

The First Social Contract? Situating the Prophetic Pledge of Allegiance within the Trend of Global Constitutionalism

Nasir Hassan Wani^{1*}, Areesha Azhar²



Received: May 14, 2025
Revised: August 30, 2025
Accepted: September 21, 2025
Published: October 13, 2025

*Corresponding Author:

Nasir Hassan Wani,
Aligarh Muslim University,
Aligarh, India
nasirwani8516@gmail.com

About Authors:

¹ Nasir Hassan Wani, Aligarh Muslim University, Aligarh, India

² Areesha Azhar, Aligarh Muslim University, Aligarh, India

Abstract

This article reframes the early Islamic experience as a usable archive for global constitutionalism by theorizing the Medinan compact and the prophetic pledge of allegiance (*bay'ah*) as a covenantal social contract. Unlike transactional models that center self-interest, a covenantal grammar binds political membership through thick consent, reciprocal guarantees among distinct communities, and a shared locus of authority and adjudication. Methodologically, the study integrates internal reconstruction of primary clauses in the Medina Charter with a cautious comparative reading against modern contractarianism. We operationalize three indicators (consent, reciprocity, and authority) and code their textual instantiation across clauses on common defense, inter-communal autonomy, and dispute settlement to God and His Messenger. The analysis shows that consent is ritualized and renewable (*bay'ah*), reciprocity is institutionalized through mutual protection and liability rules, and authority is centralized yet procedurally shared through a common adjudicatory forum. These features distinguish a covenantal contract from transactional social contracts and generate implementable design cues for plural polities: a shared moral preamble, inter-communal autonomy with a forum, reciprocity guarantees over religion and property, and periodic covenant renewal as a civic rite. The article addresses anachronism and authenticity debates by triangulating early sources and bracketing contested passages. While historically bounded, the framework broadens the archive of global constitutionalism and offers a normative vocabulary for post-conflict constitution-making and durable coexistence in religiously diverse societies.

Keywords: *social contract theory; covenantal social contract; Medina charter; Islamic political thought; global constitutionalism*

Introduction

Global governance continues to grapple with administering profound pluralism. Western and Muslim-majority polities face fragmentation and eroding social cohesion amid religious and ethnic diversity (Eilstrup-Sangiovanni and Hofmann, 2020). Beyond episodic crises, the deeper problem is the inadequacy of prevailing governance models to address identity politics, sectarianism, and legal exclusivism (Valbjørn, 2019). In this context, transnational initiatives such as the Marrakesh Declaration (2016) and the Abu Dhabi Document (2019) have revisited the Medina Charter as a template for covenantal

To cite this article (APA Style 7th Edition): Wani, N. H., & Azhar, A. (2025). The first social contract? Situating the prophetic pledge of allegiance within the trend of global constitutionalism. *Al'Adalah: Journal of Islamic Studies*, 28(1), 49-62. <https://doi.org/10.35719/aladalah.v28i1.568>



Copyright © 2025 The Author(s). This is an open access article is distributed under the terms of the Creative Commons Attribution (CC-BY-NC) 4.0 international license. (<https://creativecommons.org/licenses/by-nc/4.0>)

citizenship. The Charter is both a historical artifact and a living interlocutor in debates on political obligation and constitutional design (Yildirim, 2009).

Existing scholarship has yielded important insights but has yet to consolidate a cohesive theoretical model. Namazi (2023) affirms the Charter's historical authenticity and socio-ethical significance; Samosir et al. (2025) highlight its role in pluralism, consensus, and social cohesion; Anello (2021) frames it as contractual citizenship relevant to interreligious dialogue and minority rights; and Belhaj (2025) situates contemporary readings within a broader shift from divine to public sovereignty. Yet this literature rarely treats acts of allegiance (*bay'ah*) and the Medina Charter as a unified social contract and seldom engages the Western contractarian canon rigorously.

This article addresses that gap in two ways. *First*, it examines the Medina Charter to identify three pillars of political obligation: consent, reciprocity, and authority as instantiated in the Charter's principal clauses and the accounts of the 'Aqabah pledges. The unit of analysis covers provisions on forming an *ummah wahidah*, collective defense and adjudication, protections for non-Muslims, and the submission of conflicts to a common forum, alongside public, voluntary *bay'ah* (Namazi, 2023). *Second*, it reconceptualizes this arrangement as a covenantal social contract, distinct from conventional transactionalism, supported by anti-anachronistic safeguards and comparative textual analysis. The aim is not to replace Western models but to widen the archive and vocabulary of global constitutionalism.

