The Covenants of the Prophet and the Subject of Succession

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Received: 21 August 2019; Accepted: 21 October 2019; Published: 24 October 2019

Abstract: In order to advance their argument that Imãm ‘Alî was the divinely and prophetically designated spiritual and political successor of the Prophet Muhammad, Shi‘ite Muslim scholars have primarily drawn evidence from the Qur‘an and Hadith which was supplemented by reason and rational arguments. Oddly enough, in their quest to legitimize the Caliphate and Imàmate of Ahl al-Bayt, the People of the House of the Prophet, Shi‘ite scholars have generally ignored one of the most important bodies of literature, namely, the letters, treaties and covenants of the Prophet Muhammad. The following study examines the Messenger of Allàh’s Covenants with Christians and Jews in search of previously overlooked material on the subject of succession, shedding light on the state of Islàm prior to the definitive rupture of the early Muslim community into Sunnìs and Shi‘ites.

Keywords: Covenants of the Prophet; Imãm ‘Alî; Caliphate; Imàmate; Jews; Christians; Zaydîs; Twelvers; Kitãb Dhimmah al-Nabi Muhammad; Muhammad’s Writ of Protection; Dhimmah; Ahl al-Kitãb; People of the Book; Maqnà

1. Introduction

The succession of the Prophet Muhammad is one of the most contentious and divisive subjects in the history of Islàm. The Sunnìs insist that the Messenger of Allàh did not provide specific instructions as to whom his successor should be, and that the decision ultimately rested with the elders of the community. Some even allege that the Messenger of Allàh implicitly appointed Abû Bakr. The Twelver Shi‘ites assert that the Messenger of Allàh explicitly appointed ‘Alî as his political and spiritual successor and reject the legitimacy of Abû Bakr, ‘Umar, and ‘Uthmàn. The Zaydî Shi‘ites adopt an intermediate stance between Sunnism and Twelver Shi‘ism, namely, between complete acceptance of the first three Caliphs and their complete repudiation. The Sulaymânî Zaydîs believe that Abû Bakr, ‘Umar, and ‘Uthmàn acted erroneously but not sinfully. They insist that ‘Alî was the preferred candidate to be the first Caliph. The Jarûdiyyah Zaydîs reject Abû Bakr, ‘Umar, and ‘Uthmàn. The Sulaymânî Zaydîs therefore place them in the category of Rawûfi or Rejectors along with the Twelvers. Finally, the Sûfìs, in their attempt to extricate themselves from political conflict and focus on the inner dimension of Islàm as opposed to worldly affairs, generally recognized Abû Bakr as the de-facto political successor of the Prophet while distinguishing ‘Alî as both the political and spiritual successor of the Prophet. If the Covenants of the Prophet can provide insight into Islàm’s attitude towards interfaith relations, diversity, and pluralism, perhaps they can also shed light on the issue of succession. In the following study, I will carefully peruse the Muhammadan Covenants in an effort to elucidate the Messenger of Allàh’s expressed will and intent in matters of succession.
2. The Succession of the Prophet in the Sīrah, the Covenants of the Prophet, the Sunnah, and Historical Sources

As we read in the Sīrah of (Ishâq 1987) (b. 704 CE), one of the earliest extant biographies of the Prophet Muḥammad, one of the first things that the Messenger of Allâh did after receiving revelation was to identify his divinely appointed successor:

‘Which of you, then, will help me in this, and be my brother, my executor and my successor amongst you?’ All remained silent, except for the youthful ‘Alī who spoke up: ‘O Prophet of God, I will be thy helper in this.’ The Prophet then placed his hand on ‘Alī’s neck and said, ‘This is my brother, my executor and my successor amongst you. Hearken unto him and obey him.’ (118)

The words employed were akhī or brother, wasī, executor or testamentary trustee, and khalīfah, or successor which, contrary to Sunnī claims, are not in the least bit ambiguous in the Arabic language. If this tradition is indeed authentic, then it appears evident that ‘Alī was explicitly appointed as the successor of the Prophet from the very beginning of the mission of Muḥammad; namely, that the establishment of the Imāmat was co-dependent on the declaration of the final prophetic mission. In other words, the closure of the age of nubūwwah or prophecy would usher in the age of wilāyah or guardianship. As the Messenger of Allâh said, “I am the master of the prophets; my heir [‘Alī] is the master of the wasīyyūn, and his awsiyyā’ [the others Imāms] are the masters of the other awsiyyā’” (Amīr-Moezzī 1994, vol. 42, p. 170, note 211).

While there is a plethora of sources, both Sunnī and Shi‘ī, that are cited by Shi‘ite scholars to support their claims regarding the succession of ‘Alī, the same cannot be said of the Covenants of the Prophet which appear to have been ignored. While the correspondence of the Prophet includes hundreds of letters, which have been compiled from scores of sources and studied by scholars such as (Ḥamidullāh 1956) and (Mīyānjī 1998), among others, the Covenants of the Prophet consist of dozens of documents.

The Christian Covenants include: the Covenant of the Prophet Muḥammad with the Monks of Mount Sinai, the Covenant of the Prophet Muḥammad with the Christians of the World, which survives in two versions, the Covenant of the Prophet Muḥammad with the Christians of Najrān, which includes short, medium, and long versions, the Covenant of the Prophet Muḥammad with the Christians of Persia, the Covenant of the Prophet Muḥammad with the Assyrian Christians, the Covenant of the Prophet Muḥammad with the Armenian Christians, the Covenant of the Prophet Muḥammad with the Syriac Orthodox Christians, and the Covenant of the Prophet Muḥammad with the Coptic Christians, among others. The Jewish Covenants include: the Covenant of Madiynah, the Treaty of Maqāt, and the Covenant of the Prophet Muḥammad with the Children of Israel of which half a dozen versions survive. A single Covenant of the Prophet Muḥammad with the Samaritans survives as does a Covenant of the Prophet Muḥammad with the Parsis. Some Covenants of the Prophet Muḥammad are found in Muslim sources, both Sunnī and Shi‘ī. Others are found in Jewish, Samaritan, and Zoroastrian sources.

