

# CONFLICT RESOLUTION EDUCATION IN MEDINA CONSTITUTION:

## Contextual Exegesis of Medina Constitution

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**Abstract:** *Conflict is an integral part and has a wide variety of types in all aspects of people's lives. This is the responsibility of education because of the potential it possesses to prevent conflicts. Therefore the education of conflict resolution is a suitable idea to resolve conflict issues. The Medina constitution is a monumental work in the history of human life that becomes the spirit of how to create a harmonious life amid diversity. The interpretational method of Medina Constitution is legal hermeneutics which has three meaning areas such as text, context, and contextualization of text meaning to the context. The underlying theory in this research is the theory of conflict resolution education which has three areas to handle conflicts, such as social contradiction changes with structural approaches, improvement of relationship behavior and social interaction, and encouragement of attitude change. The Medina Constitution has fundamental values in social life, namely: togetherness, unity, freedom, religious tolerance, mutual help, justice, equality of rights and obligations, social honor, national defense and peace, piety, amar ma'ruf nahi munkar, and leadership. The contextualization of principles in the Medina charter on conflict resolution education can be discovered relevantly in the following three aspects; structural, behavioral improvement, and attitudinal changes in social relations.*

**Keywords:** education, medina constitution, legal hermeneutics.

**الملخص:** الصراع هو جزء لا يتجزأ من حياة الإنسان ويتخذ أشكالاً مختلفة وهو يحدث في جميع جوانب حياة الناس. هذه هي مسؤولية التربية ، لأن للتربية القدرة على منع النزاعات ، لذا فإن التثقيف في مجال حل النزاعات هو الفكرة الصحيحة لمعالجة مشكلة الصراع هذه. أما بالنسبة للروح المأخوذة من ميثاق المدينة التي هي عملاً ضاخماً في تاريخ الحياة البشرية حول كيفية خلق حياة متناغمة في تنوع الاجتماعية . إن طريقة تفسير ميثاق المدينة هي التأويل القانوني الذي له ثلاثة جوانب من المعنى ، أي النص ، السياق ، و سياق معنى النص. النظرية الأساس لتطوير هذا البحث هي نظرية تربية حل النزاعات التي لها ثلاثة مجالات للتعامل مع الصراع ، وهي: التغيرات في التناقضات الاجتماعية مع المقاربات الهيكلية ، تحسين سلوك العلاقة والتفاعل الاجتماعي ، وتشجيع التغييرات في المواقف. يمتلك ميثاق المدينة مبادئ في الحياة الاجتماعية ، وهي: التعاون والوحدة والحرية والتسامح الديني ومساعدة الضعفاء والعدالة والمساواة في الحقوق والواجبات والاحترام الاجتماعي والدفاع عن الدولة والسلام والتقوى والامر بالمأروف ونهي عن المنكر والقيادة. أما فيما يتعلق بوضع المبادئ في ميثاق المدينة في مجال حل النزاعات ، فيمكن إيجازها في ثلاثة جوانب ، هي: المنهج الهيكلية ، السلوكي ، والتغيرات في المواقف في العلاقات الاجتماعية.

**Abstrak:** Konflik merupakan bagian yang tidak terpisahkan dalam kehidupan manusia dan mengambil bentuk yang beraneka rupa dan hampir menyeluruh di segala aspek kehidupan masyarakat. Hal ini merupakan tanggung jawab pendidikan, karena pendidikan memiliki potensi untuk mencegah terjadinya konflik, maka pendidikan resolusi konflik merupakan gagasan yang tepat untuk menyikapi persoalan konflik ini. Adapun ruhnya diambil dari Kosntitusi Madinah yang merupakan karya monumental dalam sejarah kehidupan manusia tentang bagaimana menciptakan kehidupan yang harmonis di tengah keberagaman. Metode penafsiran Konstitusi Madinah adalah legal hermeneutika yang memiliki tiga wilayah pemaknaan, yaitu teks, konteks, dan kontekstualisasi dari makna teks terhadap konteks. Teori yang menjadi dasar pengembangan penelitian ini adalah teori pendidikan resolusi konflik yang mempunyai tiga wilayah penanganan konflik, yaitu perubahan kontradiksi sosial dengan pendekatan struktur, memperbaiki perilaku hubungan dan interaksi sosial, dan mendorong perubahan sikap. Konstitusi Madinah memiliki nilai-nilai mendasar dalam kehidupan sosial,

*yaitu kebersamaan, persatuan, kebebasan, toleransi beragama, tolong menolong dan membantu yang lemah, keadilan, persamaan hak dan kewajiban, hormoni sosial, bela negara dan perdamaian, kesalehan, amar ma'ruf nahi munkar, dan kepemimpinan. Adapun kontekstualisasi prinsip-prinsip dalam piagam Madinah dalam pendidikan resolusi konflik dapat ditemukan relevansinya dalam tiga aspek, yaitu struktural, perbaikan perilaku, dan perubahan sikap dalam hubungan sosial.*

## **INTRODUCTION**

Conflict is a life fact. It occurs naturally in human interactions<sup>1</sup> including human interaction in education. Conflict has negative impact on education, on the other hand, education has potentials to prevent it. Global priorities and investments are now more reactive and proactive regardless of the efforts that have been made in preventing conflict and achieving peace. The challenge for educators is to respond to these events in constructive manners and build technical communities and institutions as to resolve conflicts without violence and to prevent large-scale aggression. Effective prevention should involve the whole community. The first thing to do is to resolve the root causes of the conflict, among other issues such as socio-economic and political factors.

Conflict prevention depends on decision making and creative educational planning, constructive alternatives. Educational planning has the responsibility to make decisions for students and to encourage decision makers today to create solutions. Because the current conflict is basically intra-state. While visionary education can help local communities and countries to solve the root of the problem before inter-group disputes occur. Prevention through education planning contributes to sustainable economic development. This is an element of wise political decision making. Prevention of conflict is not only morally healthy, but also cost-effective.

