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A review on the medina charter in response to the heterogeneous society in Malaysia

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Abstract

Malaysia is a Muslim country which comprises of a heterogeneous society. Through the efforts of the current and previous government, Malaysia has been attempting to include the Islamic principles into its governance. Firstly, it starts with the concept of the Asian values, moving on to *Islam Hadhari*, and the recent one is the idea of One Malaysia. These gestures speculate that Malaysia is in the process of bringing and applying back the Islamic way of governance system with reference to the first Islamic law, the Medina charter. Based on the Islamic history, the Medina charter was the first constitution drafted and documented in Islam providing the basis of the city-state between Muslim and non-Muslim in the medieval Muslim city of Medina. The content of the charter manages to unite a multi-religious and multi-ethnicity (heterogeneous) in the city. Therefore, this study is conducted to enlighten people's understanding on the success of the Medina charter, in relation to the heterogeneous society in Malaysia. The charter is applicable to be adapted into the Malaysian government in which the citizens are heterogeneous society. Hence, the aim of this study is to learn the reasons behind the success of the Medina charter in response to the heterogeneous society in Malaysia. In order to achieve the aim of this study, several objectives are highlighted to identify the purpose and function of the charter as well as to analyze the success of the charter to heterogeneous society in Malaysia. This study is based on the qualitative research methodology; thus, the document analysis is adopted to define and understand the Medina charter. The findings of this study emphasize three main aspects, namely, i) the condition of the Medina city before and after the establishment of the charter, and ii) the relationship of the charter with heterogeneous society, and iii) the importance of the charter to the Islamic city-state, especially in Malaysia. The outcomes of this study will assist to strengthen the understanding towards the importance of Medina charter and the significance of upholding the Islamic principles and values in heterogeneous.

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Keywords: Medina charter; Heterogeneous society; Islamic law; Human rights; Malaysia.

1. Introduction

There are several examples of Islamic history in response to the heterogeneous society, for instance, during the time of the Ottoman Empire, involving Muslim and non-Muslim, heterogeneous Muslim society in Africa and Asia¹. However, the Medina charter was the first constitution drafted and well documented in Islam that provided a basis of the city-state between Muslim and non-Muslim in the medieval Muslim city of Medina^{2,3}. It is perceived as the earliest example of the presence of mediation or terms of agreement among various religions and tribes during 622 A.D^{4,5,3}. This suggests the relation between Islam and heterogeneous society has developed in the Islamic history. Nevertheless, the question dwells on, i) What is the Medina charter? ii) How did the charter start? iii) Who composed the charter? iv) What are the components of the charter? and finally, v) How can Medina charter be utilized as a model in a country with a heterogeneous society like Malaysia?. These are among the uncertain matters pertaining to the Medina charter. Therefore, further discussions on the topic are elaborated in this paper.

2. Problem Statement

Malaysia is recognized as a Muslim country and Islamic city-state which comprises of a heterogeneous society. Through the efforts of the current and previous government, Malaysia has been undergoing a process to include the Islamic principles into its governance. It begins with the concept of Asian values, moving on to *Islam Hadhari*, and the recent one is the idea of One Malaysia. These stages speculate that Malaysia is in the process of bringing and applying back the Islamic way of governance system with reference to the first Islamic law, the Medina charter. According to the Islamic history, the Medina charter was the first constitution drafted and documented in Islam providing the basis of the city-state between Muslim and non-Muslim in the medieval Muslim city of Medina. The content of the charter manages to unite a multi-religious and multi-ethnicity (heterogeneous) in the city. It is perceived as mediation for the heterogeneous society. Thus, this study attempts to learn the success of Medina charter. It is essential to determine the relevance of Medina charter from the local context, Malaysia. An evaluation on the success of the Medina charter needs to be undertaken in order to understand the key in uniting a heterogeneous society in an Islamic city-state. For that reason, a study of the relevance of the Medina charter in the Islamic city-state should be conducted as a future reference in order to maintain and continue the legacy of the Islamic rulers.

2.1. Aim

The aim of this study is to learn the reasons behind the success of the Medina charter in response to the heterogeneous society in Malaysia.

2.2. Objectives

In order to achieve the aim of this study, two objectives are highlighted as follows:

1. To identify the purpose and function of the charter
2. To analyze the success of the charter to heterogeneous society in Malaysia.

3. Literature Review

In the selected verses, the Quran emphasizes on the existence of mankind, with a different background in term of racial, cultural and religious diversity. The differences are acknowledged in the Quran. *'O mankind! We have created you male and female, and have made you nations and tribes that you may know one another. Lo! The*

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