Read as a unified compact, *bay'ah* and the Medina Charter orient membership toward shared moral ends rather than a bargain among self-interested individuals. Whereas transactionalism emphasizes rational calculation and liberty-for-security exchange, a covenantal grammar centers sacred oath, reciprocal guarantees, and a common locus of adjudication (Anello, 2021). This article theorizes the Medinan Charter as a covenantal social contract, analytically distinct from transactionalism, by operationalizing consent, reciprocity, and authority and mapping their textual instantiation in the Charter's clauses on defense, inter-communal autonomy, and adjudication. This reframing expands the comparative archive and yields actionable design cues for plural constitutional orders seeking durable solidarity without erasing difference (Samosir et al., 2025).

Literature Review

Social contract theory is a foundational component of Western political philosophy, legitimizing state authority through the consent of the governed (Plagerson et al., 2022). The tradition develops from Hobbes's claim that individuals exit the state of nature by ceding freedom to a sovereign for security (Turner, 2020), to Locke's emphasis on inalienable natural rights and the people's entitlement to dismantle tyrannical government (Sasan, 2021). Rousseau enhances the thesis by contextualizing collective

sovereignty within the general will (Thompson, 2021). At the same time, Rawls uses the original position and veil of ignorance to bring the contract metaphor back to life and develop principles of justice that free and equal people can agree on (Freeman, 2010). The canon, however, faces ongoing criticisms: the state of nature is frequently perceived as ahistorical and merely a philosophical construct (Berger, 2020), while the assumptions of atomistic individualism obscure the social embeddedness of individuals (Weale, 2020). From critical perspectives, Mills and Pateman show how a purportedly universal contract rested on racial and patriarchal exclusions that marginalized non-Whites and women from full contractor status (Nichols, 2013; Pateman and Mills, 2007). Coupled with the theory's Eurocentric blind spots toward non-Western agreements, these objections motivate the search for alternative conceptual frameworks for a fair and inclusive political order (Amine, 2016).

In light of this necessity, the transition to global constitutionalism broadens the repository of constitutional concepts beyond the European and North American nation-state paradigm (Law and Versteeg, 2011; Peters, 2021). This research employs comparative law, intellectual history, and political theory to promote the examination of Islamic traditions, aiming to diversify interpretations of sovereignty, legitimacy, and citizenship (Gebeye, 2021). Methodologically, it promotes stringent anti-anachronism and the reconstruction of each tradition based on its own standards and internal coherence (Müller, 2014; Walker, 2008). Research on Dharma in India and Li in China has contributed to comprehending the relationship among law, morality, and the cosmos (Pillai, 1977). From this standpoint, viewing the Medina Charter as a theoretical framework rather than merely a commemorative artifact aligns with the aims of global constitutionalism to rejuvenate historical traditions as functional resources for contemporary design.

Within Islamic political thought, *bay'ah* has an etymology in *baya'a* that means 'to trade or exchange', connoting agreement and reciprocity; in pre-Islamic Arabia, it denoted recognition of tribal leadership (Serjeant, 2024). During the Prophetic period, *Bai'at al-'Aqabah* transformed *bay'ah* from a system of kinship ties into a conscious political agreement based on ideological commitment and shared belief, creating a unified polity (Rahman, 2020). Later, classical jurists like al-Mawardi made *bay'ah* a way for the caliph to be seen as legitimate. They did this by getting public support from the *ahl al-hall wa al-'aqd* and explaining the rules for becoming an imam, the steps for being appointed through *bay'ah*, and the reasons for being removed from office within a standard constitutional framework (Al-Mawardi, 1989). Contemporary reformists interpret *bay'ah* as an indication of popular consent within the Islamic tradition, illustrating its normative flexibility concerning democratic principles (Islam and Islam, 2017). Even so, *bay'ah*'s potential as a formal social contract theory remains undertheorized in sustained comparison with the Western canon.

Related research on the Medina Charter has demonstrated its historical validity and ethical importance, emphasizing its significance for pluralism, consensus, and social cohesion (Khambali et al., 2021). Simultaneous efforts position the Charter as a benchmark for contractual citizenship, significant for minority safeguarding and interfaith dialogue (Anello, 2021). A synthesis that interprets *bay'ah* and the Medina Charter as a cohesive social compact and contextualizes that compact in critical dialogue with Hobbes, Locke, Rousseau, and Rawls remains elusive. In response to this gap, the current study formulates a covenantal social contract model that emphasizes three foundational pillars: consent, reciprocity, and authority, as the essence of political obligation, providing a nuanced alternative to prevailing transactional interpretations in contemporary political theory.

