect of his life. Reza Aslan contends that “regardless of whether one is labelled as modernist or traditionalist, a reformist or a fundamentalist, a feminist or a chauvinist, all Muslims regard Medina as the Model of Islamic perfection. Simply put, Medina is what Islam meant to be” (Aslan, 2005 , p. 53). The influence of the Prophet in the daily life of Muslims and their popular culture is reflected in various arts form and expressions. Opening line of a very famous Quawwali song reads

“O my Lord!

Neither do I crave for earthly opulence,

Nor do I hanker after the seductive crown of power,

My Lord! The sheer glory of heaven I don’t covet,

Let there just be such a vigorous potency in my plea

That the moment my heart seethes with a pang of anguish,

Same reaches the sublime ears of Muhammad (pbuh)”

Each action of the Prophet with regard to the conflicts of his time, as it is true for any other aspect, means more than an ordinary person’s actions in time of conflicts for he has been followed to the nuke and corner by a people over a millennium. Not only the number of Muslims in the world that necessitates the study of this religion and its supreme leader, but also the profoundly insightful lessons that can be derived from the action of Prophet Muhammad with regard to the peace induces one to have a look at the life and action of the Prophet of Allah. It is in this context that one gets the motivation to read the life of Prophet Muhammad through the lenses of conflict and peace, for conflict has become omnipresent and peace rare in our time.

Statement of the Problem

The sheer number of wars and severity of the violence in the sixth and seventh century Arabia is enough to shake the consciousness of human beings. Time span of wars, Buath war in Yathrib lasted for 120 years, and the toll it took on the human life was so severe that they could be called the catastrophe of the time. However the emergence of Islam and the actions of Prophet Muhammad could reduce the intensity and number of such conflicts. Though there were battles and conflicts their nature, length, causalities, effects etc. were qualitatively different from the pre-Islamic conflicts. Historical accounts suggest many incidents of peace treaties and covenants of cooperation among former enemies in the Arabia during the time of Prophet Muhammad. Mutation of Arabian society, especially in Medina, with the emergence of Islam and a new political system brought about by the Prophet in Medina, which had later spread to Mecca too, characterises the society in Mecca and Medina with the arrival of Islam as a society in transition. The question of past wrongs and bringing together of the former enemies and oppressors in a transitional society makes the focus of the study of reconciliation. How is a transitional society to address the issue of past injustices? How are they to bring the former enemies together in the process of nation building? What sort of justice system could/should be adopted in the pursuit of peace and cooperation? These are the questions that concern the discourse of reconciliation. Various strands of thought have reflected on these question differently and the debate is yet to reach a unanimously agreed conclusion. The possibilities of retributive and restorative justice and creation of new political community have been tracked in academics and sometimes tried and tested in different societies. It becomes imperative on us to think little deeply about the various ways of reconciling available to us and the possible modifications to them to achieve the invaluable goal of peace in society. The search for a model of reconciliation in the history of an important faith group, Islam, may, hopefully, help us draw some insights about the dynamics of conflicts and complexities of reconciliation.

It is in this context that the possibility of studying the responses of Prophet Muhammad to the inter-community conflicts through the prism of political reconciliation becomes significant.

Introducing the location of study.

As it has been stated in the previous paragraph that this study is concerned ⁷with the characteristic features of the engagements of Prophet Muhammad in the inter-community conflicts of his life time. Primarily, then, this study is the inquiry into the nature of inter-community conflicts in the sixth and seventh century Hejaz and the role played by the Prophet Muhammad in what course those conflicts took after his coming into the scene. There were a number of inter-tribal wars happening ¹⁶at the time of the birth of Muhammad. Many of those wars were continuing for decades. There were some wars that lasted more than a century too. Prophet Muhammad lived sixty three years in the world. Since his responses to those conflicts is the main theme of the study, this inquiry covers about forty years. The first significant incident of reconciliation in the life of Prophet is about the dispute over the reinstallation of the black stone on the wall of Ka'ba at the time of its rejuvenation. The age of Prophet could be between thirty and thirty five at that time (Al-Mubarakpuri, 2008, p. 80).

Two main theatres of the enquiry are Mecca and Medina in the province of Hejaz in the present day Kingdom of Saudi Arabia. Prophet Muhammad was born in Mecca in AD 570 and lived there until he was fifty three years old. Due to the intolerably miserable persecutions from his own tribe and other pagans for his introduction of a new monotheistic religion that challenged their traditional believes and socio-political arrangements, he had to make his way

to Yathrib, later renamed as Medina. The rest of his life, ten years, were spent in Medina. There were series of tribal conflicts and long standing battles in both Mecca and Medina of those days. However, there was a political system established by the Prophet and both Mecca and Medina were under his direct control. Unifying a society that was fragmented on the lines of tribal identities into a single political community (*Ummah*) to which the Jews, pagan Arabs and Muslims were parties is not a less significant achievement. To analyse the methods by which the Prophet could bring those former enemies into the fabric of fellow subjects/citizens is what inspired this study and since those incidents took place mainly in the centre and outskirts of the cities of Mecca and Medina they constitute the geographical space of this study.

Political Reconciliation; theoretical framework

Prophet's engagements with the inter-community conflicts is being looked through the prism of the discourses around political reconciliation and transformation of conflicts. "Reconciliation would not be about transcending the conflicts of the past by striving for social harmony. Rather, reconciliation would condition the possibility of politics by framing a potentially agonistic clash of world views within the context of a community that is not yet" (Schaap, 2005, p. 4). Following Andrew Schaap in both understanding the necessity of a political conception of reconciliation and deriving from Hana Arendt's idea of 'worldliness' which helps us define the concept of the political without falling prey to the 'risk of the political' that is embedded in the famous Schmidtian definition of the 'political', Prophet Muhammad's action in the field of social and political conflicts are put into to a close-reading. The concept of the political in Schmidtian terms entails an ever continuing antagonism of the friend and enemy in the realm of politics. Arendt's idea of worldliness suggests a type of relationship in society that is not necessarily antagonistic but every one perceives the world from different perspectives while it remains that the world they share is common. Symbiosis of the concept of worldliness and the idea of political suggest a new framework to look at the

relationship of various groups in society. Such a framework would also help us traverse the landscape of conflicts in a more meaningful way.

Arendt's idea of worldliness: A world is shared in common but perceived from various perspectives allows for conceiving politics as an agonistic relationship among various socio-cultural groups. This idea permits for the conception of the political based on agonistic relationship that Arendt sees in Friendship. Friendship involves at least two different individuals engaging each other in the following way. Each acts autonomously to get their 'otherness/uniqueness' recognised. In the successful life of a friendship lies intimate awareness of the friend. This regard for the difference of the other and its worth makes friendship a powerful metaphor for arguing for agonistic relation which forms the foundational understanding of the 'political as a relation as well as an undertaking based on contestation. Following this any relation, in public sphere, or undertaking that is based on contestation qualifies the political. If this is true a conception of reconciliation aiming to end the violence involved in the conflict, notwithstanding contestation of worldviews of the contesting parties become 'political reconciliation' (Schaap, 2005)

Here the concept of political reconciliation is relied on as a framework of analysing the acts of the Prophet. A review of the existing literature suggests the predominance of nation-state centric character that characterises most of the theoretical as well as policy oriented writings on the themes of political reconciliation. A critique of the project of the mainstream political reconciliation discourses that presupposes principal role of the nation state is brought in. Overemphasis of judiciary, limitation of the state in calling the conflicting parties up on moral imperatives, especially towards forgiving the oppressor, encouraging everyone to make sacrifice, its unwillingness to autonomous and alternative actions on the part of communities in dealing with the conflicts through dialogue are accounted for in the critique and are helpful in imagining a much more helpful way of transforming conflicts.

The Prophetic model of reconciliation of communities who were at war with each other was political for he tried to forge a political community that permitted mutual co-existence without compromising on each one's worldview and religious convictions. He didn't have to punish the former oppressor to reconcile him with the new society that included the former enemies. This is evident in the unfolding of the key events like, Hijra Hudaibiyya, and the Conquest of Mecca which are discussed in detail in the chapter **“Prophet Muhammed in action: understanding the ethics and methods of engaging with inter-community conflicts”**. Neither did he have to incur reparations on the system or violators to unite the former enemies and attach them into the fabric of the new political community of his city-state. His methods and tools were something else and that is precisely what is sought to capture in this study.

A note on sources and methods

An enquiry into the model of political reconciliation by Prophet Muhammad demands a two sided study. One the conceptual study of political reconciliation and the second a historical reading of how did Prophet Muhammad respond to the conflicts of his time. For the first part of the study a chapter with an extended literature review of the concept of reconciliation has been dedicated. A critical reading of the famous studies among the existing writings on the topic has been done to reach a fairly clear notion of political reconciliation.

Second part has a historical tone as the life and actions of Prophet Muhammad belongs chronologically to the past. Reading the life of a person who lived before more than thirteen hundred centuries ago puts a lot of challenges on the reader. Determining the authenticity of the sources is a difficult task. Secondly reaching at the meanings of the texts of past sets formidable pressure and difficulty upon the researcher for the language and vocabulary by way of which men communicate each other significantly varies with the change on time and space.

To understand the meaning of the texts one has to “reconstruct the objective world of the agent. Since the objective world is not given to the historian or available to him ‘ready at-hand’ it has to be constituted through analysis of particular expressions, and when the objective mind has thus been constructed we can understand a particular expression with reference to it” (Mahajan, 2011) page number. Same words might mean different things in different times and different places. For example in the classical Arabic the word *shaathwir* meant pick pocketing or cutting the pocket in order to take the valuables whereas the same word is used to describe a smart and effective person in his job today. Unless the objective world of the agent, the source of the communication text, is reconstructed and the meanings of expression for the people of that time is understood the text may be left unknown or misunderstood. Some actions that might look senseless and horrendous to a secular individual might carry some celestial meanings to a believer. The implication of building and breaking a covenant might appear silly and easy job for an autocrat but such an action would have serious consequences for a democratic leader. The controversy over Muslims’ refusal to shake hands with the peoples of opposite sex also bear the problem of understanding. For a secular person this could mean disrespecting others, especially if one had held out the hand for a Muslim to shake hand. However for a practicing Muslim this would not mean any such negative thing as his/her way of greeting a person from opposite sex is not shaking the hands. The same issue happens with the historical accounts of the life and political career of Prophet Muhammad too. Reading of the actions and expression of the people of sixth and seventh century Arabia without placing them in their context can either confuse or lead us astray. In order to avoid the maximum errors of this sort, texts which are the result of vigorous linguistic and historical exegesis are consulted in taking the meanings of Hadiths, Quranic verses and other incidents 7 in the life of Prophet. Understanding of the actions of Prophet with regard to various communities have been different at different times. He fought with some people at sometimes, he gave pardon to some at some other time and

some were punished by him. To recover the meanings of the actions and utterings of the Prophet and the people he engaged with, hermeneutics is used as the method of understanding. Historical nature of the topic and understanding, rather than explaining, the life world and experiences of the Prophet Muhammad being the prime objective, hermeneutics suits best to this study.

Little is known about the Arabia in the immediate pre-Islamic era. Poetry is one of the rare sources that survived to help us navigate the life of Arabs in the Middle Ages, especially two three centuries before the coming of Islam. The taste for poetry Arabs had was remarkable and the topic for constituting poems varied from vine, to war and tribal solidarity. All of the aspects of life were touched by the poems in the pre-Islamic era, though vine, war and women dominated the other choices of subjects of the poets. Philip K Hitti reflects on the veneration that Arabs had for poetry as follows “No people in the world, perhaps, manifest such enthusiastic admiration for literary expressions and are so moved by the word, spoken or written, as the Arabs” (Hitti, 1970 p. 90). Standing testimony to their passion for word and language, many of the poetic creations have survived to throw light on the history of Arabs to the generations to come. Whatever the poetry may meant for the Arabs those works of art would serve as source of immeasurable value for the historians to come. “Poetry was the principal form of cultural expression of the Arabs in both the pre-Islamic and Islamic periods” (Kirzali, 2011, p. 27). And, may be for the same reason Ibn Khaldun is reported to have claimed poetry to be the public register of the Arabs. As for the sources of pre-Islamic circumstances *Muallagas* have been used in this study. They are consulted to plot the historical situation of Arabs just before the emergence of Islam for that is inevitable to get a clear picture of what change Prophet Muhammad and his religion had brought to the steppes.

As for the life period of the Prophet Muhammad, three major sources; the Quran, hadith and biographies of the prophet, are consulted. Firstly, Quran the most authentic and

authoritative text in Islamic tradition is used to make sense of events in the life of the prophet. Since revelation happened over twenty three years and the verses of this holy book came down to the Prophet in piecemeal according to the circumstantial necessities, this book is a great source of historical value too. Knut Vikør affirms the acceptability of Quran among Muslims as “The Koran has an established and certain content; there is no disagreement among Muslims over its actual words, but it needs to be read correctly to be understood” (Vikør, 2005, p. 32) Secondly the corpus of *hadith* that stands above the biographies in authenticity are also consulted to reconstruct the world of sixth and seventh century Arabia. Hadiths are generally understood as the ‘stories told about the Prophet and his community and his *sunnah*’. Though hadiths are described as the stories told about the prophet, it is important to bear in mind some significant aspects of hadith that differentiate it from other sources which might confuse one with hadiths themselves. A lucid description of hadith, that would help us understand the points of difference between hadiths and other ditto like sources, is found in the work of Knut Vikør.

He writes

“ Not all hadiths actually talk about the prophet, and not all stories about the prophet are hadith. There are several genres of such stories. Some are merely biographical (*Sira*), or they relate the events of his military campaigns (*Maghazi*). These may be important for pious Muslims who want to emulate the prophet, but they are technically relating to the history of the prophet’s ‘human’ endeavours, where he acts in his own capacity. It is the *normative* stories, those that are meant to be important for how later Muslims should act and where Muhammad transmits directly or indirectly God’s intentions and will, that are given the name Hadith, and are thus subject to the detailed methodology that separates true from false” (Vikør, 2005, p. 38)

Some Islamic scholars have placed the Hadiths with the status of Quran itself. For them both are revelations, though with different attributes. Moreover scholars like Muhammad ibn Idris Shafi were of the opinion that the Hadiths are instrumental in understanding the Quran and

without the former's help the latter could not be explored at all. Asserting this point Vikor (2005) has stated " both the Koran and true Hadith are equally valid expressions of God's revelation". Due to the critical importance in deriving the God's laws, dutifully aware attempts were invested in compiling the Hadiths. There was detailed methodology applied in the vigorous scrutiny of stories that were called Hadiths. Scholars of Hadiths did not include a narration in their collections unless they were sure that the story could have been originated and transmitted the way it was presented to them. A Hadith has two components; one the chain of transmitters from its origin to the compiler (*isnad*) and the other is the text or body of the Hadith (*matn*). In order to ensure the authenticity of Hadiths the scholars of Hadiths keenly observed the transmitters of each Hadith. If there was a drunkard, a person with notoriously bad memory, a sectarian or so in the chain of transmitters the story related was discredited. For the first century soon after the death of the Prophets there was hardly any, known, attempts to compile the Hadiths in written forms, instead they were orally transmitted. When the efforts to compile the Hadiths started different versions of same incident by various transmitters were collected and recorded. Hadith scholars who are well versed in the linguistic style of the Prophet and companions, their idioms, usages and general history could choose most appropriate among them. Scrutiny of narrators and the text were the main two basis of categorising a Hadith in to a 'sound and true, *shaih*, or weak and less trustworthy, *daif* (Vikor, 2005).

Hadith collections of Abu Abdullah Muhammad bin Ismail al Bukharin and Muslim ibn al-Hajjaj are consulted for the details of the events that are important for this study. These two hadith collections are considered to be most authentic texts after Quran in the Islamic tradition for their vigour and watchfulness in selecting the hadiths from the ocean of narrations regarding, words, actions, signs and pauses in the life of the Prophet Muhammad. The carefulness of these two collections have been recognised and praised across the Muslim world.

The importance of hadith, apart from its significance from the vantage point of a historian, is that “The canonical collections of Sunni Hadith literature, the so-called 'ahl-ul-kutüb-is-sitta, consist of thousands of individual reports considered as being the most authentic indicators of and therefore embodying Sunnah of the Prophet. As a whole, this body of literature presents a picture of the Prophet as issuing orders or advising the contemporary Muslim community on a vast number of issues concerning Islamic dogma, law, theology, ethics and morality, even to the extent of laying down rules concerning the most private spheres of an individual’s life” (Dudcrija, 2009, p. 397). Thirdly, World renowned biographies of the Prophet by both academic and religious scholars have been relied on for the details of the events that are important for the course of this project. These biographies are the commentaries on the classical literature of the *seerahs* and therefore are secondary sources. Academic nature and systematic approach of the biographers and comprehensiveness in the presentation makes the modern-day biographies more attractive. Moreover these biographies are products of a time that is well ahead of the period of the origin of *seerahs*, hence the inauthentic narrations and accounts in the original corpus could be eliminated. Arafat (1976) has reflected on the inconsistency and inauthenticity in the number of people killed in the incident of Banu-Qurayza. His claims are based on the refutation of Ibn Ishaq’s claims in his *Siratu Rasulillah* by Malik, one of the four major jurist and contemporary of Ibn Ishaq and insights derived from a paper presentation in the World Congress of Jewish studies in 1973.

Quran and Hadith are not descriptive in nature when it comes to the historical events, instead they allude to events and occasionally give details of incidents. The wordings and way of elucidation in these two sources are very important in authenticating the incidents found in the *seerah*, and the biographies based on them for that matter. Islamic traditions, especially Sunnis, revere Quran and Hadith over other sources and their position, respectively, prevail over the other sources in case of any contradictory reports found in them and other sources.

This has been agreed upon the religious scholars and the same is expressed by Abdul Hakim Murad as “For the Sunnis, authority was, by definition, vested in the Quran and Sunnah” (Murad, nd). Looking through an academic lens would also attest the claim of authenticity of Quran and Hadiths in the revered collections because the originals of these works have been preserved and the vigorous scholarship invested in the gathering of parts of these two bodies into unified form is worthy of appreciation. Quranic verses written on various materials such as bones, dried skins of animals and plants, stones, wood etc. were compiled to form a book and the exactness of verses were confirmed by a group of companions who had the entire Quran memorised (Campo, 2009). In the case of Hadiths they were orally transmitted for more than a hundred years but were compiled in to various collections by scholars later on. Six most trusted collections are admired and relied upon in the Islamic world as well as in the secular academia for their vigilance in selecting Hadiths. Each Hadith is reported with a chain of transmitters (*isnad*) that trace the Hadith from the compiler to the origin. “For the Muslim scholarly class, the ulema, tracing the *isnad* of a Hadith back to Muhammad is to follow one’s genealogy of sacred knowledge back to its source. It is a medium of connection to the Prophet, ‘the beloved of God,’ and a link to the scholarly titans of the past. Even today, reciting one’s *isnad* is to walk back in memory through the pantheon corridor of great scholars whose labors had built up Islamic tradition” (Brown J. A., 2009, p. 13). The anecdotal account of Muahmmad Ismaeel Bukhari’s refusal to accept a Hadith from a person who was showing a sheep with a bunch of leave not to give it to the animal but to call it close certainly throws some light on how careful those compilers were in their endeavour of collection Hadiths and documenting them.