Recently, conflicts in Indonesia occur at all social levels of the society, from the upper classes to the lower ones. Conflicts also

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<sup>1</sup> Anita Vestal and Nancy Aaron Jones, 'Peace Building and Conflict Resolution in Preschool Children', *Journal of Research in Childhood Education* 19, no. 2 (2004): 131.

occur in formal and informal institutions, and even in educational institutions, the supposed places to be the barriers from destructive conflicts. Those conflicts are not only masterminded by the lower classes of the society but also by the middle and upper classes, those with higher education.

Sociologically, violence and conflict that occur in the society is the accumulation of failure of educational institutions in internalizing and applying educational values and morality to students. Pedagogically, educational institutions in Indonesia do not have instruments to advance conflict resolution skills, neither through effective learning schemes nor internalizing the values of conflict resolution. Educational institutions should have the ability to teach strategies to deal with problems objectively by implementing conflict resolution mechanisms.

Conflict resolution education is very important for several reasons. *First*, humans are naturally beings who learn from their feelings, such as character, emotions, and problem solving skills. This is the result of learning activities. *Second*, conflict resolution education is the most likely media to study conflict resolution as a skill. Conflict resolution education has a special and structured method. *Third*, educational institutions have the greatest responsibility in building human characters.

The conception of conflict resolution education has universal values in fundamental aspects. This is the spirit of the concept of conflict resolution education. The Medina Constitution is the most important text in the history of Muslims. The values developed from the Medina Constitution are considered appropriate and relevant to the spirit of conflict resolution education. In addition, it is suitable to be a tool to improve conflict resolution skills. In addition, the Medina Constitution is the first political document containing human rights and religious tolerance that deserves high appreciation throughout history.

## **THE EXEGESIS METHOD**

The Medina Constitution on the research became the object of discussion and data sources analyzed in depth. The data analysis

approach is an interpretation<sup>2</sup> of a method otherwise known as hermeneutics.<sup>3</sup> Hermeneutics is the process of examining the content and meaning of a text until it finds the deepest and hidden (latent) meaning.<sup>4</sup> The method applied in this study is hermeneutic law. According to Gregory Leyh, one of the purposes of hermeneutic law is to place contemporary discourse on the interpretation of law in a broader framework of general interpretations. It is also able to contextualize a theory. The aim of legal hermeneutics is to look at the problem of reading the law with regard to history, language, and political implications where the text is read and understood to get a suitable interpretation in the humanistic tradition.<sup>5</sup>

As well as the Qur'an and Hadith, the Medina Constitution is one of the most important things of Islamic holy heritage that when reading them, one must consider the reality and the culture of the society during which the texts were revealed/spoken/established as empirical facts affecting the texts themselves.<sup>6</sup>

## EDUCATION OF CONFLICT RESOLUTION

According to Tricia S. Jones conflict resolution education is “a spectrum of processes that utilize communication skills and creative and analytical thinking to prevent, manage and resolve conflicts peacefully”.<sup>7</sup> Education can contribute to reduce conflict through three main aspects of conflict: structural, behavioral and attitudinal. Education can change social (structural) contradictions,

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<sup>2</sup> Interpretation is an effort to get the well understanding about a fact, displayed data, or a written thing, phenomenon, symptoms. Anton Bakker, *Metode Penelitian Filsafat* (Yogyakarta: Kanisius, 1990), 91.

<sup>3</sup> Hermeneutics came from Greek language *hermeneue*, it means to interpret, to explain, or to translate. Hermeneutika as the role of God Hermes which is to deliver the message from God to human, so hermeneutics means as the science of text interpretation art. Syahrin Harahap, *Metodologi Studi Tokoh Pemikiran Islam* (Jakarta: Istiqamah Mulya Press, 2006), 59–60.

<sup>4</sup> Richard E. Palmer, *Hermeneutics* (Evauston: Northwestern University Press, 1969), 43.

<sup>5</sup> Gregory Leyh, ed., *Legal Hermeneutics, History, Theory and Practice* (Oxford: University of California Press, 1992), xi-xii.

<sup>6</sup> Iswahyudi, ‘Dari Pewahyuan Progressif menuju Tafsir Pembebasan: Telaah atas Hermeneutika al-Qur’an Farid Essack’, *IAIN Ponorogo, Al-Tahrir* 11, no. 1 (Mey 2011): 82.

<sup>7</sup> Tricia S. Jones, *School Conflict Management: Evaluating Your Conflict Resolution Education Program* (Ohio: Ohio State Board of Education, 2002), 1.

improve relationships and interactions (behavioral), and encourage perspectives in attitudes in ways that can reduce the risk of conflict and help establishment of sustainable peace. The list below provides an example of how education interacts with conflict in these three aspects.

### 1. Structural

- a. Access to education is very symbolic of equality, related to income earning potential and the ability to reduce inequality.
- b. Education is the most important policy level for any government to improve social cohesion.
- c. Perceptions of inadequate education services are often complaints that exacerbate state vulnerability.
- d. Education is a symbol of the government's real commitment to its population and serves as a barometer of the country's commitment to and relations with its people.

### 2. Behavioral

- a. The school system combines the interests and goals of various groups when trying to build the same foundation or citizenship.
- b. Schools and teachers instill interpersonal, political, social, and legal principles that underlie good citizenship.
- c. Classrooms bring people together from different origins and teach them how to work together peacefully.
- d. The process of participatory education can build relationships within and outside the school that are built on encouragement, cooperation and reciprocity.

### 3. Attitude

- a. Peace education has a positive effect on students' attitudes.
- b. Teachers can show positive values, such as acceptance of diversity, kindness and consideration of other people's feelings.
- c. Teaching students the values of collaboration and tolerance of cultural differences helps overcome the prejudiced stereotypes used by opportunistic leaders on a regular basis for their own purposes.<sup>8</sup>

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<sup>8</sup> Phyllis Kotite, *Education for Conflict Prevention and Peacebuilding Meeting the Global Challenges of the 21st Century* (International Institute for Educational Planning, Paris: UNESCO, 2012), 13.

