

Political theory

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**The Treaty of Hudaibiyah: The First Concept of Preventive Diplomacy
leading to the Achievement of Peace**

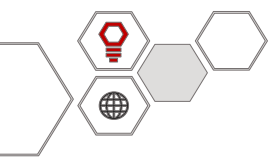
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Abstract. The Treaty of Hudaibiyah stands out as one of the most prominent of the historical junctures in Islamic history, redefining the concept of victory and establishing the principle that a calm, balanced decision can achieve what protracted battles cannot. This treaty represented a unique model of crisis management, demonstrating the capability of the leadership to transform apparent challenges into major strategic opportunities.

The Treaty of Hudaibiyah was concluded in the sixth year of the Hijra between the Muslims, and the Quraysh. This occurred after the Muslims departed Medina for Mecca to perform Umrah, with no intention of fighting or confrontation. Although the treaty appeared on the surface to be an agreement involving temporary concessions, it constituted, in essence, a profound strategic gain. The ultimate goal of the Hudaibiyah treaty or any treaty should contribute to ending bloodshed and



establishing peace. The Treaty established a new era of political and social stability, reshaping balance of power in the Arabian Peninsula.

In the history of diplomacy, the Treaty of Hudaibiyah stands out as an exceptional example of what we call today "realpolitik". It is the most vivid lesson of transforming "tactical concessions" into major "strategic victories". The Treaty teaches us that true victory often relies on strategy, resilience, and wisdom rather than brute force. The Muslims' adherence to the covenants, despite their apparent severity, paved the way for the great conquest.

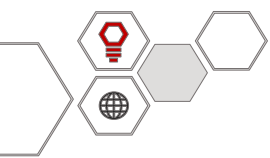
The main objective of the article is to show how the Treaty of Hudaibiyah directly aligns with the concept of Preventive Diplomacy through the following key dimensions: De-escalation of Conflict, Crisis Management and Direct Dialogue, Confidence-Building Measures and Flexibility for Strategic Gains. The novelty of the research lies in highlighting the legal aspect of the "Hudaibiyah case" as a historical fact of the successful application of the preventive diplomacy tools leading to the achievement of peace.

Keywords: treaty, treaty of Hudaibiyah, preventive diplomacy, Islamic history, international law.

Худайбійський договір: перша концепція превентивної дипломатії задля досягнення миру

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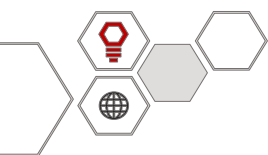


Анотація. Худайбійський договір – один із найвизначніших віхових моментів в історії ісламу, який зумовив переосмислення концепції перемоги та встановив принцип, що спокійним, збалансованим рішенням можна досягти того, чого не можна здобути тривалими битвами. Цей договір як унікальна модель кризового менеджменту продемонстрував здатність керівництва перетворювати очевидні виклики на великі стратегічні можливості.

Худайбійський договір був укладений у шостому році за хіджрою між мусульманами та курайшитами. Це сталося після того, як мусульмани вирушили з Медини до Мекки для здійснення умри, без наміру воювати чи конфронтації. Хоча на перший погляд здавалося, що договір передбачав лише тимчасові поступки, проте насправді він знаменував вагомий стратегічний здобуток. Кінцева мета Худайбійського договору, як і будь-якого іншого, – сприяти припиненню кровопролиття та встановленню миру. Цей Договір започаткував нову еру політичної та соціальної стабільності, змінивши баланс сил на Аравійському півострові.

В історії дипломатії Худайбійський договір виділяється як винятковий приклад того, що ми сьогодні називаємо «реальною політикою». Це найбільш красномовний урок того, як перетворити «тактичні поступки» на великі «стратегічні перемоги». Договір вчить нас, що справжня перемога часто залежить від стратегії, стійкості та мудрості, а не від грубої сили. Дотримання мусульманами угод, незважаючи на їхню очевидну суворість, проклало шлях до великого завоювання.

Головна мета статті – показати, як Худайбійський договір безпосередньо узгоджується з концепцією превентивної дипломатії через такі ключові виміри: деескалація конфлікту, врегулювання криз та прямий діалог, заходи зміцнення довіри та гнучкість для стратегічних здобутків. Новизна дослідження полягає у висвітленні власне правового аспекту «худайбійського



кейсу» як історичного факту успішного застосування інструментів превентивної дипломатії задля досягнення миру.

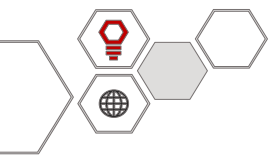
Ключові слова: договір, Худайбійський договір, превентивна дипломатія, історія ісламу, міжнародне право.