Given the historical nature of the topic, it becomes important for me to rely on academic works also, apart from the religious texts and biographies, in the process of this work. Secondary sources, as they are called, provide information about the historical period under consideration and enhance our understanding. The information they provide; linguistic, historic

and cultural, facilitate the reconstruction of objective world of the agent, here the world of Arabs, Jews and the Prophet. They also, some times, deal with the debates around the topic under enquiry and give valuable insights. Moreover, unlike the religious corpus of literature, the academic works invite the attention of the reader to the socio-economic conditions of the time and space, which is very much important in the social science research. In seeking to reach at the methods and tools of Prophet Muhammad in getting the former oppressors and victims united in a new socio-political order under his religio-political authority, careful reading of historical and linguistic exegesis inevitably important.

CHAPTER II

Conceptualizing Political Reconciliation

With the emergence of newly independent states, who freed themselves from the colonial past the issue of deep divide in the society became a formidable challenge in the process of nation making and consolidation of democracy. Those societies were divided along the lines of races, religion, language, culture, and other categories. They had been witnessing grave wrongs done by one section of the society to the other, mostly with the overt permission, if not the support of the state, for a considerable amount of time. Apartheid in South Africa, the Mapuche conflict in Chile, the Catalanian problem in Spain and Communal violence in India are all suggestive of this problem. Bringing together both the victims and the wrongdoers became a tough task for the newly formed states. Perpetual peace was the fundamental pre requisite for those infant nation-states to begin actions towards all that they had been dreaming under colonial rule and during the violent conflicts. The sheer number of wrong-doers, the immeasurable nature of violence, the presence of non-recorded/reported oppressions, and the impossibility of victims articulating the wrongs faced by them all meant that a judicial settlement of the issue was impossible (Brown & Poremski, 2015). It is in this context, where legalism and economic logic fails to address the issues in bringing together of former victims and former culprits to form a new nation-state, that the discourse on political reconciliation takes off.

Understanding Reconciliation

One has to have a good understanding of what is political and what is reconciliation to talk about political reconciliation in detail. For this reason, I believe that it is reasonable to start off by discussing what reconciliation is. The verb “to reconcile” is defined by the Merriam-Webster dictionary as “to restore friendship or harmony” or “to settle or resolve”. In academia the word has been understood differently by various scholars. Wayne Booth points to the constellation of meanings that the term “reconciliation” includes, and gives a

rough statistics of the references of different words with seemingly similar meanings in Google.com. Those words and phrases include, 'mutual understanding', 'forgiveness', 'dispute resolution', 'conflict resolution' and 'agreement reached' (Booth, 2015, p. 5).

A significant number of Google searches for all of the above words suggests that reconciliation has been understood generally with a great conceptual ambiguity. Having identified this conceptual ambiguity, Charles Lerche, (2000, p. 61) writes "There are, in fact, more and more people talking about reconciliation, but the question arises as to whether they are talking about the same thing". Jens Meierhenrich in his essay 'Varieties of Reconciliation' also points to the conceptual ambiguity that exists among the scholarship regarding 'reconciliation' (Meierhenrich, 2008). Conceptualizing reconciliation as forgiving has been fashionable until recently. When reconciliation is conceptualized as forgiving the grave violence and oppression of the past, it demands the willingness of the victim. When victims have reasonable disagreement with any of the provisions of the reconciliation project, the state will have to enforce them to see to it that reconciliation is maintained. At this moment forgiving becomes anything but forgiving. Rather, it becomes forced acceptance of a given formulae that is not so different from a judicial settlement of conflict based on retributive justice (Murphy, 2010).

Most of the meanings attributed to reconciliation tend towards restoration of the chaotic present to a harmonious past; going back to a peaceful and friendly relations of yesterday. Reconciling one with a golden past of a peace and harmony is very much theological. The Biblical account of the original sin and the exodus of man from heaven marks the breach of peace by violating the commandment of God. The original sin makes a break in the relationship between man and God. The blood of Jesus Christ on the cross reconciles man with God. "All this is from God, who reconciled us to himself through Christ and gave us the ministry of reconciliation" (2 Corinthians 5:18). Theology regards reconciliation to be restoration as it

assumes a harmonious past to go back to. It also believes in solving the issue of conflicts once and for all by turning a blind eye towards the future relationship in society, and towards the potential conflicts or outbreaks of violence. Approaching reconciliation theologically provides us with two ways of addressing the violence; through restorative justice or retributive justice. Emphasis on violence alone leaves conflicts unaddressed. What we need, then, is a conception of reconciliation capable of addressing both the issue of violence as well as conflict. Addressing violence alone is incomplete and tentative for it sets the source of violence aside.

Theological reconciliation has lot of limitations in addressing the issue of meaning-less and violent conflicts. First of all, a past with an amicable relationship remains just an assumption in most circumstances. This becomes apparent in the case of transforming societies. The past they have to go back to would stand in the way of a meaningful transformation. A society at the doorstep of democracy cannot even afford to think of going back to a non-democratic past. None of the Truth and Reconciliation Commissions have even alluded to the option of going back to the socio-political settings of precolonial past, though there have been nostalgic reflections from writers like Chinua Achebe about the culture of yesterdays and cries about what fell apart with the arrival of the colonialists. This critique of colonialism does not write off the importance of democracy in such societies in any way.

Secondly, a remedy, which is agreed upon by both the oppressor and the oppressed is hard to reach in the cases of historical injustices. When the society in discussion is at the edge of transformation, they will have reasonable objection with the system of moral and legal structures and practices of the past. This becomes all the more ostensible when the reconciliatory project fails to ensure adequate representation of hitherto oppressed section of society whose stakes may be undermined if the design for reconciliation is prepared predominantly by the privileged class.

Thirdly, restorative logic takes unity to be the ultimate end of reconciliation (Schaap, 2005). If at all such a unity emerges, it will foreclose the openness of the society and possibility of passionate contestation of various world views, which is the hallmark of a plural and political community. A society free from all sorts of conflict imply either boring homogeneity or a heaven in the world. Any strand of political imagination that seeks such a society is non-political in its end. It does not negate the politics against the oppression or conflicts, rather the politics of such a society would come to an end with the realization of its goal of conflict free environment. Politics, the criterion of which is relations based on contestation in the public sphere, would be non-existence in a society composed of individuals or groups with uniform interests. If the objective of a political undertaking is a dream of mutual co-existence of groups with different ways of life and world of meanings and not uniformity of interests it envisage a non-political end. Such an endeavour may not necessarily be non-political in its mission because it may be said be aware of the 'risk of the politics' involved in the conception of the 'political' by Carl Schmitt (Schaap, 2005).

Finally, any final reconciliation implies overcoming contingency and plurality. This has the danger of a homogenising tendency and setting norms in stone. Given these limitations, it is important that a new conception of reconciliation, one based on reconfiguring the society, rather than restoring the past can rise to the front. A conception of reconciliation sensitive towards contingency and plurality can address the issue of meaningless and violent conflicts. It requires a broader understanding of conflict, for only such an understanding can address the human problems emanating from conflicts. This is where the conceptual necessity of political reconciliation comes to the front. Before moving on to the concept of political reconciliation the concept of 'political' needs little elaboration.

Importance of the political

In his theory of the natural origin of the states, Aristotle delineates the importance of state and hence the importance of political association. "Man is by nature a political animal.

And he who by nature and not by mere accident is without a state, is either a bad man or above humanity” (Aristotle, 1995 World Library, In, p. 174) . The term ‘politics’ lacks a universally accepted definition. There have been attempts from various authors, statesmen and others to define this term. Two strands of defining this term, in a broad sense, could be identified; one as those who tried to give it a substantiate definition and the others who strived to base the term in relations. Substitutive definitions of politics attempt to give a restricted definition, which define some arenas in which politics take place and, some specific actions that could be called political. Whereas, the relational definitions of politics emphasise the adjective ‘political’ rather than the noun ‘politics’ . For them, politics is a kind of process, or relation, among people. The arena of politics, therefore, cannot be restricted to state or legal institutions. Politics takes place in every arena of human life; in family, community, state, and in every social institution. (Leftwich, 2004). In our use of the adjective ‘political’ we assume a certain power relation in what we are trying to describe. In this sense an action becomes political when it entails either conforming to or challenging the existing power relation in the society. Carl Schmitt is the most profound and useful thinker in developing a theory of the concept of political. His seminal work ‘The Concept of the Political’ has defined political as a relation that can be reduced to that of a friend and enemy. He developed a theory in which distinction between friend and enemy works as the organising principle of politics. (Frye, 1966). This definition entails that we be able to differentiate between political and other forms of relations based on the “degree of association and dissociation”. “As such, politics is inherently conflictual and ultimately turns around the terms of association and dissociation among people” (Schaap, 2005; Schmitt, 1996). This definition also imply that conflict is very much political in its nature because it entails, most of the time in history, a friend-enemy relation as foundational basis of distinction in its own terms (Carl Schmitt, 2010,2014). As the restorative/theological conception of reconciliation is inadequate to bring the conflicting groups, with differencing horizons of

meanings emanating from various imaginations on metaphysics, together to form a new community, we are forced to think of a political solution to the political problem, hence to think of political reconciliation. To think of political reconciliation is to think of a concept that is formed by clubbing two mutually opposing concepts.

Politics-Reconciliation Dichotomy: Search for Synthesis

Political reconciliation is an oxymoron. Inherently conflictual nature of 'the political' and closure and harmoniousness of reconciliation seems to be keeping them in two different poles. "In an important sense, reconciliation is at odds with politics. Whereas reconciliation tends towards closure, harmony, consensus and union, politics tends towards openness, agonism, conflict and plurality" (Schaap, 2005). When a concept with two mutually opposing, in meaning, terminologies are clubbed is brought into discussion, it takes some effort in conceptualizing it. Though there has been accounts of reconciliation, the term political reconciliation lacked a precise conceptualization until Andrew Schaap's work titled "Political Reconciliation" saw the light of the day.

Peace and conflict studies have been grappling with the issue of conflict in transforming societies, who were deeply divided, with the methods of theology and legalism for a long period. Schaap, intervened in the discourse, with considerable success, in bringing forth the concept of political reconciliation to address the issue of incompatibility of political and reconciliation. In doing so he has thrown light upon the difference between reconciliation based on restorative justice and retributive justice and differentiated them from political reconciliation. Schaap's conception of political reconciliation is useful in differentiating other concepts of reconciliation such as therapeutic, theological and economic reconciliations. The point of divergence between political reconciliation and other forms of reconciliations is

marked by the idea of restoration. Therapeutic, theological and economic reconciliations are predicated on a moral imagination of harmonious past. Deviation from that accord is addressed in different ways. While theological reconciliation strives to bring back the unity therapeutic conception tries to cure the illness happened to the body of moral thinking and action. Economic reconciliation is based on repayment to settle the accounts or revolving around the idea of reparations. In the realm of social interaction settling of accounts would imply punishing the violator for the means of paying back in a material form is impossible. The discourse about reparations holds the former systems of exploitation and marginalisation responsible for what they had to suffer and ask for reparations in terms of money or means. Coates (2014) wrote under the title of the article 'The Case for Reparations' that "Two hundred fifty years of slavery. Ninety years of Jim Crow. Sixty years of separate but equal. Thirty-five years of racist housing policy. Until we reckon with our compounding moral debts, America will never be whole". While the moral debt remains a truth and the wound of moral injuries real, the scale of measuring that debt in order to ensure they are paid back is still unavailable. The task of assessing the moral injury itself is prone to be ambiguous for the fact that moving beyond confirming the moral injury is nearly impossible in it. If the insistence is on nodding the head of the aggressive system to the former exploited and oppressed in shame and regret, then the transformation of such previous regimes of discrimination and violations themselves should suffice. It is the regret or apologetic recognition of the vindictiveness of the past that inaugurates the change. If the argument takes another tone to assert that it is not the mercy of the oppressor that changes the system but the relentless struggles of the oppressed that brings liberation, expecting the repayment of moral debt from one who doesn't change unless forced or pressured is far from making sense. Its, of course, true that the moral injury stays for long but insisting on paying the unpayable would only help prolong the peace and reconciliation.

when the transformation is read not procedurally substantially, way to reconciliation might appear little more clear.

From Schaap's conceptualization of political reconciliations we get that, political reconciliation is neither about restoring the chaotic, violent present with a harmonious, peaceful past, nor is it to take the tune of retribution, for we are dealing with a transforming society. Political reconciliation in a transforming society would mean reconfiguration of nature of conflictual interaction. According to Schaap "reconciliation would not be about transcending the conflicts of the past by striving for social harmony. Rather, reconciliation would condition the possibility of politics by framing a potentially agonistic clash of world views within the context of a community that is not yet" (Schaap, 2005, p. 4). A politically reconciled society would be one in which the antagonistic interactions of conflicting world views are reconfigured into an agonistic competition. Formerly conflicting groups in such a society will still be able to compete each other on their own world views but without, possibly, striving to exterminate the other in their pursuits. Reconciliation becomes political when it aims at the preservation of conflictuality; the possibility of competing of interest and world views; hence the plurality. My conception of political reconciliation is that it is reconfiguration of political relationships, conflictual relationship between friends and enemies that promote a political community in which the relationship among different subgroups is agonistic. Here, by agonistic relationship, I mean the possibility of contestation of different opinions in a way that doesn't assume an individual and prevents the growth of violence that impedes the existence of plurality

Hanna Arendt's ethic of worldliness is helpful in thinking of political reconciliation as the formation of a political community. When the world is thought to be shared by all in common but is perceived from various perspectives, there emerges the possibility of friendship among various communities. Communities may try to engage with each other without trying

to transcend the otherness of the other groups. Schaap writes, “To forgive for the sake of who the other is to release him from the consequences of his actions so that he can remain a free agent”. This gives the other an opportunity to act afresh without being bothered by the past as what happens in friendship where two individuals start a new relationship through their acting a new. “Forgiveness reveals the natality of the forgiver because, in contrast to retaliation, it is not a predictable reaction. Rather, it is a response that is both unexpected and unpredictable. As such, it entails an invitation to the other to engage in politics with us” (Schaap, 2005, p. 104)

The risk of perpetual violence entailed in the ever continuing friend-enemy distinction needs to be taken into account while thinking of political reconciliation. A conception of reconciliation subscribing to the ethic of worldliness is aware of ‘the risk of the political’. It opens the possibility of enduring engagements among social groups without being occupied with the past for the ethic of worldliness assumes a new beginning through new actions. The other is recognised as who they are as well as a partner sharing the same world, though differently in terms of how they perceive the world. Aspiration for peace, spontaneous or forced by the gruelling violence being the motive of the undertaking of political reconciliation, acceptance of the ethic of worldliness by the society is not a utopian idea. It rests on the imaginative and skilful efforts of the leaders of each group how successful they can be in making the ethics of worldliness to regulate the conflict and violence.

Materialising political reconciliation

Karl Marx had said “The philosophers have only interpreted the world, in various ways; the point, however, is to change it” (Engels, 1976). The call for praxis; “reflection and action directed at the structures to be transformed” alludes to the vitality of action in everyday life of humans (Freire, 1970 , p. 126). Translation of ideational blue prints into practice is more

challenging than composing abstract formulations. It is in this context that the discourses on processes and methods of political reconciliation kick off. Giving amnesty to the former wrongdoers, forgiveness from the side of the victims to the culprits, formulation of a constitution detailing rights, responsibilities and statuses of citizen in the new state as well as the terms of relations and code of conduct of people in their socio-political life have been at the nucleus of deliberations about reconciliation. Since the primary aim of reconciliation is the configuration of a new political community, any attempt at reconciliation should ²¹ be initiated on the invocation of a 'WE' among the former contenders.

Constitution ¹⁰ (of a political Community based on agonistic relation)

As political reconciliation is impelled by the hope of establishing a new beginning, it is self-consciously enacted in the gap between past and future. ¹⁰ In its political sense, constitution refers to the founding act by which a space for politics is established. Political reconciliation would begin with the ²¹ invocation of a 'we' as the basis of a new political order (Schaap, 2005, p. 80). ¹⁰ The constitution of a space for politics is the moment in which the initiation of reconciliation begins. It is the moment of reconfiguration of a political community. In this sense the term constitution is not a written or unwritten document to regulate and facilitate collective living by legally valid and enforceable principles. Rather, it is a point of origin of a new political community. Chistodoulidis(2000, p.199) contends the same as follows “ Political community is predicated on the ‘recasting’ of the present as a point of origin”. This doesn't rule out the salience of a formal constitution in its modern sense. Salience of a constitution in its legal sense is after political reconciliation and its obligation must be sustaining the beginning i.e. the moment of 'we'.

A constitution, though it can be criticised for the strict legalistic nature and theological logic it entails, has many merits in a political reconciliatory process. First of all it is through a

constitution, through its provisions, that the bitter contenders of the past come together to promise each other 'a never again' with regard to the violent conflicts. "The promise 'never again' locates the possibility of community between former enemies in their present intention to prevent the recurrence of wrongdoing" (Schaap, 2005, p. 87).

Secondly a constitution, in its political sense, provides a new moment in the history of conflicting societies which is neither a 'sacred origin' in the long past nor the 'end of history', with the realization of salvation, or collapse of one powerful enemy and, in its performative sense, sustains this moment of reconciliation, which is not an end, that can be a point in the past for the future to look forward to in their confrontations with potentially violent conflicts. Hence a constitution both in its political sense; 'as invocation of we' and performative sense; actualising it through performative action, helps the political reconciliation to be the best way of imagining an end to the meaningless conflicts and maintenance of political friendship. as such, constitution of a space for politics is both 'a beginning and promising'.

Forgiveness

If constitution creates the space for politics, willingness of the victims makes such a constitution possible. It is done by refusing the past to determine the possibilities of the present (Schaap, 2005). Though forgiving is not a necessary condition in the reconciliatory process it opens a horizon of possibilities. Forgiving, ¹² the intentional and voluntary process by which a victim undergoes a change in feelings and attitude regarding an offence, let go of negative emotions such as vengefulness, with an increased ability to wish the offender well (Association, 2006 Reprinted, 2008., p. 5). Any insistence, from outside, on the victim to forgive the wrongdoer would mean further imposition on those who have been suffering for long. Such an imposition directly from the state or indirectly by insistence of morality that victims should forgive in order to make reconciliation possible should be opposed because such a claim puts the responsibility of repairing the relationship on the shoulders of those who have been suffering (Garrard & Mc Naughton, 2010). A free and voluntary will being the operative term,

imposition from outside makes it anything but forgiving. Forgiveness is not treated here as an integral part of reconciliation, rather it is of course looked as a category that is capable of facilitating it. Once the victim changes the attitude towards the harm doer the possibility of the creation of 'we' is increased greatly. Quoting from Jeffery Murphy, Rajiv Bhargava explains that ³ "when a person is wronged he receives a message of his marginality and irrelevance. The wrongdoer conveys that in his scheme of things the victim counts for nothing. Since self-esteem hinges upon critical opinion of the other, the message sent by the wrongdoer significantly lowers the self-esteem of the wronged. In these circumstances, the insult and degradation inflicted constitute a deeper moral injury. The demand that past injustices be forgotten does not address this loss of self-esteem. Indeed, it inflicts further damage. Asking victims to forget past evils is to treat them as if no great wrong to them has been done, as if they have nothing to feel resentful about. This can only diminish them further." (Bhargava, 2012, p. 372) Although this is not a direct attempt to rule out the role of forgiving in the reconciliation, it warns one of the danger of levying forgiveness on the victim.

