

The Political Role of Muslim Women in Shari`ah: An Analysis

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Abstract

The Muslim scholars are in general agreement that women are not entitled to hold the topmost public office of a nation. Is that due to certain provisions in the Qur'an and Prophetic traditions (Hadith) or is it due largely to socio-cultural and economic settings of a country? The Qur'an urges women not to make dazzling display publicly as practiced during Jahiliyyah (al Qur'an, 33: 33). It also asserts that men are the protectors and maintainers of women (al Qur'an, 4: 34). The Prophetic tradition commonly cited in this regard is the saying attributed to him which proclaims: "No nation will ever prosper if a woman is assigned to its highest public office" (Bukhari, no. 4073, 6570). On the other hand, the Qur'an acclaims the Queen of Sheba for her just rule. Hence, some prominent scholars such as Imam Abu Hanifah, Tabari and Ibn Hazm support that women could hold the topmost judicial position. Ibn Hazm also asserts that in principle, it is conceivable that women can carry out the mission of Prophethood, and if they could be Prophets, they would also be leaders, for the Prophets are leaders. The present research is carried out to deal with this issue. It would primarily depend on the Qur'anic ayat, Prophetic traditions, heritage of Islamic Caliphs and the verdicts of Muslim jurists. The research will critically evaluate the validity of the quoted Hadith, and examine the circumstances surrounding the said Hadith to know its real perspective. It will make a comparative analysis between the classical and the contemporary scholars to see how the changing realities affected their stand on this crucial issue and what should be the objective standpoint on the political role of Muslim women.

Keywords: Muslim Women, Political Role, Traditional Texts & Realities

Introduction

The political status of Muslim women is debated by Muslims and non-Muslims alike. Non-Muslim writers assert that Islam, not only deprived women from political rights, but they have also been neglected in Islam socially, economically and culturally. Traditional Muslim writers assert that Islam raised the status of women in all aspects; but their focus is only limited to social status of women. They do not accept that a woman could hold the leadership role or the topmost public office of a nation, as it was extremely discouraged in a famous *Hadith* of the Prophet, "No nation will ever prosper if it assigns women to its highest public office".¹ They also express reservations in women running independent business activities. On the other hand, the feminist Muslim writers, supported women vehemently and urged them to enjoy full rights like men. In this respect, they also urged women to disregard Islamic ruling of *Hijab*², let alone *Niqab*³, and claimed that Islamic ruling of distinction in inheritance among male and female was a transitory affair.

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An analytical reading of this widely discussed topic indicates to a common phenomenon that the western discourse on this issue normally makes generalizations based on cases from Middle Eastern Arab nations, with population less than 30 million and whose sum total populations are less than one Muslim majority country like Turkey. The majority of Muslims today live in Asia such as Indonesia, Pakistan, Bangladesh, India, Turkey and some other south-Asian countries. So, in studying issues of similar nature, one must make a clear distinction between cultural and religious behaviors and principles, and emphasize on correct methodology of reading the Islamic texts, e.g. *Qur'anic* verses, prophetic traditions and the views of the classical and contemporary jurists.

Historically, women were normally confined to their homes except in some rare matriarchal social systems, scattered throughout the world. Regarding the political role of women, Aristotle (384 BC-322 BC) said: "Men are more compatible for leadership than women, so the control of men over women is a natural matter".⁴ The statement of Democritus (460 BC-370 BC) is even a clearer expression of discriminative perception about women where he said: "We use the prostitutes for comfort and the wives so that they produce legal inheritors for us".⁵

In this paper, the main focus will be on the political rights of women, if the women were allowed to run election for public representatives or the premiership of a state. The study will depend on the texts from the Qur'an, the sayings of the Prophet and the juristic opinions of classical and modern jurists in the light of current realities and changes in the world.