Although the Covenants of the Prophet Muḥammad are contentious in the estimation of some scholars, they have been in circulation since the early centuries of Islām. For a survey of scholarly opinion on the subject, spanning from the seventh century until the twenty-first century, readers are referred to “The Provenance of the Prophet’s Covenants” (Morrow 2017e, pp. 1–213). Since the publication of The Covenants of the Prophet Muḥammad with the Christians of the World in 2013, several peer-reviewed studies have been published addressing some of the polemics surrounding the Covenants of the Prophet. The works of (Considine 2016; El-Wakīl 2016, 2017, 2019; Rane 2019; Morrow 2019) are the most pertinent in this regard. All in all, there is enough evident that the Covenants of the Prophet are “authentic” or “correct,” and hence credible, in the sense that they can be traced back, as far as is reasonably possible, to the Prophet, and in the sense that they are consonant with the spirit of the Qur‘ān.
The purpose of the Covenants of the Prophet Muhammad with the People of the Book is clear: to provide complete religious freedom, to place Jews, Samaritans, Christians, and Zoroastrians under the protection of Islam, to establish alliances, and to create a Confederation of Believers. As Ahmed El-Wakil has argued, the similarity between these documents, which were offered to the People of the Book throughout the Middle East, suggests that the Prophet Muhammad was granting them on based on a Master Template (El-Wakil 2017, pp. 469–526). In other words, the Messenger of Allah was inviting people of faith to share the same set of rights and freedoms. And while the Covenants of the Prophet Muhammad shed light on the pluralistic nature of early Islam, they also suggest that the Household of the Prophet, namely, his daughter Fatimah, her husband Ali, and the Imams from their descendants were appointed as guardians and protectors of the Covenants of Allah and His Prophet.

The copy of the Covenant of the Prophet Muhammad with the Christians of the World from 1630, which was first published by Gabriel Sionita in Paris, in both Arabic and Latin, and which dates from the fourth year of the hijrah, reads:

I commit myself to grant alliance and pledges to those who requested them from me and from all of my families from among the Muslims to give them the Covenant of Allah and His Pledge and I place them under the safeguard of His Prophets, His Messengers, His Elect, His Saints, from the Muslims and the Believers, among the first of them and the last of them. (Morrow 2013, p. 233)

The copy of the Covenant of the Prophet Muhammad with the Christians of the World from 1538, which was first published in 2013, and which dates from the fourth year of the hijrah, reads:

I started by committing myself to the Covenant, granted alliances and pledges to those who requested them from me and from all my Muslim Community. I gave them the Covenant of Allah and His Pledge and I placed them under the safeguard of His Prophets, His Chosen Ones, His Friends from among all the Believers and the Muslims over time. (Morrow 2013, p. 237)

The Covenants of the Prophet Muhammad with the Christians of Najran, which dates from seventh year of the hijrah, reads:

I commit myself to an alliance and pledge with them on behalf of Allah and I place them under the safeguard of His Prophets, His Elect, His Saints, the Muslims and the Believers, the first of them and the last of them. Such is my alliance and pact with them. (Morrow 2013, p. 297)

The terms employed in the Covenants of the Prophet Muhammad with the Christians include ahl or “families,” asfiyya', which means “Chosen Ones,” and awliyya' which signifies “Friends of Allah,” “Saints,” and “Guardians.” Since Shi’ism revolves around the centrality of the progeny of the Prophet, the term, Ahsil-Bayyit is used prolifically in Twelver traditions. The terms awliyya' and asfiyya' are also typically associated with the Imams of the Household of the Prophet. Take, for example, the following sacred saying in which the Messenger of Allah asks “O Lord! Are these my Heirs [referring to the pre-existential luminous entities of the Imams]?” The response is revealing:

O Muhammad! These are my Friends [awliyya'], My Pure Chosen Ones [asfiyya'], and My Proofs after you for men; they are your Heirs and your Vicars and the best of My creatures after you. By My Glory and My Majesty! I will show My religion through them. (qtd. Amir-Moezzi 1994, p. 227, note 664)

The Prophet Muhammad describes his Covenants with the Christians as Hujjat Allah or “Proofs of Allah for all Creation” (Morrow 2013, pp. 215, 233, 237), the very same expression that is used in Shi’ite traditions to describe the Twelve Imams. As Mohammad ‘Ali Amir-Moezzi notes, in Twelver
Shi’ism, “the Imam is described as being the ‘Proof of God’ (hujjat Allāh) [and] the ‘Vicar of God’ (khalfat Allāh)” (45).

The term ‘ahd or mithaq is richly symbolic: it denotes the primordial Covenant between God and the pure beings in the First World of Shadows in which they attested that there was no god but Allāh, Muhammad was the Messenger, ‘Ali was the Leader of Believers, and his Heirs were the directors of God’s Order and the Guardians of His Treasure (Amīr-Moezzi 1994, p. 34). It also denotes the sacred pact between God and Humanity in the Second World of Particles in which the elements of Adam’s descendants bore witness to Allāh’s unicity and would be destined to obedience or disobedience (35–37). Finally, the ‘ahd or mithaq denotes the Covenant between the Prophet Muhammad and the People of the Book. If all these meanings merge together, the Covenants of the Prophet would span worlds and transcend time and space.