Method

This study adopts an interdisciplinary qualitative approach that integrates historical-hermeneutic analysis with the framework of comparative political theory. This design was selected to enable conceptual excavation and category formation to articulate an alternative social-contract model rooted in Islamic sources yet intelligible within global debates. Operationally, the study takes the form of a comparative-textual analysis of the key clauses of the Medina Charter and the narratives of the *Bay'at al-'Aqabah* as the primary units of analysis. The comparative lens is employed to place the concepts abstracted from these materials in a dialogic relation with the core propositions of Western social contract theory.

The data are textual and divided into primary sources, classical texts concerning the Charter of Medina and the *Bay'at al-'Aqabah*, and secondary sources comprising foundational works and contemporary critiques of Western social contract theory, alongside modern studies of early Islamic political history and the concept of *bay'at*. Purposive sampling was employed with the following inclusion criteria: high academic legitimacy; direct relevance to the themes of social contract/pledge of allegiance/constitutionalism; and the availability of scholarly apparatuses or verifiable textual variants. Exclusion criteria covered sources lacking clear attribution or popular compilations without adequate scholarly support.

Interpretive validity was strengthened through cross-textual reading triangulation and explicit anti-anachronistic controls by: reconstructing meaning based on the sources' terms and internal logic prior to comparison, mapping non-equivalent conceptual correspondences, and deferring the application of modern categories until the stage of internal abstraction was complete. Where translations were used, key terms were cross-checked against two working translations and recorded in hermeneutic memos.

The analytic procedure unfolded in three interlinked stages. *First*, a historical-contextual stage: situating *bay'ah* and the Charter within the socio-political milieu of

seventh-century Arabia to recover context-sensitive meanings and avoid anachronism. *Second*, a conceptual-abstraction stage: extracting indicators of consent (public declaration of allegiance and willingness), reciprocity (clauses on protection, adjudication, and collective defense), and authority (recognition of leadership and fora for dispute settlement), together with a working definition of the ummah and related institutional mechanisms. *Third*, a comparative-theoretical synthesis: placing the abstractions in critical conversation with the Hobbes–Locke–Rousseau–Rawls canon to map convergences and divergences and to formulate the article’s central construct: a covenantal social contract.

Results and Discussion

From Oath to Polity: The *Bay’ah* as a Foundational Political Act

The catalytic event in the Medinan political transformation was the *Bay’at al-‘Aqabah*, an act anchored in the principle of voluntary consent (Rahman, 2020). Within a socio-political landscape structured by tribal (*qabilah*) loyalties and the primacy of lineage-based protection (*nasab*), the pledge undertaken by the Yathrib delegation signified a revolutionary departure from ascriptive allegiance (Afsaruddin, 2013). More than a mere promise of obedience, this oath constituted a public, voluntary commitment to a shared moral order and the defense of the Prophet (Kaabi et al., 2024). This pivotal moment effectively reconceptualized the basis of political obligation, supplanting inherited status (*nasab*) with a deliberate contractual bond (*‘aqd*), a logic coherent with the constitutional grammar of classical jurists who framed the imamate itself as a contract concluded via *bay’ah* (Al-Mawardi, 1989).

Following the Hijrah, the personal and ideological commitment of the *bay’ah* was formalized and institutionalized through the promulgation of the Medina Charter (Ishak and Aziz, 2022). This document served as a written constitution, transforming a personal pact of allegiance into the foundational law for a new body politic (Qadri and Sarwar, 2024). Its most significant provision was the establishment of a single political community (*ummah wahidah*) that encompassed the *Muhajirun*, the *Anshar*, and various Jewish groups (Abbasi et al., 2024). This act of formalization was unprecedented, creating a pluralistic polity and translating a personal pledge into a public, constitutional framework that gave concrete structure to the nascent state (Adiong, 2019).

The Medina Charter did not merely declare unity; it meticulously specified the reciprocal duties that would sustain the *ummah* (Wang, 2024). It outlined clear provisions for mutual defense against external threats, established a system of coordinated adjudication for disputes, and detailed shared liabilities across clans (Fadel, 2023). Furthermore, it guaranteed protections for the life, property, and religious freedom of the non-Muslim parties to the contract (Anello, 2021). These detailed provisions form the heart of the contract’s reciprocity, translating the abstract ideal of allegiance into tangible

public norms. This focus on mutual obligation directly reflects the teleology of the imamate, which is centered on maintaining the public interest (*maslahah*) and administering justice for all members of the polity (Al-Mawardi, 1989).