Introduction

The Treaty of Hudaibiyah was a 10-year truce signed in (628 C.E.) between the Muslims of Medina and the Opponents of early Islam in Mecca (mainly Quraysh tribe especially during Islam's formative years in Mecca), establishing peace and allowing Muslims to perform a pilgrimage to Mecca the following year.

The Quraysh's opposition stemmed primarily from economic, social, and religious conflicts with the new message of Islam:

- **Economic Threat:** The Quraysh were the powerful custodians of the Kaaba, which housed hundreds of pagan idols and was a central pilgrimage and trade site for all of Arabia. They feared that Muhammad's message of strict monotheism and abandonment of idolatry would dismantle their lucrative religious and commercial enterprises.
- **Loss of Status and Power:** The Quraysh leaders enjoyed immense respect and political power throughout the Arabian Peninsula because of their role as guardians of the sanctuary. They saw Islam as a direct challenge to their leadership and social hierarchy, which they were unwilling to abandon.
- **Bigotry:** Many Quraysh leaders considered Islam's teachings an insult to the religion and customs of their forefathers.
- **Social Equality:** The early Islamic message advocated for equality between all people, which threatened the existing, deeply entrenched, unjust social order that favored the wealthy and powerful Quraysh elite [11].



This opposition alongside with the severe persecution of early Muslims, eventually escalated into a multi-year military conflict known as the Muslim – Quraysh War, featuring major battles. The conflict culminated in the Muslim conquest of Mecca in (630 CE), after which the Quraysh were largely defeated and many eventually converted to Islam.

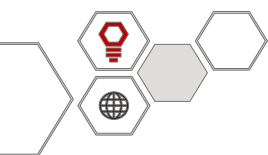
The treaty was a major diplomatic victory that recognized the growing power of Islam and ultimately led to its spread across Arabia, though some Muslims initially saw it as unfavorable due to terms like returning Meccans who defected to Medina [10].

Purpose

This article aims to analyze Muslims' main goals in the Treaty of Hudaibiyah and its impact on the relationship between Muslims and the Quraysh. The research focuses on the establishment of four points of the agreement, including a ceasefire, freedom of affiliation, rules for the return of individuals, and permission for pilgrimage the following year. The results of these negotiations caused Muslims to be disappointed.

Key terms of the treaty:

- **Peace:** A 10-year armistice was declared between the two parties to ensure peace and stability.
- **Pilgrimage:** Muslims were to return to Medina without performing the pilgrimage that year but would be permitted to return the following year for a peaceful 3-day pilgrimage. They could only carry swords in their scabbards during this time.



- Extradition: The treaty included a clause that if a person from Mecca fled to Medina, they would be returned to the Quraysh. However, the reverse was not initially stipulated for Muslims fleeing to Mecca.
- Tribal alliances: Any tribe was free to enter into an alliance with either the Quraysh or the Muslims [4].

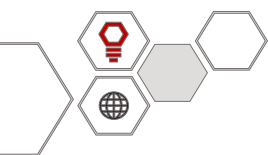
Significance and outcome of the treaty:

- Diplomatic victory: The treaty was seen by many Muslims at the time as a setback but was later recognized as a "clear victory" because it brought a period of peace and stability that allowed Islam to flourish and grow.
- Recognition of power: The act of signing a treaty with the Muslims acknowledged their growing political and military power as equals to the Quraysh of Mecca.
- Violation and consequences: The treaty was broken by the Quraysh two years later, leading to the Muslim conquest of Mecca in (630 C.E) [15].

The Treaty of Hudaibiyah serves as a historical example of preventive diplomacy because it used negotiation and strategic compromise to stop an imminent conflict and establish a period of peace, thereby preventing further escalation of hostilities between the Muslims of Medina and the Quraysh of Mecca.

Preventive diplomacy refers to diplomatic actions aimed at preventing disputes from arising between parties, preventing existing disputes from escalating into conflicts and limiting the spread of conflicts when they occur. The Treaty of Hudaibiyah aligns with this definition in several key ways:

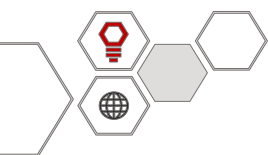
- Calming down the conflict: The Quraysh blocked the path of the Muslim delegation whose primary aim was to perform a peaceful pilgrimage, not to engage in war. Negotiations were initiated, effectively halting a potential military confrontation at Hudaibiyah.