Women's Political Role in the Qur'an

In the Qur'an, Allah (SWT) made no distinction between men and women in general activities. Women were regarded to be parts of men and asked to participate in all important matters alongside their male counterparts. Allah (SWT) has confirmed that all virtuous deeds from men and women would be accepted and that Allah (SWT) will grant them a good life and noble reward (al Qur'an, 16: 97, al Qur'an, 3: 195). Not only that, Muslim sisters are charged to carry out the mission of *Amr bi'l Ma'ruf and Nahy 'ani'l Munkar* [=enjoin for virtue and forbid from vice] alongside their Muslim brothers. They would be granted the Mercy and Forgiveness of Allah (SWT) as a reward (al Qur'an, 9: 67, 71). This noble mission by sisters is especially important; because, in absence of their active roles, un-Islamic forces will drive Muslim sisters out of Islam.

Rashid Rida, a prominent Islamic thinker, mentioned that the *ayah* made it obligatory on both the men and women to command for virtues, and prohibit from vices. It could be done through verbal words or in written forms. It also includes criticism of the un-Islamic acts of the rulers and the Kings. The women in the time of the Prophet knew this, and participated in this actively.⁶

The Qur'an also quotes the examples of two *Kafir* ladies who had lived as wives of the prominent Messengers of Allah, Noah and Lut, (may Allah's peace be upon them), but did not accept the message of Allah. On the other hand, the Qur'an also acclaims a Muslim lady,

wife of Pharaoh, who not only believed in Allah (SWT) and Prophet Moses, but also confirmed her place in Jannah besides Allah (al Qur'an, 66: 10-12).

Bay`ah of Women

The Qur'an asked the Prophet (SAAS) to take the oath of allegiance from both men and women. They made *bay`ah* to the leader of the state for allegiance. Also Allah asked the Prophet (SAAS) not to return the Muslim immigrant women who ran away from persecution of the *Mushriks* and took refuge in Islamic state; the Prophet was not allowed to return them to the *Mushriks*.

O ye who believe! When there come to you believing women refugees, examine (and test) them: Allah knows best as to their Faith: if ye ascertain that they are Believers, then send them not back to the Unbelievers (al Qur'an, 60: 10).

Queen of Sheba

The Qur'an acclaims the story of an important lady who ruled her nation with justice, fairness, *Shura* and mutual dealings and reached decisions through consensus. She was the Queen of Sheba. Allah (SWT) records her story in al-Qur'an and says:

She said: "Ye chiefs! advise me in my affair: no affair have I decided except in your presence" (al Qur'an, 27: 32).

Her just rule was praised in the Qur'an and her sound decision led her nation ultimately to accept the Divine religion through the Prophet Sulayman (SAAS).

Men as the Protectors of Women

It was claimed by many scholars that the Qur'an made the men protectors of women and her guardians. So, she is not qualified to rule over men.

Allah (SWT) says in the Qur'an:

Men are the protectors and maintainers of women, because Allah has given the one more (strength) than the other, and because they support them from their means (al Qur'an, 4: 34).

And women shall have rights similar to the rights against them, according to what is equitable; but men have a degree (of advantage) over them. And Allah is Exalted in Power, Wise (al Qur'an, 2: 228).

These *ayat* refer specifically to the family matters that he is given the authoritative role. One of them should hold the authoritative role based on *Shurah* and consensus, and not based on dictatorial rule. The Prophet asked men to consult their wives regarding their daughters. This role of 'guardianship' in the family was due to his role and the responsibility of expenses for the family. Wife could be the Dean, director or even the supreme executive of a particular office, and the husband might be a simple officer in the same office. He has to obey her commands in the office, but at home, he is superior and she has to follow his decisions reached through consultation.

Women's Leadership Role in the Sunnah of Prophet

In the *Hadith* of the Prophet (SAAS), the women were not isolated from the political activities of the state. They remained actively involved in the political affairs of the Islamic state of Madinah. They joined in the missionary activities of Islam, migrated to Abyssinia and later to Madinah to preserve their Islamic identity. At times, their husbands turned apostates, but they remained firm and steadfast in Islam. They suffered from persecutions, tortures and even got killed, but not ready to sacrifice the religion of Allah (SWT).