Conjectures made on forgiveness-reconciliation relations are often based on how one conceives forgiveness. Responding to the arguments against forgiving in general and its role in reconciliation in particular Rajiv Bhargava contends, that "One well-known argument against forgiveness is that it bypasses the act of wrongdoing. However, to forgive is not to convert a wrong into a right. It is not to justify the wrong done. Nor is it identical with excusing the wrong done, as when one excuses a child for causing some harm on the ground that she cannot really be held responsible for it. The process of forgiveness begins only after proper recognition of wrongdoing and is conditional upon it. Since the wrong is not simply whitewashed, to forgive is not to compromise with evil. Nor does forgiveness entail amnesty. Forgiveness is not to be confused with mercy" (Bhargava, 2012, p. 374).

Blanket contempt for forgiveness by the secularist activism of the present by accusing it to be impediment for justice is insensitive to the potential political relevance of it. As contended by Arendt, “forgiveness allows us to remain free agents, willing participants in the play of the world. As a response to the other that is unconditioned by the act provoked it”, forgiveness testifies to our shared potentiality to act new” (Arendt, 1998, p. 241). Unlike the understanding of overtly right based movements, forgiving is neither passive nor is it an imposed idea all the time. It is an independent and active enterprise that requires a determination of the self. ¹⁴ As unconditioned response rather than mere reaction to another who has wronged us, forgiveness brings to an end a process initiated by an original wrong, which might otherwise have endured indefinitely in human affairs.

Making reconciliation possible; salience of dialogue

As it has been explained, while constitution gives the imperative of the creation of a ‘we’ which is the beginning of political reconciliation and forgiveness a facilitating agent of such a constitution and sustaining agent of the reconciliation itself, one is, then confronted with the method of bringing about these two agents to the front. The question of how are we to bring about the constitution and make forgiveness possible, without forcing, needs to be answered. Charismatic authority of a person, group, creed etc. is one source of materialising these catalysts of political reconciliation. Max Webber defines a charismatic authority as “the authority of the extraordinary and personal gift of grace (charisma), the absolutely personal devotion and personal confidence in revelation, heroism, or other qualities of individual leadership”. The capacity of a charismatic leader to call for the obedience and the possibility of people answering that in conformity does not need any reiteration. On the back drop of conflicts and violence Gandhi is a classic example. Rajiv Bhargava (Bhargava, 2012) has

affirmed this while discussing about the 'Great Calcutta Killing' of 1946 and Gandhi's intervention and calming down of the belligerent perpetrators of violence on both sides. The sense of trust people have on such charismatic leaders is profoundly deep. As Weber says "Men do not obey him by virtue of tradition or statute, but because they believe in him" (Webber, 1919, p. 79). The act of persuasion, in Aristotelian rhetoric, mastered by him can get things done by people the way he wants. Any human being with such an individual grace and committed to harmony and peace can contribute a lot to the sewing of the torn fabric of social and political relationships. The limitation of relying completely on a charismatic leader to come and solve the issue of conflict is that they are not produced on an industrial scale. What is at the core of popular loyalty of a charismatic person is his uniqueness and the infrequent nature of their emerging in the society.

Absence of a charismatic person to make a successful claim on people to set aside the past wrongs and work together calls for alternative ways and methods for the constitution of 'we' and create the ground for adequate forgiveness. Such a search would lead us to the possibility of political dialogues. There has been more and more people talking about dialogue, especially in the late twentieth century and the ongoing phase of twenty first century. Though people differ on the possibilities and modalities of it, most of them unite on the need for and potential of dialogue. On the background of Ayodhya dispute and consequent communal violence in India, Patnaik and Mudium explain the same as follows, "Secular intellectuals are aware of the relevance and efficacy of dialogue as a dispute- solving mechanism but do not seem to consider interfaith political dialogue as a way of resolving the Ayodhya dispute. A number of them, like Romila Thapar, Arundhati Roy, Swami Agnivesh and Medha Patker, favour dialogue between the Indian state and the Maoists and even the Kashmiri separatists" (Patnaik & Mudium , 2014, p. 6). The legalistic constitutional prejudices of a secular state evades the possibility of interfaith dialogue and many of the intellectuals also fall prey to it for

many reasons. The apprehension of legitimising religious fundamentalism is the most important among them. As it has been explained in the beginning of this chapter, legalistic/theological, not religious, approach to reconciliation has many limits and dialogue seems to be the best possible way out to bring about the political reconciliation. When politics is about agonistic engagements of different world views, dialogue becomes unavoidable tool to sustain it. Mutually engaging conversation of antagonistic vies gets the contending parties to go beyond their own prejudices and reach the inevitability of scarifies of 'maximalist' aspirations and claims. Patnaik and Mudium contends that "Only dialogue can help the disputant communities and their organisations to develop a shared understanding of the complications involved in the Ayodhya dispute and the importance of solving it in their own long-term interests" (Patnaik & Mudium , 2014, p. 12). What limits, today, the political-interfaith dialogue is the false binary between dialogue and legalism. It is very important to bear in mind the inevitability of legalistic institutions and the perseverance on dialogue is not to replace judiciary altogether. Conversation of contesters on the matter of conflict can get the issue solved for a longer term. It entails building trust among the people and resolving the issues of enmity stemming out of false perception of the other. This false perception could either be created out of ignorance or a result of a political propaganda of violent nationalism. Unless a genuine conversation happens, conflicting groups seldom understand each other, hence the possibility of peaceful resolution stays elusive. Judiciary may be able to stop the objectionable actions but only dialogue can address the attitudinal aspect of inter community conflicts.

Entanglement of the nation-state and political reconciliation

As the circumstances of newly independent nation states are the main theatre of the discourses of political reconciliation of the late twentieth century, the project of reconciliation has largely been an undertaking of the nation states. Even the discourse on political reconciliations in the settler colonies like Australia and Canada, the nation-state plays a central role in the process of political

reconciliation state. Consolidation of democracy is at the centre of state initiated or sponsored reconciliatory projects in the post-colonies. The involvement of the nation-state, which is of a specific historical and local phenomenon in its origin, in dealing with conflicts produced by itself demands the attention of any serious thought on reconciliation. Though the role of nation-state in creating new conflicts have seriously attended by seriously in the academia, especially anti-colonial movements and de-colonial theories in literature and international relations, implication of the centrality of it in the undertaking of political reconciliation is not given the attention that it deserves.

A close examination of the 'form properties' of the nation-state would help one understand how problematic it would be to take the role of nation-state for granted in the endeavour for political reconciliation. The concept of sovereignty and formation of subjectivity by the nation-state and over emphasis of the seemingly independent judiciary will reveal to us the impairing potential of the nation-state on political reconciliation. Metaphysical limitation of it on calling upon the people to forgive and begin anew as well as its unwillingness to allow for autonomous and alternative actions on the part of communities in dealing with the conflicts through dialogue are also worth thinking about in our imagination of a reconciled political community.

Drawing upon Wael B.Hallaq's close examination of the 'form properties of the nation state, the centrality of the nation-state in the process of reconciliation needs to be problematized. Four among the five 'form properties' of the nation-state 'without which it cannot, at this point in history' that Hallq talks are following. A) "its constitution as a historical experience that is fairly specific and local", B) "Its sovereignty and metaphysics to which it has given rise," C) "Its legitimate monopoly and related feature of monopoly over so-called legitimate violence," D) ²³ "Its cultural hegemonic engagement in the social order, including its production of the national subject" (Hallaq, 2013). All of these form properties have impacts on the nature of conflicts and the process of the transformation of conflicts in the non-European colonies. An undertaking of political reconciliation unaware of these properties and its implications will be futile.

Non-European societies have “followed or, if not, have felt the pressure” to follow “the western state” which is a “product of historical contingency”. More interestingly it was the nature of the state and the process of colonialism through which this version of the state’s introduction to the colonies was at the core of a number of enduring conflicts of the world today. Having not witnessed the specific experiences of the 17th century Europe and the forms of Enlightenment and sustaining, by and large various forms of political and social loyalties, the oriental and African societies did not have a state in the modern sense until colonialism. Carl Schmitt contends the same as “the “state has been possible only in the West” (Quoted in Hallaq, 2013). It becomes the point of entanglement that the very source of conflict as well as the ‘forerunner’ of transforming the conflict is one and the same; the nation-state which hasn’t changed its form property. Apartheid and racial violence in the South Africa illustrates this entanglement very clearly. Institutionalised racism came to South Africa with the white man and his state, and it is the same nation-state without renouncing it’s ‘form properties’ trying to reconcile the racially divided South Africa. The liberal democracy and insistence on the institutional structures above the nature of the conflicts, keeping the judiciary in mind as the only saviour, creates lots of tension in the society. Institutional structures of the nation-state puts certain limitations on citizenship, the people under the constitution is still too small to include everyone alike, rather it creates qualitative differences between the people based on the instruments of law. In South Africa, only the whites were considered to be constitutive of the ‘demos’. It is the same state that divided the society on racial lines now trying play the role of mediator in the process of conflict reconciliation.

Hallaq makes a strong argument against the conception of sovereignty, another form property of the nation-state, as follows:

“Sovereignty is based on the popular will but it does not presupposes actual and active individual participation, but claims its collective force precisely because it is a fiction. The concept loses none of its force even when non-

democratic power come to rule, for even in the absence of traditional democratic practices any state comes to expect its sovereign will to be embodied in the acts and speech of its rulers, even when they happen to be a band of devil” (Hallaq, 2013).

The fiction of popular sovereignty represented by the state has been successful in proving that its gets to speak legitimately on behalf of its citizens irrespective of the commonly accepted awareness that it is oppressive and unrepresentative. A state, especially in the divided societies, in which a certain section of people is represented in power and the same group is in conflict with another social group is susceptible to dominate hence the failure of political reconciliation. “To be a citizen” in the nation state, contrary to the liberal imagination, “therefore means to live under a sovereign will that has its own metaphysics. It is to live with and under yet another god, one who can claim the believers’ lives (Hallaq, 2013). The difference between the metaphysics of the modern nation-state and pre-modern forms of governances is that the former is unrestricted by any other authority’s dictates whereas the latter lives under one. This makes it impossible for the imagination, many a time, of higher morals than sustaining the state itself. It fuses the politics with the state and enjoys the hegemony over every aspect of life; both private and public which closes down the option of a conception of politics based on the ‘ethics of worldliness’

Monopoly over legislation, both derivative and original legislations, is the manifestation of the sovereign will of the nation-state. It does not recognise anybody else but itself as law giver for that would be compromising on sovereignty. Any attempt to think out of the judicial/legal structure to bring about reconciliation would be taken seriously by the state for it sees a potential of law making violence outside its purview. State would not entertain such attempts by individuals or groups for it may threaten, in the eyes of the state, its sovereignty and monopoly over legislation and violence. Walter Benjamin argues that “law’s interest in monopoly of violence visa-vis individuals is not explained by the intention of preserving legal ends but, rather, by that of preserving the law itself; that violence, when not in

the hands of the law, threatens it not by the ends that it may pursue but by its mere existence outside the law” (Benjamin, 1986, p. 281). Reconciliation’s requirement of dialogue between the conflicting parties and actions of groups independently of the legal system is seen as a threat by the state as it could be read as a challenge to the sovereignty of the state: the sole authority to make laws. What is true for the law making violence is also true for the law making capacity of non-state actors. To follow Benjamin, therefore, the process of reconciliation needs to cruise through this predicament.

Hegemonic engagement of the state in the social order, made through by equating the politics with the social, and its production of the national subject. Cultural penetration of the nation-state through destruction of internal entities, ²² tribal or other local units that are the locus of political loyalty and strive to function independently of the state, is identified as the first concrete step in the state’s mission of establishing itself. National subject of the state is made, by way of destroying all sorts of other loyalties, to be ordered by the legal norms of the state. When the source of conflicts itself is the destruction of such socio-cultural units by the nation-state how is it justified to expect it to lead the project of political reconciliation. Description of the law of sedition in various countries reveals the truth of the matter that the national subject, who is made in such a way that the state can legitimately claim his/her life for its sake, not only restricted from having any political loyalty other than itself but also stopped from having any affinity towards anything that the state assumes to be against its interests. Article 124 A of the Indian Penal Code reads

*“[124A. Sedition.—Whoever, by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards, ¹⁰² [***] the Government established by law in ¹⁰³ [India], [***] shall be punished with ¹⁰⁴ [imprisonment for life], to which fine may be added, or with*

imprisonment which may extend to three years, to which fine may be added, or with fine” (Central Government Act , nd).

Pervasive presence of the nation-state irrespective of the forms of governments, democratic, dictatorial, monarchic etc. has created the conflicts of the last two centuries. To approach political reconciliation based on the idea of the political predicated on the ethics of worldliness without being aware of the pervasive presence of the nation-state in the life of citizens is to approach the topic without being ware of the reality hence doomed to fail in its inception.

One reason behind the not so successful track record of the global initiatives of dialogue in pursuing reconciliation is the systemic impediments imposed by the structure of nation-state itself. Even in the time of globalization we are yet to see any qualitative changes in the form-characteristics of the nation-state. The state still holds the control over its sovereignty and regulates the socio-cultural life. Worsening of the refugee crises, increasing restrictions made on the immigration policies, rise of the far-right in various states across the globe are suggestive of the fact of the still existing cultural hegemony as well as unchallenged strength of the nation-state in maintaining its monopoly over legal violence.

Chapter III

Tracking the trajectory of conflicts in Hejaz

The Arabs being the participants of conflicts constitute the population of this study. The genealogy, evolution and economy and socio political history of Arabs needs to be delineated before one could proceed to talk about the nature of conflicts and the way they were approached and addressed by the Prophet Muhammad. I shall start off with outlining the history of Arabs in Hejaz and their socio-political state of affairs in the 6th century AD that is at the time of the birth of Prophet Muhammad. The nature of conflicts before and after the emergence of the Islam will be given elaboration in attempting to plot the trajectory of conflicts in Hejaz by looking at the socio-cultural and political economic condition of the province in the sixth and early seventh centuries.

Who are the Arabs?

Studying of conflict and reconciliation of Arabs throws the fundamental question who are they? The most precise way of defining the Arabs would be to follow Maxime Rodinson for he described the Arabs as “the people who sprang from the cradle of Arabia, which

separated from the continent of Africa and Asia by the Red sea in the west by and Persian gulf in the east and speak Arabic, which is considered as the Semitic language” (Rodinson, 1981,p.1).

Genealogy of the Arabs

According to the biblical tradition the Arabs are ‘one of the Semitic groups’ as they are described as the ²⁴descendants of Shem the son of Noah. A Judeo- Christian tradition considers the Arabs to be the ²⁴descendants of Ishmael the son of Abraham. Ishmael had been regarded as the rival on the matter of ‘the promised land of Israel’. The promise was made to Abraham and his Son Isaac, not to the other son of Abraham, Ishmael. The sons of Jacob, the grand child of Abraham through Isaac was called Israel hence his descendants the Israel. In the Islamic tradition the Arabs are regarded as the descendants of Adnan who was a descendant of Ishmael and the ascendant of Prophet Muhammad therefore both Judeo-Christian and Islamic rendering of the genealogy of the Arabs meet at Ishmael. Arabs are divided into three by the Arab genealogists; the extinct Arabs like A’d and Thamud, who lived in the region until the god punished them for their disobedience. Second category is the ‘pure Arabs’, “descendants of Qahta⁻n or Yaqta⁻n (the Yo⁻qta⁻n that Genesis genealogically links to Noah; Gen. 10:25)’ and the third group is The ‘arabicised or arabicising Arabs” who “are believed to be the descendants of Ishmael through Adna⁻n, but in this case the genealogy does not match the Biblical line exactly. The label ‘arabicised’ is due to the belief that Ishmael spoke Hebrew (sic!) until he got to Mecca, where he married a Yemeni woman and learnt Arabic” (Parolin, 2009, p. 30).

Arabs in Hejaz; the Story of Perpetual Conflicts

‘Pure Arabs’ were from the southern region of the province and were sedentary people whereas the Arabicised or arabicising Arabs were from the northern part of the Hejaz which was known for the harsh climatic condition that did not allow the people to cultivate or settle down. Sand desert, arid steppes and mountains divided the settlers in to small groups who stayed far from each other in relative isolation. The “way of life was shaped by that landscape” (Rodinson, 1981, p. 12). The Bedouins lived in closely knit tight tribal groups in the desert, obeying the dictation of the environment. Due to the limited number of oases in the desert various tribal groups had to fight each other to ensure the availability of resources for survival. The harsh condition of the desert and the unavailability of resources shaped the relationship between various tribal groups. The environment had a profound role in shaping not only the relation among tribal groups but also on the culture and ethics of tribes themselves. The Bedouin conception of justice was based on *muruwa*; “the tribal code of conduct that was composed of important Arab virtues like bravery, honor, hospitality, strength in battle, concern for justice, above all assiduous dedication to the collective good of the tribe” (Aslan, No God But God; The Origin, Evolution and Future of Islam, 2005 (2011), p. 29). In other words *Muruwa* “meant courage, patience, endurance, it consisted of a dedicated determination to avenge any wrong done to the group, to protect its weaker members, and defy its enemies. To preserve the honour of the tribe, each member had to be ready to leap to the defence of his kinsmen at a moment’s notice and to obey his chief without question” (Armstrong, 2007, p. 24). “The consolidation of *Murwah* codes and tribal solidarity led to blind crystallization of cultural practices which were at the beginning simply a part of survival techniques. This got inoculated to the pride of each tribe and the fights conducted for the resources gave way to the fights for pride and supremacy. The history of Hejaz at least for couple of centuries prior to the arrival of Prophet Muhammad was the history of perpetual conflicts and battles between tribes. Reasons for the fights varied from affection of a person towards the female of another tribe or

a brawl started over the killing of a camel. Regardless of the intensity of the cause of the fight many of them lasted for years. The war of Basus between two cousin tribes (Thaghlib and Bakr) that started over the brawl of killing of a camel lasted for 40 years of sixth century is the best example of the severity of the situation in Hejaz.

Causes of the perpetual conflicts in Hejaz have been broadly categorised by the historians as three; extreme ¹⁵ group solidarity in Arab tribes, scarcity of resources in the peninsula and egocentric corruption that caused moral disorder (Kirzali, 2011).

Tribal solidarity/ *Asabiyyah*

Asabiyyah refers to “social solidarity with an emphasis on unity, group consciousness and sense of shared purpose, and social cohesion originally in a context of tribalism and clanism” in pre-Islamic Arabia (Zuanna & Michilli, 2004). The origin of *Asabiyya* has been delineated by Karen Armstrong as “in the steppes, the tribe needed men who refused to be bowed down by circumstances and who had the confidence to pit themselves against overwhelming odds” (Armstrong, 2007, p. 27). With frequent inter-tribal fights coupled with the pride in one’s own *Muruwah*, the tribal solidarity began to be romanticised by the poets and that led to the fanning of anger stirred up by environmental and economic reasons. *Asabiyyah* must have been originated for the survival of tribes in the steppes but later on it has become a kind of ultra-nationalistic feeling among the people that prevented them from thinking about any Arab virtue outside their tribe. Armstrong contends this as “*Asabiyyah* (tribal solidarity) encouraged bravery and selflessness, but only within the context of the tribe” (Armstrong, 2007, p. 25).

