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**FINAL PAPER**

“The Political Role of Muslim Women: Between  
Traditional Texts and Changing Realities”

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Abstract

Muslim scholars are in general agreement that women are not entitled to hold the topmost public office of a nation. Is it due to Qur’anic texts and Prophetic traditions (*ahadith*) that women are barred from key positions or is it largely due to socio-cultural and economic settings of a country? The Qur’an urges women to stay quietly at home and not to make dazzling public displays like that of the pre-Islamic period of *Jabilyia* [ignorance] (33:33). It also asserts that men are the protectors and maintainers of women (4:34). The only Prophetic tradition in this regard is that the Prophet is reported to have said, “No nation will ever prosper if a woman is assigned to its highest public office.” (Bukhari, no. 4073, 6570). On the other hand, since the Qur’an acclaims the Queen of Sheba for her just rule, such prominent scholars as Imam Abu Hanifah, Tabari and Ibn Hazm support that women could hold the topmost judicial position. Ibn Hazm also asserts that there is no theoretical prohibition for women to carry out the mission of Prophethood. Naturally, if they could be Prophets, they would also be the leaders, for the Prophets are the leaders. This research aims to explore this issue and examine it objectively by primarily analyzing Qur’anic *ayats*, Prophetic traditions, the heritage of Islamic Caliphs and the verdicts of Muslim jurists. The paper will critically evaluate the validity of the quoted *hadith*, and examine its circumstances in order to understand how and why the Prophet would have said such a *hadith*. This analysis is crucial to address present day realities, as a significant number of Muslim women have successfully led their nations toward prosperity by holding topmost offices. Finally, this presentation hopes to shed light on what the real political status of Muslim women should be today in light of the Qur’an, traditional texts and sound 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 are also totally 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 *hadith* of the Prophet, “No nation will ever prosper if they assign women to its highest public office”.<sup>1</sup> 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 come out of homes and participate in all affairs alongside the male counterparts. In this respect, they also urged women to disregard Islamic ruling of *Hijab*<sup>2</sup>, let alone *Niqab*<sup>3</sup>, and said that Islamic ruling of distinction in inheritance among male and female was a transitory affair.

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 as well as the majority of Muslims live in Asia e.g. 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 (384BC-322BC) said: “Men are more compatible for leadership than women, so the control of men over women is a natural matter”.<sup>4</sup> The statement of Democritus (460BC-370BC) 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”.<sup>5</sup>

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 present realities and changes in the world.

### **WOMEN'S POLITICAL ROLE IN THE QUR'AN**

In the Qur'an, Allah made no distinction between men and women in general activities. Rather men and women were placed at equal position, and said that they were belonged to one another. Allah mentions very clearly that all mankind, whether male or female, will be rewarded for their virtuous deeds in both the worlds:

(مَنْ عَمِلَ صَالِحًا مِّنْ ذَكَرٍ أَوْ أَنْتَىٰ وَهُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهٗ حَيَاةً طَيِّبَةً وَلَنَجْزِيَنَّهُمْ أَجْرَهُمْ بِأَحْسَنِ مَا كَانُوا يَعْمَلُونَ)  
(النحل : 97)

*“Whoever works righteousness, man or woman, and has Faith, verily, to him will We give a new Life, a life that is good and pure and We will bestow on such their reward according to the best of their actions.” (16:97)*

(فَاسْتَجَابَ لَهُمْ رَبُّهُمْ أَنِّي لَا أُضِيعُ عَمَلَ عَامِلٍ مِّنْكُمْ مِّنْ ذَكَرٍ أَوْ أَنْتَىٰ بَعْضُكُمْ مِّنْ بَعْضٍ: آل عمران: 195)  
*“And their Lord hath accepted of them, and answered them: "Never will I suffer to be lost the work of any of you, be he male or female: Ye are members, one of another”. (3: 195)*

Women were also charged to discharge duties including the political ones side by side with men. *Amr bi'l Ma`ruf and Nahiy 'anil Munkar*, [command for virtue and prohibition from vice] which is a sole political responsibility, and only the people of power could discharge this duty perfectly, was assigned to both men and women.