To ensure the stability of this new, diverse community, the Medina Charter established a clear locus of authority. It recognized a final forum of appeal for grave disputes, stating they were to be referred to God and His Messenger (Pratama, 2023). This clause was crucial for centralizing adjudication and providing a mechanism to resolve conflicts that could otherwise fracture the *ummah* along old tribal lines (Kirazli, 2024). While it established a central authority, it did so without completely erasing the internal autonomy of the constituent communities. This model, a central authority for strategic matters while respecting communal particularity, mirrors the classical depiction of a legitimate imam entrusted by the *ummah* to manage public affairs (Al-Mawardi, 1989).

This political structure rests on three interconnected pillars that were systematically established. The *bay'ah* supplied the foundational element of consent, grounding legitimacy in a voluntary pledge rather than coercion. The Charter, through its detailed articles, instantiated the principle of reciprocity, defining the rights and duties that would bind the community together (Yildirim, 2009). Finally, the Charter established a system of authority, creating a mechanism for final adjudication and unified leadership (Diab, 2018). Together, these three components complete a coherent political architecture, marking a clear and deliberate progression from a personal oath to a fully-fledged constitutional polity.

Consent, Reciprocity, and Authority: Deconstructing the *Bay'ah* as a Political Contract

The first pillar of this political contract is consent, an element established with definitive clarity in the narratives of the *Bay'at al-'Aqabah*. These accounts depict the Yathrib delegation as active agents seeking a formal pact, which culminated in a public and voluntary pledge of allegiance (Dahlan, 2018). This act fundamentally relocated the basis of political obligation from the ascriptive ties of lineage (*nasab*) to a deliberate, consensual contract (*'aqd*). This understanding is doctrinally consistent with classical Islamic constitutional theory, which frames the imamate as a contract brought into force by the *bay'ah* of the community's representatives (*ahl al-ḥall wa al-'aqd*). Legitimacy, therefore, presupposes willing consent rather than coercion, establishing a voluntarist foundation for the entire political structure (Al-Mawardi, 1989).

Upon this voluntarist base, the second pillar, reciprocity, was institutionalized through The Medina Charter. This document effectively converted the personal oath of the *bay'ah* into publicly knowable and enforceable social norms. The Charter delineated the obligations binding the newly formed *ummah wahidah*, which included mutual defense against external threats, cross-clan coordination of liabilities (*diyat*), and explicit guarantees of security and religious freedom for non-Muslim parties (Ghani and

Rahman, 2024). These articles are precisely consonant with the public duties of a legitimate leader, often summarized as the ten obligations, which include safeguarding religion, administering justice, organizing defense, and managing fiscal matters for the common good (Al-Mawardi, 1989).

The third pillar, authority, emerges where the Charter addresses the need for order and finality. It established a central forum for dispute resolution and centralized strategic decision-making by stipulating that grave conflicts be referred to God and His Messenger. This mechanism was essential for preserving the unity of a pluralistic polity. Classically, legitimate authority entails obedience to the leadership (*uli al-amr*) and the delegated power of coercive enforcement for maintaining public order, while forbidding the existence of two concurrent imams to prevent schism and protect the public interest (Al-Mawardi, 1989).

Consequently, these three pillars form a coherent and interdependent political anatomy. Legitimacy is not a static event but a dynamic process; it is initiated by consent, given substance through the faithful performance of reciprocal duties by both the rulers and the ruled, and sustained by a recognized central authority that enforces the contract's terms. This tripartite structure: consent, reciprocity, and authority, reveals the coherent anatomy of a covenantal social contract, where political obligation is continuously renewed through mutual commitment rather than being a one-time transaction.

Beyond Transactionalism: Reframing the *Bay'ah* as a Covenantal Contract

In influential readings of the Western social contract tradition, especially Hobbes and Locke, politics is often modeled transactionally: pre-social individuals rationally calculate interests and consent to constraints in exchange for security and the protection of basic goods (Follert, 2020). Legitimacy, on this view, rests on a bargain that swaps portions of natural liberty for order and safety, yielding an artificial mechanism that pragmatically overcomes the chaos of the state of nature (Harcourt, 2018). Later contractualism recasts the contract as a hypothetical procedure aimed at fairness rather than mere prudence. However, it largely retains the transactionalist grammar in which consent is interest-regarding and the polity is an artifact of agreement (Freeman, 2010).

By contrast, the *bay'ah* is better understood as a covenantal contract. Where a transactional contract turns on exchange, a covenantal contract turns on a sacred oath, shared moral commitments, and a teleological orientation that orders private interests to common goods (Caldwell and Hasan, 2016). In this frame, legitimacy derives from rational assent and a collective moral obligation to instantiate justice in line with divine normativity (Moriarty, 2020). The resulting *ummah*, in an analytically reconstructive sense, is not a mere aggregation of atomistic agents but a moral body oriented to ethical ends (Wang, 2024).