They played active roles as advisers to their spouse, participated in the battles to take care of the injured, provide first Aid services to the warriors.

Umm Haram bint Malhan was reported to have said when the Prophet Muhammad (SAAS) prophesied about his Ummah crossing the sea to carry the banner of Islam to the other parts of the world, she appealed to the Prophet so that Allah (SWT) make her one of them. The Prophet prayed. It is historically proven that she joined the Muslim warriors crossing the sea during the time of Caliph Mu'awiah (RAA).⁷

Rubay' bint Mu'awidh says: "We participated in the battles with the Prophet (SAAS). We provided the warriors with the water and necessary medications. We also helped in carrying the dead and the injured to Madinah."⁸

Umm Sulaym bint Malhan was reported to have guarded the Prophet (SAAS) during the battle of Hunayn with a dagger. She said, "If any *Mushrik* comes closer, I would slit his belly using this dagger."⁹

Umm Sulaym, accepted Islam before Abu Talhah, her husband. When the latter proposed to marry her, she said, I may only marry you if you accept Islam. If you do so, that would be my dowry. She married on the dowry of Islam.¹⁰

Umm Salamah Advises the Prophet

During the Hudaibiyah treaty (6 AH), after the apparent unfavorable treaty with the *Mushrikin*, the companions were extremely upset and 'Umar (RAA) expressed his anger to the Prophet (SAAS), for which he later repented. Muslims became unhappy due to its humiliating terms and conditions. Upon confirmation of the treaty, the Prophet (SAAS) asked them to rise, slaughter their cattles and shave their heads. They did not move even the Prophet repeatedly asked them thrice to do so. He came to Umm Salamah and expressed his disappointment over the incident. She advised him like an experienced and wise advisor. Upset with the incident, the Prophet did exactly the same as advised by Umm Salamah (RAA). Accordingly, he went out to slaughter his own camel, shaved his head without uttering a single word to any. Seeing that, the companions quickly rose, and did the same as done by the Prophet (SAAS). They were extremely upset for not obeying the commands of the Prophet so much so that they were even cutting the heads of each other. It shows that she acted wonderfully as an intelligent advisor to the Prophet.¹¹

Umm Haniy's Political Asylum

On the day of Victory of Makkah (8 AH), while the Prophet was taking bath, Umm Haniy bint Abi Talib came to meet him. She complained about 'Ali bin Abi Talib that he wanted to kill a person whom she granted asylum, son of Hubayrah. The Prophet said, "We uphold the refuge of Umm Haniy".¹² This shows that the Muslim ladies enjoyed full political rights to the extent of giving refuge and asylum to the non-Muslims.

Zaynab bint al-Muhajir's Concerns about the Fate of Muslims

Caliph Abu Bakr met Zaynab, who vowed to observe the fast of speech, and decided not to talk to anyone. Caliph Abu Bakr asked her to speak, as it was a *Jahily* practice. She then asked the Caliph:

"How long could we live in this virtuous religion that Allah has gifted us after Jahiliyyah? He said: "You will continue to be in this righteous religion so long as your leaders remain virtuous."¹³

'Ayishah (RAA) Leads the Battle of Camel

Ummul Mu'minin 'Ayishah (RAA), the wife of the Prophet, together with Talhah and Zubayr (RAA) led the Muslim army in the battle of Jamal (Camel) demanding the Qisas [retribution] of the killing of 'Usman (RAA). Putting aside the debate, whether she was right in this particular incident, it undoubtedly establishes the fact that women could also participate in the political affairs of an Islamic state, and even could lead them.¹⁴