In Surah Tawbah: 71, Allah says:

(وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَيُطِيعُونَ اللَّهَ وَرَسُولَهُ أُولَٰئِكَ سَيَرْحَمُهُمُ اللَّهُ إِنَّ اللَّهَ عَزِيزٌ حَكِيمٌ) (التوبة : 71)

*The Believers, men and women, are protectors one of another: they enjoin what is just, and forbid what is evil: they observe regular prayers, practise regular charity, and obey Allah and His Messenger. On them will Allah pour His mercy: for Allah is Exalted in power, Wise. (9: 71)*

It is a clear indication that Allah made no distinction in assigning the most important job of commanding for virtue and prohibiting from vice is given to both men and women. **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, Umara' and the Kings. The women in the time of the Prophet knew this, and participated in this actively.<sup>6</sup>

A few verses earlier, Tawbah: 67, Allah says:

(الْمُنَافِقُونَ وَالْمُنَافِقَاتُ بَعْضُهُمْ مِّنْ بَعْضٍ يَأْمُرُونَ بِالْمُنْكَرِ وَيَنْهَوْنَ عَنِ الْمَعْرُوفِ وَيَقْبِضُونَ أَيْدِيَهُمْ نَسُوا اللَّهَ فَنَسِيَهُمْ إِنَّ الْمُنَافِقِينَ هُمُ الْفَاسِقُونَ) (التوبة : 67 )

*The Hypocrites, men and women, (have an understanding) with each other: They enjoin evil, and forbid what is just, and are close with their hands. They have forgotten Allah; so He hath forgotten them. Verily the Hypocrites are rebellious and perverse. (9: 67)*

So, if the Muslim men and women do not perform this duty, the *Munafiq* and atheist men and women will continue to act as the agents of Satan. So, the religious sisters need to be more politically active so that the anti Islamic forces do not drive the women out from Islam.

In the lifetime of the Prophet, peace be upon him, we find that there were women who put thorns in the path of the Prophet, for whom Surah Masad was revealed in the Qur'an.

The Qur'an also reports the stories of Mu'min and Kafir women even in the family of the Prophets, such as the wife of Nuh and Lut were Kafirs and worked against them. On the other hand, the wife of Pharaoh who believed in Allah and prayed for Jannah besides God.

### **Bay`ah from Women**

The Qur'an also asked the Prophet 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 not to return the Muslim immigrant women who ran away from persecution of the *Mushrik* leaders and took refuge in Islamic state; the Prophet was not allowed to return them to the Mushrikin.

(يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا جَاءَكُمُ الْمُؤْمِنَاتُ مُهَاجِرَاتٍ فَامْتَحِنُوهُنَّ اللَّهُ أَعْلَمُ بِإِيمَانِهِنَّ فَإِنْ عَلِمْتُمُوهُنَّ مُؤْمِنَاتٍ فَلَا تَرْجِعُوهُنَّ إِلَى الْكُفَّارِ) (المتحنة : 10 )

*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. (60: 10)*

(يَا أَيُّهَا النَّبِيُّ إِذَا جَاءَكَ الْمُؤْمِنَاتُ يُبَايِعْنَكَ عَلَى أَنْ لَا يُشْرِكْنَ بِاللَّهِ شَيْئًا وَلَا يَسْرِقْنَ وَلَا يَزْنِينَ وَلَا يَقْتُلْنَ أَوْلَادَهُنَّ وَلَا يَأْتِينَ بِهَتَّانَ يَقْتَرِينَهُ بَيْنَ أَيْدِيهِنَّ وَأَرْجُلِهِنَّ وَلَا يَعْصِيَنَّكَ فِي مَعْرُوفٍ فَبَايِعْنَهُنَّ وَأَسْتَغْفِرْ لَهُنَّ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ) (الممتحنة : 12 )

*O Prophet! When believing women come to thee to take the oath of fealty to thee, that they will not associate in worship any other thing whatever with Allah, that they will not steal, that they will not commit adultery (or fornication), that they will not kill their children, that they will not utter slander, intentionally forging falsehood, and that they will not disobey thee in any just matter,- then do thou receive their fealty, and pray to Allah for the forgiveness (of their sins): for Allah is Oft-Forgiving, Most Merciful. (60: 12)*

### **Queen of Sheba**

The Qur'an also mentions the story of another 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 says:

(قَالَتْ يَا أَيُّهَا الْمَلَأُ أَفْتُونِي فِي أَمْرِي مَا كُنْتُ قَاطِعَةً أَمْرًا حَتَّى تَشْهَدُون) (النمل : 32 )

*She said: "Ye chiefs! advise me in (this) my affair: no affair have I decided except in your presence." (27: 32)*

Her just rule was praised in the Qur'an that ultimately led the majority of her nation to believe in God through Sulayman.