## THE TEXT OF MEDINA CONSTITUTION

قال ابن اسحاق: وكتب رسول الله صلى الله عليه وسلم كتابا بين المهاجرين والانصار وداع فيه يهود وعاهدهم واقهرهم على دينهم واموالهم واشترط عليهم وشرط لهم. بسم الله الرحمن الرحيم، هذا كتاب من محمد النبي صلى الله عليه وسلم بين المسلمين والمسلمين من قريش ويثرب ومن تبعهم فلحق بهم وحاهد معهم، انهم امة واحدة من دون الناس، المهاجرون من قريش على ربعتهم يتعاقلون بينهم وهم يفتدون عانيهم بالمعروف والقسط بين المؤمنين، وبنو عوف على ربعتهم يتعاقلون معاقلمهم الاولي وكل طائفة تفتدون عانيهم بالمعروف والقسط بين المؤمنين، وبنو ساعدة على ربعتهم يتعاقلون معاقلمهم الاولي وكل طائفة تفتدون عانيهم بالمعروف والقسط بين المؤمنين، وبنو الحرث على ربعتهم يتعاقلون معاقلمهم الاولي وكل طائفة تفتدون عانيهم بالمعروف والقسط بين المؤمنين، وبنو جشم على ربعتهم يتعاقلون معاقلمهم الاولي وكل طائفة تفتدون عانيهم بالمعروف والقسط بين المؤمنين، وبنو النجار على ربعتهم يتعاقلون معاقلمهم الاولي وكل طائفة تفتدون عانيهم بالمعروف والقسط بين المؤمنين، وبنو عمرو بن عوف على ربعتهم يتعاقلون معاقلمهم الاولي وكل طائفة تفتدون عانيهم بالمعروف والقسط بين المؤمنين، وبنو النبيت على ربعتهم يتعاقلون معاقلمهم الاولي وكل طائفة تفتدون عانيهم بالمعروف والقسط بين المؤمنين، وبنو الاوس على ربعتهم يتعاقلون معاقلمهم الاولي وكل طائفة تفتدون عانيهم بالمعروف والقسط بين المؤمنين، وان المؤمنين لا يتركوها مفرحا بينهم ان يعطوه بالمعروف في فداء او عقل. ولا يحالف مؤمن مولى مؤمن دونه، وان المؤمنين المتقين على من بغى منهم او ابتغى دسيسة ظلم او اثم او عدوان او فساد بين المؤمنين، وان ايديهم عليه جميعا ولو كان ولد احدهم، ولا يقتل مؤمن مؤمنا في كافر، ولا ينصر كافرا على مؤمن وان ذمة الله واحدة: يجير عليهم ادانهم، وان المؤمنين بعضهم موالى بعض دون الناس، وانه من تبعنا من يهود فان له النصر والاسوة غير مظلمين ولا متناصر عليهم، وان سلم المؤمنين واحدة: لا يسلم مؤمن دون مؤمن في قتال في سبيل الله الا على سواء وعدل بينهم، وان كل غازية غزت معنا يعقب بعضها بعضا، وان المؤمنين يبيء بعضهم على بعض بما نال دماءهم في سبيل الله، وان المؤمنين المتقين على احسن هدى واقومه، وانه لا يجير مشرك مالا لقريش، ولا نفسا ولا يحول دونه على مؤمن وانه من اعتبط مؤمنا قتلا عن بينة فانه قودبه الا ان يرضى ولي المقتول، وان المؤمنين عليه كافة ولا يحل لهم الاقيام عليهم، وانه لا يحل لمؤمن أقر بما في هذه الصحيفة وآمن بالله واليوم الآخر ان ينصر محدثا ولا يؤويه، وانه من نصره او آواه فان عليه لعنة الله وغضب يوم القيامة، ولا يؤخذ منه صرف ولا عدل، وانكم مهما اختلفتم فيه من

شيء فان مرده الى الله عز وجل والى محمد صلى الله عليه وسلم، وان اليهود ينفقون مع المؤمنين ماداموا محاربين، وان يهود بني عوف أمة مع المؤمنين: لليهود دينهم، وللمسلمين دينهم، مواليهم وانفسهم، الا من اظلم واثم فانه لا يوتخ الانفسه واهل بيته، وان ليهود بني النجار مثل ما ليهود بني عوف، وان ليهود بني الحارث مثل ما ليهود بني عوف، وان ليهود بني ساعدة مثل ما ليهود بني عوف، وان ليهود بني جشم مثل ما ليهود بني عوف، وان ليهود بني الاوس مثل ما ليهود بني عوف، وان ليهود بني ثعلبة مثل ما ليهود بني عوف، الا من اظلم واثم فانه لا يوتخ الانفسه واهل بيته، وان جفنة بطن من ثعلبة كأنفسهم، وان لبني الشطيبة مثل ما ليهود بني عوف، وان البر دون الاثم وان موالي ثعلبة كأنفسهم، وان بطانة يهود كأنفسهم، وانه لا يخرج منهم احد الا باذن محمد صلى الله عليه وسلم، وانه لا ينحجز على ثار جرح، وانه من فتك فبنفسه فتك واهل بيته الا من ظلم، وان الله على ابره هذا، وان على اليهود نفقتهم وعلى المسلمين نفقتهم وان بينهم النصر على من حارب اهل هذه الصحيفة، وان بينهم النصح والنصيحة والبر دون الاثم، وانه لم يأتهم امرؤ بحليفه، وان النصر للمظلوم، وان اليهود ينفقون مع المؤمنين ما دامو محاربين، وان يثرب حرام جوفها لاهل هذه الصحيفة، وان الجار الجار كالنفس غيبى مضار ولا آثم، وانه لا تجار حرمة الا باذن اهله، وانه ما كان بين اهل هذه الصحيفة من حدث او اشتجار يخاف فساده فان مرده الى الله والى محمد صلى الله عليه وسلم، وان الله على اتقى ما فى هذه الصحيفة وابره، وانه لا تجار قریش ولا من نصرها، وان بينهم النصر على من دهم يثرب، واذا دعوا الى صلح يصلحونه ويلبسونه وانهم يصلحونه ويلبسونه، وانهم اذا دعوا الى مثل ذلك فان لهم على المؤمنين الا من حارب في الدين: على كل اناس حصتهم من جانبهم الذي قبلهم، وان يهود الاوس مواليهم وانفسهم على مثل ما لاهل هذه الصحيفة مع البر الحسن من اهل هذه الصحيفة.<sup>9</sup>