Asma' bint Abi Bakr Voiced Her Words Fearlessly against Hajjaj

After the murder of 'Abdullah bin Zubayr, the tyrant governor Hajjaj bin Yousuf wanted Asma' bint Abi Bakr, mother of Abdullah, to meet him. She refused. Hajjaj threatened that if she persists, he would drag her. She said, I shall not go and meet him even if he drags me. Hajjaj himself came and met her. She told him without any fear: "Listen, the Prophet (SAAS) told us that in Thaqif tribe, there would be a liar and also a destroyer. We have already seen the liar (referring to Mukhtar bin Abi 'Ubayd Thaqafi, who claimed to have received revelation from Jibril), and I believe the destroyer is none but yourself."¹⁵ Hajjaj, without saying a single word, rose and left.

These are some incidents which clearly mark that the women in the time of the Prophet (SAAS) were not detached from the political affairs; they were perfectly involved in almost every matter.

Lack of Intelligence in Women!

In this regard, a famous *Hadith* is quoted to discredit women from leadership role. The Prophet (SAAS) was reported to have visited the women after Eid prayer and encouraged them to donate in charity. Because, the Prophet adds, the majority of the dwellers of Fire consists of women. It was due to their frequent curse, and showing no gratefulness to their

spouses. “Yet” the Prophet asserts, “I have not seen anyone more deficient in intellect and religion than you, but are able to captivate the hearts and minds of highly sensible men”.¹⁶

Qaradawi believes that this *Hadith* was said in a light moment by the Prophet (SAAS) during Eid prayer. So, it should not be read literally. The Prophet encouraged them to donate in charity, and also indicated that they could easily captivate the hearts of men and overcome the rational mind of men by their emotions and sensitivities.

Eventhough the Prophet said the *Hadith* in a light moment, he did not say something which is contrary to truth. The statement has reality that women could not perform prayers and fasts during certain duration of every month. And that her testimony in court (in financial matters) is regarded half the men.

This *Hadith* should not be used to discredit women from political role. It is a transitory affair in women.

Abu Bakrah’s Famous Hadith

The only *Hadith* of Prophet where he is reported to have condemned the leadership of women is narrated by Abu Bakrah, which reads as follows:

Related Abu Bakrah: “A word that I heard from the Prophet Muhammad (SAAS) helped me on the day of Battle of Camel¹⁷, and I was about to join the battle. The Prophet Muhammad (SAAS) said when he came to know that the Persians crowned the daughter of Kisra (Persian monarch) on the throne: A nation can never prosper if it assigns women to the highest political post.”¹⁸

The *Hadith* has other chains of narrators, all of which meet on Abu Bakrah.¹⁹ It is narrated in the same wording. But Imam Ahmad narrated differently than what is narrated in *Sahih Bukhari* and other *Sunan* Books of *Hadith*.

Imam Hakim authenticated this *Hadith* and Dhahabi also confirmed it. Imam Tirmidhi says: This is a *Hassan* and *Sahih Hadith* (sound and authentic). As the *Hadith* is reported in *Sahih Bukhari*, it guarantees protection from *sanad* deficiencies and criticisms. Though some of the narrators of the *Hadith* are questioned and debated, it does not affect the authenticity of *Hadith* as a whole.

The background of the *Hadith* is that the Prophet (SAAS) was informed about a political turmoil and unrest in Persia, when its King was assassinated by his own son, and the son was also killed by a plot of his father planned before the latter’s death. The son was able to hold the reign of power for only six months, after which he was killed by the pre-arranged plot of his father. The collaterals of the King did not want to be ruled by others than the royal family. Therefore, Buran, the daughter of the King Shirwayh bin Kisra bin Parvez, became the Queen of Persia.²⁰

Hakim provides a strange report about the King of Persia and his daughter, as he mentions that it relates to the King Zi Yazan, and about a lady who ruled the kingdom after him.²¹ Qurtubi furnishes even more strange report than this. He narrates: “Abu Bakrah says: Bilqis

was mentioned before the Prophet (SAAS), upon which the Prophet said: No nation would prosper if it places woman in the highest public office.²² Qurtubi, however, was silent about its origin and source.