### **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 them.

It is the Qur'anic *ayah* that Allah mentions:

(الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ) (النساء : 34 )

*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. (4: 34)*

(وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ بِالْمَعْرُوفِ وَلِلرِّجَالِ عَلَيْهِنَّ دَرَجَةٌ وَاللَّهُ عَزِيزٌ حَكِيمٌ) (البقرة : 228 )

*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. (2: 228)*

These *ayat* refer specifically to the family matters that he is given the authoritative role. One person should be the leader in the family, who through consulting the others come to decisions, and not through dictatorial rule. The Prophet asked men to consult their wives regarding their daughters. This *Qawwamah* or guardianship was also accorded due to husband's role in the family and his expenses that he makes. Wife can be the Dean, Director, or even the Minister or Prime minister; and the husband may be a simple officer in the same institution, but at home, he is the director. She should ultimately obey his decisions that he reaches through consultation.

#### **WOMEN'S LEADERSHIP ROLE IN THE SUNNAH OF PROPHET**

In the *ahadith* of the Prophet (SAAS), the women were not isolated from the political activities of the state. They were part and parcel of the Islamic state in Madinah. They participated not only in the missionary activities of calling people towards Allah, but also migrated to preserve their Islamic identity to Abyssinia and finally to Madinah. They sacrificed utmost in this regard. They were tortured by their own family members and others due to their acceptance of Islam. Some of them became martyrs to preserve their Islamic identity. Some of them remained steadfast to Islam, even after her husband turned apostate, such as the case of Umm Habibah (R.A.). Some of the women also participated in war, provided medical services to the warriors, and carried the injured to Madinah. Even some of them fought the battles.

**Umm Haram bint Malhan** was reported to have said that when the Prophet (SAAS) mentioned that his Ummah will be crossing the sea to raise the banner of Islam in the other parts of the world. She asked, please pray for me that I can be one of them. Prophet prayed for her. (Bukhari and Muslim) **Rubay` bint Mu'awwidh** also is reported to have participated in the battles against Mushrikin. (Bukhari) **Umm Sulaym** was reported to have guarded the Prophet during Uhud battle with a dagger. (Muslim)

**Umm Sulaym**, asked her proposer Abu Talhah, who proposed to marry her to convert to Islam, and said, that would be her dowry. She married on the dowry of Islam. (Nasa'i)

### **Umm Salamah advises the Prophet**

During the Sulh Hudaibiyah, after the apparent unfavorable treaty with the Mushrikin, the companions were very much upset and 'Umar (R.A.) asked the Prophet some tough questions, for which he later repented. The treaty was made. Muslims were unhappy due to the humiliating conditions. Prophet then asked them, to raise, slaughter their animals and shave their heads. They did not move even the Prophet repeatedly asked them thrice to do so. He came to Umm Salamah and told her about the incident. Upset with the incident, the Prophet listened to the advice of Umm Salamah that he went out to slaughter his own camel, shaved his head without saying a single word to any. Seeing that, the companions quickly rose, and did the same as commanded by the Prophet. It shows that she acted wonderfully as an intelligent advisor to the Prophet. (Bukhari)

### **Umm Haniy's political asylum**

On the day of Fath Makkah, the Prophet was taking bath, while Umm Haniy bint Abi Talib came. She complained about 'Ali bin Abi Talib that he wanted to kill a person whom she gave refuge, son of Hubayrah. The Prophet said, "we uphold the refuge of Umm Hani". (Bukhari, Muslim))

### **Zaynab bint al-Muhajir was concerned about the fate of Muslims**

Caliph Abu Bakr met her, and she asked the Caliph:

ما بقاؤنا على هذا الأمر الصالح الذي جاء الله به بعد الجاهلية؟  
قال: بقاؤكم عليه ما استقامت بكم أئمتكم.

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

### **Hafsah's political advice to Abdullah**

She told Abdullah to ask 'Umar (R.A.) about assigning his successor (when he faced deadly attack by a slave). 'Abdullah went and met him, and said: "If you

have people to take care of your cattle, and if they come back to you after abandoning the cattle, you believe that they did not do their jobs. So, the custodianship of Ummah is of utmost significance. ‘Umar said: “Allah will protect His religion. If I don’t assign a specific successor, so the Prophet did not do so. If I do so, that would be according to the Sunnah of Abu Bakr.” (Muslim)

Hafsah also advised Abdullah not to stay apart from Jama`ah, so that it would not lead to the creation of another sect.