Pre-Islamic poets of Arabia had spent a considerable amount of time to praise their tribe and to ridicule the other to provoke them into a war. Many of those poems used to be recited

in public near the Ka'ba and hung on its walls. These poems that were hung on the Ka'ba were known as *Muallaqas*. Main themes of these *Muallaqas* used to be wine, women and war. Poets praised the charm and beauty of their loves, talked high about the drinks that helped them dream and sea the heavens and they were powerful articulators of the pride of their tribe and the war skill of their tribes men. The poet Zuahir ibn Abi Salama cried on top of his voice, it is not enough for "a warrior, fierce as lion, to strike back and chastise the enemy who has struck him with a blow he should rather attack first and become the aggressor when no one wrongs him" (Armstrong, 2007, p. 27). The boastful proclamation of tribal pride by A'mir bin kulthum is another illustrious account of how aggressive the tribal solidarity had become over time.

Kulthum, in his Muallaqa, sang to the ¹foes of Taghlib that

"they will meet more than their match in the field.

¹
*We'll wot, when our tents rise along their valleys,
The men of every clan
That we give death to those who durst attempt us.
To friends what food we can;
That staunchly we maintain a cause we cherish,
Camp where we choose to ride,
Nor will we aught of peace, when we are angered,
Till we are satisfied.
We keep our vassals safe and sound, but rebels
We soon bring to their knees;
And if we reach a well, we drink pure water.
Others the muddy lees.
Ours is the earth and all thereon: when we strike.
There needs no second blow;
Kings lay before the new-weaned boy of Taghlib
Their heads in homage low.
We are called oppressors, being none, but shortly*

A true name shall it be!

We have so filled the earth 'tis narrow for us.

And with our ships the sea!

(Reynold A. Nicholson, 1907, p. 113)

As it has been yelled in this *Muallagas*, many a times the *Asabiyyah* led to violent encounters that lasted decades due to a romanticised idea of blood revenge on the enemy at play. “Revenge was taken upon the murderer, or else upon one of his fellow tribes, but in some cases it was the beginning of a regular blood feud in which the entire kin of both parties were involved” (Reynold A. Nicholson, 1907, p. 93). Deep seated attachment towards personal tribe also entailed scornful disregard for outsiders. “The spirit of the clan demands boundless and unconditional loyalty to fellow clansmen, a passionate chauvinism, His allegiance, which is the individualism of the member magnified, assumes that his tribe is a unity by itself, self-sufficient and absolute, and regards every other tribe as its legitimate victim and object of plunder and murder” (Hitti, 1960, p. 15). A deadly indifference towards life outside one’s group and belligerent engagement with them were the prevailing norms, with few obvious exceptions, until the second half of sixth century in Arabia. “Crimes committed against those outside the tribe were not only unpunished, they were not really crimes” (Aslan, No God But God; The Origin, Evolution and Future of Islam, 2005, p. 30).²⁰ The deep emotional connexion to the group or excessive pride of one’s own tribe brought to the fore the ambition, arrogance, greed and hedonism. Thus, more often than not, this used to stimulate violent conflicts.

Scarcity of Resources

As the Bedouins were wandering in search of oases and grazing lands for their livestock tribal groups hostilely met each other in many instances. The fury of tribal pride and determination to take hold over the scarce resources of the desert put various tribes at odd with others. Non-judiciously distributed scarce resources caused competitions and any hurt to the sense of pride of one could break a long lasting fight in Hejaz. This situation prevailed more and more in the surroundings of Mecca as it was bereft of cultivating lands and sedentary tribes. The case of Yathrib was little different as it had cultivating lands and settled tribes engaged in agriculture, crafting, weapon making and trading centres.

Few scholars claim there existed a comparatively peaceful relation between the nomadic Bedouins and sedentary dwellers based on their assumption of economic interdependence. The sedentary tribes depended on the Bedouins for livestock like Camels, goat, for food and transport. While they relied on the nomads for animal related products like wool, tent materials, milk, etc the Bedouins received all that they needed from the cities ranging from clothes, spices, to ornaments and weapons in return (Donner, 1999 (2017)). Yet instances of conflict were not rare at all. "These relations might be peaceful, but, given the appalling poverty against which Arab communities had often to contend, there was a strong temptation to lay forcible hands on the (often very relative) wealth of those who were somewhat more fortunate. What ensued was a ghazii, a ghazwa (razzia, or raid), the rules of which were laid down by tradition. Wherever possible, goods were seized without loss of life. This was because manslaughter carried severe penalties according to the unwritten law of the desert" (Rodinson, 1971 (1985), p. 14). Precisely it was the competition over scarce resources that would have brought various tribes at fight with each other in the beginning and led to the development of cultural norms and social arrangements according to the economy and environment of the desert. However, the solidification of the cultural norms like *Muruwah* and *Asabiyyah*, later on,

ignited violent conflicts at no time when two men of different tribes argued anything at each other, regardless of the weight of topic of dispute.

Egocentric Corruption

Solidification of *Asabiyyah* and frequency of fights did not exhaust the Arabs in the steppes, rather it gave them more reasons to fight. Moral values of Arabia was relegated to the jurisdiction of one's own tribe. Virtues of compassion, hospitality, generosity etc. were practices endemically in tribes. Tribe had overgrown the humanity and its virtues in Hejaz. Questions of right or wrong were determined by the membership of a person in a tribe. People took sides not based on their conviction of truth but on their allegiance towards the men in dispute. Tribal loyalty surpassed regard for any other value vis-à-vis a person from another tribe. ¹ "Honour required that a man should stand by his own people through thick and thin.

"I am of Ghazirya: if she be in error, then I will err;

And if Ghazirya be guided right, I go right with her!"

(Reynold A. Nicholson, 1907, p. 84).

Tribal pride had transmuted into belligerence and ego in the minds of Arabs. In the Islamic tradition this state of affairs is known as *Jahiliyyah*; crudely translatable as belligerently foolishness. It is a term, in Islamic tradition, to mean a blanket condemnation of pre-Islamic society. Scholars differ on their use of the term *Jahiliyyah*; general understanding of the term among the scholars is that it meant "pre-Islamic Arabia in its ignorance and disregard for divine precepts" (Qutub, 2006, p. 11). To put it straight way, it was not *Jahilliyyah* that inspired the conflicts but certainly it could have been a fertile soil, a kind of Hobbesian state of nature, for conflicts to spread fast. The competition for scares resources and fights over the perceived supremacy of tribes were fuelled and sustained by the moral corruption of the time.

Having outlined the cultural context of Hejaz in the late antiquity, I shall proceed to the specific events of conflicts during the late 6th century and early 7th century, in two prominent cities of the province: Mecca and Medina. It was in the former that Prophet Muhammad was born and preached his religion for the first thirteen years of his Prophetic career and in the latter spent the last ten years of his life and established a political administrative unit under his authority. The focus of this study being the engagements of the Prophet in the inter-community conflicts of his time, the outline of such conflicts is needed. In what follows I shall delineate the short history of the two cities and point towards how the inter-community conflicts happened there.

Mecca: Starting place of Islam and new conflicts

The city of Mecca has a significant location in Islam. It is to *Ka'ba*, the holy cubical structure, in the shrine of Masjid-ul-Haram of the city that Muslims all over the world direct themselves in their daily prayers. It is the central part in the Hajj too. According to Islamic tradition the *Ka'aba* in the holly sanctuary was rejuvenated by Abraham, the Prophet and son Ishmael after it collapsed in the great flood during the time of Noah. The biblical patriarch Abraham and son Ishmael are believed to be the ascendants of the Arabs in which the inhabitants of Mecca are included. Twelve son of Ishmael namely ² Nabet, Qidar, Edbael, Mebsham, Mishna, Duma, Micha, Hudud, Yetma, Yetour, Nafis and Qidman formed twelve tribes inhabiting in Mecca and engaged on trade between Yemen, geographical Syria and Egypt. Only the descendants of Nabet and Qidar survived in the city. Nabeteans: the tribes of Nabet are believed to have settled in the north of Hejaz. They were dismantled by the Roman expediency. There exist a view among some historians and genealogists that the Ghazzanids

kings, who were the descendants of Azd tribe from Yemen and settled in Levant around 3rd century, Aws and Khazraj tribes, who were again descendants of Azd tribe but these two were from Tha'labah bin 'Amr and had settled in Yathrib, were not Qahtanis, pure Arabs, ² but rather the descendants of Nabet the Son of Ishmael. Qidar another survived son of Ishmael had a son called Adnan who is considered as the 21st grand father in the series of the Prophetic ancestry. Nizar the only son of Ma'ad son of Adnan had 4 children ² who branched out into four great tribes in Mecca. Eyad, Anamr, Rabi'ah and Mudar. From Mudar came Qais Ailan bin Mudar and they were succeeded by Banu Sulaim, Banu Hawazin and Banu Ghatfan tribes. Elias another son of Mudar was the ancestor of ² Tamim bin Murrah, Hudhail bin Mudrikah, Banu Asad bin Khuzaima Kinanh bin Khuzaimah tribes. From Kinanah bin Khuzaimah came the tribe Quraysh. Qusayy bin Kilab of the Quraysh had two sons, Abd-al-dar bin Qusayy and Abd-Manaf bin Qusayy. The tribe of Abd-Manaf was sub branched into four clans Banu ⁷ Abd-Shams, Banu-Nawfal, Banu-Muthalib and Banu-Hashim. Abdu-Manaf the son of Hashim gave birth to Shaybah, who later known as Abd-al-Muthalib. Abdullah the son of Abdul Muthalib was the father to whom Prophet Muhammad born in Mecca (Al-Mubarakpuri, 2008, pp. 63,64). The picture of Arab tribes in an around Mecca is summarised ⁷ in the following narration of Prophet Muhammad himself in the following Hadith "Wathila b. al-Asqa' reported: I heard Allah's Messenger (ﷺ) as saying: Verily Allah granted eminence to Kinana from amongst the descendants of Isma'il, and he granted eminence to the Quraish amongst Kinana, and he granted eminence to Banu Hashim amongst the Quraish, and he granted me eminence from the tribe of Banu Hashim".

Medina: the new abode with old conflicts

Earlier known as Yathrib, Medina is a city in the Hejaz. Geographically it is situated ⁵ north of Mecca and 190 kilometres away ⁵ from the Red Sea. By the fourth century, Arab tribes started to migrate from Yemen, and there were three prominent Jewish tribes that inhabited the city into the 7th century AD: the Banu Qaynuqa, the Banu Qurayza, and Banu Nadir. The Banu Qurayza is believed to have ⁵ served as tax collectors for the Persian Shah during the Persian domination. With the arrival of Banu Aws and Banu Khazraj, the descendants of Tha'labah bin 'Amr of Azd tribe the supremacy of Jews in Medina began to depreciate (Al-Mubarakpuri, 2008, pp. 222-224). In the beginning these tribes were allies of the Jewish tribes however, they later emerged independent. Eventually towards the end of the 5th century the ⁷ Banu Aws and Banu Khazraj got the control of the city from the hands of the Jewish tribes. Jewish Encyclopaedia records "By calling in outside assistance and treacherously massacring at a banquet the principal Jews, these Arab clans finally gained the upper hand at Medina toward the end of the fifth century. From this time the Jews retired into the background for about a century" (Montgomery, 1904, p. 422). Later on the ⁵ Jewish tribes became clients of the Banu Aws and Ban Khazraj. Though the Jewish tribes lost their supremacy to Banu Aws and Banu Khazraj and the latter two came to prominence in the city, their interaction was not peaceful throughout the history. Hostility started growing between the two Arab tribes and it grew to the extent that they ended up fighting each other for around 120 years. ⁵ Banu Nadir and the Banu Qurayza were allies of the Aws, while the Banu Qaynuqa were ⁵ with the Khazraj. The last and bloody battle between the Aws and Khazraj was the Battle of Bu'ath that was fought a few years before the arrival of Muhammad (Lecker, 2011).

Birth of Islam and new twists in the conflicts

Until the emergence of Islam the conflicts in Mecca and Medina were on the line of tribal solidarity and pride. However the proclamation of a new faith by Muhammad the son of Abdullah of Hashimi clan of Quraysh tribe turned things around. Though the inter-tribal enmity persisted, the declaration of a new faith that disregards the traditional tribal gods and worshipping the idols was good enough to bring a kind of unity among hitherto fighting tribes

against a new common enemy. Muhammad experienced the revelation from god when he was meditating in the cave Hira of mount Jabal annur. He ⁹ was forty years old when he received the first revelation. Afterwards he preached the new faith for 13 years in Mecca and the rest of 10 years of his life in Medina (Lings, 2006, p. 44).

The Arabs found the teachings of Muhammad very disturbing as the core of his belief was totally unacceptable for them. They could not have digested a new sermon which declared their old deities not worthy of anything let alone worshipping them. They could not have afforded to think of leaving their lords and deities behind to worship a shapeless, formless God alone. Moreover, the teachings of the new religion rejected many of the traditional practices of Arabia. It brought regulations on the marriage relations, unheeded tribal norms and pride, it asked them to be kind towards the weak irrespective of their clan or tribe. It urged them to raise voice against people of their own tribes when they wronged. All these could have contributed to the culmination of a sense of threat for the existing religious and socio cultural system of their land. Most of the historians have pointed out that the introduction of monotheism and dismantling of tribal associations and values were at the root of pagans' hatred towards the new religion brought about by Muhammad who had been beloved and trustworthy to each of them until the reach of this new message. However, Reza Aslan (2005) has contested the argument of introduction of monotheism being the root cause of animosity of the Arabs towards Muslims. According to him Arabs were aware of Monotheism and formless God through their interactions with the Sassanid Empire of Persia and Roman Empire. What would have turned the Arabs against Muhammad and his followers, according to Aslan, is that the new religion relegated the existing tribal norms and as they were very few believers in the beginning with Muhammad he made them marry each other. A marriage without any regard for the existing

tribal norms would be strong enough to rip to pieces the socio-political formations of the then Arabia (Aslan, 2005, pp. 44,45).

Muhammad preached his religion in secret for the first three years and started teaching the faith in open from the fourth year of revelation. From then onwards the pagans of Mecca started opposing the new faith in various ways. In the beginning the opposition to Islam was in the form of spreading distorted versions of what Muhammad had taught. In doing so they must have expected to stop people from accepting the new faith. Quran has mentioned such distortions in few places.

“And those who disbelieve say, "The disbelievers say, ‘This can only be a lie he has forged with the help of others’-they themselves have done great wrong and told lies” (Haleem, 2016)

And “We know very well that they say, ‘It is a man who teaches him,’ but the tongue of the person they maliciously allude to is in capable of expression, which this revelation is in clear Arabic” (Haleem, 2016, p. 173). Quran 16:103 refers to the attempt of distortions made by the pagans.

Along with distorting the teachings of the Prophet some of the Arabs were ‘degrading, ridiculing and taunting’ the Prophet to get him give up his mission. Quran mentions this in the following verses.

“They say, ‘Receiver of this Qur’an! You are definitely mad” (Haleem, 2016, p. 162)

“The disbelievers think it strange that a Prophet for their own people has come to warn them: they say, ‘He is just a lying sorcerer” (Haleem, 2016, p. 290)

“The disbelievers almost strike down with their looks when they hear the Qur’an. They say, ‘He must be mad!’ ” (Haleem, 2016, p. 386)

“The wicked used to laugh at the believers-they would wink at one another when the believers passed by them, joke about them when they got back to own people and say, when they saw them, ‘These people are truly misguided,’ ” (Haleem, 2016, p. 413-414)

What to follow the verbal abuse and allegations were the physical torture and persecutions. Mus’ab bin Umair one of the early convert from a wealthy family was put to starvation and later he was expelled from his family. ² Bilal the slave of Umaiyyah bin Khlaf was severely beaten by his master. He was dragged through the street and ² was subjected to prolonged deprivation of food and drink. Had it not been for the intervention of Abu Bakr’s, another companion of Muhammad, empathy, as he purchased Bilal from his master and set him free, Bilal would not have survived the tortures. Summayah the mother of Ammar bin Yasir was killed, after prolonged torture in the burning desert, by Abul Hakam and became the first woman martyr in Islam (Al-Mubarakpuri, 2008, pp. 107-108).

As Prophet was from one of the respected clan of a powerful tribe in Mecca, no Arab would dare to attack him directly for the tribal *Asabiyyah* still prevailed in Hejaz with adequate command. Nonetheless there were people from Muhammad’s own tribe who dared to raise voice against him. Abu Lahab a paternal uncle of Muhammad and his wife were the forerunners of torturing Muhammad and companions. Abu Lahab insisted to ² his two sons that they divorce their wives Ruqaiyyah and Ummu Kulthum, who were daughters of Muhammad. He also called the Prophet ‘the man who cut off with off spring’ when the second son of Prophet too was died. It was in his context that the Surat Kawthar revealed to Muhammad. Once when the Prophet was worshiping the God near Ka’ba rotten womb of a camel was placed on his back while he was in prostration (Al-Mubarakpuri, 2008, pp. 112-114).

In search of new abodes: Migration to Abyssinia

As the persecution touched its limit and when the Prophet felt that his companions are exhausted, he sent them to Abyssinia, to the other side of the Red Sea in the Fifth year of

revelation. There were 12 men and 4 women in the group of emigrants. They were given asylum in Abyssinia by the king Ashamah who held the title of Negus the King of Abyssinia. Following some misinformation that peace had brought in Mecca some of the emigrants came back only to witness the grave situation of believers remaining unchanged. In the Following year a group of eighty three men and eighteen or nineteen women set out for Abyssinia. They were welcomed and given protection in the kingdom. Quraysh and allies followed the Muslims to Abyssinia and tried to get the King kick out the refugees. Quraysh had to go back to Mecca without achieving what they had crossed the sea for (Al-Mubarakpuri, 2008, pp. 118-120).

Boycott of Banu Hashim and Muttalib

More than the perseverance of the Prophet and the Muslims the support Muhammad got from his clan bothered Quraysh the most. Banu Hashim and Banu Muthalib were keen to make sure that none of the scuffle and brawl did physically harm Muhammad. A declaration of general boycott barring all from engaging in any business or marriage relations with the members of Banu Hashim and Banu Muttalib. Social relations with them, visiting any of them or even any verbal contact with them was declared. This boycott lasted for three years, from seventh year of preaching to the tenth year, and the sanctioned clans were confined to Shu'ab Abi thalib. They were deprived of food, water, cloth and all that was needed for the survival except in case someone smuggled those for them. Abu Lahab and family were exempted from the ban as he was the spear runner of atrocities against Muhammad and companions (Lings, 2006, pp. 90-94).

Aqabah; Onset of a new journey

During the annual pilgrimage people used to come to Mecca from all around Arabia and ever since the preaching in open started Muhammad used to call people from outside Mecca ² during the pilgrimage. In the eleventh year of preaching Muhammad got to engage with some people from Medina. Seven pilgrims from Medina responded to the call of Prophet and

proclaimed their faith in what Muhammad had brought. They were Asab bin Zurarah, Awf bin Harith, Rafi' bin Malik, Qutab bin 'Amir, Uqbah bin 'Amir, and Jabir bin Abdullah. This incident would, later, have profound impact on the trajectory of the journey of Islam and its Prophet. Those first Muslims from Medina would, in the next year, bring seven more people along with them, except Jabir bin Abdullah, to make a pledge with Muhammad at midnight, hiding themselves from the Meccan enemies. Subsequent conversation that Prophet had with those twelve member group was basically was reflection of the Medinans on the prevailing situation of their land. They were tired of long lasting tribal fights between the Aws and Khazraj with the Jews of Medina joining either of the sides. They were in search of peace that seemed elusive for such a long time. The last fight they had, or still in happening as they met Muhammad in Mecca, was of 120 years (Al-Mubarakpuri, 2008, pp. 186-193). These twelve men representing most of the prominent Arab tribes of the city invited Muhammad to arbitrate and profess his religion freely and under their protection. Albert Hourani puts it as "they belonged to two tribes and needed an arbiter in tribal disputes; having lived side by side with Jewish inhabitants of the oasis, they were prepared to accept a teaching expressed in terms of a Prophet and a holy book" (Hourani, 1991).