Critical Analysis of the Hadith

The majority scholars of the past and the present rejected women's rule for a nation based on this *Hadith*. They took it in the literal meaning of legal prohibition for a woman to assume the rule of authority. Though the *Hadith* does not literally prohibit assigning women to the rule of authority; the opponents took it in a strict rule of prohibition. As the *Hadith* literally declares destruction of a nation that assigns women to the leadership position.

There is another dimension in the criticism of the *Hadith* based on its *sanad*, i.e. chain of narrators, and not based on its text or relating it to special incident. Fatimah al-Mar'isi, in her book, *Al-Hareem al-Siyasi* (Political Woman), debated extensively on the personality and reliability of Abu Bakrah, to whom all reports on the matter evolve.²³ She claims that Abu Bakrah was punished for 'false' testimony by 'Umar bin Al-Khattab (RAA), and hence his testimony is rejected. His reports therefore could not be considered. The '*fisq*' or straying from the right path, could be tolerated while learning *Hadith* (*tahammul*), but not while delivering it to others (*Al-Ada'*). Abu Bakrah (RAA) learnt this *Hadith* in pure *Iman* as a companion of the Prophet, but while delivering it to others, he lost his trustworthiness. He was involved in a testimony against Mughirah bin Shu'bah (RAA) which could not be established until today. He and two others testified against him, but the fourth withdrew from his testimony as the matter was not evident to him. Sayyiduna 'Umar (RAA) rejected all their testimonies and punished the three for such testimonies. As it was mentioned in *Surah al-Nur* of Al-Qur'an that whoever brings a charge against a person, and does not produce four witnesses, they should be flogged with 80 stripes, and their testimonies would be rejected in future (al Qur'an, 24: 4). They are strayed but if one repents. Abu Bakrah did not repent and he was insistent that he was right in his testimony....

This issue has other dimensions and the statements of the scholars are diverse on this. The books on legal ruling provided details for it. The most important matter here is that Abu Bakrah was punished by the command of the just caliph 'Umar bin al-Khattab (RAA). It made him lose credibility in testimony, and narrating *Hadith* is like giving testimony. If someone's testimony is not accepted, his reported *Hadith* would also be rejected.

The *Hadith* and *Fiqh* scholars did not raise questions about the reliability of Abu Bakrah (RAA), as all companions are just and trustworthy beyond any reasonable doubt. This incident did not affect his *Iman* and trustworthiness; hence it did not tarnish his image as an acceptable narrator of *Hadith* of the Prophet.

Theological Debate on Women's Leadership Role

The scholars debated over this issue extensively. They debated if she has any political rights such as voting rights, or getting elected as leaders, such as members of the parliament or a minister. Their debate also continued if she could be elected as the premier of a particular state.

The scholars are in general agreement that the women should or could exercise their political rights by electing their leaders and representatives, though some traditional scholars did not like that the women should come out of their homes to exercise this right.

Mustafa Siba'i mentions that women as citizen of a nation should exercise this right in electing their representatives to voice their concerns. Since there is no prohibition in *Shari`ah* about it, the right should be recognized and implemented.²⁴

Women as Representatives

Since the women could exercise their rights in selecting their representatives, they should have full rights in getting elected as well. On the basis of *Shari`ah* principle, *Al-Aslu fi al-Ashya' al-Ibahah*, (the basis in everything is validity), Dr. Siba'i asserts that the women's participation in running for elections is perfectly valid. There is no text in the Qur'an that prevents women from exercising this right. Rather they were regarded in the Qur'an and Sunnah as the counterparts for males.²⁵ The Prophet (SAAS) clearly states, *Al-Nisa' Shaqa'iq al-Rijal*²⁶, [women are men's counterparts].

This could be derived that the women should exercise the same rights as men based on her credibility, and not based on gender.