- **Launching a Dialogue:** Both parties engaged in prolonged discussions and a diplomatic exchange of envoys, which demonstrated a commitment to resolving the issue through non-violent means.
- **Conflict Management Model:** The resulting ten-year truce created a formal framework for peace and provided a period of stability during which tensions could decrease.
- **Trust-Building Mechanisms:** The treaty's terms included compromises and concessions from both sides (such as the extradition clause and the agreement to postpone the pilgrimage by one year) which were essential for building a minimal level of trust and allowing both communities to interact and understand each other in a peaceful atmosphere, though initially perceived as unfavorable by some Muslims.
- **Long-term Stability:** The peace allowed the early Muslim community to consolidate its strength, expand its alliances with other tribes, and freely propagate Islam without the immediate threat of war from the Quraysh. This ultimately led to a peaceful resolution of the wider conflict and the eventual, largely non-violent, conquest of Mecca two years later when the treaty was breached by the Quraysh's allies [7; 9; 12].

Key Aspects of Preventive Diplomacy in the Treaty

- **Defusing Tension of Immediate Conflict:** The Muslims were on a journey to perform the pilgrimage (*Umrah*) in Mecca, which the Quraysh leaders blocked, creating a high-tension situation that could have easily led to war. Instead of engaging in immediate battle, both sides entered into negotiations to find a peaceful resolution at Hudaibiyah.
- **Negotiation and Concessions:** The Muslims accepted terms that were initially perceived by some of his followers as unfavorable, such as the condition



that Muslims would return to Medina without performing the pilgrimage that year and that any Meccan who fled to Medina would be returned (while the reverse was not true). Thanks to these strategic concessions, a non-violent outcome and formal dialogue were prioritized over immediate demands.

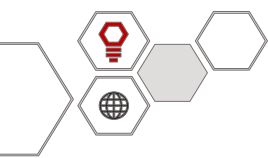
- **Cessation of Hostilities:** This ten-year armistice provided a peaceful environment for communication and interaction between the two groups, which was a primary goal of preventive diplomacy.
- **Mutual Recognition and Dialogue:** The recognition of Muslim community in Medina as a legitimate political entity by the Quraysh through signing the treaty, opened channels for direct communication, moving beyond a state of constant hostility, and was a crucial step for future diplomatic relations.
- **lasting stability:** The treaty succeeded as a form of preventive diplomacy, as it prevented further large-scale conflict and facilitated a sustainable resolution. The ensuing period of peace allowed Islam to spread rapidly through peaceful interaction and dialogue, rather than conflict [6; 13].

Implication

The Treaty of Hudaibiyah played a significant role in the liberation of the city of Mecca. With the treaty broken and invalidated, the Muslims then gathered a large force which managed to free Mecca from the control of the Quraysh [8].

Key Legal Aspects of the Treaty

The Treaty of Hudaibiyah represents a foundational political and legal document in Islamic history. The Treaty established mutual international recognition between the State of Medina and the Quraysh. It also laid down principles of public international law, such as international treaties, freedom of alliance, neutrality in conflicts, and rules governing the asylum of individuals (political asylum).



The legal dimensions of the treaty can be detailed into the following aspects:

1. Recognition of Sovereignty and Legal Independence

- Recognition of the Islamic State: The Quraysh, by signing a formal treaty,

legally recognized the Islamic State in Medina as a sovereign entity, breaking its political isolation.

- Status of the Negotiator: Concluding the Treaty in the presence of witnesses from both sides and employing a fully authorized plenipotentiary negotiator for Quraysh, reflects an early application of diplomatic treaty-making rules.

2. Provisions of the Armistice and Cessation of Hostilities

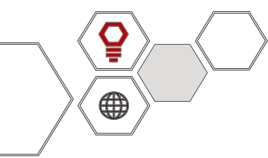
- Commitment to Stop War: The agreement to cease warfare for ten years (a binding truce) is legally classified as an international ‘non-aggression pact’.

- Guarantees of Security and Freedoms: The treaty guaranteed the freedom of movement for pilgrims and traders. Both parties secured the lives and property of the other side's subjects while passing through or residing in their territories.

3. Freedom of International Alliance

- The Alliance System: The treaty explicitly permitted external tribes the freedom to join either camp.

- Legal Liability of Alliances: This clause made any aggression by one party against the ally of the other a direct breach of the treaty. This is exactly what happened when Quraysh aided Banu Bakr against Khuza'ah, legally rendering the truce void and absolving the Muslims of their treaty obligations.

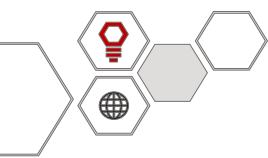


4. Rules of Extradition of Individuals

- The Treaty included a controversial clause ,according to which Muslims fleeing from Mecca to Medina must be extradited, while defectors fleeing from Medina to Mecca would not be returned.
- Although initially perceived as unfair by some Muslims, this clause established a precedent in reciprocity [3; 5].