The meaning: “The Messenger of God wrote a document between the Emigrants and the Ansar, and in it he made a treaty and covenant with the Jews, establishing them in their religion and possessions, and assigning to them rights and duties.” “In the name of Allah (The One True God) the Compassionate, the Merciful. This is a document from Muhammad, the Prophet (may Allah bless him and grant him peace), governing the relation between the Believers from among the Qurayshites (i.e., Emigrants from Mecca) and Yathribites (i.e., the residents of Medina) and those who followed

<sup>9</sup> Abu Muhammad bin Hisyam al-Mu’afiri, *Al-Sirah Al-Nabawiyah* (Beirut: Libanon: Darul Fikr, 1994), 121–123.



them and joined them and struggled with them. They form one and the same community as against the rest of men.

The Quraysh Mohajireen will continue to pay blood money, according to their present custom. In case of war with any body they will redeem their prisoners with kindness and justice common among Believers (not according to pre-Islamic nations where the rich and the poor were treated differently). The Bani Auf will decide the blood money, within themselves, according to their existing custom. In case of war with anybody all parties other than Muslims will redeem their prisoners with kindness and justice according to the practices among believers and not in accordance with pre-Islamic notions. The Bani Saeeda, the Bani Harith, the Bani Jusham and the Bani Najjar will be governed on the lines of the above (principles). The Bani Amr, Bani Auf, Bani al-Nabeet, and Bani al-Aus will be governed in the same manner.

Believers will not fail to redeem their prisoners they will pay blood money on their behalf. It will be a common responsibility of the Ummat and not of the family of the prisoners to pay blood money. A Believer will not make the freedman of another believer as his ally against the wishes of the other believers.

The believers, who fear Allah, will oppose the rebellious elements and those that encourage injustice or sin, or enmity or corruption among believers. If anyone is guilty of any such act all the Believers will oppose him even if he is the son of any one of them.

A believer will not kill another believer, for the sake of an un-believer. (i.e. even though the un-believer is his close relative). No believer will help an un-believer against a believer.

Protection (when given) in the Name of Allah is the one and only. The weakest among believers may give protection (in the Name of Allah) and it will be binding on all believers. Believers are all friends to each others to the exclusion of all others.

Those Jews who follow the believers will be helped and will be treated with equality (social, legal and economic equality is promised to all loyal citizens of the State). No Jew will be wronged for being a Jew. The enemies of the Jews who follow us will not be helped.

The peace of the believers (of the State of Madinah) cannot be divided (it is either peace or war for all. It cannot be that a part of

the population is at war with the outsiders and a part is at peace). No separate peace will be made by anyone in Madinah when Believers are fighting in the Path of Allah. Conditions of peace and war and the accompanying ease or hardships must be fair and equitable to all citizens alike. When going out on expeditions a rider must take his fellow member of the Army-share his ride.

The Believers must avenge the blood of one another when fighting in the Path of Allah (This clause was to remind those in front of whom there may be less severe fighting that the cause was common to all. This also meant that although each battle appeared a separate entity it was in fact a part of the War, which affected all Muslims equally).

The Believers (because they fear Allah) are better in showing steadfastness and as a result receive guidance from Allah in this respect. Others must also aspire to come up to the same standard of steadfastness. No un-Believer will be permitted to take the property of the Quraysh (the enemy) under his protection. Enemy property must be surrendered to the State. No un-Believer will intervene in favour of a Quraysh, (because the Quraysh having declared war are the enemy).

If any un-Believer kills a Believer, without good cause, he shall be killed in return, unless the next of kin are satisfied (as it creates law and order problems and weakens the defence of the State).

All Believers who accede this document, belief in God and the end of the world shall be against such a wrong-doer. No Believer will be allowed to shelter such a man. Allah and Angels curse to be entitled for him if he helping such a man.

When you differ on anything (regarding this Document) the matter shall be referred to Allah and Muhammad (may Allah bless him and grant him peace). The Jews will contribute towards the war when fighting alongside the Believers.

The Jews of Bani Auf will be treated as one community with the Believers. The Jews have their religion. This will also apply to their freedmen. The exception will be those who act unjustly and sinfully. By so doing they wrong themselves and their families.

The same applies to Jews of Bani al-Najjar, Bani al-Harith, Bani Saeeda, Bani Jusham, Bani al-Aus, Thaalba, and the Jaffna (a clan of the Bani Thaalba) and the Bani al-Shutayba. Loyalty gives protection against treachery (loyal people are protected by their friends against treachery. As long as a person remains loyal to the State he is not

likely to succumb to the ideas of being treacherous. He protects himself against weakness).

The freedmen of Thaalba will be afforded the same status as Thaalba themselves. This status is for fair dealings and full justice as a right and equal responsibility for military service. Those in alliance with the Jews will be given the same treatment as the Jews.

No one (no tribe which is party to the Pact) shall go to war except with the permission of Muhammed (may Allah bless him and grant him peace). If any wrong has been done to any person or party it may be avenged. Any one who kills another without warning (there being no just cause for it) amounts to his slaying himself and his household, unless the killing was done due to a wrong being done to him.