Dr. Siba'i believes that though there is no text preventing women from running for elections, the women stay out of it due to *maslahah* or public interest.²⁷ According to Qaradawi, it is against public interest that the women should stay away from running the election. Rather she should run the election side by side with secular women who run for elections and get elected at times. Dr. Qaradawi admires the step of Ikhwan al-Muslimun in Egypt in selecting some women members to run for the election. Specifically he mentions Sr. Jeehan, who ran the election from Alexandria of Egypt.²⁸

The opponents raise the issue of Ummuhat al-Mu'mineen or Prophet's virtuous wives where they demanded extra expenses from the Prophet (SAAS) which led to the seclusion of the Prophet for a complete month. Qaradawi argues that this should not be treated as a negative permanent character in women. As the men also committed some things that Allah did not like and hence they were criticized in the Qur'an. Their engagement in business transactions leaving aside Jumu'ah prayer was condemned. Likewise, their desire to gather wealth on the battle of Uhud was also highly rebuked in the Qur'an.

For example, In Surah Jumu'ah, Allah (SWT) says:

But when they see some bargain or some amusement, they disperse headlong to it, and leave thee standing (al Qur'an, 62: 11)

In surah Aal i 'Imran:

Allah did indeed fulfil His promise to you when ye with His permission Were about to annihilate your enemy, -until ye flinched and fell to disputing about the order, and disobeyed it after He brought you in sight (of the booty) which ye covet. Among you are some that hanker after this world and some that desire the Hereafter (al Qur'an, 3: 152).

As these incidents did not discredit men from political leadership role, the women also should not be barred from political participation.²⁹

Sadd adh-Dhara'i': ()

Some people raise that the women should be barred due to '*Sadd adh-Dhara'i'*' or preventive measures. But it will lead to *Sadd ash-Shara'i'* or preventing *Shari`ah* itself. If you exceed the limit in '*Sadd adh-dhara'i'*', it will lead to extremism in '*Fath adh-Dhara'i'*' or opening the means to evil acts.

Should one avoid cultivating the grapes, lest it may result in producing wine? Should one stop studying Chemistry, because it may teach him how to produce wine, and may get engaged in this? Should one not live in a neighborhood assuming that the neighbors may have daughters and his sons will or may get corrupted.

Imam Abu Hanifah allowed women to be Judges and *Muftis* to issue legal verdicts except in financial and criminal matters. Tabari, Ibn Hazm also said that they could be judges in all issues. Ibn Hazm, though known strictly to follow the texts literally from the Qur'an and Sunnah, reported to have said that 'there is no traditional text in the Qur'an and Sunnah that prohibit women from being Prophets. Had there been any text, Ibn Hazm should be the first one to accept and defend. So, if they were allowed in principle, to be the prophets, they could also be the leaders.³⁰

Women as the Top Premier of State

Generally, all Muslim scholars agree that women are exempted from this tough responsibility. It is primarily assigned to men. The nature of job, and its quality need men to hold the premiership of state. It needs Jihad and Ijtihad, which is qualified for a man. It is also required of a Caliph that he should lead them in prayer. And it is unanimous among scholars that women could not lead men in prayers. They could only lead women in prayers. 'Ayishah and Umm Salamah (RAA) led women in prayers, and they stood in the middle of the line, and not in the front.

Al-Mawardi identifies seven necessary qualifications for leadership that include, particularly the ability to do *Jihad* and *Ijtihad*.³¹ Ibn Khaldun also refers to five important qualities for *Imamah* where specifically he refers to lead the congregational prayers.³² This also shows that he believes that the post of *Imamah* is reserved for male.

Turabi asserts that women can hold any high position in state including Ministers, but not the premiership of a state.³³

The following is the list of scholars who prohibit women's leadership though some of them allowed her to assume the role of chief justice as held by Abu Hanifah and Tabari.