A structured comparison clarifies the divergence across three dimensions. *First*, community; the transactional model is individualist, while the covenantal model is communitarian, situating personal identity within shared moral purposes (Balogun and Woldegiorgis, 2024). *Second*, sovereignty; transactional accounts tend toward secular, potentially absolute sovereignty; covenantal accounts locate ultimate sovereignty in God, with derivative, accountable leadership bounded by divine law (Porter, 2014). *Third*, telos; transactional politics is often negative in orientation (harm-prevention, order-maintenance), whereas covenantal politics is optimistic and teleological, aiming at realizing justice and moral goods (Caldwell and Hasan, 2016).

Table 1.
A Comparison of Transactional and Covenantal Social Contract Models

No	Comparative Dimension	Transactional Model (Western Canon)	Covenantal Model (Medina Charter)
1	Basis of Community	Individualistic: Society is an aggregation of rational, self-interested individuals.	Communitarian: Individuals find identity within shared moral purposes; society is a moral body (<i>ummah</i>).
2	Nature of Sovereignty	Secular and Absolute: Sovereignty is humanly created and transferred to the state or sovereign.	Theonomic and Bounded: Ultimate sovereignty resides with God, with human leadership being derivative and accountable under divine law.
3	Political Telos (Purpose)	Negative/Pragmatic: The prevention of harm, maintenance of order, and security of property.	Positive/Teleological: The realization of justice, virtue, and higher ethical ends (<i>maslahah</i>).
4	Foundation of Agreement	Exchange: The trading of a portion of liberty for security and order, based on rational calculation.	Sacred Oath: A mutual commitment based on a sacred oath and shared moral principles, not merely on self-interest.

Note. This table visually summarizes the core distinctions between the transactional social contract model, drawn from the Western canon, and the covenantal model. It highlights the fundamental divergences in their foundational assumptions, demonstrating a shift from a pragmatic exchange of liberty for security to a pact grounded in shared moral commitments and higher ethical ends.

Placed against contemporary critiques of contractarianism, this reframing matters. As Mills and Pateman show, the allegedly universal contract often rested on racial and gender exclusions, producing hierarchies between full contractors and marginalized subjects (Mills, 2015). A covenantal model offers a different normative starting point. Grounding political membership in shared value commitments and the spiritual equality of persons before God supplies internal resources for contesting hierarchy and widening inclusion (Lee, 2010). While no tradition is historically immune to exclusion, the covenantal grammar’s explicit moral universalism equips practitioners to critique and

reform such exclusions from within, an affordance less available to narrowly pragmatic, performance-based transactionalism.

Towards Global Constitutionalism: Theoretical and Practical Implications

The theoretical ramifications of this research directly advance the overarching initiative of decolonizing political theory. This study examines the *bay'ah* as a nuanced and legitimate framework for a social contract, contesting the Eurocentric perspective that either overtly or covertly regards the Western intellectual tradition as the exclusive origin of contemporary political theory. The conceptual offering of a covenantal contract enriches the discourse on global constitutionalism by providing a non-Western model that is not only historical but also theoretically relevant. This contribution shows that the canon of political theory can and should be broadened to encompass additional intellectual traditions, such as Hebraic political thought or the Protestant Federalist tradition, not merely as unusual subjects of inquiry, but as equally significant conceptual resources for comprehending the foundations and essence of a just political order.

In addition to its theoretical contributions, the covenantal model derived from the Medina Charter provides relevant practical insights for current challenges. In post-conflict state-building, where formal institutions are often weak and social trust has been lost, a transactional model relying solely on law and security has not worked (Roberts, 2008). The covenantal model, emphasizing establishing a community based on shared moral values and trust, offers an alternative approach to reconstructing the social order from its foundation (Oliver-Dee and Prud'homme, 2023). In highly polarized societies with a broken political bond, the covenantal approach reminds us how important it is to restate a shared moral goal as a first step toward long-term social cohesion (Morrow et al., 2023). The insufficiency of the transactional model highlights the necessity of implementing the covenantal model in these situations.

In conclusion, this article has demonstrated that the *bay'ah* was a foundational political act that can be analyzed as a form of social contract with its own unique internal anatomy and logic, namely that of a covenantal contract. Its primary significance lies in its ability to expand our theoretical horizons and offer new perspectives for practical challenges. This research has its limitations. For future development, a broader comparative study is desirable and essential. For example, comparing the Islamic covenantal model as seen in the *bay'ah* with other covenantal traditions, could help us come up with a more general and universally applicable theory of the covenantal contract.