Key Lessons from the Treaty of Al-Hudaibiyah

- Long-term Strategy: The Muslims accepted seemingly unfair conditions—such as turning away from the pilgrimage and agreeing to difficult extradition terms—to avoid bloodshed and secure a 10-year truce, which allowed for the spread of Islam.
- Diplomacy Over Conflict: The treaty proved that strategic negotiations can achieve better outcomes than immediate physical confrontation.
- The treaty created a peaceful environment that allowed for the growth of the Muslim community, directly leading to the conquest of Mecca.
- The Muslims adhered to the agreements, even when they seemed disadvantageous, setting a high standard for diplomatic integrity and keeping one's word.
- The pause in fighting enabled peaceful interactions between Muslims and non-Muslims, allowing for dialogue, trade, and exchange, which resulted in more people embracing Islam than in all previous years.
- The treaty enabled Muslims to build alliances with other tribes, broadening their political influence in the region [1; 2; 14].



Conclusion

The Treaty of Hudaibiyah, in essence, demonstrates the use of patience, negotiation, and strategic diplomacy to prevent potentially devastating conflicts and promote the conditions necessary for lasting peace.

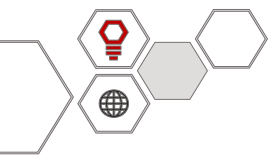
The treaty was a pivotal and legally binding political and diplomatic agreement that formally recognized Muslims as an independent and equal state, and a turning point that redirected the course of Islamic history.

The treaty is considered one of the greatest historical models of preventive diplomacy and conflict management. The peace agreement was initially scheduled to last for ten years, with the aim of stopping the bloodshed and ensuring stability, but it actually lasted for about two years before the Quraysh violated it.

The treaty used strategic negotiations and concessions to calm tensions and prevent imminent conflict, thus establishing a ten-year truce that ultimately led to long-term peace. By prioritizing negotiation and peace over immediate military engagement, the Treaty of Hudaibiyah succeeded in preventing a major war and paved the way for long-term reconciliation and stability in the Arabian Peninsula.

The Treaty is often analyzed as a key lesson in diplomacy, demonstrating that patience, dialogue, and strategic compromise can be more effective than immediate military engagement in achieving long-term political and social goals. This shows how preventive diplomacy can calm tensions, build trust, and lay the foundation for a broader and lasting peace. Experience has shown that true strength does not always lie in military confrontation, but rather in rational decision-making, strategic patience, and the ability to see beyond the moment.

The Treaty is often regarded as a landmark in the practice of international agreements, as it marked the formal recognition of the Muslim community's political standing vis-à-vis Quraysh, demonstrating his consistent commitment to peace accords. Modern scholars have further emphasized Hudaibiyah as a proto-



model of international treaty law, containing essential elements of modern international law, particularly in its stipulations on ceasefire and de facto recognition. This historical continuity demonstrates that commitment to treaties is a universal norm bridging Islamic jurisprudence with contemporary international law.

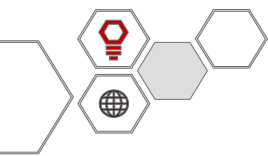
The most important practical and political recommendations drawn from this historic event are highlighted in the following points:

- Establishing a culture of truce and peace.
- Negotiation flexibility.
- Using soft power to spread Islam.
- Strategic planning.
- Respect for covenants and agreements.
- Crisis management and emotion control.

The Treaty proved that peace can be a more powerful offensive tool than war. It provided a safe environment for the growth of the state and the expansion of its geopolitical influence.

It also reminds us that diplomacy and negotiations require time and patience. Reaching an agreement, especially when major differences exist between the parties involved, is not always easy.

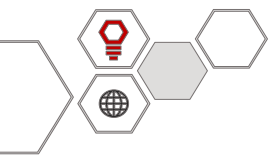
Finally, the Treaty is a prime historical example of preventive diplomacy, effectively halting conflict and then achieving peace through strategic foresight and peaceful negotiation. It is also considered an early pioneering model for international treaties, establishing advanced legal and diplomatic rules, such as diplomatic representation, peaceful negotiation, and treaty compliance, even though modern international law formally developed later.



This research, devoted to the Treaty of Hudaibiyah could be utilized in the researches concerning "preventive diplomacy," and its legal tools, as it represents an inspiring historical model for crisis management and conflict avoidance.

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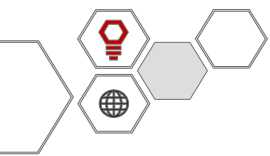
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