The Jews must bear their own expenses (in war) and the Muslims bear their expenses. If anyone attacks anyone who is a party to this Pact the other must come to his help. They (parties to this Pact) must seek mutual advice and consultation. Loyalty gives protection against treachery. Those who avoid mutual consultation do so because of lack of sincerity and loyalty. A man will not be made liable for misdeeds of his ally. Anyone (any individual or party) who is wronged must be helped.

The Jews must pay (for war) with the Muslims (this clause appears to be for occasions when Jews are not taking part in the war. Clause 37 deals with occasions when they are taking part in war).

Yathrib will be Sanctuary for the people of this Pact. A stranger (individual) who has been given protection (by anyone party to this Pact) will be treated as his host (who has given him protection) while (he is) doing no harm and is not committing any crime. Those given protection but indulging in anti-state activities will be liable to punishment.

A woman will be given protection only with the consent of her family/Guardian (a good precaution to avoid inter-tribal conflicts). In case of any dispute or controversy, which may result in trouble the matter must be referred to Allah and Muhammed (may Allah bless him and grant him peace), The Prophet (may Allah bless him and grant him peace) of Allah will accept anything in this document, which is for (bringing about) piety and goodness.

Quraysh and their allies will not be given protection. The parties to this Pact are bound to help each other in the event of an attack on

Yathrib. If they (the parties to the Pact other than the Muslims) are called upon to make and maintain peace (within the State) they must do so. If a similar demand (of making and maintaining peace) is made on the Muslims, it must be carried out, except when the Muslims are already engaged in a war in the Path of Allah (so that no secret ally of the enemy can aid the enemy by calling upon Muslims to end hostilities under this clause).

Everyone (individual) will have his share (of treatment) in accordance with what party he belongs to. Individuals must benefit or suffer for the good or bad deed of the group they belong to. Without such a rule party affiliations and discipline cannot be maintained.

The Jews of al-Aus, including their freedmen, have the same standing, as other parties to the Pact, as long as they are loyal to the Pact. Loyalty is a protection against treachery. Anyone who acts loyally or otherwise does it for his own good (or loss). Allah approves this Document.

This document will not (be employed to) protect one who is unjust or commits a crime (against other parties of the Pact). Whether an individual goes out to fight (in accordance with the terms of this Pact) or remains in his home, he will be safe unless he has committed a crime or is a sinner (i.e. No one will be punished in his individual capacity for not having gone out to fight in accordance with the terms of this Pact). Allah is the Protector of the good people and those who fear Allah, and Muhammad (may Allah bless him and grant him peace) is the Messenger of Allah (He guarantees protection for those who are good and fear Allah).”

## **THE SOCIO HISTORICAL SETTING**

Medina society is a multi-ethnic and multi-religious society. With this social plurality composition, The Prophet Muhammad PBUH pays special attention that in one side the plurality is a big conflict potential that treat the integrity and the unity of a society, by this phenomenon and consideration The Prophet Muhammad PUBH initiates to establish the Medina constitution.<sup>10</sup>

Yatsrib is the old name of Medina. A peacefull city with good farmland and water that sorounded by black rock mountains. Medina

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<sup>10</sup> Ahmad Sukardja, *Piagam Madinah dan UUD 1945* (Jakarta: UI Press, 1995), 47–57.

is a multiethnic and multireligious society. The plurality of Medina comes from two big social communities, Arab's social community and Jew's social community.

### 1. Jews Society

There are two different opinions about Jew in Medina. The first opinion argued that Jew came from outside of Medina and the other opinion stated that the Jew society is Arab society who convert to Judaism. There were so many small ethnic groups of Jews in Medina such as Bani Akrimah, Bani Muamar, Bani Za'ura, Bani Syathibah, Bani Jusyam, Bani Mu'awiyah, Bani Murad, Bani Qasis and Bani Tsa'labah. Some references did not notice the accurate statistic about the number of Jews in Medina, some articles just told the number of army forces from the main frame Jews ethnic groups in Medina such as 700 army forces from Bani Qainuqa', the same number of army forces from Bani Nadzir, and the army forces of Bani Quraidzhah about 700 or 900 approximately.<sup>11</sup>

Medina society before Arabs comes to Medina is politically, economically, and intellectually dominated by the Jewish society. In agricultural life, Jews brought new skills of farming technique such as planting system of oil palm, grape, pomegranate, and the other seed plantings. The spirits from the Jewish society such as ethnic solidarity, fanaticism, generosity, loving to the poetry, and practice in training using the war weapons, are also appear a form of Jews society in Medina. Ethnic solidarity dominates the Jews community into the limit that they cannot live as a religious community, but they live in a different ethnics that always in war and disagreement that far from being over.<sup>12</sup>

### 2. Arab Society

The Arab ethnic groups consist of two main ethnics, there are Aus and H{azraj. Those two Arab ethnic groups lived in a constant conflict to each other. The reason causing the conflict was two things, the territory matter and the provocation from the Jews. The tribe of Aus stayed at al-awali (the highlands) near Bani

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<sup>11</sup> Akram Dhiya'uddin Umari, *Masyarakat Madani: Tinjauan Historis Kehidupan Zaman Nabi* (Jakarta: Gema Insani Press, 1999), 63.

<sup>12</sup> Inayatul Ulya, 'Radikalisme atas Nama Agama: Tafsir Historis Kepemimpinan Nabi Muhammad di Madinah', *STAIN Kudus, Journal ADDIN* 10, no. 1 (February 2016): 123.