1. Abu Hanifah (d. 150 H) allowed her to be chief justice, but not the premier of state.³⁴
2. Malik bin Anas (d. 179 H) also allowed her to hold the position of justice in one report.³⁵

3. Ibn Hazm Zahiri (d. 456 H) says that the women in general cannot assume the post of a ruler except the ladies of the Quraysh. He also viewed that she could hold the post of justice.³⁶
4. Imam Ghazali (d. 505 H) did not allow woman to hold the post of *Khilafah* though she may be more qualified than man. Like Imam Shafi'i, he did not allow her to hold the post of justice.³⁷
5. Ibn al-'Arabi al-Maliki (d. 543 H) did not only prohibit woman to hold the topmost public office of a state, he also condemned the authenticity of the reports that are attributed to Abu Hanifah and Tabari that they allowed woman the post of chief justice. To him, these are the fabrications of innovators in *Hadith*.³⁸
6. Kasani (d. 578 H) allowed her to issue verdict of justice excepting *Hudud* and *Qisas*. For, her witness is invalid there.³⁹
7. Qurtubi (d. 671 H) followed the opinion of his mentor Ibn al-'Arabi.⁴⁰
8. Ibn Kathir (d. 747 H) presented from historical perspective that the women are not qualified to run the state affairs. He also added that she should be barred from holding posts in the court of justice.⁴¹
9. Shawkani (d. 1250 H) says that it is not valid for a nation to charge her with the state premiership. For, he says, it is compulsory to avoid things that carry failure and collapse of a nation.⁴²
10. Abul A'la Mawdudi (d. 1979 AC) declared manhood as a precondition for rulers based on *Hadith*. He views that the women's engagement in the political world is a destruction for the family institution. Family is the natural domain for woman's activities. Likewise, the politics, state affairs and military services etc. are exclusively meant for men.⁴³
11. Sayyid Muhammad Rashid Rida (d. 1935 AC) excluded the premiership from the political posts that the women could hold.⁴⁴
12. Imam al-Baqillani opposed women's supreme leadership in his book 'al-Tamhid' by saying that, this is one of attributes of the *Imam* to be experienced about war strategy, management of the army and the administration, protecting the oppressed and who will not be soft and emotional in practicing the *Hudud* punishments.⁴⁵
13. Mustafa Siba'i believes that the *Hadith* is clear in prohibiting women from the post of premiership; and the same ruling should be applied for similar political posts of extreme significance.⁴⁶
14. Muhammad Hussain Fadlallah, a Shi'i scholar interprets the *Hadith* of Abu Bakrah that it is related to the dictatorial regime of Persia. The rulership just required general competence, whereas today it requires government machinery, experts and consultative council and so on. He concludes that the woman should not hold the post of top leadership; but she could participate in other activities besides man provided that she is well-equipped to protect her from emotional and sentimental attachments.⁴⁷

Many other scholars also prohibited women from assuming leadership role based on this *Hadith*. Among those scholars are, Al-Qaradawi⁴⁸, Abu Shiqqah⁴⁹, Bahansawi⁵⁰, Abdul Karim Zaydan⁵¹ and others. They repeated the same arguments presented by the scholars mentioned above.

There are other scholars who permitted women to be the top leaders. It might be *Imam* Tabari (d. 310 H) alone who allowed women to assume the post of rulers and also judges among the earlier scholars. There are some modern scholars who also upheld the same view like al-Tabari, such as the following:

1. Muhammad al-Ghazali believes that the *Hadith* refers to a particular incident in a particular country. It is wrong to generalize it on all Muslim women let alone the women of the world.⁵²
2. Hibah Ra'uf 'Izzat also reiterates the same reason that the *Hadith* is exclusively meant for Persian nation. It is a glad tiding for the victory of Muslims.⁵³
3. Al-Khamlishiy claims that there exists no religious text in Islamic *Shari`ah* that prevents women from holding topmost political posts.⁵⁴

This could be noticed here that all these scholars generally related the Hadith of Abu Bakrah with a political event occurred in Persia and they rejected to generalize it for today's events. There are other contemporary scholars who ignored the *Hadith* totally and did not deal with it while discussing the issue of women's leadership role.