Conclusion

This study's essential finding is that the *bay'ah* and the Medina Charter, when read as a unified compact, constitute a coherent and theoretically robust social contract. By deconstructing the Medina political arrangement into its three core pillars: consent,

reciprocity, and authority, this research demonstrates that its internal logic is distinct from mainstream Western transactionalism. The analysis revealed that legitimacy in this model is initiated by a voluntary, public pledge (consent), given substance by clearly delineated mutual obligations and protections (reciprocity), and upheld by a centralized adjudicative authority (authority). This political anatomy is grounded not in a pragmatic exchange of liberty for security among atomistic individuals, but in a shared commitment to a moral order, thereby forming what this paper defines as a covenantal social contract.

The primary conceptual contribution of this research is the articulation of the covenantal social contract as a distinct analytical category, enriching the vocabulary of global constitutionalism. By placing the Medina Charter in critical dialogue with the Hobbes-Locke-Rousseau-Rawls canon, this study challenges the Eurocentric dominance of social contract theory and advances the project of decolonizing political philosophy. The comparative-textual and historical-hermeneutic method, reinforced with explicit anti-anachronistic controls, provides a rigorous framework for re-engaging non-Western traditions as theory-generative resources rather than mere historical artifacts. This reframing offers design cues for contemporary plural polities seeking durable solidarity without erasing difference.

Despite these contributions, this study has inherent limitations that open avenues for future research. The analysis is primarily focused on the foundational moment of seventh-century Arabia, and it does not extensively trace the historical evolution or degradation of the covenantal model in subsequent Islamic polities. Furthermore, while establishing the covenantal model as a distinct category, this paper only initiates the comparative work. A broader, more systematic comparative study is essential, particularly one that places the Islamic covenantal model in dialogue with other covenantal traditions to develop a more generalized and universally applicable theory of the covenantal contract.

References

- Abbasi, D. M. U. R., Saleem, D. H. H., Abbasi, D. M. khan, & Anwarullah, D. (2024). Human Rights and Freedom of Practices in the light of Meesaq-I-Madina and Magna Carta: Historical Discourse. *Al-Qanṭara*. <https://alqantarajournal.com/index.php/Journal/article/view/482>
- Adiong, N. M. (2019). Muslim Views of the Polity: Citizenry, Authority, Territoriality, and Sovereignty. In *Oxford Research Encyclopedia of International Studies*. <https://doi.org/10.1093/acrefore/9780190846626.013.372>
- Afsaruddin, A. (2013). *The First Muslims: History and Memory*. Simon and Schuster.
- Al-Mawardi, A. ibn M. (1989). *Al-Ahkam al-Sulthaniya* (1st ed.). Maktabah Dar Ibn Qutaiba.

- Amine, L. E. (2016). Beyond East and West: Reorienting Political Theory through the Prism of Modernity. *Perspectives on Politics*, 14(1), 102–120. <https://doi.org/10.1017/S1537592715003254>
- Anello, G. (2021). The Concept of “Contractual Citizenship” in the Charter of Medina (622 C.e.): A Contemporary Interpretation. *Islamochristiana*. <https://doi.org/10.2139/ssrn.3784632>
- Balogun, B. J., & Woldegiorgis, E. T. (2024). Individualising collectivity: Rethinking the individualism–communitarianism debate in the context of students’ resilience during the Covid-19 era. *Educational Philosophy and Theory*, 56(12), 1241–1252. <https://doi.org/10.1080/00131857.2024.2376640>
- Belhaj, A. (2025). From Divine to Popular Sovereignty: The Civil Shift in Contemporary Islamic Political Thought. *Religions*, 16(5), 622. <https://doi.org/10.3390/rel16050622>
- Berger, B. (2020). Schelling, Hegel, and the History of Nature. *The Review of Metaphysics*, 73(3), 531–567. <https://doi.org/10.1353/rvm.2020.0001>
- Caldwell, C., & Hasan, Z. (2016). Covenantal leadership and the psychological contract: Moral insights for the modern leader. *Journal of Management Development*, 35(10), 1302–1312. <https://doi.org/10.1108/JMD-02-2016-0027>
- Dahlan, M. (2018). *The Hijaz: The First Islamic State*. Oxford University Press.
- Diab, R. (2018). Legal-Political Rhetoric, Human Rights, and the Constitution of Medina. *Rhetorica*, 36(3), 219–243. <https://doi.org/10.1525/rh.2018.36.3.219>
- Eilstrup-Sangiovanni, M., & Hofmann, S. C. (2020). Of the contemporary global order, crisis, and change. *Journal of European Public Policy*, 27(7), 1077–1089. <https://doi.org/10.1080/13501763.2019.1678665>
- Fadel, M. (2023). Sovereignty, Territoriality, and Private International Law in Classical Muslim International Law. *The American Journal of Comparative Law*, 71(4), 853–899. <https://doi.org/10.1093/ajcl/avac007>
- Follert, M. (2020). Contractual thought and Durkheim’s theory of the social: A reappraisal. *Journal of Classical Sociology*, 20(3), 167–190. <https://doi.org/10.1177/1468795X19826840>
- Freeman, S. R. (2010). *Rawls* (1st ed.). Routledge.
- Gebeye, B. A. (2021). Global constitutionalism and cultural diversity: The emergence of jurisgenerative constitutionalism in Africa. *Global Constitutionalism*, 10(1), 40–71. <https://doi.org/10.1017/S2045381720000350>
- Ghani, S. M. A., & Rahman, A. A. (2024). Madani Society from The Perspective of The Medina Charter: A Special Analysis of The Role of NGOS in Addressing the Oppression of Muslim Communities. *Al-Qanatir: International Journal of Islamic Studies*, 33(6), 257–268. <https://al-qanatir.com/aq/article/view/1017>