As the Prophet Muhammad makes explicitly clear, the Covenants with the People of the Book were the product of divine revelation. In the Covenant of the Prophet Muhammad with the Christians of Persia, the Messenger of Allāh states that its words were “in accordance with the prompting of God” (Morrow 2017a, vol. 3, p. 5). The Covenant of the Prophet Muhammad with the Assyrian Christians commences with the words: “God has told me in a vision what to do, and I confirm His Command” (Morrow 2017a, vol. 3, p. 31). Version G of the Covenant of the Prophet Muhammad with the Jews states that its words were revealed to the Messenger of Allāh (Morrow 2017a, vol. 3, p. 291). Version A of the Covenant of the Prophet Muhammad with the Jews states that its words were “revealed . . . from Allāh” (Morrow 2017a, vol. 3, p. 294). The Covenant of the Prophet Muhammad with the Banī Zākān also asserts that it was revealed to the Messenger of Allāh (Morrow 2017a, vol. 3, p. 534). Consequently, the Covenants of the Prophet Muhammad could be categorized as sacred sayings of ahadīth qudsiyyah or treated as a body of literature within its own rights. For Charles Upton, at least, the Covenants of the Prophet represent “a third foundational source for Islām” that complements the Qurʾān and the Hadith (Morrow 2013, p. xi).

Not only are the Covenants of the Prophet presented as extra-Qur’ānic revelations, they are described by the Messenger of Allāh as being among the weightiest that any nabī mursal, prophet sent, or malak muqarrab, angel of proximity, has ever received. This evokes images of Ghadīr Khumm and the Hadith al-Thaqalayn, the Tradition of the Two Weighty Things, in which the Messenger of Allāh called upon Muslims to follow the Qurʾān and Ahl al-Bayt. As for the angel of proximity or angel drawn near, it is mentioned in many Covenants of the Prophet. The Covenant of the Prophet Muhammad with the Syriac Orthodox Christians is described as “the most solid Covenant and treaty that God has given a prophet sent or an angel drawn near” (Morrow 2017a, vol. 3, p. 20; Morrow 2013, p. 23). In the Covenant of the Prophet Muhammad with the Christians of the World (Mount Carmel manuscript), the Messenger of Allāh describes his protection and his pact as “the most solid covenant that God has given a prophet sent or an angel drawn near” (Morrow 2017a, vol. 3, p. 20; Morrow 2013, p. 233).

The term malak muqarrab, angel of proximity or angel drawn near, is found in the following tradition attributed to the Prophet Muhammad: “There is a moment (waqt) for me with God, which neither an intimate angel (malak muqarrab), nor a messenger-prophet (nabī mursal) can share with me” (Hussainī 1983). This tradition, which is not found in canonical books of ahadith, but which is frequently cited in Sufi works, is also translated as “I have a moment with God (li ma’a Allāh waqt) in which no angel drawn near (malak muqarrab) or prophet sent (nabī mursal) rivals me” (Böwering 2012, p. 108). Reference to the angel of proximity also appears in a saying shared by several of the Twelve Imāms: “Our teaching is arduous; the only ones who can withstand it are a prophet sent to men, an angel of proximity, or an initiated one whose heart has been tested by God for faith” (Amīr-Moezzi 1994, pp. 5, 55, 182, note 283; Mavānī 2013, p. 46).
References to the *malak muqarrab* are found in (Sa’dī 1965) (d. 1291 CE) *Gulistān* or *Rose Garden* (119), the *Arā‘is al-bayān fi hadā‘iq al-Qur‘ān* of Rūzbihān al-Baqilī (d. 1209 CE) (Godlas 1991), Mutannabī’s (d. 965 CE) *Panegyrics* (Hāmori 1991), and the work of Ḥamd al-Dīn al-Kirmānī (d. 1021 CE) (Walker 1999), among many others. Since the *malak muqarrab* tends to be mentioned in early Ṣūfī-Šī‘ī works, the Covenants of the Prophet seem to surface from the same current of ʿĪslām. For Sayyid Haydar Amuli (d. 1385), Shī‘ism and Šūfism were one and the same (Naṣr 14). As (Tihrānī 2003) expresses, “the straight path is one which combines the exoteric and the esoteric” (1). For proponents of ‘īrāfān/taṣawwuf, true Muslims are believers who are put to the test. What greater test than to observe the Covenants of the Prophet Muhammad in dealing with the People of the Book? Some Sunnīs of the Umayyad and ‘Abbāsīd lines might argue that the Shī‘ite and Šūfī traits found in the Covenants of the Prophet suggest that they were forged. However, the Sunnīs of the anti-Umayyad and anti-‘Abbāsīd lines, along with Shī‘ites and Šūfīs, would argue otherwise.

Further evidence that the Muhammadan Covenants emerged from the traditional, civilizational, ʿĪslām centered around *şarḥ ah, tarīqah, and faqīḥah*, is found in the *Covenants of the Prophet Muhammad with the Jews*. The works in question, which were previously studied by (Hirschfeld 1903; Wāsī‘i 1928; Goitein 1971; Rivlin 1935; Ahroni 1981, 1998; Nini 1983; Gamlieli 1978; Firestone 2014), are even more explicit in espousing the central spiritual and political role of Ahl al-Bayt. In Version H of the document, which was found in Egypt, and which was published by Hartwig Hirschfeld in 1903, we read that “The Family of the House of the Messenger of Allāh and all the Muslims are charged to fulfill all that is in this letter” (Morrow 2017c, vol. 2, p. 289). Rather than using the word *ahl* or family, as appears in the Christian Covenants, the Jewish Covenants employ the term *ahl al-bayt Rasūl Allāh* or the People of the House of the Messenger of Allāh, the meaning of which cannot be clearer.