### **‘Ayishah leads the battle of Jamal**

‘Ayishah (R.A.) together with Talhah and Zubayr (R.A.) led the army of Muslims in the battle of camel to demand the Qisas of the killing of ‘Usman (R.A.). Putting aside the debate, whether she was right in this particular incident to raise against valid Islamic ruler, it undoubtedly establishes the fact that women could also participate in the political affairs of an Islamic state, and even could lead them. (Bukhari)

### **Asmah bint Abi Bakr voiced her words fearlessly against Hajjaj Thaqafi**

After the murder of ‘Abdullah bin Zubayr, Hajjaj wanted Asmah 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. Hajjaj said:

كيف رأيتي صنعتُ بعدو الله؟ قالت: رأيتك أفسدت عليه دنياه، وأفسد عليك آخرتك. بلغني أنك تقول له: يا ابن ذات النطاقين، نعم أنا والله ذات النطاقين. أما أحدهما فكنت أرفع به طعام رسول الله وطعام أبي بكر، وأما الآخر فنطاق المرأة التي لا تستغني عنه، أما إن رسول الله حدثنا، إن في ثقيف كذابا ومُبيرا، أما الكذاب فقد رأيناه (وهو المختار بن أبي عبيد الثقفي، كان يدعي أن جبريل يأتيه) وأما المبير، فلا إخالك إلا إياه. (مسلم)

*I have found you have spoilt his worldly life, and he spoilt your hereafter. You addressed him as ‘the son of two sheets of scarf’ I am by Allah the person of two sheets, one of which is used to carry the food for the Prophet and Abu Bakr, and the other that the women need to wear.*

These are some incidents which clearly prove that the women in the lifetime of the Prophet were not detached from political acts; rather they were totally engaged in its activities including political affairs.

### **Lack of Intelligence in Women!**



In this regard, another *hadith* also 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 majority of the dwellers of hellfire were women compared to men. It was due to their frequent curse of each other, and being ungrateful to their husbands. Also he said, “I have not seen one more deficient in intellect and religion than you (Women), who could easily lead a cautious sensible man to astray by you.”

خرج رسول الله صلى الله عليه وسلم في أضحى أو فطر إلى المصلى فمر على النساء فقال يا معشر النساء تصدقن فإني أريتكن أكثر أهل النار فقلن وبم يا رسول الله قال تكثرن اللعن وتكفرن العشير ما رأيت من ناقصات عقل ودين أذهب للب الرجل الحازم من إحداكن قلن وما نقصان ديننا وعقلنا يا رسول الله قال أليس شهادة المرأة مثل نصف شهادة الرجل قلن بلى قال فذلك من نقصان عقلها أليس إذا حاضت لم تصل ولم تصم قلن بلى قال فذلك من نقصان دينها (البخاري).

**Qaradawi** believes that this *hadith* was said in a light moment by the Prophet during Eid prayer. So, it should not be taken 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 that *hadith* in a light moment, he could 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 Camel<sup>7</sup>, 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 places woman in its highest public office.”<sup>8</sup>

The *Hadith* has other chains of narrators, all of which meet on Abu Bakrah.<sup>9</sup> It is narrated in the same wording. But Imam Ahmad narrated differently than what is narrated in *Sahih Bukhari* and other *Sunan* Books of *abadith*.

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.<sup>10</sup>

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.<sup>11</sup> 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."<sup>12</sup> 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.<sup>13</sup> She claims that Abu Bakrah was punished for false testimony by 'Umar bin Al-Khattab (R.A.), 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* (*tabammul*), but not while delivering it to others (*Al-Ada'*). Abu Bakrah (R.A.) 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 (R.A.) which could not be established until today. He and two others testified against him, but the fourth withdrew from his testimony as it was not evident to him. Sayyiduna 'Umar (R.A.) 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.<sup>14</sup> 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 (R.A.). It made him lose acceptability in testimony and narrating *hadith* is like giving testimony. If someone's testimony is not accepted, his reported *abadith* would also be rejected.