Expatriation: from the land of persecution to a new horizon

Having survived the persecutions of thirteen years, the Prophet Muhammad decided to leave his native city which was so beloved to him. Followed by the news of a plot by the enemies to assassinate him, Muhammad and Abu Bakr left the city at midnight hour under obscurity. This incident that happened in 622 AD is known as the Hijra. The intolerably miserable conditions in Mecca and Invitation of seventy-five men, after the second pledge of Aqaba, "to make Yathrib (al-Medinah) his home, hoping thereby to secure a means for reconciling the hostile Aws and Khazraj" were the chief factors that drove Muhammad out of his birth place and beloved city. Before setting out to Medina Muhammad had "allowed two

hundred followers to elude the vigilance of the Quraysh and slip quietly into Al-Medinah” (Hitti, 1970, p. 26). Many of the Muslims had nothing but their life in hand when they left for Medina as their tribes and the general public in Mecca where blatantly opposed to their belief hence their escape from the city. Those Muslims who fled Mecca would later be called Muhajirs; those who travelled and the Muslims in Medina who hosted the refugees with hospitality, honour, and kindness would be called Ansars; the helpers.

Badr to Hunain: Battles Prophet Participated

Contrary to the hope of Muslims, the Quraysh followed the expatriates in Medina too. There were series of wars between Muslims and the Quraysh and their allies in the years to follow the Hijra. Prophet Muhammad himself led the Muslim camp in the battles of Badr, Uhud, Khandaq (trench), Khaibar, Mootah, Tabuk and Hunain. Muslims had victory over the enemies in all of the battles except that they faced powerful blow and were pushed to the back foot in Uhud and Hunain. Around thousand lives were taken in all the military encounters between Muslims and enemies. Prophet himself had engaged in seven battles and the rest were led by his appointees (Nydell, 2012, p. 124).

Apart from the battles and ghazu expeditions, Muslims had to face some treacheries from the tribes who were aligned with or inclined towards the Quraysh of Mecca. The tragedy at the well of Muta'nah is a painful episode. Abu-Bara 'Amir Bin Malik once came to Prophet and requested the Prophet to send some men of knowledge to teach the lessons of Islam to the people of Najd. The Prophet sent men, forty according to Ibn Ishaq and Seventy in Sahih Bukhari's account, with Abu Bara but when they were attacked near the well of Muta'na by men of Banu A'mir and contrary to his assurance to the Prophet Abu-Bara did not protect the Muslims instead he joined the attackers. All seventy/fifty of them were massacred that put the Prophet under immense pain (Al-Mubarakpuri, 2008, pp. 352-353).

People of book as well as differences: Muslim and Jews in Medina

Prophet was invited to Medina to act as the arbiter between the Aws and Kahazraj tribes to find solution for their long standing conflicts. Immediately ¹⁵ after his arrival at Medina the Prophet concluded a treaty with the Aws and Khazraj tribes and the rest of the Muhajirs and Ansar, the travellers and helpers, declaring all of them to be one Ummah, a single community of the believers. This covenant later went on to be called as the constitution of Medina. Prophet also realised the need to include all the existing groups in the city into the covenant to ensure the security and prosperity of all in general and Muslims and Islam in particular. The Jews, Muslims, other non-Muslim tribes and their allies were included in the covenant and the provisions of the charter declare all the members of one Ummah, a united community.

The document was divided into two parts; the first parts purporting the regulation of the relations among Muslims; the refugees and helpers as well as the non-Muslim Arabs. Second part was about the role right and responsibilities of both the Jews and Muslims in their relations. “In both of them one sentence has been repeated, to the effect that the last court of appeal will be the Holy Prophet himself” (Hamidullah, 1975, p. 13).

The constitution of Medina sew a city-state in Medina with people of multiple identities to the members of the same unit. Their status was neither citizens in its modern sense because Medina was not a liberal democratic country with universal adult franchise and law making bodies elected by the people in stipulated intervals. However there was provision in the new constitution for the autonomy of each group in their religious and internal affairs. It was based on the principle of non-intervention and mutual respect. The general instructions were related to the security of the state. In that case everybody had to come together in the defence of the city. No group was expected or allowed to help the enemy of any of the partner of the covenant. In a sense Prophet Muhammad established a political community including Jews, idolaters and Muslims. Religious arena of various groups was passed on to each of them. Decisions regarding

the ransom, blood money, blasphemy, marriage etc. were taken based on the religious practices and scriptures of each group.

Though there has been many attempts at unity and peaceful co-existence from the part of the Prophet the relation between main Jewish tribes and Muslims was not tranquil. There were despite the Muslims and the Jews being people of books and descendants of same Prophets in the history, there were strong differences among them that often led to hostile encounters. The reason at the root for these animosity has been political rather than theological. Martin Lings describes the same as follows “whereas the Arabs were in favour of the man, the Jews were in favour of the message but against the man” (Lings, 2006, p. 59).

In an incident some of the members of Banu-Nadir made a treachery to assassinate the Prophet. When he ⁷ went to the Banu-Nadir to ask their contribution towards ² the blood he had to pay to Banu Kalb for the two men ‘Amir Bin Umayyah-al Damiri had killed by mistake, Amr bin Jahash of Banu-Nadir came forward to put a huge milestone upon the Prophet and companions who were sitting near to the wall. When their plot was exposed the Prophet gave them ultimatum to leave the city with all their possession for they had breached the covenant between themselves and the Muslims. Upon the assurance of Abdullah bin Ubai, one of the hypocrites among the Muslims, to support in fight against the Prophet and Muslims, Huyay bin Akhtab the leader of the tribe decided to not vacate the city. When the Muslims surrounded the forts of Banu-Nadir after the ultimatum, neither Abdullah bin Ubay nor his supports from the Ghassan tribe came to help the Jews hence they had to leave the city with whatever they could carry along with them. The orchards and houses the Banu-Nadir left behind were divided among the Muhajirun, those who travelled from Mecca to take refuge in Medina (Lings, 2006, p. 211).

During the battle of trench Banu Qurayza, a prominent Jewish tribe, breached the covenant and helped the Quraysh. Taking offense from such an action that could have proved dangerous for the city of Medina in general and Muslims in particular. Prophet and companions besieged the

habitat of Banu-Qurayza and after the confinement of the Jews for several days Sa'd bin Mua'dh from Banu-Aws, who were the allies of Banu Qurayza, was appointed as the arbiter to decide as to what was to be done in the case. Sa'd declared that the adult men of the tribe be killed, women and children be kept under custody and the wealth be captured. According to mainstream narrations more than 600 men of Qurayza were beheaded.

Twenty three years of preaching was immensely painstaking for the Prophet Muhammad and companions as they had to witness persecutions of various kinds. Having suffered all the tortures for thirteen years in Mecca they immigrated to Medina. When haunted by the Quraysh even in exile, Muslims engaged in many wars with them. All these mark series of conflicts during the life time of the Prophet. From Mecca he was actually invited to Medina to arbitrate the fights between Aws and Khazraj tribes. Amidst of all these conflicts, violence and persecutions, arguably Prophet Muhammad emerged in settling many of the long standing conflicts of his time. Reconciling those conflicts were certainly a big challenge, especially the conflicts were too complicated and they involved multiple actors with different interests and stakes. Responses of the Prophet to the conflicts and the methods of dealing with them makes a valid topic of deliberation.

Chapter IV

Prophet Muhammad in action: understanding the ethics and methods of engaging with inter-community conflicts

Prophet Muhammad was born into the environment of inter-tribal conflicts that often started for trivial reasons and lasted for years. In his youth he would retire himself, at times, from the public to take refuge in solitude as he was not so pleased with the environment of anger, hatred and grief of Mecca. More than staying away from the wrestles he participated actively in resolving the issues as much as he could. He was ready to dispose whatever was in his power to end fights. His participation in *Hilf-ul Fulul*; confederacy of the virtuous, when

he was young reveals his commitment towards peace and tranquillity. A famous member of the clan of Sahm had bought some goods from a Yemeni merchant from Zabid. Having taken hold over the good the Meccan, from the clan of Sahm, refused to pay upon what the deal was agreed. The man of Sahm had the conviction that the merchant had no confederate in Mecca to help him get what he deserved. However the merchant with a strong resolve to not let the issue go off approached the Quraysh to get justice done (Lings, 2006, p. 32). Prophet Muhammad had registered his place in the confederacy of those who felt that they should help the merchant (Al-Mubarakpuri, 2008, p. 77). In another incident a skilfully strategic intervention of Muhammad stopped a catastrophic fight which was imminent in Mecca. The rejuvenation of Ka'aba was in progress with participation of all the tribes. The work proceeded smoothly until the issue of fixing the Black Stone in its proper place raised to the fore. As men from each tribe claimed their eligibility to fix the Black stone and were not ready to give the opportunity to anybody else, another fight among the tribes of mecca was looming forth. There seemed no amicable solution to the problem as everybody had taken the issue to be the prestige of their tribe. As it has been reported, after few days of brawl fortunately all of them agreed to consult the first person to come to the holy sanctuary henceforth. To the delight of every one it was Muhammad to enter the sanctuary ever since they had reached the agreement. Upon hearing the issue he took himself the responsibility to solve the issue wisely. He asked for a towel to be spread and the Black Stone placed over it. Representatives of each tribe present were asked to joint their hands on the edge of the towel to raise it to the level where the Black Stone had to be fixed and Muhammad put it in its place with his own hands (Al-Mubarakpuri, 2008, pp. 79,80). It was a bloodshed that Muhammad stopped with this seemingly insignificant action. In his youth Muhammad was loved, cared and respected by people around him but once he started preaching a new religion against the worship of all the traditional gods of Mecca he became their enemy. Having faced countless maltreatments and persecutions he fled his

birthplace to Medina. In Medina he was an arbiter between two rival tribes who had been fighting for more than a century. Muhammad's visionary actions brought the long lasted tribal conflict between the Aw and Khazraj. Nonetheless there were many battle fought between the Quraysh and the Muslims but eventually towards the end of his life the conflicts were settled down and the society was reconciled.

Responding to the persecutors after victory over them

"When the army had passed, Abu Sufyan went back to Mecca with all speed and standing outside his house he shouted at the top of his voice to a quickly gathering crowd: "O men of Quraysh, Muhammad is here with a force ye cannot resist. Muhammad is here with ten thousand men of steel. And he hath granted me that whoso entereth my house shall be safe." Hind now came out of the house and seized her husband by his moustaches. "Slay this greasy good-for-nothing bladder of man," she cried. "Thou miserable protector of a people!" "Woe betide you." He shouted, "Let not this woman deceive you against your better judgement, for there hath come unto you that which ye cannot resist. But whoso entereth the house of Abu Sufyan shall be safe." "God slay thee!" they said. "What good is thy house for all our members?" "And whoso locketh upon himself his door shall be safe," he answered, "and whoso entereth the Mosque shall be safe," whereupon the crowd that had gathered dispersed, some to their houses and some to the Mosque" (Lings, 2006, p. 311)

Looking at the groups of people who had taken refuge inside the Masjid Prophet Muhammad asked: "What say ye, and what think ye?" They answered: "We say well, and we think well: a noble and generous brother, son of a noble and generous brother. It is thine to command." He then spoke to them in the words of forgiveness that, according to the Revelation, Joseph spoke to his brothers when they came to him in Egypt: "Verily I say as my Brother Joseph Said: This day there shall be no upbraiding of you nor reproach. God forgiveth you, and He is the most Merciful of the Merciful." (Lings, 2006, p. 314)

Prophet Muhammad asked for Utbah and Ma'ttib sons of Abu Lahab, who was at the forefront to persecute him and Muslims. Uthbah had repudiated Ruqayah the daughter of Prophet Muhammad under the pressure from Abu Lahab and seemingly they were scared to show their face to the victorious Prophet. They were brought in front of the Prophet upon his command to Abbas to do so. Having entered Islam both of them were taken by hand by the Prophet and he

walked in between them. When remarked about the joy in the face of the Prophet at those moments he would answer: "I asked my Lord to give me these two sons of mine uncle, and He hath given me them" (Lings, 2006, p. 315)

These three incidents ¹¹ on the day of the Conquest of Mecca summarise the response of Prophet Muhammad to the Quraysh of Mecca. After all that they did to the Muslims they were given amnesty and assured safety. Persecutions in the homeland, exoduses to Absynia and Medina, continues fights for the following nine years, treacherous attacks on Medina with help of neighbouring tribes all that were forgiven on that day. Mecca had become peaceful so much so that there would not be any single opposition from any of the non-believing man towards Muslims when they would come for the farewell pilgrimage of Prophet in the following year. Those who embraced Islam were welcomed to the faith without any reluctance. Those who chose to remain steadfast on their traditional faith were allowed to do so. This act of granting amnesty on the moment of irresistible strength and unquestionable authority manifests the commitment of Prophet to peace and reconciliation.

Getting the victims forgive their enemies; Religious impetus and conception of the life

Whenever forgiveness is discussed in relation with reconciliation, the first question to arise is about the modalities of getting the former people forgive the oppressors. Colleen Murphy's objection to conceptualising of reconciliation as forgiveness is also based on the willingness of the victims. As she points out if the victims have any reasonable objections to the provision of the reconciliatory project and the state goes on to assert the same on the society it becomes anything but reconciliation (Murphy, 2010, p. 13). The role of religion and authority of a Prophet in making people forgive their enemies is profound and often underestimated by the secular intelligentsia. By way of providing a hope in fruitful and ecstatic life hereafter in

return for the compassion and mercifulness that man shows towards his fellows; both friend and enemy, religion and Prophet can get people forgive their enemies without much difficulty. The religious conception of life in the world also help in making people compromise on the world affairs for the sake of something greater. The triviality and limited nature of this world, in the eyes of religion, and belief and hope in an everlasting life in the hereafter gives a strong impetus for the people to let go the anger, and vengeance. The Prophet and companions had been facing all the difficulties for their choosing of a belief and it would not have been so much difficult for them to forgive their enemies if it was again the command of their lord and Messenger. To invoke Webber, the charismatic authority of a Prophet can do magic with the mind of people. It can invoke the strength in them at times when they are the most vulnerable and it can invoke the calmness at times of trembling anger. The gift of religion and Prophetic authority is such that their offers are accepted by the followers instantaneously, for they believe in religion and in the Prophet. Obedience flowing from belief has the capacity to surpass the individual grief or vengeance. The hope of reward from lord for forsaking those who wringed was the main catalyst in keeping the cool of ten thousand victorious soldiers on the day of conquest of Mecca. To respond in affirmation to the call of the God: "Let the harm be requited by an equal harm, though anyone who forgives and puts things right will have his reward from God Himself-He does not like those who do wrong" and to forgive their enemies were not so difficult a task for them because they had suffered all that they did only for the sake of Allah.

Politics of piety: patience and sacrifices in seeking reconciliation

Forgiving the enemy after his surrender might be possible even without a religious impetus as it provides a high moral ground for the one who forsakes. Contrary to this there could be incidents where equally zealous groups confronting each other. Avoiding an actual fight at such situation calls for sacrifices from at least one of the parties, if not from both. Patience and sacrifices for peaceful settlement of disagreements and avoiding violence are

often undervalued and those who stand for it are ridiculed for being weak and fearful of the enemy. But Gandhi would tell: “Believe me that a man devoid of courage and manhood can never be a passive resister” (Gandhi, 1989). At times agreeing to the conditions of the enemy to avoid a bloodshed could be prudent action even when it look like succumbing to the strength of the enemy. More often than not one tend to forget that stopping the enemy from spilling the drop of blood itself is the victory. One get to see such incidents more than once ⁷ in the life of Prophet Muhammad and the most important and illustrious among them is what follows. Here reconciliation acquires an instrumental meaning. Patience and sacrifices becomes tools for reconciliation. Though reconciliation may appear to be the end accomplished through the means of patience and sacrifice, for a system of belief based on divine principles it, the end; reconciliation, means something else. A believer is reconciling through patience, sacrifice and forgiving not just for the sake of reconciliation and an eternally peaceful life in this world but for the ‘*murafaqah*’ (intimate proximity) of his/her God in the life here after.

Incident of Hudaibiyyah

The incident of Hudaibiyyah reveals the story of patience, sacrifices and committed and continued dialogue. On the 6th year of Hijra Prophet set out for Umrah, the lessor and voluntary pilgrimage. He was accompanied by thousand and four hundred companions. They all left Medina unarmed, except the traditional sword the Arabs carry with them during travel. When the Quraysh heard the march of Muhammad and companions to Mecca, they anticipated, not a true anticipation though, an attack and set Khlid bin Alwalid and his contingency near the entrance of the holly city, exactly ⁹ at a place called Al Ghamim to stop the Muslims. Upon hearing the incident and sign from his camel Qaswa, Prophet Muhammad stopped at Hudaibiyya. Afterwards there were many emissaries sent back and forth to communicate the intentions of each sides to the other. Budail bin Waraqa Al-Khuzai was the first one to go from

the side of Muslims. He himself was not a Muslim but a wise man who did not want any fight to happen in the holy city. Prophet told him “We have not come to fight anyone, but to perform the Umra. No doubt, the war has weakened the Quraysh and they have suffered great losses, so if they wish, I will conclude a truce with them.” After Budail explained the Quraysh what Muhammad had told him Urwa bin Masud was sent from the Qurayshi side. After Urwa a man from Bani Kinanah was sent to the Muslims and he was welcomed by the Muslims with a splendid sight of sacrificial animals and he told the Quraysh “I saw the Budn garlanded with coloured knotted ropes) and marked (with stabs on their backs). I do not think it is advisable to prevent them from visiting Ka’aba. Afterwards Suhail bin Amr came followed by Mikraz bin Hafs. There was a truce written between Suhail bin Amr and Muhammad. At the beginning of the treaty Muhammad asked his scribe Ali ibn Abi Thalib to write ‘By the Name of Allah the Most Gracious and the Most Merciful’ to which Suhail replied “As for gracious, I do not know what it means. So write by your name Allah.” Then the Prophet said “Write By Your Name O Allah” “This is the peace treaty which Muhammad, the messenger of Allah has concluded.” Suhail replied “By Allah, if we knew that you are Allah’s Messenger we would not prevent you from visiting the Ka’abah. So. Write: “Muhammad bin Abdullah” when Ali bin Abi Thalib refused to delete the title of Muhammad, the Messenger of Allah, Prophet himself rubbed it off and said “By Allah! I am Messenger of Allah even if you people do not believe me” and Asked Ali to write “Muhammad bin Abdullah. After wards Suhail told Muslims will not be allowed to perform the *Umrah* this year but will be allowed to do it in the coming year. They also stipulated that anyone who leaves without the permission of their tribe Mecca to join Medina, having embraced Islam, should be returned, however no one from Medina, if he/she wished and gone to Mecca would not be returned. Before this condition was written down Abu Jandal the son of Suhail bin Amr reached the Muslim camp. He had escaped from the custody of his father and had markings and wounds of torture on his body. Suhail

insisted that Abu Jandal was the first man on whom the condition would apply. He was not ready to accept any pleading from the Prophet's side and contrary to his own and all the companions' expectations Abu Jandal was returned to the Quraysh. The truce forbade war between Quraysh and Muslims for ten years (Bukhari, 1997, p. 308).