- Harcourt, B. E. (2018). The Systems Fallacy: A Genealogy and Critique of Public Policy and Cost-Benefit Analysis. *The Journal of Legal Studies*, 47(2), 419–447. <https://doi.org/10.1086/698135>
- Ishak, B., & Aziz, S. B. A. (2022). The Madinah Charter in Light of a Modern Constitution. *IIUM Law Journal*, 30(1), 195–220. <https://doi.org/10.31436/iiumlj.v30i1.713>
- Islam, M. N., & Islam, M. S. (2017). Islam and Democracy: Conflicts and Congruence. *Religions*, 8(6), 104. <https://doi.org/10.3390/rel8060104>
- Kaabi, M., Koohbad, H. A., Albooghabish, S., & Abbasiniya, S. (2024). Foundations, Formation Process, and Developments of Oath in Islamic Jurisprudence and Legal Procedure. *Legal Studies in Digital Age*, 3(4), 25–35. <https://doi.org/10.61838/kman.lsd.3.4.3>
- Khambali, K. M., Paudzi, N. H. M., & Sallam, A. N. S. M. (2021). Islamic Perspective on the Concepts of Interaction among Multicultural Society. *Jurnal Akidah & Pemikiran Islam*, 23(2), 249–274. <https://doi.org/10.22452/afkar.vol23no2.7>
- Kirazli, H. S. (2024). *Conflict Resolution and Peacemaking in Islam: Theory and Practice*. Springer Nature.
- Law, D. S., & Versteeg, M. (2011). The Evolution and Ideology of Global Constitutionalism. *California Law Review*, 99(5), 1163–1258. <https://doi.org/10.15779/Z38913R>
- Lee, J. (2010). *Two pillars paradigm: Covenant as a theological and relational concept in response to the contract-based economic market*. <https://era.ed.ac.uk/handle/1842/4479>
- Mills, C. W. (2015). The Racial Contract revisited: Still unbroken after all these years. *Politics, Groups, and Identities*, 3(3), 541–557. <https://doi.org/10.1080/21565503.2015.1053400>
- Moriarty, B. (2020). Social Contract Theory and Transitional Justice: A Philosophical Approach to a Problem of Global Importance. *Dissertations, Theses, and Capstone Projects*. https://academicworks.cuny.edu/gc_etds/3852
- Morrow, E. V., Kabala, B. Z., & Hartness, C. D. (2023). Between Public Justification and Civil Religion: Shared Values in a Divided Time. *Religions*, 14(2), 133. <https://doi.org/10.3390/rel14020133>
- Müller, T. (2014). Global constitutionalism in historical perspective: Towards refined tools for international constitutional histories. *Global Constitutionalism*, 3(1), 71–101. <https://doi.org/10.1017/S2045381713000051>
- Namazi, R. (2023). Islamic Political Thought and the “Constitution of Medina.” *Comparative Political Theory*, 3(2), 129–153. <https://doi.org/10.1163/26669773-bja10052>
- Nichols, R. (2013). Indigeneity and the Settler Contract today. *Philosophy & Social Criticism*, 39(2), 165–186. <https://doi.org/10.1177/0191453712470359>