The *Hadith* and *Fiqh* scholars did not look into this aspect of Abu Bakrah's *hadith*. For to them, all companions are just according to the science of criticism of *hadith* narrators. This incident did not affect his *Iman*, and hence it did not tarnish his image as an acceptable narrator of *abadith* 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, and being elected as leaders, for example,

as parliament members and so on. 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 selecting 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 selecting their representatives to voice their concerns. And since there is no prohibition in *shari`ab* about it, the right should be recognized and implemented.

### **WOMEN AS REPRESENTATIVES**

If the women could be elected as representatives, or if she could compete in running the elections, Mustafa Siba`i also mentions that based on the principle *الأصل في الأشياء الإباحة* “The basis in everything is its validity”

There is no religious text in the Qur`an or Sunnah that prevents women from exercising this right. Rather the *ayah* of Tawbah: 71 establishes the fact that the women are also counterparts of men, and will play her role in Al-Amr bi'l Ma`ruf and Nahi `ani'l Munkar as cited above.

The Prophet also is reported to have said:

النساء شقائق الرجال (أبو داؤد، الترمذي)

*Women are men's counterparts.*

This also shows that she should exercise the same rights as men based on her credibility and quality, and not based on gender.

Dr. Siba`i believes that though there is no text preventing them from running the elections, the women stay out of it due to public interest. According to Qaradawi, it is against *Maslahab* or public interest that the women should stay away from running the election. Rather she should run the election side by side with irreligious women who run the elections and get elected at times. Dr. Qaradawi praises 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.

The opponents raise the case of Ummuhat al-Mu`mineen or Prophet's virtuous wives where they even 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. For example,

(وإذا رأوا تجارةً أو لهواً انفضوا إليها وتركوك قائماً) (الجمعة : 11)

*But when they see some bargain or some amusement, they disperse headlong to it, and leave thee standing. (62: 11)*

(وَلَقَدْ صَدَقَكُمُ اللَّهُ وَعْدَهُ إِذْ تَحُسُّونَهُم بِإِذْنِهِ حَتَّى إِذَا فَشِلْتُمْ وَتَنَزَّعْتُمْ فِي الْأَمْرِ وَعَصَيْتُم مِّن بَعْدِ مَا أَرَاكُمْ مَا تُحِبُّونَ مِنْكُمْ مَّن يُرِيدُ الدُّنْيَا وَمِنْكُمْ مَّن يُرِيدُ الْآخِرَةَ) (آل عمران : 152)

*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. (3: 152)*

(ثُرَيْدُونَ عَرَضَ الدُّنْيَا وَاللَّهُ يُرِيدُ الْآخِرَةَ وَاللَّهُ عَزِيزٌ حَكِيمٌ) (الأنفال : 67)

*Ye look for the temporal goods of this world; but Allah looketh to the Hereafter: And Allah is Exalted in might, Wise. (8: 67)*

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

### **Sadd adh-Dhara'i` : (سد الذرائع)**

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 not study Chemistry, because it may teach him how to produce wine, and may get engaged in this? Should one not live a neighborhood assuming that the neighbours may have their 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 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.

### **WOMEN AS THE TOP PREMIER OF STATE**

Generally, all Muslim scholars agree that women are exempted from this huge responsibility. It is basically assigned to men. The nature of job, and its quality need men to hold this state of premiership. 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 (R.A.) 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.<sup>15</sup> Ibn Khaldun also refers to five important qualities for Imamah where specifically he refers to lead the congregational prayers.<sup>16</sup> This also shows that he believes that the post of Imamah is reserved for male.

Turabi also asserts that women can hold any high position in state including Ministers, but not the premiership of a state.<sup>17</sup>

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. 150H) allowed her to be chief justice, but not the premier of state.<sup>18</sup>
2. Malik bin Anas (d. 179H) also allowed her to hold the position of justice in one report.<sup>19</sup>
3. Ibn Hazm Zahiri (d. 456H) says that the women cannot assume the rulership except the ladies of the Quraysh. He also viewed that she could hold the post of justice.<sup>20</sup>
4. Imam Ghazali (d. 505H) did not allow woman to hold the post of *Khilafah* though she may be more qualified than the man. Like Imam Shafi`i, he did not allow her to hold the post of justice.<sup>21</sup>
5. Ibn al-‘Arabi al-Maliki (d. 543H) 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 *badith*.<sup>22</sup>