Nadhira and Quraishah, while the tribe of H{azraja stayed at the lowlands of Medina as the neighbour of Bani Qainuqa. The area that is occupied by Aus is more prosperous than the lands belong to H{azraja. This generated conflicts between Aus and Khazraja.<sup>13</sup> Yatsrib at the beginning is dominated by the Jewish society and then in the course of time it's dominated by the Arab society. The effort of the Jews to stand the control to Yatsrib by provoking the conflict between Aus and H{azraja until the war of Bu'ats, the war between Aus and H{azraja happened five years before the hijrah of The Holy Prophet Muhammad PBUH.<sup>14</sup>

### CONFLICT PREVENTION AND PROACTIVE VALUES IN THE MEDINA CONSTITUTION

The Holy Prophet Muhammad PBUH had built a society in Medina through the written consensus among the Medina social groups, guaranteed their rights, established their social obligation, and arranged the good relationship and concept of living together peacefully in social and political life. The written statement from Holy Prophet PBUH in the Medina Constitution consist of 47 articles and 14 principles in each of the articles. The principles of the Medina Constitution are equality, unity, freedom, religious tolerance, helping one another and defend the mistreated, discussion, justice, equal rights and obligation, social harmony, defense and peace, *amar ma'ruf nahi munkar*, piety, and leadership.<sup>15</sup>

Those social values of Medina Constitution are cultivated from every articles of Medina Constitution. The article that shows the principle of equation such as the the article "They form one and the same community as against the rest of men". This article says that the concept of equitation of Muhajiri>n and Ans{ar in the identity, obligation, rights and social responsibility. The principle of unity from Medina Constitution is known from the mentioning of the name of the ethnic group in Medina in detail, among the ethnic groups that determined in Medina Constitution such as bani Auf, Bani Nabit,

<sup>13</sup> Umari, *Masyarakat Madani: Tinjauan Historis Kehidupan Zaman Nabi*, 64.

<sup>14</sup> Ulya, 'Radikalisme atas Nama Agama: Tafsir Historis Kepemimpinan Nabi Muhammad di Madinah', 123.

<sup>15</sup> Suyuthi Pulungan, *Prinsip-Prinsip Pemerintahan dalam Piagam Madinah Ditinjau dari Pandangan al-Qur'an* (Jakarta: Rajawali Press, 1996), 14-15.

Bani Khazraj, Bani Saidah, Bani Jusyam, Bani Najjar, Bani ‘Amr bin Auf, and Bani Aus, it shows that Medina Constitution appreciate the plurality of medina ethnics and shows how detail the rule of togetherness life among the Medina ethnics society<sup>16</sup>

The unity and the fairness in social responsibility as shown in articles “The Quraysh Mohajireen will continue to pay blood money, according to their present custom. In case of war with any body they will redeem their prisoners with kindness and justice common among Believers. equality (Not according to pre-Islamic nations where the rich and the poor were treated differently). The Bani Awf will decide the blood money, within themselves, according to their existing custom. In case of war with anybody all parties other than Muslims will redeem their prisoners with kindness and justice according to practice among Believers and not in accordance with pre-Islamic notions. The Bani Saeeda, the Bani Harith, the Bani Jusham and the Bani Najjar will be governed on the lines of the above (principles). The Bani Amr, Bani Awf, Bani al-Nabeet, and Bani Al-Aus will be governed in the same manner”. From that articles The Holly Prophet gave the same social responsibility and appreciate the difference of the concept of paying blood money.

In the Medina Constitution there are some articles that refer to the meaning of religious tolerance, help one another and defend the mistreated, discussion, justice, equal rights and obligation, and social harmony. Such as in the article “Protection (when given) in the Name of Allah is the one and only”, an the article “Believers are all friends to each other to the exclusion of all others. Those Jews who follow the Believers will be helped and will be treated with equality (Social, legal and economic equality is promised to all loyal citizens of the State)”. In other word as long as the society living together and respect each other, help each other and have equality in doing the obligation and respecting the other rights the Medina society will defend each other and make sure the human rights among them will be defended together.

The frame of religious tolerance principle is on the article “No Jew will be wronged for being a Jew”, the religion is not the matter to determine the difference, the identity of religion is replaced with

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<sup>16</sup> Munawir Sadzali, *Islam Dan Tata Negara: Ajaran, Sejarah, Dan Pemikiran* (Jakarta: UI Press, 1993), 11–14.

social responsibility, so the violence and the deprivation in other human rights is specifically mentioned in Medina Constitution, as like in the articles “A Believer will not make the freedman of another Believer as his ally against the wishes of the other Believers. The Believers, who fear Allah, will oppose the rebellious elements and those that encourage injustice or sin, or enmity or corruption among Believers. If anyone is guilty of any such act all the Believers will oppose him even if he is the son of any one of them. A Believer will not kill another Believer, for the sake of an un-Believer. (i.e. even though the un-Believer is his close relative). No Believer will help an un-Believer against a Believer”.

After the migration of The Prophet Saw. to Medina, he brought a fundamental and comprehensive in Medina. From the context of faith and believe it represents a big change from serving an image that is whorshiped, whorshipping the stars, and every observed thing into the serving to the One and only God that cannot be described and equalized with every thing in the world.<sup>17</sup>

## **THE CONTEXTUALIZATION OF MEDINA CONSTITUTION IN CONFLICT RESOLUTION EDUCATION**

*“We are one human family and one Earth community with a common destiny. We must join together to bring forth a sustainable global society founded on respect for nature, universal human rights, economic justice, and a culture of peace. Towards this end, it is imperative that we, the peoples of Earth, declare our responsibility to one another, to the greater community of life, and to future generations”* (The Earth Charter).

Above is the earth charter that mandates all human beings throughout the globe to live together peacefully in multiculturalism. It automatically becomes our responsibility to realize it in our social life. And the position of education in this mission is being fundamental instrument in helping people in his social duty. As well as the Earth Charter, the Medina Constitution also gives similar mandate to all human beings to live with the role model that expressed in the Medina society which is conducted by the Medina Constitution.

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<sup>17</sup> Umari, *Masyarakat Madani: Tinjauan Historis Kehidupan Zaman Nabi*, 69.