This illustrious incident of a peace treaty is revealing in many sense. The prudence of Prophet Muhammad as a leader stands out in this event. Although the number of Muslims was good enough to give them the confidence to fight any contingent and they had taken resolve to fight till the end upon hearing the rumour of the killing of Uthman bin Affan, the Prophet must have been thoughtful about the following facts. First of all Muslims had reached *Hudaibiyyah* after the journey of fourteen days of travel through the desert taking difficult and unfamiliar ways. a fight with fresh and energetic Quraysh near to their own den could have proved fatal. Secondly, since Muslims had set out for *Umra*, in *ihram* and they were advised to not to carry any weapon or armouries. Even hunting was forbidden for them, as it is true for any pilgrim for Hajj or Umra even today. All that they carried with them was a sword for the purposes of their cattle and defending from wild animals of the desert. To wage a war in such a situation would have been a big mistake to make from the part of a sensible leader. Thirdly even if they fight and win over the enemies the intention of this travel that is to perform *Umrah* would not have been fulfilled with peace and satisfaction. A genuine commitment to peace knotted with the circumstantial necessities led the Prophet to make the proclamation to his companions that "By the Name of Him in Whose Hands my soul is, if they ask me anything which will respect the Ordinances of Allah, I will grant it to them." (Bukhari, 1997, p. 528) And as it has been explained in the previous paragraphs he had agreed to make amendments to his choice of conditions for the options of the Quraysh. He was even ready to wipe out what the basic tenet of Islam and his own identity i.e. the messenger of Allah. The status of messenger of Allah and the belief in it was the point of distinction between Muslims and non-Muslims. All the

persecutions of past years had been upon this faith, however the Prophet agreed to delete that sentence from the beginning of the truce when it was demanded by Suhail bin ‘Amr. The conditions of returning Muslims who leave Mecca, without permission of their tribe, henceforth to the Quraysh and non-reciprocity with regard to anyone who might leave Islam and Media had stirred discomfort among the companions and is evident in Umar bin Khattab’s question to the Prophet at the completion of the truce. He asked the Prophet first and repeated the same to Abu Bakr: “Aren’t you truly the messenger of Allah?” ⁹ Isn’t our cause just and the cause of the enemy unjust?” “Then why should we humble in our religion” (Bukhari, 1997, p. 533). The questions of Umar explains the state of mind of the people who will be asked to be patient and make sacrifices for the sake of peace and tranquillity. Instead of explaining the reasons for such a move from his part and the potential good in it the Prophet invoked the god and said “I am Allah’s Messenger and I do not disobey Him, and He will make me victorious” (Bukhari, 1997, p. 533). The response of the Prophet to the question reveals the potential of religion in making people sacrifices their personal interest and emotions for the sake of the God. The Muslims had to leave most of their wealth and home town during the *Hijra* and a war at the door of the city of Mecca would mean just taking revenge. However, the Prophet could get them pacified and sacrifice their ego and urge to retaliate. Umar bin Khattab was restless to the clauses in the treaty of Hudaibiyah nonetheless, he restrained himself for the better good; peace and tranquillity. How far it is possible to direct such an attitude of sacrifices and patience towards the end of peace and reconciliation is what we need to ponder more.

Hudaibiyah illustrates the imaginative action of the Prophet in stopping the enmity of the Quraysh from breaking out to another war. It was through dialogue, by explaining the intentions of him and his flock to the Quraysh, that he could prevent the eruption of violence. The incident of displaying the cattle for ritualistic sacrifice the Meccan emissary points to how one could exhibit the commitment to peace to the other with whom he seeks a dialogue. The

Prophet and companions had with them herds of animals to be sacrificed at the end of the pilgrimage. He asked his followers to decorate them as the people of Mecca would do to their animals before sacrificing them. Urwa was stunned to see the spectacle of decorated sacrificial animals as he approached the Prophet and group. Both the Muslims and non-Muslims valued the sacrificial animals very much. Prophet would get Urwa moved by such a marvellous display before he could explain the latter about the intention of the visit to Mecca. It was clear for Urwa that the Prophet and companions had come for nothing but a peaceful pilgrimage and a bloody clash is the last thing they wanted. By adopting such an imaginatively strategic step the Prophet could exhibit his intentions as well as readiness to have a dialogue with the Quraysh. Only a dialogue could clear off the fear of each group had about the other and the Prophet did not mind whether that dialogue was a mediated one or direct talk. In the beginning he tried to talk to the Quraysh through Urwa; a mediator. Towards the end he engaged in a direct dialogue with the Quraysh through Suhail; the emissary sent by the Quraysh. Here the act of exhibiting the readiness for dialogue by the Prophet and making it clear the commitment for peace by showing the sacrificial animals, something that is valued by both the parties stand out as effective steps for a peace process. The display of animals for sacrifice has another important aspect too. It is not only important to have an intention to engage in dialogue but necessary for at least one group, in the beginning, to exhibit that intention to the other either directly or through any medium available. Unless the willingness is conveyed to the other, exhibiting that willingness speaks louder than conveying it by words or letters, the initiation of dialogue is impossible. As for the Prophet the initiation of a good thing is better than responding to a good in affirmation. These acts worked for both setting a platform for dialogue as well as declaration of ones commitments to what they try to expedite through the dialogue. Such imaginative steps gets one far more miles ahead in the journey. Platforms of institutionalised dialogues and other forms of formal reconciliation are often not malleable enough to allow the parties for such

imaginative actions that would facilitate dialogue through the actions from a side that could be easily related by the other side.

Concept of *Jahiliyyah* the facilitator of Political Reconciliation

The concept of *Jahiliyyah* is a powerful tool that the Prophet used to deal with the past filled with conflicts. The word *jahiliyyah* could be crudely translated into heedless stupidity. It was a term of ‘blanket condemnation’ of pre-Islamic Arabia invoked by the Prophet many times to doom the acts that he felt unjust and not appropriate for his companions. Overriding presence of tribal solidarity and heedless contempt for any virtue outside one’s tribe was explained as the value of *jahiliyyah* and reduce in importance by the Prophet. *Jahiliyyah*. Concept of *Jahiliyyah* divided the history of Arabia, for Muslims, into two: the past of heedless ignorance and the present of dutiful awareness of Allah. It was not simply a tool of historical categorisation rather *jahiliyyah* worked as a term of value judgement. When the companions of the Prophet were divided into Aws and Khazraj and were at the verge of a fight that started with the invocation of the tribal pride the Prophet asked them did you not free yourself from the hold of *Jahiliyyah* (Lings, 2006). An also in the farewell sermon the Prophet stated “All matters of the *Jahiliyyah* are abolished beneath my feet. The blood feuds of the *Jahiliyyah* are abolished” (Muslim I. A.-H., English Translation of Sahih Muslim, 2007, p. 349). There was a contemptible disregard for many of the values and practices of pre-Islamic Arabia prevalent among the Muslims. Meaningless conflicts and violent aggressions were attributed to *Jahiliyyah*. Whatever termed as *Jahiliyyah* attracts the disdain of believers. *Jahiliyyah* is a point of departure for the Islamic community from a heedless past. By equating the uncontrolled anger and thirst for vengeance as acts of *Jahiliyyah*, the Prophet could bring the urge for reconciliation with enormous success. This is a powerful idiom with profound reconciliatory capacity at the hands of those who seek reconciliation in the midst of conflicts and violence.

The condemnation of tribal *asabiyyah* as a source to meaningless pride and violent conflict has been explained in the *Hadith*

Narrated from Abū Hurairah that the Prophet said: "Whoever rebels against obedience and splits away from the Jamâ'ah (main body of the Muslims) and dies (in that state) has died a death of Jâhiliyyah. Whoever fights for no real cause, getting angry for the sake of tribalism, calling for tribalism, or supporting tribalism, and is killed, dies in a state of Jâhiliyyah. Whoever rebels against my Ummah, striking righteous and wicked alike, and does not spare the believers, and does not pay attention to anyone who has a covenant of protection with the Muslims, he is not of me and I am not of him." (Muslim I. A.-H., 2007, p. 182)

Constitution of Medina: initiation of reconciliation through building up of a new political community

Prospects of political reconciliation is predicated on a political community (Schaap, 2005). Establishing a community that is inclusive of various identities and interests and allows them to engage in a passionate contest for the world view of each group in their own ways, not interfering in others and harming them, is at the core of a political community, hence the nucleus of political reconciliation. One cannot evade the efforts of the Prophet Muhammad in the direction of building of a plural and political community in upon his arrival in Medina. He was invited to Medina to act as an arbiter between the Aws and Khazraj tribes. The saga of tribal rivalry and perpetual fights were to be avoided for a meaningful and prosperous life in the erstwhile Yathrib. He strived to bring the conflicts to an end with a new method, which was hitherto unknown for the Arab world. Relegating the tribal solidarity to the sides he brought about a new constitution that called each one of the party to it a member of the *ummah* a word that corresponds to brotherhood. The Muslims; both emigrants and helpers, Jews and non-Muslim Arabs were part of the constitution that established a city state, to use the widely

accepted term in the discipline of political science, in Medina with Muhammad at its helm holding the supreme position of appeal in all matters. This constitution was capable of providing a 'we' feeling after the long history of conflict in Medina. The former enemies were brought together to work in sync with the other for the protection of their new state. A new powerful enemy that is Quraysh of Mecca, getting ready to attack their city-state was an enough political reason for them to unite and set-aside the enmity among them that were often fuelled to fights.

Taxation: a deal of allegiance to the state and assurance of protection

Bringing various groups who were at odds with each other for a long time meant creating a new political community in a new political system. Sustaining a new political state, especially amidst of threats of attacks from all sides was not so easy job to do. Any community aligning to the new state needed assurance of protection in need and the state needed assurance of the consistency of the allegiance too. Especially after the incidents of three Jewish tribes, which will be discussed later in the chapter, the surety of allegiance of the new add-ons from various communities and tribes to the political state under the authority of the Prophet became an issue of serious concern. In the 8th year of Hijra after the battle of Tabuk, a new system of collecting tax from the non-Muslim communities under the dominion of the state was introduced. This tax, called as *Jizya* both in Quran and the literature have been subjected to sever criticism. *Jizya* has been termed as the tool of humiliation and discrimination of non-Muslims under Islamic rule. Not investing much into that debate for the problem under study does not require that, I shall touch upon the system of taxation and its implication on the project of reconciliation. *Jizya* a tax paid either in money or in kind to the state was made obligatory on the non-Muslims by the Prophet. This tax was neither a poll tax nor land tax but a general tax that paid in return of the assurance of the protection of the payees' / community's "persons, properties and performance religious rites" (Ahmed, (WINTER 1975, p. 296). The

amount of the tax varied from community to community and place to place. Upon paying the *Jizya* the non-Muslim communities and individuals were exempted from participating in the battles against the enemies of the state. This system of tax payment in return for the protection gave assurance to the non-Muslims of their security and the Prophet the allegiance of the community. Whoever refusing to pay the tax were considered as breaking the pact of allegiance. This assurance was very much important as they were attempts of treacherous breaking of alliance at the time of outside attacks earlier. Secondly this system of taxation was not imposed on every non-Muslim in the similar fashion. There were exceptions made for those who needed relaxations. "specially exempted among the adult males from the poll tax were the poor, the unemployed, the blind, the sick, the insane, the beggars, and the abbots and monks of monasteries, on the principle that those dependent on charity escaped" (Dennett, reprint 1950, p. 26). Furthermore it is to be kept in mind that a tax, in the name of *Zakat*, was obligatory on believers as well. This taxation devised a new adjustment of governance in which the subjects were treated on an equal but differentiated basis. The role of subjects were difference and the minimum basic rights were given to every one equally without any regard for their creed. Muslims were to fight the wars and were entitled to war booty whereas the non-Muslims did not have to go to the battle field hence were not given the booty. This equal but differentiated principle in treating the subjects strengthened the Prophetic state and ensured stability of alliances which was very crucial for the sustenance of the new political community. Communities included in the constitution of Medina were to be treated as equal parties to the constitution but their duties to the state varied significantly. Each of the communities, tribes/clans to be specific as it is mentioned in the Constitution of Medina, were given equal freedom in matters related to their beliefs and internal affairs. Help, at times of any external attack, and equality, in matters of practicing religion, were promised to the non-Muslims in the Constitution of Medina. Article 16 of the Constitution reads as follows "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” (Hamidullah, 1968, p. 35). Muslims and the non-Muslims, Jews as it is mentioned in the constitution, were to spend equally whenever they fought together. Article 25 reinstates this as follows: “And the Jews shall share with the believers the expenses of war so long as they fight in conjunction” (Hamidullah, 1975, p. 37). The attacks from the Meccans on Medina were not only on the Muslims alone but also significantly on the *Ummah*, the community established by the Prophet through the Constitution of Medina. However, only the Muslims were expected to fight battles with the attacking Meccans. Non-Muslims communities were expected to wage wars if only they were attacked by any outsider and they were to be helped by the Prophet and his followers. What the non-Muslim communities were expected to perform as duty was to pay taxes to exhibit the consistency of their allegiance to the political community. A close look at the principle of equal but differential treatment, a crude way of consociationalism, would reveal that a profound idea of sacrifice at play in the life of the political community established in Medina. There were levels of sacrifice to be performed by each of the parties to the constitution. Muslims were expected to sacrifice their physical labour to protect the state by fighting wars against the Meccans as well as any other external aggressor against any of the parties to the constitution. Non-Muslims were primarily required to pay tax/ *Jizya* and refrain from any alliance with the Meccans in latter’s plots against the Muslims. A certain sense of sacrifice of each one’s interest for the sake of sustaining the political community was equally applicable to all, though the amount and nature of sacrifice varied for each groups. The trembling down of that community would mean two things at a time; the failure of Islam in Medina and the going back of Hejaz to the former Hobbesian human nature like situation of endless fights.

The text and what it entails: introducing the Constitution of Medina

Dr. Muhammad Hameedullah considers the constitution of Medina to be world's first written constitution. According to him this document must have been written in two phases. In the first phase the first part of it which deals with the relationship between the emigrants and helpers along with the relationship between non-Muslim Arabs and Muslims were elucidated. The second phase would have been written after the Battle of Badr and the additional part of the document was about the relationship between the Jews and Muslims (Hamidullah, 1975, pp. 15,16)

Two parts of the document put together has fifty three clauses. Twenty five clauses in the first part are about emigrants and helpers while the twenty eight clauses of the second part deals with the rights and responsibilities of the Jews. The centralised form of ordering with Prophet Muhammad as the last court of appeal regarding any thing for Muslims and any inter communal issues in which Jews, Muslim or non-Muslim Arabs are involved was in response to the anarchic nature of the state of affairs in Medina. Muslims and non-Arab tribes accepted Muhammad as the final authority of the state without a second thought for representatives of their tribes had agreed and pledged to obey him earlier and the assurance of the representative was the assurance of every member of that tribe. As for the Jews, according to Hamidullah, the defeat of Quraysh in the battle of Badr must have impelled them to recognize the political leverage and power of Muhammad and therefore they would have agreed to obey him at the same time when they disregard him as the Messenger of Allah. The document mentions eight tribes of Arabs; both Muslims and non-Muslims along with the emigrants and ten tribes of Jews by their name, except that the clients of Tha'laba is not mentioned by name. And it is mentioned that each of this group will have same rights and responsibilities. The most important clause that would later lead to the punishment of three Jewish tribes is clause number forty three and it reads "The Quraysh shall be given no protection nor shall they who help them" (Hamidullah,

1975, p. 40). More importantly this documents expresses that the religious matters of each of the groups shall be dealt internally. In this regard this document gives autonomy various groups. Various groups/tribes, both the believers and non-believers were safeguarded against interference in their socio-religious and internal matters. “Institutions like ransom, blood-money, asylum or quarterly, membership pf tribe by treaty agreement and other customs were left untouched” by the constitution (Hamidullah, 1975, p. 27). Articles 25, 31 and 40 of the constitution of Medina testifies the claim for the autonomy of various groups.

Most important feature of this document relevant to the discussion of political reconciliation is that it established a common community comprising of former enemies. Arab tribes of Aws, Khazraj and their Jewish allies were all included in the *Ummah* along with the Muslims. It stipulated the unity of these groups in defence of an outside attack.

Clause 2: “They shall constitute a separate political unit (*Ummat*) as distinguished from all the people (of the world)”. And clause 25: “And the Jews of *Banu ‘Awf* shall be considered as one political community (*Ummat*) along with the believers—for the Jews their religion, and for the Muslims theirs, be one client or patron. He, however, who is guilty of oppression or breach of treaty, shall suffer the resultant trouble as also his family, but no one besides.” (Hamidullah, 1975, p. 37) Outlined a new way of political alignment in the city-state of Medina. While the tribal organisation of society was still prevalent this initiative strived to bring a new realm of unity that could effectively mitigate the urge for conflict outflowing from the aggressive tribal pride. The status of Prophet Muhammad as the supreme authority of appeal meant that the latent conflicts could be addressed before they went out of hands and resulted in wars. Differences of opinion and interest did not necessarily resulted in violent fight from that time in Arabia.

To go further about the argument of the creation of a plural society in Medina we need to examine the modalities of bringing the people together within The Constitution of Medina. One finds at least three groups whose relation to each other is explained in the document. Muslims comprising of the Travellers and Helpers in which the Helpers were predominantly from Banu Aws and Banu Khazraj who had been at constant fight with each other, Jews and other tribes. The promulgation of The Constitution of Medina in itself was a great achievement of the Prophet with regard to the question of reconciliation because three different groups having different types of conflicts with others are brought together as a community with different responsibilities and equal rights of peaceful life.

The Muslims, the major party to The Constitution of Medina are two groups; the travellers who came from Mecca and settled in Medina and the Helpers who hosted the travellers in their homeland. There would have been tensions between the travellers and helpers in terms of sharing resources including war booties and norms related to the conduct of social life. The status of travellers would mean secondary in a society that was living with tribal pride for a long period of time. However the Prophet could bring these two groups together and establish equality among them with the help of the conception of equality of believers before the God. His attempt at establishing the equality of status of believers was based on the following verse from the Quran "People, We created you all from a single man and a single woman, and made you into races and tribes so that you should get to know on another. In God's eyes, the most honoured of you are the ones most mindful of Him, God is all knowing, all aware" (Haleem, 2016, p. 339). By asserting the equality of everyone in the eyes of the God in a society lead by aggressive tribal nationalism, the Prophet was able to bring the conflicts, over material resources and social status, between his followers. It is an easy for a Prophet in the religion as he is considered by the uncontested authority of God's rules in the world and the followers of a Prophet believe in him.