6. Kasani (d. 578H) allowed her to issue verdict of justice excepting *Hudud* and *Qisas*. For, her witness is invalid there.<sup>23</sup>
7. Qurtubi (d. 671H) followed the opinion of his mentor Ibn al-‘Arabi.<sup>24</sup>
8. Ibn Kathir (d. 747H) 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.<sup>25</sup>
9. Shawkani (d. 1250H) 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.<sup>26</sup>
10. Abul A`la Mawdudi (d. 1979AC) declared manhood as a precondition for rulers based on *badith*. 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.<sup>27</sup>
11. Sayyid Muhammad Rashid Rida (d. 1935AC) excluded the premiership from the political posts that the women could hold.<sup>28</sup>
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.<sup>29</sup>
13. Mustafa Siba`i believes that the *badith* is clear in prohibiting women from the post of premiership; and the same ruling should be applied for similar political posts of extreme significance.<sup>30</sup>
14. Muhammad Hussain Fadlallah, a Shi`i scholar interprets the *badith* of Abu Bakrah that it is related to the dictatorial regime of Persia. The rulership then 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.<sup>31</sup>

Many other scholars also prohibited women from assuming leadership role based on this *hadith*. Among those scholars are, Al-Qaradawi<sup>32</sup>, Abu Shiqqah<sup>33</sup>, Bahansawi<sup>34</sup>, Abdul Karim Zaydan<sup>35</sup> 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. 310H) 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.<sup>36</sup>
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.<sup>37</sup>
3. Al-Khamlishiy claims that there exists no religious text in Islamic *shari'ah* that prevents women from holding topmost political posts.<sup>38</sup>

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-Abkam 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 Caliph<sup>39</sup>.

A deeper analysis shows that there is no *shari'ah* prohibition to this effect. Rather Qur'an's acclaimed mentioning 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.

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 Allah's Prophet. The daughter of Kisra or the Persian monarch was not qualified to run that powerful state. So it collapsed ultimately.

## **THE CURRENT SOCIOPOLITICAL REALITIES**

In the early Islamic history, there exist instances of women's participation in political affairs, which include Aishah binte Abu Bkar, Ummu Salamah, Ummu Warqa, Samra Binte Wahaib and others. There were other historical female characters in Muslim's political arena, such as Razia Sultana, who ruled Indian sub-continent from 1236 to 1239,<sup>40</sup> Shajarat ad-Durr who ruled Egypt from 1250 to 1257.<sup>41</sup>

In this modern age, there are numerous examples of Muslim women's political participation in different countries and societies. Appearance of thousands of Muslim women in the processions and various programs of Hamas in Palestine,<sup>42</sup> Muslim brotherhood in Egypt,<sup>43</sup> FIS (Islamic Salvation Front) in Algeria<sup>44</sup> as well as achieving membership of the parliaments by Muslim women in Pakistan, Sudan, Turkey, Malaysia, Kuwait, Qatar, Bangladesh and some other Muslim countries denote increasing of Muslim women's participation in general political arena.

Dr Zeenath Kausar asserts that "A close observation of the student circles of the Islamic revivalist movement in India and its allies, particularly the Students Islamic Movement of India (SIMI) shows that there is a sign of departure from the earliest traditional stance on women"<sup>45</sup>.

The stance of Arab revivalists on women can be traced back to the establishment of the Muslim brotherhood by Hasan al-Banna<sup>46</sup>. He established a Muslim sisterhood and mobilized women for the cause of Islam and supported fully such women as Zaynab al-Ghazali whose imprisonment, sufferings, and brutal torture under Nasser's regime has left clear impact on Muslim women"<sup>47</sup>.

The position taken recently by some of the moderate revivalists, for example in Sudan, is a giant step forward in the development of women. The Islamic National Front (INF), under the leadership of Hasan al-Turabi, not only endorsed theoretically the full political participation of women but has made it an empirical reality. In 1986, two women, Suad al-Fatih and Hikmat Hasan Syed Ahmed, were included in the parliament under the aegis of the INF. Presently, 10 percent of the Sudanese parliament consists of women, three women have been appointed ministers, and one woman judge sits on the supreme court"<sup>48</sup>.

Besides the mass participation, some visible and countable epitomes of Muslim women's political role would be understood from different Muslim countries'

situation. In the past several decades, many countries in which Muslims are a majority, including Indonesia, Pakistan, Bangladesh, and Turkey, have been led by women. Nearly one-third of the Parliament of Egypt also consists of women. Women in the Islamic World have achieved high political status and have produced more than seven head of states including Benazir Bhutto of Pakistan, Mame Madior Boye of Senegal, Tansu Çiller of Turkey, Queen Rania of Jordan, Kaqusha Jashari of Kosovo, Megawati Sukarnoputri of Indonesia and Bangladesh, probably, was the first country in the world to have female heads-of-state between Khaleda Zia and Sheikh Hasina — each winning two elections since 1990 till today. Other than this women in Islamic countries have also become the vice president as seen with Masoumeh Ebtekar in Iran<sup>49</sup>.