Furthermore, education is also a fundamental human right which develops values, self-confidence, problem solving abilities and critical thinking. When it is inclusive in nature, education can support conflict prevention initiatives by reducing system inequalities through conflict sensitive educational planning in relevant subjects as highlighted below. Education can also contribute to peace through increasing life-skill opportunities and ensuring curriculum content promoting tolerance, justice and non-inflammatory language.<sup>18</sup>

## **1. Formulating The Main Purpose of Conflict Resolution Education**

The relationship between education and conflict is profound, education has a critical role in building peace.<sup>19</sup> Education by its very nature, contributes to shape and transform society and therefore plays a key role in peacebuilding. So, the main purpose of conflict resolution education will determine the shape and the form of the education product that is the society itself.

The formulation of the main purpose of conflict resolution education, to concern the three fundamental things inside the Medina Constitution:

### **a. Historical Object Matter**

Historical object matter contained in Medina Constitution is the main reference to formulate the foundation of conflict resolution education. In the Medina Constitution there are two historical object matters, the first is the ideality concept of social life in Medina Constitution, and the second is the real life of Medina society. Those two historical object matters will be transformed into the various activity in education even philosophically, theoretically, and practically.

The Medina Constitution has at least 14 historical object matters about the ideality concept of social life, those are, equation, unity, freedom, religious tolerance, help one another and defend the mistreated, discussion, justice, equal rights and obligation, social

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<sup>18</sup> Phyllis Kotite, *Education for Conflict Prevention and Peacebuilding Meeting the Global Challenges of the 21st Century*, (International Institute for Educational Planning, Paris: UNESCO, 2012), 20.

<sup>19</sup> K.D. Bush and D. Saltarelli, *The Two Faces of Education in Ethnic Conflict Towards a Peacebuilding Education for Children*, (Florence: UNICEF Innocenti Research Centre, 2000), 571.

harmony, defense and peace, amar m'ruf nahi munkar, piety, and leadership.<sup>20</sup> Those principles are ideal values that become the main purpose of conflict resolution education, even in curriculum philosophy, integration with the matters in conflict resolution education, or to be the pattern to execute the practice of conflict resolution education.

The next historical object matter is the real life of Medina society that was conducted by The Holy Prophet Muhammad Saw. by using Medina Constitution. Medina society at the time reflects the ideal concepts of society that known as Madani Society (civil society), in the meaning of civilized society that respect to the social values and humanity rights.<sup>21</sup> The Madani Society have a distinctive characteristics such as: egalitarianism (doctrine advocating equal rights for all people), achievement based appreciation (not based on the prestige as the ethnicity, descendant, race, ect.), the openness of all social member in social responsibilities. All of those ideal society concepts in Madani society based on having belief in God world view with the consequence of the kindness act to the others. Madani Society strongly established at the foundation of social justice based law.<sup>22</sup>

#### **b. Human as Value Society**

Islamic Values are a total system tightly connected to each others, because of that, it has a formidable consistency between Islamic values and the Islamic society life. The loyalty to Allah and The Holy Prophet makes the society of that era have a formidable and intense loyalty to the Islamic values, so Islam can be found in individual or in social life.

In the individual life, the figure of Islam can be illustrated in the personality of the Holy Prophet Muhammad PBUH and His Friends. While, in the comunal field, Islamic figure can be described in the reality of Medina society that consistant in expressing the Medina Constitution values. This reality shows that Islamic society is the

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<sup>20</sup> Pulungan, *Prinsip-Prinsip Pemerintahan dalam Piagam Madinah Ditinjau dari Pandangan al-Qur'an*, 14–15.

<sup>21</sup> Adi Surya Culla, *Masyarakat Madani: Pemikiran, Teori dan Relevansinya Dengan Cita-cita Reformasi* (Jakarta: Raja Grafindo Persada, 2002), 3.

<sup>22</sup> Nurcholis Majid, *Kehampaan Spiritual Masyarakat Modern: Respon dan Transformasi Nilai-Nilai Islam Menuju Masyarakat Madani* (Jakarta: Media Cita, 2000), 323.

society that is intent, consistent, and concerned by the values of social life in the frame of multicultural and full of conflict potential.<sup>23</sup> The reality that Islamic society from the beginning is the society that consistent in holding the values in life is one of the most important thing to formulate the main purpose of conflict resolution education, and it should be the spirit of conflict resolution education, because only the values of life could unite the diversity in religion, race, ethnicity, language and culture, because the values of life became the universal standard of the ideal collective goal.

### **c. The Conception of Human**

In the conflict resolution education that is based on the Medina Constitution, the concept of human as the main attention is human as social creature that is easily influenced to the good and bad direction. Human also have capability to adapt with new social condition, respect to others, respect to the social necessity, accomplish the social obligations and rights, able to live in organizational and social structure, and able to live with consensus in having a nation. The Medina society, the Medina Constitution, and the real life of the Medina society is the result of the education from the Holy Prophet Muhammad PBUH to educate Medina society who have proactive character to the conflict by maximizing the concept of human as a social creature, where its social orientation can be guided and influenced by Medina Constitution.

## **2. Reaching The Goal and Maintaining The Relationship**

In the conflict strategies theory, Muhammad PBUH achievement in Medina is a combination of two conflict resolution strategies. There are two major concerns in conflict resolution: the first concern is about reaching one's goal, and the second is about maintaining an appropriate relationship with other persons.<sup>24</sup> The Medina Constitution in Medina society if it is measured with that theory has range in integrative degree of conflict resolution strategy. Integrative means problem solving negotiation and social contract used when both the goal and the relationship are highly important, by Medina Constitution

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<sup>23</sup> Sanusi Uwes, *Visi dan Pondasi Pendidikan dalam Prespektif Islam* (Ciputat: Logos Wacana Ilmu, 2007), 97–99.