The question of reconciling between the Banu Aws and Banu Khazraj has a non-political dimension. Two tribes and their longstanding conflicts had come to an end mainly due to unification of the members of the two tribes into the new religion. Unification of people into a new set of belief and creating solidarity among them based on the new value system in lieu of the old tribal solidarity of two camps is non-political because it stands for unity of people on one set of world view. Tribal morality and enmity started fading away as more and more people moved to Islam. It is worth mentioning that this unification had happened without any violence and the reasons for the joining of people from these tribes to the new religion is out of the scope this study. The fact that it was only by the end of 8th year and the beginning of the 9th of the Hijra (*exodus from Mecca to Medina*) that most of the small clans among these tribes and other smaller tribes joined Islam completely points to absence of any sort of coercion from the Prophet on them for conversion (Hussain, 2015/2018, p. 50). However the dimension of non-political reconciliation with direct impetus of new religion may not be missed out when the reconciliatory project of the Prophet is looked at in its entirety. Theology, rather than politics, played a significant role in intra-community conflict resolution during the life of the Prophet.

The risk of the political: the breach of covenant and the punishments of Jews

If the reconciliation is risky, sustaining reconciliation is riskier. Political reconciliation entails passionate engagements of various world view without the fear of violent conflicts. Yet the possibility of conflicts is not completely closed. The risk of politics in the Schmittian schema of thought is that it entails everlasting distinction between friend and enemy. This distinction implies the politics be the engagement for the extermination of the enemy as well. However a politics imagined with its basis founded on the idea of worldliness conceives a political community in which the world shared in common is perceived from various vantage points. How should a member/group who acts against the common security and interest of the

political community is a question seldom addressed in the reconciliation discourses. All the discussion have been about the dealing of past conflicts. Course of action or thought regarding the potential conflicts in the future needs to be brought in to the discourse of political reconciliation. The case of Prophet Muhammad's Medina provides such cases of conflicts after reconciliation. ¹⁷ Three Jewish tribes Banu-Nadir, Banu Qainuqa and Banu-Qurayza were punished for the charge of the breach of covenant.

Banu Qainuqa; Open declaration of war and expulsion

Banu Qainuqa, one of the prominent Jewish tribes were a strong community thriving on trade and business of ornaments. They were gold smiths and traders. They were also members of the constitution of Medina by way of being the allies of Banu Khazraj. Abdullah bin Sallam, a former Jewish rabbi and now the companion of Prophet Muhammad helped the later get information about the uneasiness of Jews, especially men of Banu Qainuqa, in accepting the victory of Muslims in the Battle of Badr. They were dismayed with the news of the triumph of Muslims, their official partners in covenant, against the Quraysh. Their mind, in the apprehension of Prophet and companions, was with the Quraysh, helping whom was considered as offence by the constitution of Medina. ¹⁵ Prophet Muhammad reported to have visited the marketplace in the south of Medina on a day after the battle of Badr and called the people of Banu Qurayza to accept his religion and avoid the wrath of Allah that had recently descended upon the Quraysh to which they replied "O Muhammad be not deluded by that encounter, for it was against men who had no knowledge of war, and so thou didst get better of them. But by God, if we make war on thee, thou shalt know that we are the men to be feared"

This was read as the open declaration of war by the Prophet and the companions for such a statement would not have carried no other meaning in those days. To the dismay of those who love peace, in one of the following days a Muslim woman was insulted in the marketplace of Banu Qainuqa. Her cloth was pinned to the floor by one Jew so that she got naked upon

standing up from the seat. A Muslim helpers intervened in the scene and the Jew was killed by him. The Jewish people around could not stop themselves from charging out to the man who killed their fellow brother hence two lives were taken in quick succession. Not ready to approach the Prophet the authorised arbiter of conflicts in which two people from different communities were involved the Jews chose to fight and get the justice done for their dead companion. They were expecting the help from their Arab ally Banu Khazraj, especially from their close friend Abdullah bin Ubayy and Ubadah bin Samit. Abdullah bin Ubayy could not keep his promise to support the ally of his tribe while Ubadah bin Samit renounced the ties with the Jews and stood for the new constitution. Driven to the despair of non-help from where expected Banu Qainuqa had to surrender unconditionally. They were commanded to be kept captives however upon the request of Abdullah bin Ubayy their matter was given to him. Prophet told him “I grant thee their lives”. Afterwards the tribe was expelled from the city having to leave their land and wealth behind. The expelled tribe made their way to settle near the borders of Syria (Lings, 2006, p. 166).

The issue could have been solved by approaching the Prophet, for he was the authoritative arbiter of conflicts that involved people from different groups. Clause forty two of the constitution of Medina reads “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’s¹⁸ Messenger, Muhammad and God will be with him who will be most particular about what is written in this code and act on it most faithfully” (Hamidullah, 1975, p. 40) By choosing to fight the men of Banu Qainuqa made their breaking of the covenant public. Here the mechanism of sustaining the reconciliation being retributive lead to the exile of the tribe. Although the clan of Banu Qainuqa was forced to move out of the city, they were given the opportunity to have their voice heard by the Prophet through Abdullah bin Ubayy. It was customary to have a war upon the one who breach the covenant but that did not happen in this case. Banu Qainuqa was

also allowed to take all their belongings along with them which was contrary to the practices of the day in which one would flee with nothing but their life during an expulsion.

Banu Nadir: the eviction for secret plan of assassination

The expulsion of Banu Nadir is little more disreputable story. Their allegiance to the covenant, in the eyes of Muslims, was not sincere. The political contingency made them agree to the treaty in public while their heart was beating for and with the Quraysh. Banu Nadir were the confederates of Bani Amir and they were bestowed with equal rights and responsibilities of their host tribe. When Prophet Muhammad approached them to seek help to pay the blood money to the Banu Kalb for the killing of their two men by ‘Amir bin Umaiyah-al Damiri by mistake they had agreed to give him the money first. Nonetheless, Prophet left their vicinity after sometime and he was followed by his companions under the leadership of Abu Bakr. Later in the mosque Prophet told his companions that he was informed by Gabriel about the plan of Banu Nadir to assassinate him. Muhammad bin Maslama was sent to them by the Prophet to convey his message that “By your proposing to slay me, ye have broken the pact I made with you”. They were then given ten days to leave the city. Upon receiving the word of assurance to support from Abdullah bin Ubayy, ibn Huyayy the leader of Banu Nadir refused to vacate and sent message to the Prophet. Prophet Muhammad surrounded the fortress of Banu Nadir with his men to slap a siege on them. Few days since the siege started the men of Banu Nadir realized that reality of the expected help from outside. “The Bani Qurayzah refused to break their pact with the Prophet, the Bani Gatafan maintained an enigmatic silence, and again Ibn Ubayy was forced to admit he could do nothing” (Lings, 2006, p. 211). Having being thrown into hopelessness Banu Nadir were left with no option but to surrender unconditionally. They were commanded to leave the land, arms and armour behind and were allowed to carry all other things that their caravan could take along with them. The tribe left Medina and their

departure turned out to be the display of how much opulent they were inside their fortress. The ousted broke in to group and one left for Khybar while the other moved towards south of Syria.

This episode of ostracising Jews is critiqued by many for there was no explicit reason to point out for their breaking of covenant. This has been expressed in the Jewish encyclopaedia as follows: “In the summer of 625 Mohammed attacked and besieged the Banu al-Naḍir. There appears to have been no satisfactory pretext for the attack. Mohammed claimed that he had received a revelation telling him of the treachery of the Jews” (Joseph Jacobs, nd, p. 422).

Accounts about the incident do not show any of the allies of Banu Qainuqa denying the charges made by the Prophet. While taking the action, dialogue had happened and demands of the tribe were met with, that their belongings other than land and armours were allowed to be taken with them. This implies their acceptance of the charge of the Prophet hence proves that Banu-Nadir had broken the covenant.

Banu Qurayza: alliance with Quraysh and execution

The debate about the story of Banu Qurayza is yet to be settled down. The beheading of ‘all adult men and capturing of women, children and wealth’ is a notorious episode in the history. The charge that was levelled against Banu Qurayza too was the breaking of alliances. However this time the gravity of the issue appeared to be serious for Muslims because the former was allegedly helping the Quraysh against Muslims in the Battle of trench. As Jewish encyclopaedia says

⁸ “Some of the Jewish exiles, chief among them being the above-mentioned Huyayy, had stirred up the Kuraish and other Arab tribes against Mohammed, and they persuaded the Banu Kuraiza to join them in their plans. Mohammed, however, succeeded in making the Jews and their Arab allies suspicious of each other; and the allies, who had been besieging Medina, suddenly departed

in the midst of a storm, thus leaving the ̤uraiza unsupported. Mohammed marched against them, claiming to have received a special revelation to that effect, and laid siege to their fortress, which was a few miles to the southeast of the city. They surrendered after a month's siege, without having risked a fight” (Joseph Jacobs, nd, p. 423).

When Banu Qurayza surrendered their allying tribe, the Aws came to the Prophet asking the matter should be left to them as the matter of Banu Qainuqa and Banu Nadir were given to Ibn Ubayy, hence to the Khazraj. Prophet delegated Sa'du bin Mua'd, the leader of Aws, to declare the verdict over the Banu Qurayza. He had declared that the men among them be slayed, women and children captured and the property distributed. In the following days most of the men of the tribe were beheaded. Some individual exceptions were made such as Zubayr bin Battah was spared on request of Sabith bin Qais bin Shammas for the former's help to the latter in the battle of Buath (Al-Mubarakpuri, 2008, pp. 377-378).

There is a serious debate, still inconclusive, regarding the number of people beheaded in the episode of Banu Qurayza. Ibn Hisham estimates it to be in-between six hundred to seven hundred, while Imam Ahmad's account finds four hundred people. In a relatively recent study by way of mentioning a report at the 1973 World Congress of Jewish Studies by Dr. Trude Weiss-Rosmarin, W.N Arafat asserts a possibility of an old story of mass suicide of Jews in Judeo tradition being reported more accurately in details (Arafat, 1976). The accuracy of the accounts found in *sirah* literature is not as well-established as it is in the case of Hadiths. There is no agreement of the scholars on the accuracy of the number stated in Ibn Hisham's version. Malik the jurist, who was contemporary of ibn Hisham criticised him for his choosing of unreliable sources to report the incident of Banu Qurayza. Malik was a scholar of Hadith as well as jurist therefore very particular about the methodology of establishing the validity and

authenticity of reports. Moreover the report of the same in Quran does not mention the number but confirms the punishment on them. It says

“He brought those People of the Book who supported them down from their strongholds and put panic into their hearts. Some of them you [believers] killed and some of you took captive. He passed on to you their land, their houses, their possessions, and a land where you had not set foot: God has power over everything” (Haleem, 2016, p. 268).

No confirmation of beheading or the number of such a killing, if any, is found either in Quran or in Hadith but only in the *Siras*. Apart from the criticism of Malik, another subtle aspect needs to be considered here is that the narrative style of the *sirahs*. The time period of the consolidation of the *Sirahs* coincide with the expansion of the Muslim empire beyond the frontiers of the Arabia. Accounts of the bravery of the Muslim fighters, incidents of the failure of the enemies of the Muslim political contingents are all meant for the boosting up of the spirit of the Muslim armies under later Rulers after the Prophet and four *Khalifas* in their expeditions. *Sirah* travelled from generation to another like stories and legends were Hadiths were venerated for they were to be followed or practiced in the daily life of Muslims.

Nonetheless the incident of Banu Qurayza is still criticised for the harsh manner in which the Jews were dealt with. The response to such a criticism is found in the footnotes of Martin Ling's work where he points toward the punishment enshrined in the Old Testament for those who break the treaty of peace. According to him the Sa'du bin Mu'ad had declared the verdict of God from the book of Jews themselves. Commandment of God in Old Testament reads

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¹⁰ When you march up to attack a city, make its people an offer of peace. ¹¹ If they accept and open their gates, all the people in it shall be subject to forced labor and shall work for you. ¹² If they refuse to make peace and they engage you in battle, lay siege to that city. ¹³ When the LORD your God delivers it into your hand, put to the sword all the men in it.

¹⁴ As for the women, the children, the livestock and everything else in the city, you may take these as plunder for yourselves. And you may use the plunder the LORD your God gives you from your enemies. (Deuteronomy 20:10-14)

The cloud of indignation is very thick when the incident of Banu Qurayza is approached from the immaculate concept of modern human rights but the context of the incident points to the fact that the verdict was given according to the law of the Jews. Like in the cases of Banu Qainuqa and Banu Nadir Quarayza also did not deny the charges on them however the actions were different and it deserves some reflections.

The incident of the Banu Qainauqa was first of its kind after the conclusion of the covenant. Banu Nadir's case was an attempted assassination on the life of Prophet alone and he had the choice to not take revenge on them. However the case of Banu Qurayza is very immediate and was in a state of emergency. The result of the ploy of the tribe could have been fatal had Banu Qurayza succeeded in their plan. It would mean the failure and wiping out of Muslim community as whole by the enemies because the ploy of Banu Qurayza took place during the time of War in their own home. Muslims where surrounded from all three sides of the city of Medina. Technically the Banu Qurayza was at war with the political community of Medina as a whole, hence the tough decision followed. Their plans to ally with the Quraysh through the intermediation of Huyayy, the leader of previously evacuated Jewish tribe: Banu Qainuqa, was the clear cut breach of the covenant and it could have been fatal for the community. The strategic position of their households, as they lived in the south west of Medina where the defending army were unable to dig a trench, made their plot more dangerous. Had the Banu Qurayza succeed in their plan, the entire state could have been crashed by the Quraysh. It could also bring the earlier tribal conflicts back to the stage as the other Jewish tribes living in Medina were not in support of the Qurayzas. It is also important to note that there is no, even a claim,

for other Jewish tribes getting implicated with the decision taken against the Banu Qurayza. Jewish Encyclopaedia affirms it as: “Neither Mohammed, however, nor his successor drove all the Jews out of the country” (Joseph Jacobs, nd, p. 423).

It is worth noting that both the constitution of Medina and Quran do not lump a community together for a crime done by a member. At the most a tribe is held responsible for a crime of its member unless the particular tribe disown that act. Article 25 of the constitution of Medina has it this way: “And the Jews of *Banu ‘Awf* shall be considered as one political community (*Ummat*) along with the believers—for the Jews their religion, and for the Muslims theirs, be one client or patron. He, however, who is guilty of oppression or breach of treaty, shall suffer the resultant trouble as also his family, but no one besides” (Hamidullah, 1968, p. 37). Making the same point with much more scope of generalisation Qur’an says that “...No soul will bear another’s burden” (Haleem, 2016, p. 176) There are incidents of Muslims getting help from Jewish persons during other wars and both Muslims and Jews living together in piece afterwards. On the authority of Ibn Ishaq, Stillman states: Mukhayriq, a wealthy Jewish rabbi joined the Prophet and companions to fight the Quraysh/Meccans in the battle of Uhd (Stillman, 1979, p. 121). Muqtedar Khan wrote “¹⁹Mukhayriq died in battle against the Meccans. And when Muhammad, who was seriously injured in that battle, was informed about that death of Mukhayriq, Muhammad said, "He was the best of Jews."” (Khan, 2009).

A Hadith, which is often cited by the historians and Islamic religious scholars to describe the aftermath of the battle of Khybar, is revealing about the civic engagements and social bindings between the Prophet Muhammad and the Jews. Though the hadith is cited with reference to the negotiation between the defeated people of Khybar and winning Prophet, it tells another story of social interaction between communities in the city state of Medina. This particular hadith is reported in the Sahih-al Bukhari and it reads

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 “When Khaibar was conquered, Allah's Messenger was presented with a poisoned (roasted) sheep. Allah's Messenger said, "Collect for me all the Jews present in this area." (When they were gathered) Allah's Messenger said to them, "I am going to ask you about something; will you tell me the truth?" They replied, "Yes, O Abal-Qasim!" Allah's Messenger said to them, "Who is your father?" They said, "Our father is so-and-so." Allah's Messenger said, "You have told a lie, for your father is so-and-so." They said, "No doubt, you have said the truth and done the correct thing." He again said to them, if I ask you about something; will you tell me the truth?" They replied, "Yes, O Abāl-Qāsim! And if we should tell a lie you will know it as you have known it regarding our father." Allah's Messenger then asked, "Who are the people of the (Hell) Fire?" They replied, "We will remain in the (Hell) Fire for a while and then you (Muslims) will replace us in it." Allah's Messenger said to them, 'You will abide in it with ignominy. By Allah, we shall never replace you in it at all.' Then he asked them again, "If I ask you something will you tell me the truth?" They replied, "yes." He asked, "Have you put the poison in this roasted sheep?" They replied, "yes," He asked, "What made you do that?" They replied, "We intended to learn if y m were a liar in which case we would be relieved from you, and if you were a Prophet then it would not harm you" (Bukhari, 1997, p. 369)

This Hadith tells the warmth of relationship among various communities in their good gestures of bringing gifts to others, inviting the other for feasts and treating the other well. Here the Prophet had accepted the food provided by Zainab bint al Harith, a Jewish lady. Had it not been for the good social relation between the Muslims and the Jews, She would not have had an option to give a meal to the Prophet and the Prophet would not have accepted it. Secondly the Battle of Khybar has another important story of good relationship between communities and goodwill among each other. Prophet Muhammad married Safiyya bint Huyayy (Safiyya the daughter of Huyayy). Huyayy was the chief of Banu Nadir, the Jewish tribe exiled from Medina and it was the same person who worked as an intermediary between Banu Qurayza and the Quraysh. She was married twice before her marriage with the Prophet. This marriage eased lots of tension between the Jews and the Muslims after the battle of Khybar. She is considered as one of the “mothers of the believers” by the Muslims still today. When she died, “She left an estate of 100,000 dirhams in land and goods, one-third of which she bequeathed to her sister's son, who followed Judaism” (Vacca & Roded, 2012) These two incidents point to the continued cultural and social relationship among various cultural groups even after the incident of Banu Qurayza.

Chapter V

Prophetic Model: reflecting on key features and lessons for us

In the late antiquity a covenant of trust and non-aggression meant peace and reconciliation in most of the cases due to various factors. This era was characterised by the empires and tribal polities in places where the empires did not have direct control. History before the popular struggles and revolutions of the modern world suggest that the decision of the rulers, emperors or the tribal patriarchs were decisive and definite. When they conclude treaties with their counter parts it brought peace and war was imminent and unavoidable when the covenant was broken. Institutionalised forms conflict management and institutions are seldom seen the texts. Constitution of Medina was, in a way, following the same thesis on the breach of covenant. The constitution of Medina warns the parties against the breach of covenant four times in articles 25, 37, 46 and 47 respectively. Article 25 specifically mentions that those engage in the breach of covenant may suffer the ‘resultant trouble’. There was war and the absence of it by any means would suggest the existence of peace because the economic engagements of the time, be it trade or transport, were all based on competition of might and strength. There was hardly any international bodies or norms to regulate the engagements of various entities and most of the time the conflicts of economic nature would metamorphose to conflicts over identities, tribal,

religious and so on, and the war follow. The most important ways of bringing reconciliation were either unification of conflicting parties, either conversion of one group into the other or conversion of both parties into a new religion. In cases of non-conversions covenants were the most peaceful way of reconciliation. However there had always been the risk of the breaking of covenants and the inevitable wars following them.

The war between the Isaurians and the Romans in 270s explains what happened when a covenant was broken by a party or at a time when there was a perceived breach. When the Isaurians were attacked by the Persian king Shapur the Romans did not come to help the former against the latter. The account of what followed alludes to the meaning of a breach of covenant during the time. Breach of covenant meant indignity to the violated and war followed in most of the cases.