Some other scholars argued based on the analysis of Al-Mawardi in his book '*Al-Ahkam al-Sultaniyyah*' that they could be the supreme leaders as al-Mawardi did not mention being masculine as one of the seven conditions of being Caliph⁵⁵.

A deeper analysis shows that there is no *Shari`ah* prohibition to this effect. Rather Qur'an's acclaimed mention of the Queen of Sheba shows that woman has the right to contest for election. It is her ability and quality that matters, not the gender of a particular candidate.

It has been observed that sometimes women are more qualitative than men. Their quality should be taken into consideration, and not the gender. Islam is not gender biased.

The *Hadith* of Abu Bakrah refers to a particular incident of Persia that the Prophet prophesied about the destruction of that particular nation. This proves his accuracy of prophecy and that he was divinely inspired. The daughter of Kisra or the Persian monarch was not qualified to run that powerful state. So it collapsed ultimately.

Conclusions

The Qur'an honored Human kind as a single unity, and makes no distinction due to blood, color, race or gender. All human being is equal in the eyes of Allah. This is established in the Qur'an and also in the statements of the Prophet (SAAS).

The Qur'anic command of *Shura* includes both men and women. Women actively participate in commanding for virtues and prohibiting from vices. The Prophet Muhammad, peace be

upon him, consulted his wives in making important political decisions. He also upheld the political rights of women by confirming the protection granted by Umm Hani (RAA) during the Victory of Makkah. Some of the female companions also got actively involved in sociopolitical issues. Some of them actively involved in battles.

Women are parts of human society. As Islam grants equal rights to them, the political rights should also be granted equally. They have full rights to compete with their male counterparts and get elected with their own abilities. It is not the gender to rule for leadership, but the qualities and gifted attributes should prevail in selecting leaders.

It should not be useful to propagate that Islam grants men and women full equal rights while even not allowing women to vote and participate in the election process. Some Gulf States do not allow their women to participate in the election process. Majority of these states are run by dictatorial regimes, which is abhorred in Islam.

The *Hadith* of the Prophet “No nation should prosper if it assigns women to its highest political post” is said in a particular context, where Persian monarch was killed, and a lady was made Queen. The Prophet, being divinely inspired, prophesied about the fate of that nation that it would ruin ultimately in the hand of the Queen. It should not be generalized to all nations, as the Prophet cursed on the Persians due to their arrogance and tearing of the letter of the Prophet (SAAS). Moreover, the Queen of Persia was devoid of necessary qualities to be the ruler of a powerful nation. So, it was not due to her gender that made her incompetent, but due to lack of qualities to be the leader. The same principle would be applied to the males. Many incompetent males were responsible for the destruction of their nations.

The Qur’an mentions the story of a noble lady, the Queen of Sheba, who led her nation towards prosperity, happiness and success. She ruled over them with success, decided matters through *Shura*. She was wise and full of knowledge that led her nation towards firm faith in Allah (SWT) and ultimate success in both the worlds.

In the 20th century, the women rulers did not face much trouble from nation, and we could get the instances of some iron ladies who ruled the country with strength and vitality. The people did not hesitate to reelect them in the top public posts in countries that were regarded to be highly developed in its economy and politics. For instance, Britain elected Margaret Thatcher as Prime Minister for a number of times, and Israel elected Golda Meir as Prime Minister at a time when the country was facing extreme political turmoil. She held significant posts in the newly established state of Israel and was part of all decisions made until she died in 1978. She held the highest public office as Prime Minister of Israel from 1969 to 1974. She run the state of Israel efficiently and earned victory for her nation in many combats against her male counterparts in other Arab states.

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³ *Niqab*: face cover, veil.

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