The *Covenant of the Prophet Muhammad with the Christians of Persia*, which was granted to the Armenian Christians, also specifies that Muslim men may only marry Christian women in *mut‘ah* or fixed-term marriages as opposed to *nikāh* or permanent marriages (Morrow 2013, p. 225). If this is correct, then this document would support the Twelver Shī‘ite narrative since both Zaydi and Ismā‘īlī Shī‘ites insist upon its prohibition. If some of the other Muhammadan Covenants refer to the rulers that would succeed the Prophet as *sultān*, the *Covenant of the Prophet Muḥammad with the Christians of Persia* speaks of the ruler as the Imām, once again, in keeping with Shī‘ite tradition. As we read, “Those who travel . . . shall not be subject to land taxes, except that in the event any of them shall fall heirs to property on which the Imām has a legal claim” (Morrow 2013, p. 224). Similarly, the *Covenant of the Prophet Muhammad with the Jews* (Version H and A) also describes the legitimate successor of the Messenger of Allāh as being an Imām.

Another Shī‘ite characteristic is found in the *Covenant of the Prophet Muhammad with the Assyrian Christians* where the mention of Imām ‘Alī is followed by ‘alayhi al-salām or “peace be upon” in accordance with Shī‘ite practice (Morrow 2013, p. 314). This feature is also found in Version H of the *Covenant of the Prophet Muhammad with the Jews*. The document in question also promises that “If any of you follows the religion of the Messenger of Allāh and his command, he shall have one fourth of what the Messenger of Allāh has ordered to be given to the People of his House” (Morrow 2017c, vol. 2, p. 289).

As is evident, the Messenger of Allāh promised that any rabbinical Jewish converts to ʿĪslām would receive one fourth of the *khums* destined to Ahl al-Bayt, the People of the House, namely, Muhammad, Fātimah, ‘Ali, Ḥasan, and Ḥusayn. Tellingly, the *Covenant of the Prophet Muhammad with the House of Salman*, which was directed to Zoroastrian priests, also speaks of *khums*, in this case, in the context of exemption (Morrow 2017b, vol. 2, pp. 444–45). Mentioned in the Qur‘ān, and practiced during the life of Muḥammad, *khums* virtually disappeared from the Sunnī scene after the passing of the Prophet, only being maintained and mandated by the Shī‘ites of Ahl al-Bayt, namely, the partisans of the Progeny of the Prophet. If they insisted so much upon preserving the *khums*, they must have had a basis, the source of which could have included the Covenants of the Prophet Muḥammad with the Jews and Zoroastrians.
According to the account that accompanies the Covenant of the Prophet Muhammad with the Samaritans, the religious leaders of the latter requested that the Messenger of Allah’s treaty be re-written in the handwriting of Imam ‘Ali. It was as if they were aware that ‘Ali was the appointed successor and wanted to ensure that their protections would not be revoked after the Messenger of Allah passed away. Likewise, the Covenant of the Prophet Muhammad with the Banū Zakān reassures this Jewish sub-tribe that “None of your rights shall be infringed upon so long as you listen to the Messenger of Allah or the messenger of the Messenger of Allah.” (Morrow 2017d, vol. 2, p. 534). Who, then, was the messenger of the Messenger of Allah? A mere envoy or emissary or someone of far greater significance? The answer appears to be found in the Treaty of Maqna. Cited or mentioned in Waqid (2013, d. 823 CE), Sa’d (2001, d. 845 CE), Zanjaway (1986, d. 865 CE), Baladhuri (1866, d. 892 CE), Kāthir (Kāthir 2013, d. 1373 CE), Ibn Qayyim al-Jawziyyah (Qayyim 1997, d. 1350 CE), among many others, and dated toward the end of the prophetic mission, the Treaty of Maqna promises the sons of Haninah, which can also be vocalized as Babah or Janbah, who were Jews of Maqna, along with the rest of the inhabitants of the city located near Aylah, that “There will be no chief [amīr] over you other than one of you or one of the Messenger of Allah’s people [Ahl Rasūl Allāh]” (Morrow 2017c, vol. 2, p. 285; see also, Sa’d 1993, vol. 1, part 2, p. 29; Baladhuri 1866, p. 59; Gil 1997, p. 29; Qureshī 1991, p. 182). A similar promise is found in Version H of the Covenant of the Prophet Muhammad with the Jews, which asserts that “You shall have no other ruler [wāli] except out of your own midst, or from the Family of the Messenger of Allah” (Morrow 2017c, vol. 2, p. 289).

If the version of the Jewish Covenant transmitted by Ibn Sa’d and Baladhuri says that the Jews of Maqna will have no other amīr (prince, leader, commander, ruler, chief) than their own or a member from the Household of the Prophet, Version H, found in the Cairo Geniza, uses the word wāli (guardian, custodian, protector, helper, friend). While amīr evokes Amīr al-Mu’mīnīn or the Leader of the Believers, the term wāli has a quintessentially Shi‘ite sense for ‘Ali is the Wāli of Allāh, the Chief of the Awliyya’ who was granted Wilāyah or Guardianship over Islām and believing Muslims. For El-Wakil (2016, p. 41), “The Jewish Covenant’s stipulation that the Jews may have a ruler either from among themselves or ‘from the Family of the Messenger of Allah’ denotes a strong, familial bond between both communities which came to be established through the Prophet’s marriage to Safiyyah”.