<sup>24</sup> David W. Johnson and Roger T. Johnson, *Joining Together: Group Theory and Group Skills* (Engelwood Cliffs, NJ: Prentice-Hall, 1997), 538.

as an agreement to ensure that the whole social members in Medina fully achieve their goals and that any tensions and negative feelings are resolved. Conflict resolution education in the concept should adapt this integrative strategy of conflict resolution in managing education.

The two main elements of curriculum formulate the main purpose in the form of values which is based on the Medina Constitution and maintenance of those values in social relationship in education neighbourhood to ensure the values of life well internalized. The main purpose of Medina Constitution is a civilized society that able to life together in the diversity, while the main instrument of that is the social morality. Social morality is appropriate with the main purpose of Islamic education and as the main capital to get the whealy life in the world and hereafter.<sup>25</sup>

The friendship between the Believers and the Jews society in Medina is the reflection of how The Holly Prophet Muhammad Saw. maintained social relationship. Beside the Jews society, there are the Arabs society that are still in their predecessor religion before Islam. In sake of social stability Medina Constitution was made. A constitution that give the guarantee of freedom in religion for Jews society. Every social faction got their political and religion rights, but the obligation in defending the stability and the security of the country is a must for every person.<sup>26</sup> Participative and egalitarian are two Islamic fundamental doctrines, because Islam do not discriminate anybody and the law is overcoming every social element.<sup>27</sup> Medina society is a multicultural society that united with the nation bond. The participative and egalitarian character reflected in the concept of *musyawarah* that commanded by Allah Swt.<sup>28</sup>

### **3. The Contextualization in The Aspects of Conflict Resolution Education**

The aspects of conflict resolution education are structural, behavioral and attitudinal. The Medina Charter in the context of the life of the

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<sup>25</sup> Ramayulis, *Ilmu Pendidikan Islam* (Jakarta: Kalam Mulia, 2015), 215.

<sup>26</sup> Muhammad Husain Haekal, *Sejarah Hidup Muhammad* (Jakarta: Litera Antar Nusa, 1990), 199–205.

<sup>27</sup> Artani Hasbi, *Musyawarah dan Demokrasi* (Jakarta: Gayu Media Pratama, 2001), 35.

<sup>28</sup> Nurcholish Madjid, *Islam Kerakyatan dan Keindonesiaan* (Bandung: Mizan, 1994), 17.

Medina community is a consensus of social life together which includes social, behavioral and attitudes with a social interdependence approach. The position of Prophet Muhammad as leader and the law that binds the pattern of behavior of the Medina community in general is a structural aspect in educating the Medina community to have the concept of conflict resolution with a proactive approach.

In the social interdependence theory, conflicts are inherent in all social relationship, and the way in which they are managed depends on the nature of the social interdependence existing in the situation.<sup>29</sup> The design of the Medina Constitution in the social interdependence approach is by structuring a situation cooperatively (individual or communal ethnic groups working together to achieve mutual goals), which creates constructive and healthy proactive resolutions of conflict. This design of social situation effect to the social behavioral of the Medina society which combine interests and objectives of a wide range of groups while trying to establish a common underpinning citizenship, and also it has positive effect to the attitude of the Medina society.

In the context of conflict resolution education to shape the students' social behaviors and attitudes which are appropriate with the social life concept in the Medina Constitution is by structuring the educational activities in a cooperative situation not in oppositional situation that individual acting to obstruct each other's goal achievement, which creates destructive and unhealthy resolution of conflict. And the most important things in applying the cooperative situation is the structure and the interaction patterns tends to be consistent.

The three aspects of conflict resolution education is a complete package in formulating conflict resolution through education activities. According to Kurt Lewin, the structure of a situation determine the processes of interaction, determines the attitudes and behaviors of the individual involved. The structure of the situation in conflict resolution education contains the role definitions and normative expectations that define what are appropriate and inappropriate ways for individual to interacts with each other in the situation as well as other situation influences, such as the number of people involved,

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<sup>29</sup> David W. Johnson and Roger T. Johnson, 'Conflict Resolution and Peer Mediation Programs in Elementary and Secondary Schools: A Review of The Research', *Review of Educational Research* 66, no. 4 (1996): 464.

hierarchy of prestige, social sanctions and punishment, power, and nature of activities to be conducted such as in the Medina society that was conducted by the Medina Constitution.

## **CONCLUSION**

Conflict is part of human life. It occurs in every human activity, especially in social activities. If it is managed properly, this can be a very constructive way. But if left without good resolution management, it will damage human life. This is the obligation of human education. The concept of conflict resolution education is the right way to overcome this challenge combined with the spirit of the Medina Constitution.

The Medina Constitution has the context of a multicultural society in Medina consisting of two main ethnic groups namely the Arabs and the Jews. There are so much diversity in religion, race and culture, but the Constitution of Medina can be integrated into the concept of a constitutional state. Because the Constitution of Medina has universal values that are not only useful to the Islamic community but also Jews who want the Constitution of Medina as a guide for social life among them.

The Medina Constitution contains 14 principles. They are equality, unity, freedom, religious tolerance, mutual assistance and defending the wrong, discussion, justice, equality of rights and obligations, social harmony, defense and peace, illiteracy, piety, and leadership and appropriate to be contextualized in the concept of conflict resolution education.

The contextualization of the value of the Medina Constitution consists of three aspects such as conflict resolution, education, structural, behavior and the field of conflict resolution education. The formulation of the main objectives of conflict education should consider three basic things, namely the object of history, humanity as a society of values, and human conception. They is a necessity to ensure that humans are able to accept the concept of conflict resolution education based on the social values of the Madinah Constitution.

The weakness of this research is only focused on the concept of education in conflict resolution in philosophical aspects. Elaboration on the main objectives of conflict resolution education is based on the Medina Constitution and the relevance of its values. This article does

not include elaboration on practical aspects such as the learning system approach, learning system methods and strategies, and evaluation system models. So the recommendation to education experts who pay attention to the conflict resolution education discourse related to the constitutional discourse of Medina to develop and resolve the weaknesses of this research.

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