“From the perspective of the Isaurians, however, this action on the part of a Rome, with whom they considered themselves covenant partners, was the ultimate breach of covenant agreement”. “Covenant partners were bound to protect not to destroy one another. Prior to this incident the Isaurians, with small reprisals, had endured lesser breaches of covenant such as the imposition of taxes and the exacting of tributes. This breach, however, was of unbelievable and unacceptable magnitude, an outrage *praetor morem*, beyond the bounds of Isaurian custom. This indignity demanded war” (Drake, 2016).

The incidents of the tribes of Banu Nadir, Banu Qainuqa and Banu Qurayza were examples of the breach of covenant however a war or execution did not happen in the first two cases. However, the case of Banu Qurayza was the ultimate breach of covenant in which the life of Muslims and the fate of the city of Media could have

been fatal. This, most probably, could have been the reason behind the reason for the execution.

Three Jewish tribes: Political Reconciliation an elusive destination?

Incidents of three Jewish tribes after the conclusion of a general covenant with all of them throws some fundamental questions in the way we think about Political reconciliation. Andrew Schaap has called the project of political reconciliation as establishing a political community that is 'not yet'. The problem with defining political reconciliation in such a manner is that any failure of reconciliatory project could be given the concession of the ambiguity surrounding the idea of reconciliation itself. If one dares to define it in fixed terms and finds certain exceptions to the general rule this issue might be brought to a logical conclusion. In the case of Jews in Medina, though three tribes were subjected to retributions the historical accounts of civic engagements between the Jews and Muslims before and after those incidents suggests that the political ambitions of these three tribes were so much so that they wanted to rule, the land they lived for so long, for much more. More importantly reading this incident in connection with reconciliation is also somewhat problematic because the issue of retribution to them were not based on who they were or what they did in the past. For political reconciliation is about dealing with the problems of past skilfully in the present for a peaceful future, the issue of the three Jewish tribes needs to be discussed separately as the issue of contention and its consequences were not concerned with the past injustices or conflicts, though they may be read as the continuation of the past. The political priorities in the roster of parties involved in a reconciliation process is a decisive factor in the success of the project of

reconciliation. If one group aspires for separate polity and thick reconciliation; thinking of reconciliation in an aggressive nationalistic line, a society of agonistic engagement becomes elusive.

While insisting on only one truth, Islam and the Prophet recognises the idea of worldliness; a world shared in common but perceived from various perspectives. Islamic conception of this world is what allows it combine the seemingly contradictory conception of one truth and multiple perspectives of the world. By way of treating this world as just a transit for the human to the eternal paradise or a temporary adobe, the life in which one ought to perform the divine decrees in order to qualify for the best life in the next and not insisting on making this world itself a heaven, Islam sets itself aside from an ideological undertaking. Its conviction is not in tandem with the political aspiration of creating a utopia where people would live for ever in peace and lead a conflict free life in this world. It doesn't aspire to realize the only truth it subscribe to be realized in this world by any means. Rather it envisions a life hereafter where the virtuous humans are rewarded with a life of unrestrained freedom, absolute justice, and eternal peace. This conception of life hereafter, only where the absolute justice is realized makes Islam anti-political in its end/objective. However the other side of the coin, conception of life in this world as just a transit, makes it political. When this world is perceived just as a transit where one meets a lot of people and engage with them about the purpose and ways of his travel is a wonderful way of appreciating the idea of worldliness. Quranic verse "you have your religion and I have mine" affirms if not celebrates the idea of a world shared by many contending perspectives (Haleem, 2016, p. 441).

This agonism may give way to war at times when the life of Muslims is threatened, if the legal system fails to protect the right of Muslims for life and religion utterly. To read this through the metaphor a traveller's temporary abode, one is made to fight with others when his travel is stopped either by robbing his means of travel or his way is blocked. This nature of anti-political

in its end and affirmation of worldliness simultaneously allows the Prophet of Islam to seek both the political and non-political ways of reconciliations according to the circumstantial needs. In general, Muslims are reconciled non-politically and inter religious conflicts politically.

The incidents of three Jewish tribes pose a fundamental question regarding our thought about political reconciliation. The scope of retributive and restorative justice based on adjudications of conflicts or alternative ways of dealing with them in a reconciled society calls for further thought and engagement. How to address any potential conflict that might restore the past conflicts for another time becomes a formidable question and the answer the Prophetic model suggests is retributive judicial settlement with a possible sub-clause of dialogue and negotiations. The involvement of ibn Ubayy and Sa'ad bin Mua'd suggest the possibility of dialogue, however to expect a peaceful settlement for all the time could be too ambitious. Survival/sustenance of political reconciliation rests on the willingness of groups in a society to sacrifice their interests in order to maintain peace or for the further reforms in the society. Political reconciliation prevails during the reconciliation process and theological/ retributive or restorative reconciliation occupies the stage in a post reconciliatory society as long as the provisions of the reconciliatory project, including the clauses for retribution, are envisioned in documents/covenants like in the case of treaty of Hudaibiyya or The Constitution of Medina. Restorative idiom find its place in the constitution, formal or informal, of a new political community. Any future break from that point of 'beginning' could be termed as the reference point of the breach of order. Secular democratic regimes that seek reconciliation of confronting groups could certainly use the religious idioms with reconciliatory capacity in their endeavours of the politics of peace.

An alarming fact to be found here is that the three Jewish tribes, Banu Qainuqa, Banu Nadir and Banu Qurayza were not reconciled with the Muslims and Arabs in Medina. Though they were included in the constitution of Medina, they were never prepared to accept the political dominion of the Prophet Muhammad. Their acceptance of the peace treaty seems to be temporary and a political tactic. They must have accepted the peace treaty due to the circumstantial necessity by withholding the political aspirations for a while. This invites the attention of one who thinks of a fundamental aspect of political reconciliation; the willingness of a community to be reconciled. The acceptance of the political authority or its legitimacy is instrumental for materialising political reconciliation. If a political system is bereft of legitimacy and acceptance from a group that it seeks to reconcile with another, then reconciliation will be an elusive dream. That is why secessionist movements become more difficult to handle than the subnational movements. Subnational movements put the question of responsibility to act judiciously, either according to the existing rules and provisions or by amending them, within the political system whereas the secessionists find the solution for their resentment only in breaking away from the fabric of the existing schema of things.

Willingness of the living perpetrators and victims to be recognised is crucial for political reconciliation to be realized. Retributive justice approach to reconciliation may disagree with this on the account of the possibility of forcing one to be reconciled. However such a stand emanates from the disregard for the goal of moral rapprochement that reconciliation seeks to achieve. Reconciling a group with the aspiration of partition of the political system, seceding away from the dominant arrangement or winning over the existing system to change it altogether to a new way is doubtful, if not impossible.

Discussion of virtue in politics is also important while thinking about reconciliation. A Machiavellian double virtue followed by a group may put the reconciliation in the centre of an

unnavigable sea. The virtue of non-treachery with a partner in covenants, or keeping the promise, especially in the state of emergency, cannot be overlooked. Especially in this case, both parties; Muslims and Jews draw the fundamental virtues from one source. Quran calls the Jews and Christians the 'People of Book' and Muslims are also given a book. Both parties believe in previous Prophets and revere their virtuous life. As Philip Hitti would suggest Islam is "so closely allied to Judaism and Christianity. Historically, Islam is an off shoot of these other two, and of all faiths it comes nearest to being their kin. All three are the product of one spiritual life, the Semitic life. A faithful Moslem could with but few scruples subscribe to most of the tenets of Christian belief" (Hitti, 1970, p. 2). Both the Muslims and the Jews shared the same moral philosophy of virtues therefore any of the non-virtuous action from either of the party meant the same thing for both. This could be one of the important reason why other Jewish tribes did not turn up for the three tribes who breached the covenant. Apart from the issue of moral judgements, religious virtues and moral principles are helpful to create an atmosphere of mutual-trust and ethical direction in inter-community relations which is essential for the success of political reconciliation.

What the story of three Jewish tribes in Medina suggest is that, if reconciliation was not in the top of the priority list of a group, and they are ready to risk what it might bring to them, political reconciliation is an impossibility. The value of peace needs to be realized and recognized in the first place. ¹⁷ It is very important to bear in mind that reconciliation rests on the willingness of the acceptance of mistakes by both sides and mutual agreement to non-breaking of peace in the future. It is very helpful to invoke the intrinsic beliefs of both parties to make them stand steadfast to peace. It also means that, in a premodern world, to have provisions of retribution to parties based on their own religious sources for the mistakes they may do in the future because if the punishments are based on their own scriptures a further conflict over the kind of punishments acted upon them is less likely hence they have less incentive portray the

retributions as unjust. If a group sees the regimes that tries for reconciliation to be colonial and dominating, then it would be freedom, self-determination, and liberation that concern them than reconciliation. One cannot think of reconciliation while being worried about the survival and dignity. After all reconciliation is all about shaping a peaceful present based on a bitter past for a bright future. Reconciliation is dealing of the past in the future for which one should feel the affordability of such a thought in the first place. For the Jews in Medina, the arrival of Muhammad from Mecca and his status of the Messenger of Allah was an upsetting development. They were waiting for the arrival of a new messenger of God from among themselves to lead the people in astray to the straight path. Since Muhammad was not from among them but from the Arabs, the message he brought and the peace he talked about did not entice them.

The inquiry about reconciliation should not be stopped with the Prophet Muhammad, what followed his career is also important for many reasons. One, the four Caliphs, widely recognized as the rightly lead caliphs in the Muslim world, after Muhammad were also instrumental in consolidating the career of the Prophet into a strong political system with enormous command and success. Study of the modalities of their following the Prophet in terms of inter-community issues would give a nuanced view of the picture of reconciliation in the classical Islamic society. What happened after the Ban Qurayza incident, especially to Jews from other tribes who were in Medina and under Islamic rule during the reigns of the four caliphs is also an important question to ask. Some exceptions were made in the case of executing the members of Banu Qurayza. For example Zubayr bin Battah was spared on request of Sabith bin Qais bin Shammās for the former's help to the latter in the battle of Buath (Al-Mubarakpuri, 2008, pp. 377-378).

Hadiths about civic engagements between Muslims and the Jews after the incident of Banu Qurayza points to the absence of pathological animosity between religious groups and tribal entities in the city.

Reading of the Prophetic initiatives of political reconciliation may inspire one to explore the connection of peace and reconciliation vis-à-vis the virtues of freedom, self-determination, self-respect etc. in the moral thinking. National liberation movements or independent struggles were all revolving around those ideas and the issue of political reconciliation seems to be a post-materialist, or post-independent phenomenon. Its connection with nation-building and the role ideology plays in it will be interestingly significant projects to take over.

More importantly, thinking about reconciliation in terms of a permanent solution for all the conflicts would be an attempt to erase the political aspect of reconciliation itself. Reconciliation in its 'thick' sense is predicated on harmony and that "risks treating significant differences as threats to the social order and thus inimical to reconciliation. The rejection of political disagreements leaves us with few conceptual tools to distinguish between acceptable political contestation and domination. Indeed, the tendency to equate reconciliation with consensus, if not deep harmony, means that the other key aspects of politics-such as argument and disagreement- are erased" (Verdeja, 2017, p. 229). The tendency of equating reconciliation with harmony and non-contestation has the danger of homogenisation and authoritarian domination lurking behind it, for all those ambitions of the ruling elite will be justified in the name of peace and thereby prosperity. The most striking feature of authoritarianism always has been to invoke 'peace and prosperity of the people' but who include in the pea people they talk about is very constricted. Using political reconciliation for such a purpose by the vocational political elite will be last thing that can be imagined by a genuine aspirer of reconciliation and peace.

Sacrifice and Reciprocity

Close analysis of the model of reconciliation by the Prophet Muhammed would reveal to us two virtues: moral, ethical and religious, that are very important for lasting peace in society. The initiation of reconciliation in a conflicting society by a group is predicated on the willingness of those groups to make sacrifices: to give up something for the good of all. What one group has to sacrifice could be some aspects of their own identity, financial resources, individual ego especially when one has legitimate claim for retaliation when one's rights are violated by another. If every group were to stand resolute on their claims for rights without any regard for responsibilities for collective good violent conflicts may stay unresolved for ever. There is good in sacrificing something if that brings peace for everyone as it helps all. Sacrifice brings a symbiosis in the society by recognising the mutual collective responsibilities. Transcending one's needs, not everything, is a must for an individual to be able to participate in a society, at least in a democracy. Since the democracy is an ongoing process depended on reforms in the society, it cannot flourish without sacrifice. Sacrifice is necessary because democratic reform is depended on it. Interdependence of groups is the hallmark of a heterogeneous society for no group can survive in complete isolation. This also makes sacrifice necessary for refining democracy and strengthening peace process.

Prophet Muhammad's action affirms the importance of sacrifice in reconciliation. Sacrifice holds a key role in the teachings of the prophet and in the history of Islam. The act of sacrifice, leaving something for something better is part of the Islamic theology. The fourth pillar of Islam, *Zakat*/ mandatory charity is to make one's wealth sacred/ purify one's wealth. ¹⁶ It is also important to note that the prophet had declared the city of Medina a sanctuary/ a sacred place where killing, hunting, or taking revenge or any act of violence is completely prohibited. It is deeply rooted in the history of Arabia as the city of Mecca, especially the surrounding place of Ka'ba had been considered as a sanctuary where all forms of violence is prohibited. By way of

prohibiting violence altogether, the Prophet reiterated the importance of sacrifice to the faith and spirituality of Muslims.

Incidents of *Hudaibiyyah*, the conquest of Mecca and the constitution of Medina shows various forms of sacrifices made by Muslims as well as non-Muslims. Provision in the covenant of *Hudaibiyyah*, such as those who leave Medina and Islam be returned to Mecca and not expecting the same in case of one leaves Mecca without the permission of family, erasing of the title of the Prophet: the Messenger of God, and returning from the place without performing *Umara* are all examples of sacrifices. It was not only physical sacrifice like retuning without achieving the intended goal of the travel: to perform *Umra* and agreeing to start the covenant in the terms suggested by the Quraysh but also spiritual and moral sacrifice of one's ego as the companions of the Prophet were convinced that they had all the rights to fight the Quraysh for the conditions that they suggested in the covenant. Unconditional amnesty given to all the Quraysh ⁹ on the day of the conquest of Mecca is often read as an outstanding example of forgiving by the Prophet but what lies behind such a spectacle is a moral imperative for sacrifice. One needs to have an extraordinary sense of sacrifice to let go off the urge to retaliate when he is at the helm of a people who had been harassing him as his people for a long time. It is impossible for one to forgive his enemies who are in a helpless condition, without sacrificing the sense of absoluteness that men attach to themselves. The constitution of Medina required both the Muslims and non-Muslim parties to make sacrifices in the form of providing physical labour and even life at times of war to defend the newly constituted political community in Medina and financial alms in the form of taxation. It was a non-equal way of sacrifice enshrined in the city-state of Medina where the Muslims were required to fight the wars and the non-Muslims had to pay taxes in return for their protection. Each group had to sacrifice something of their own: money, men, and other political priorities such as having a

different state of one's own. The Jews and other non-Muslims were also to sacrifice all that they might have received from a possible alliance, alliance for war or trade, with the Quraysh.

While the two incidents: the *Hudaibiyyah* and the conquest of Mecca were examples of non-reciprocal sacrifices, the constitution of Medina envisioned a model of reconciliation based on the reciprocal sacrifice. Each of the groups was to make sacrifice although the degree and nature of that sacrifice varied substantially. It would have been not so difficult for the Prophet to convince both his followers and the Jews about the importance of sacrifice as both Islam and the Judaism treats it to be a virtue. While the concept of sacrifice means, in the normal circumstance to give up something for the something better, theologically it also has another meaning: to make things sacred, in Islam and to draw oneself near to God in Judaism. The following verse from chapter 9 of Qur'an reads: "In order to cleans and purify them [Prophet], take alms out of their property and prey for them, your prayer will be a comfort to them. God is all hearing, all knowing" (Haleem, 2016, p. 125). Here, the compulsory charity is a sacrifice of one's wealth in the way of God and it is believed to purify the believer and his wealth. Qorbanot: a Hebrew word denotes sacrifice or offerings in Judaism. It suggest giving up something. Although it is about giving something up as part of a ritual, the word Qorbanot also means 'to draw near' which indicates the most important purpose of the action: to draw one near to God. One of the 613 commandments of the God in Torah is to sacrifice animals. The commandment "to sanctify the firstling clean cattle and offer it up" is derived from the holly bible: Exodus 13:2 and Deuteronomy 15:19. (Rich, 1998-2011).

Reciprocity is an ethic and virtue which is very important for the peaceful life of a diverse society. Reciprocity in cultural exchanges has begun to attract the centre of attraction in discussions on tolerance, multiculturalism, and conflict resolution and peace studies. Pointing out to the inevitability of reciprocity Simon Rabinovitch writes: "it is impossible for any group to live in a society, or at least a liberal-democratic society, non-reciprocally. There are always

individual non-contributors, but no group can exist within a society without reciprocal exchange” (Rabinovitch, 2018). Unlike the liberal notion of tolerance or toleration, idealising of which embeds dominance, reciprocity entails mutual interaction and influence. Liberal tolerance has historically been an idea of unilateral action from the side of the majority towards the recognized minorities. It had worked for advancing the interests of the majority to legitimise itself. It was also used as a means to regulate the minorities by the majority. Moreover, the liberal idea of toleration many a times patronises the minority which effectively denies the right to mutual interaction and the possibility of mutual influence of various groups. Reciprocity on the other hand, seeks cultural exchanges on a daily basis and open the door for influencing each other in the process of reform in the society.

Prophetic Model of reconciliation entails the idea of reciprocity, at the realm of social relations and cultural exchange, in a political community. This model of reciprocating in a good manner to both good and evil is encouraged by the Quran in the verse “Good and evil cannot be equal. [Prophet], repel evil with what is better and your enemy will become as close as an old and valued friend, but only those who are steadfast in patience, only those who are blessed with great righteousness, will attain to such goodness” (Haleem, 2016, p. 309). Here the Quran argues that reciprocating evil and good with better is a virtue worth pursuing. Although it may not be helpful to look for a perfect democratic model in a pre-modern system of administration, Prophet’s Medina could be considered as an impressive initiative for a model of political reconciliation based on Sacrifice and reciprocity. There were cultural exchanges in the society among Muslims and non-Muslims to a great extent. Jews and Muslims were recognized as the people of the Book: descendents of Abraham. Islam in its evolution sustained many of the Jewish practices. Most of the commandments of the Jewish faith were adopted by Islam and it differed only on a very few fundamental questions of faith and practices. Apart from the cultural exchanges, civic engagements was also encouraged by the Prophet. In the beginning

of reconciliation the Prophet Muhammad worked as an initiator of peace process for which he had shown willingness to make unilateral sacrifice. His awareness and skills were good enough to recognize the need to institutionalise a system of equal but differentiated system of sacrifice and a norm of reciprocity once a political community was established in Medina.

The model of political reconciliation underlined by the principle of sacrifice and reciprocity offers an optimistic future for our current democratic society. It is widely accepted that the deepening of democracy, both in its procedural and substantial sense, requires social reforms. It is impossible to imagine a smooth, successful and non-violent reform without a sense of sacrifice in each of the groups in our society. No group in a diverse society can afford to practice unidirectional and non-reciprocal sacrifice all the time for the obvious reasons. The success of reforms and democracy depends very much on the synthesis of sacrifice and reciprocity.

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