As the Prophet professed in his “Letter to the Jews,” “This is a letter from Muhammad, the Messenger of Allah, the brother of Moses ibn ‘Imrān, and his co-missionary” (Morrow 2013, p. 53). As an Arab, and descendant of Ishmael, the Prophet was therefore proud to connect himself, by marriage, to the Jewish people or descendants of Isaac. However, the significance is more profound than El-Wakil proposes. The Prophet was not simply connecting two ordinary families. The family of Muhammad, the Ahl al-Bayt, was becoming bound to the family of Aaron, the Kohanim. The Imāms from Ahl al-Bayt would assume the role of religious authorities in Islām in the same fashion that the direct descendants of Aaron, the brother of Moses, had assumed priestly authority in Judaism.

If the Prophet Muhammad really wanted Muslims to select his successors based on shūrā or consultation of tribal elders, why would he have promised his subjects that either they would be ruled by their own representatives or they would be governed by a person from the Family of the Messenger of Allah? We are not dealing with family ties for short-term personal or political purposes. Ahl Rasūl Allāh or the Family of the Messenger of Allah is a loaded term. Stating that they would rule directly or indirectly is highly significant. The Prophet was laying the foundation of what was supposed to be an enduring religious and political model: the wilāyah or guardianship of the Imāms of Ahl al-Bayt. And what were they entrusted to guard? The rights and freedoms found in the Covenants of God and His Prophet: the Islamic Declaration of Divinely Granted Human Rights.

Version A of the Covenant of the Prophet Muhammad with the Jews, which was published by (Ahroni 1998), is the most elaborate of all when it comes to describing the position of the Imām as head of the Muslim Ummah. It reads: “And they should pay it [the poll-tax] to the Imām who is entrusted by God, the one who guides [to the true path], the just, the one who dispenses justice” (Morrow 2017c, vol. 2, pp. 294–95).
In other words, the jizyah is to be paid to the Imâm, a leader who is assigned by God, guides to the true teachings of Islâm in all its dimensions, both exoteric and esoteric, who is just, and who administers justice. Version A of the Covenant of the Prophet with the Jews describes the first necessary attribute of the Imâm as follows: “And the Imâm must have the following qualities. First, he must be acquainted with the knowledge of justice, God fearing and pure” (Morrow 2017c, vol. 2, p. 295).

This view is consistent with Twelver Shi‘ite teachings which assert that the successors of the Prophet, namely, the Twelve Imãms from Ahl al-Bayt, were appointed by God, and were just, pious, and pure. The key here is pure or tâhir, a word with deep spiritual significance and an allusion to the Event of the Cloak which is so central to Twelver Shi‘ism. To be succinct, the Prophet gathered ‘Ali, Hasan, Husayn, and Fâṭîmah under his cloak, announced that they were his Ahl al-Bayt, and received the revelation of the thirty-third verse of the thirty-third chapter of the Qur’ân, known as Ayat al-Tatähr or Verse of Purification, which states: “Allâh’s wish is but to remove uncleanness far from you, O People of the House, and purify you with a thorough purification.”

Although it is alleged that the Covenants of the Prophet with the Jews were forged by Yemenite Jews to seek favor from their Zaydi Shi‘ite overlords, the insistence on the immaculate nature of the Imâm is inconsistent with such claims as only the Seveners and Twelver Shi‘ites believe in the doctrine of ismâyûn or Imâmic infallibility. As far as the Zaydis are concerned, their Imãms are divinely inspired human beings. They are not, however, mas‘ûmûn or infallibles. Why would a Jewish fraudster invoke an Ismâyî and Ithn‘-‘Asharî dogma when appealing to Zaydi sentiments?

Version A of the Covenant of the Prophet with the Jews describes the second necessary attribute of the Imâm as follows: “he must lead a life of piety and renunciation of the world and its gain. [He must be] a warrior against the heathens and should provide the [appropriate] finances for the jihâd against the heretics; he must eject oppressors and establish the rights of the oppressed in the face of his oppressor before God. He should have compassion for the weak and the poor” (Morrow 2017c, vol. 2, p. 295).

The attitude towards the lesser jihâd, the physical struggle against the oppressors and in defense of the downtrodden, is consistent with Shi‘ite teachings, according to which only the Just Imâm can declare an offensive war and in whose absence only defensive wars are allowed (Amir-Moezzi 1994, p. 135). The Islâmic attitude to warfare is comparable with the one found in the Old Testament, namely, the law of retribution, an eye for an eye and a tooth for a tooth, with one important distinction. Although Islâm calls for justice, it also encourages forgiveness: “And the retribution for an evil act is an evil one like it, but whoever pardons and makes reconciliation—his reward is [due] from Allâh” (42:40). The Qur’ân describes the believers as “those who pardon the people” (3:134) and those who are “patient and forgive” (42:43). Since, the Hour is approaching, Allâh advises people of faith to “forgive with gracious forgiveness” (15:85).

Version A of the Covenant of the Prophet with the Jews describes the third necessary attribute of the Imâm as follows: “he should be valiant at the time of the jihâd, wars and battles” (Morrow 2017c, vol. 2, p. 295). Evidently, any leader needs to be valiant, courageous, and altruistic. However, this does not necessarily mean that the Imâm needs to expose himself to danger unnecessarily. The bravery of Imâm ‘Ali in battle was legendary. Imâm al-Hasan and Imâm al-Husayn also proved themselves formidable fighters in Persia and North Africa and the final battle of the latter at Karbala‘ was epic in proportions. What is more, all the Twelve Imãms met death through martyrdom. Imâm ‘Ali suffered the death-blow of a sword while praying in his mosque. Imâm al-Husayn died in glorious battle. And the rest of the Imãms were poisoned by the oppressive rulers of the age.