- Oliver-Dee, S., & Prud'homme, J. (2023). Restoring Community and Covenant in the 21st Century: The History and Potential Revival of Coventism in the Era of the 'Global Village.' *Religions*, 14(10), 1267. <https://doi.org/10.3390/rel14101267>
- Pateman, C., & Mills, C. W. (2007). *Contract and Domination* (1st ed.). Polity Press.
- Peters, A. (2021). Constitutional Theories of International Organisations: Beyond the West. *Chinese Journal of International Law*, 20(4), 649–698. <https://doi.org/10.1093/chinesejil/jmab034>
- Pillai, P. V. (1977). The King in Two Lands Perspectives on Power: India and China. *China Report*, 13(1), 34–53. <https://doi.org/10.1177/000944557701300105>
- Plagerson, S., Alfes, L., & Chen, M. (2022). *Introduction: Social contracts and informal workers in the global South* (pp. 1–30). Edward Elgar Publishing Limited. <https://doi.org/10.4337/9781839108068>
- Porter, J. (2014). Divine Commands, Natural Law, and the Authority of God. *Journal of the Society of Christian Ethics*, 34(1), 3–20. <https://doi.org/10.1353/sce.2014.0000>
- Pratama, D. A. (2023). Fiqh and Contested Authorities: Rethinking the Role of Sole Mediator in Building the Non-Violent Religious Practices According to the Medina Charter. *AJIS: Academic Journal of Islamic Studies*, 8(2), 313–328. <https://doi.org/10.29240/ajis.v8i2.8594>
- Qadri, D. H. M.-D., & Sarwar, D. M. (2024). Historical Accuracy of the Constitution of Medina. *Al Khadim Research Journal of Islamic Culture and Civilization*, 5(2), 25–31. <https://arjicc.com/index.php/arjicc/article/view/308>
- Rahman, H. (2020). An Evaluation of the Aqabah Pledges and the Charter of Medina to the Birth of Political Authority in Islamic Political Thought. *İnsan ve Toplum Bilimleri Araştırmaları Dergisi*, 9(5), 3379–3396. <https://doi.org/10.15869/itobiad.748609>
- Roberts, D. (2008). Post-conflict Statebuilding and State Legitimacy: From Negative to Positive Peace? *Development and Change*, 39(4), 537–555. <https://doi.org/10.1111/j.1467-7660.2008.00495.x>
- Samosir, H. E., Md Noor Bin Hussin, Sudianto, Marlina, & Azman. (2025). Recontextualizing the Medina Charter: Consensus-Based Political Communication for Contemporary Plural Societies. *MILRev: Metro Islamic Law Review*, 4(1), 645–675. <https://doi.org/10.32332/milrev.v4i1.10523>
- Sasan, J. M. V. (2021). The Social Contract Theories of Thomas Hobbes and John Locke: Comparative Analysis. *Shanlax International Journal of Arts, Science and Humanities*, 9(1), 34–45. <https://doi.org/10.34293/%20sijash.v9i1.4042>
- Serjeant, R. B. (2024). *Customary and Shari'ah Law in Arabian Society* (1st ed.). Taylor & Francis.
- Thompson, M. J. (2021). Rousseau's Post-Liberal Self: *Emile* and the Formation of Republican Citizenship. *The European Legacy*, 26(1), 39–53. <https://doi.org/10.1080/10848770.2020.1823623>

- Turner, I. (2020). Conceptualising a protection of liberal constitutionalism post 9/11: An emphasis upon rights in the social contract philosophy of Thomas Hobbes. *The International Journal of Human Rights*, 24(10), 1475–1498. <https://doi.org/10.1080/13642987.2020.1725745>
- Valbjørn, M. (2019). What's so Sectarian about Sectarian Politics? Identity Politics and Authoritarianism in a New Middle East. *Studies in Ethnicity and Nationalism*, 19(1), 127–149. <https://doi.org/10.1111/sena.12289>
- Walker, N. (2008). Taking Constitutionalism beyond the State. *Political Studies*, 56(3), 519–543. <https://doi.org/10.1111/j.1467-9248.2008.00749.x>
- Wang, Y. (2024). The Essence of The Ummah Principle: Islam and The Foundation of Inclusive Social Systems. *Afkar: Jurnal Akidah Dan Pemikiran Islam*, 26(2), 159–200. <https://doi.org/10.22452/afkar.vol26no2.5>
- Weale, A. (2020). *Modern Social Contract Theory* (1st ed.). Oxford University Press.
- Yildirim, Y. (2009). The Medina Charter: A Historical Case of Conflict Resolution. *Islam and Christian-Muslim Relations*, 20(4), 439–450. <https://doi.org/10.1080/09596410903194894>