Version A of the Covenant of the Prophet with the Jews describes the fourth necessary attribute of the Imâm as follows: “he must be of the progeny of Fâṭîmah, the daughter of the Prophet” (Morrow 2017c, vol. 2, p. 295). This belief, namely, that the Imâm of the Muslim Ummah had to be a direct descendant of the Prophet Muhammad through his daughter Fâṭîmah and his cousin and son-in-law Imâm ‘Ali is shared by all Shi‘ite groups. As the Covenant of the Prophet Muhammad with the Jews explains, these qualities must be embodied by any legitimate Imâm; otherwise: “Whoever does not possess these qualities, is not entitled to the Imâmate and the poll-tax” (Morrow 2017c, vol. 2, p. 295).
Although Version A of *Covenant of the Prophet Muhammad with the Jews* does contain elements that resonate with Zaydis beliefs, it also contains elements that appeal to Sevener and Twelver ones. Rather than evidence late forgery, these aspects might point to the document’s antiquity, namely, predating the development of doctrines and dogmas that eventually differentiated Shi‘ite groups.

The *Covenant of the Prophet Muhammad with the Jews* was known to Ibn al-Sabbagh (d. 1451 CE), Ibn Qayyim al-Jawziyyah (Qayyim 1997, d. 1350), Dhahabi (Dhahabi 2001, d. 1348), Ibn Taymiyyah (d. 1328 CE), and al-Nawawi (d. 1277) (El-Wakil 2017, pp. 27–31). It was invoked in Natan‘al-Fayum‘i’s *Bustan al-‘uqul* in the twelfth century CE. It was familiar to al-Khatabi al-Baghdadi (d. 1071) (El-Wakil 2017, pp. 27–28). The document was also cited in shortened form by Ibn Hibban in the tenth century, along with Baladhuri (d. 892 CE), Ibn Zanjawayh (d. 865 CE), Ibn Sa‘d (d. 845 CE), and Waqidi (d. 823 CE), in the ninth century CE. According to the analysis of Hartwig Hirschfeld, the antiquity of Version H, which was found in the Cairo Geniza, “is so great that we may safely date it from the tenth century, if not still earlier” (174). Clearly, the document, in one form or another, dates to the early days of Islam. Consequently, one cannot speak of forgeries. At the very most, one can speak of reworking of ancient material by contraction or expansion.

If Version A of the *Covenant of the Prophet Muhammad with the Jews* is indeed genuine, it could explain the crisis that took place during the Caliphate of Abu Bakr. As is well-known, many of the tribes of Arabia revolted when Abu Bakr, as opposed to ‘Ali, was appointed as the heir of the Prophet. If the Jews, Judeo-Christians, Christo-Muslims, Judeo-Muslims, and Muslims had been informed, by the Prophet himself (in writing in the cases of the Jews) that the successor of the Prophet had to belong to the progeny of Muhammad, then it is no wonder that they revolted against the first Caliph during the so-called *riddah* wars. If the Messenger of Allah had instructed them specifically that no jizyah was to be paid to any leader who did not possess the four specified qualities, then they had every right to refuse to pay it on principle. If this was the case, then the revolts that followed the death of the Prophet were wars of integrity as opposed to wars of apostasy.

Besides the jizyah and property taxes, Version A of the *Covenant of the Prophet with the Jews* affirms that the Imam is entitled khums, namely, one-fifth of any mining activity:

“It is incumbent upon the subjects to pay the Imam property taxes, and the dues to which he is entitled, one-fifth of the mines of the land and its booties, and its resources. He will take that which is incumbent upon the Jews, the protected People, in accordance with what they have in terms of property. Those who [travel] by land or sea, own camels, boats, male slaves and female slaves—each will pay five qaflas annually, and the poor [will pay] one and a half qafla. But the poor should have food for twelve months and clothing for one year; if not, he should be exempt from payment.” (Morrow 2017c, vol. 2, p. 295)

The extent of khums mentioned above is consistent with both Zaydi and Ja‘fari jurisprudence. The same applies to the factors used to determine whether a person is poor or not. Such jurisprudential positions could have been derived in part from the *Covenants of the Prophet with the Jews*.

Not only does Version A of the *Covenant of the Prophet with the Jews* identify that the only leader authorized to receive jizyah is the righteous, divinely appointed, just, and pure Imam, it places obligations upon him; namely:

“The [Imam] will be entitled to the jizyah, only after having granted them [the Jews] protection, three days eastward, and three days westward, and three days to the north, and three days to the south. This accords with the zodiac, they [the Children of Israel] being twelve tribes. And [the Imam] should grant them the protection of God, and the protection of the Messenger and his community.” (Morrow 2017c, vol. 2, p. 295)

In other words, there are no rights without obligations. In short, no ruler has the right to collect jizyah unless he fulfils his obligation of protecting the covenanted Jewish community.
After completing the Farewell Pilgrimage on the 10th year of the hijrah, the Messenger of Allāh stopped at the Pond of Ghaḍīr Khumm on the 18th of Dhu al-Hijjah, a date that corresponds with March 10th of the year 632 CE. It was there that he received the revelation: “O Messenger! Deliver what has been sent down to you from your Lord; and if you do not do it, you have not delivered His message (at all); and Allāh will protect you from the people” (Qurʾān 5:67). There, in the presence of 120,000 Muslims, he delivered a three-hour long sermon, in which he stated:

“It seems the time has approached when I shall be called away (by Allāh) and I shall answer that call. I am leaving for you two precious things and if you adhere to them both, you will never go astray after me. They are the Book of Allāh and my Progeny, that is my Ahl al-Bayt. The two shall never separate from each other until they come to me by the Pool (of Paradise).”

Then the Messenger of Allāh continued: “Do I not have more right over the believers than what they have over themselves?” The people cried and answered: “Yes, O Messenger of Allāh.” It was then that the Messenger of Allāh held up ‘Alī’s hand and said: “For whoever I am his master [mawla], ‘Alī is also his master [mawla]. O God, love those who love him, and be hostile to those who are hostile to him.” Immediately after concluding his sermon, the following verse of the Qurʾān was revealed: “This day have I perfected your religion for you, completed My favor upon you, and have chosen for you Islām as your religion.” (Qurʾān 5:3).

Most ḥadīth or prophetic traditions are ḥad; namely, they were transmitted by a single person. Such sayings are not facts. Other traditions are mutawwīt or continuous; namely, they were transmitted by numerous authorities. Ḥadīth scholars differ as to how many narrators are needed for a tradition to be considered continuous. Some place the minimum at four, five, seven or ten. Others raise the bar to forty or even seventy.

The Ḥadīth of Ghaḍīr Khumm, however, has been transmitted by the Household of the Prophet: ‘Alī, Fāṭimah, Hasan and Husayn. It was transmitted by one hundred and ten companions of the Prophet, including ‘Umar, ‘Uthmān, ‘A’ishah, Abū Hurayrah, Abū Dharr al-Ghifārī, Salmān al-Fārūqī, Zubayr ibn al-‘Awwām, Jābir ibn ‘Abd Allāh al-Anṣārī, among many others. It was transmitted by eighty-three followers of the companions of the Prophet. It was transmitted by three hundred and sixty Sunnī scholars from the second to the fourth century after the hijrah. It was also transmitted by all the major Shī‘ī scholars, such as Kulaynī, Qummī, Mufīd, and Sharīf al-Murtaḍ. The Ḥadīth of Ghaḍīr Khumm is authentic according to Islāmic scholarly standards, and not only that: it is arguably a historical fact according to Western scholarly standards. Since it is pointless to expound upon the evident, readers are directed to al-Ghaḍīr fī al-Kitāb wa al-Sunnah, the eleven-volume encyclopedic work by ‘Allāmah ‘Aminī. If all this evidence is indeed genuine, then all that can be said is that the case is closed.

It is important to note that during the Event of Ghaḍīr Khumm, the Prophet Muhammad used the term mawla, which means “master,” “guardian,” or “one vested with guardianship or authority,” to refer to ‘Alī or, in some sources, wali, which essentially means the same thing, namely, “friend,” “guardian,” “saint” or “one vested with guardianship or authority.” The Prophet was granting wilayah or guardianship to ‘Alī, whom he described as a mawla, master, or one invested with guardianship, in the same fashion that he was granting Covenants of the Prophet in the name of the awliyya’ who would succeed him, namely, those invested with guardianship.

If we are to accept the aforementioned sources found in prophetic traditions, prophetic biographies, prophetic history, and prophetic covenants, then the evidence appears to support the claim that Muhammad ibn ‘Abd Allāh, the Messenger of Allāh, explicitly designated ‘Alī as his spiritual and political successor at the beginning of this mission, during the entire interval of his mission, and at the very end of his mission, and that he entrusted the Imāms of Aḥl al-Bayt to watch over Islām and ensure that the rights and freedoms that God and His Prophet had granted all people were respected for all times to come.
Allegations of forgery could be presented to counter such claims; however, these would be nonsensical. Opponents of the Covenants of the Prophet Muhammad with the Christians claimed that they were concocted by Christians. Opponents of the Covenants of the Prophet Muhammad with the Jews alleged that they were forged by Jews. Opponents of the Covenants of the Prophet with the Samaritans postulated that they were fabricated by the Samaritans. Opponents of the Covenants of the Prophet Muhammad with the Zoroastrians pretended that they were forged by Zoroastrians. Will the narrative now conveniently change to assert that all the Covenants of the Prophet Muhammad were falsified by Shi‘ites? Or were the Christians, Jews, Samaritans, and Zoroastrians, all the People of the Book, collaborating with Shi‘ite “heretics” in some grand conspiratorial scheme?

The Covenant of the Prophet Muhammad with the Assyrian Christians surfaced in a Christian community in upper Mesopotamia, in what is now modern-day Turkey, that was surrounded by Sunni Muslims. The Covenant of the Prophet Muhammad with the Christians of Najrān originated in the city of its namesake in which Christians, Jews, and Zoroastrians co-existed. It was found Habīb the monk in the Bayt al-Hikmah or House of Wisdom of Bīr Mantha, a suburb of Baghdād, in the ninth century and included in the Chronicle of Seert. The city in question, located in southeastern Turkey, has been traditionally surrounded by Sunni Muslims. The copy of the Covenant of the Prophet Muhammad with the Christians of the World from 1630 was reportedly found at Mount Carmel in a Sunni environment. The copy of the Covenant of the Prophet Muhammad with the Christians of the World from 1538 was taken from Egypt at a time the country was solidly Sunni.

The Covenant of the Prophet Muhammad with the Samaritans was included in the Kitāb al-Tārikh of Abū al-Faţḥ al-Sāmīrī, a fourteenth century chronicler who was apparently based in Palestine, a Sunni milieu. Version H of the Covenant of the Prophet Muhammad with the Jews does indeed come from the Cairo Geniza and could have been copied during Fāṭimid Shi‘ite times; however, it also appears as the Treaty of Maqnā, cited by Ibn Sa‘d (d. 845 CE) and Baladhurī (d. c. 892 CE), during ‘Abbāsid times. The claim that it originates in a Shi‘ite forgery, which was made by Hamīdullāh (1956) and Qureshī (1991), is therefore debunked (Morrow 2013, p. 355; Morrow 2017c, vol. 2, p. 284).

One of the most important studies on the Treaty of Maqnā to date was authored by El-Wakīl (2016, p. 80) who has forced scholars, including myself, to reconsider chronological considerations. The comparison he made of the Jewish and Muslim versions of the document “reveals the extent to which the latter has been manipulated”. While I was initially inclined to conclude that the version of the Treaty of Maqnā related by Ibn Sa‘d and Baladhurī was relatively trustworthy, and that other versions became bloated due to Jewish additions, I must bow in the face in evidence for, as El-Wakīl (2016) has painstakingly proven:

A comparison of the Covenant with the Jews of Khaybar and Maqnā and al-Baladhurī’s Compact demonstrates that there was a deliberate manipulation of early Islamic history to suit the powers that be and this despite the clear, staunch warning of the Prophet not to alter the covenants. (p. 62)

In other words, the version of the Treaty of Maqnā found in the Cairo Geniza, namely, Version H of the Covenant of the Prophet Muhammad with the Jews, which is the oldest of all according to Hartwig Hirschfeld (174), appears to be authentic while the version passed down by Muslim sources, which was based upon a second-hand fragmentary rendition, as per Baladhurī’s informant (173), seems to have been trimmed and shortened for reasons of state. However, even in its censored and truncated version, it establishes, without doubt, that the Prophet Muḥammad had reconciled with the Jews and that there are no grounds for anti-Semitism in Islām.

Although one Jewish Covenant was discovered in Egypt, the others were passed down by Jewish families and communities in the Yemen. While it is true that there were Zaydī Shi‘ites in the region, they were always a minority: currently, they represent 44% of the population. Why, then, would the Jews try to endear themselves to a persecuted Shi‘ite Muslim minority that was historically targeted by the Sunni powers of the region and the greater Muslim world? It simply makes no sense.
The Covenant of the Prophet Muhammad with the House of Salman appears in Persia—not in Safavid times, but at a time when Persia was almost exclusively Sunni. The document surfaces in the works of Sunni hadith scholars such as Abū al-Shaykh (d. 979 CE) and Abū Nu’aym (d. 1038 CE), only appearing in Shi’ite sources a century later when Ibn Shahrashub (d. 1192 CE) included a recension. This version was reproduced integrally by Majlisī (d. 1698), the Safavid Shi’ite scholar, five hundred years later in his Bihār al-anwār. If the Shi’ites forged the Covenants of the Prophet, why were they among the last to record them?

3. Conclusions

As can be appreciated from this short study, the Messenger of Allah described ‘Ali as a wali, waṣṭ, mawla, and khulafa’ in authentic hadith or prophetic traditions. When the Prophet of Islam granted Covenants of Protection to Jews, Christians, and Zoroastrians, he did so in the name of the asfiyya’ and awsiyya’, namely, in the name of the chosen ones and the righteous friends of Allah who were vested with guardianship over the community. He specifically told the Jews of Haninah that nobody would rule over them other than one of them or a member of Ahl Rasūl Allah, the Family of the Messenger of Allah. He specifically told the Yemenite Jews that nobody would rule over them other than a member of his Ahl al-Bayt. Who was the Messenger of Allah describing when he spoke of the asfiyya’, ahli, awsiyya’, mawlu, khulafā’, Ahl Rasūl Allah, and Ahl al-Bayt? Who were the chosen ones, the progeny, the executors, the masters vested with authority, the successors, the Household of the Messenger of Allah, and the People of the House other the Twelve Imāms from Ahl al-Bayt?

Although the supporting arguments may seem subtle and elusive, the Imams of Ahl al-Bayt appear to be the successors of the Prophet and the protectors of the People of the Book mentioned in the Covenants. The Covenants of the Prophet are made in the name of God’s Elect and Saints, namely, the followers of esoteric religion. They warn that any Sultāns, namely, followers of exoteric religion, will be damned if they violate them. In other words, the Muḥammadan Covenants appear to distinguish between spiritual and political authorities. Could this be an indication that these documents post-date the Sunni-Shī‘ī split? I think not. On the contrary, their lack of sectarian specificity suggests that they pre-date it. Apart from certain Jewish Covenants that have a slightly stronger Shi’ite taste, and which might provide a doctrinal and jurisprudential basis for Zaydis and Twelvers, the Shi’ism in the rest of the Muḥammadan Covenants is subtle. In fact, it reminds one of early Imāmism which was very much a synthesis of Shi’ism and Sūfism. It could also recall traditional forms of Sūfism which trace their spiritual lineages back to the Imams of Ahl al-Bayt. The Covenants of the Prophet do not contain any tell-tale traces of Christian, Jewish, Sunni, Sūf or Shi’ite forgery. They are not Fiver, Sevener or Twelver frauds. They seem to be the product of an early Muslim milieu. They contain the seeds that would sprout to form different schools of thought, jurisprudence, and spirituality. They appear to belong to the proto period, the original or primitive period of Islam.

As much as they challenge our understanding of the Prophet Muhammad and early Islam, the Covenants of the Prophet with the Christians, Jews, Samaritans, and Zoroastrians are not forgeries: if anything, extensive research suggests that they are the embodiment of integrity on paper. They demonstrate that the Muslim community deviated from the teachings of the Messenger of Allah in major ways: firstly, in the failure to follow his divinely and prophetically appointed successors, the Imāms of Ahl al-Bayt; secondly, in the failure to follow, apply, and implement the Covenants of the Prophet which were entrusted by God, the Prophet, and His Heirs; and thirdly, by failing to embrace democracy in the absence of a divinely appointed Imām.

Funding: This research received no external funding.

Conflicts of Interest: The author declares no conflict of interest.
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