There are many contemporary examples of women leading Muslim-majority countries. Remarkably, a majority of all Muslims in the world are living in countries that have, at some time, elected women as their leaders. Indeed, four of the five most populous Muslim-majority countries have had women as leaders:

- Indonesia, the most populous Muslim-majority country, elected Megawati Sukarnoputri as president.<sup>50</sup>
- Pakistan, the second most populous Muslim-majority country, twice (non-consecutively) elected Benazir Bhutto as prime minister.<sup>51</sup>
- Bangladesh, the third most populous Muslim-majority country, elected Khaleda Zia<sup>52</sup> and Sheikh Hasina<sup>53</sup> as prime ministers for almost 20 years.
- Turkey, the fifth most populous Muslim-majority country, elected Tansu Çiller as prime minister.<sup>54</sup>

There are many other political significant persons from women who have performed their active roles in politics and other responsible offices in different Muslim countries.<sup>55</sup> As mentioned earlier, besides holding the topmost public offices, many women today are playing their active roles as ministers, parliamentarians, legislators, Judges, Rectors, Deans and other dignified posts with quality and efficiency.

Not all Muslim countries regard women leadership as normal, nor do all people accept it without question. Some women leaders faced terrible attack by some fanatics. For example, in February 2007, a Pakistani Minister of Social Welfare

in Punjab Province, Zilla Huma Usman, 35, an ally of President Pervez Musharraf, was killed as she was about to deliver a speech to dozens of party activists, by a “fanatic”, who believed that she was dressed inappropriately and that women should not be involved in politics, officials said.<sup>56</sup>

## CONCLUSIONS

The Qur’an honored Human kind as a single unity, and makes no distinction due to blood, color, race or gender. All humans regardless of males or females are equals 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 virtuous deeds 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 (R.A.) during the Victory of Makkah to one *Mushrik*. Some of the female companions also got actively involved in political issues. This establishes the fact that women could play political roles and hold topmost public offices to discharge duties besides male counterparts while observing the Islamic code of life.

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 to serve mankind should prevail in leadership.

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 are not supported by Islam.

The *Hadith* of the Prophet “No nation should prosper if it assigns the women to the leadership role” is said in a particular incident, where Persian monarch

was killed, and a lady was made Queen. The Prophet just 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. 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 competent lady who led her nation towards prosperity and success. She ruled over them with success, decided matters through *Shura*. She was wise and full of knowledge that ultimately led the nation towards belief in Allah in the hands of Sulayman (peace be upon him).

In the 20<sup>th</sup> 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 and parcel 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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- <sup>42</sup> <http://en.wikipedia.org/wiki/Hamas>
- <sup>43</sup> <http://www.muslimbrotherhood.co.uk/Home.asp?zPage=Systems&System=PressR&Press=Show&Lang=E&ID=4584>
- <sup>44</sup> Islamic Salvation Front. (2009). In *Encyclopædia Britannica*. Retrieved July 25, 2009, from Encyclopædia Britannica Online: <http://www.britannica.com/EBchecked/topic/295755/Islamic-Salvation>
- <sup>45</sup> Zeenath Kausar: 23
- <sup>46</sup> See Thameem Ushama, Hasan al-Banna- Vision and Mission Kuala Lumpur: A.S.Noordeen, 1995.
- <sup>47</sup> Zeenath Kausar: 24.
- <sup>48</sup> Ibid.
- <sup>49</sup> [http://en.wikipedia.org/wiki/Women\\_in\\_Islam](http://en.wikipedia.org/wiki/Women_in_Islam)
- <sup>50</sup> **Megawati Sukarnoputri** (1947 - ) daughter of Sukarno, the founding President of Indonesia, president of Indonesia from 2001 to 2004. Megawati, who had become vice president in 1999, replaced President Abdurrahman Wahid when Wahid was dismissed for incompetence and alleged corruption. See "Megawati Sukarnoputri," Microsoft® Encarta® Online Encyclopedia 2009 <http://encarta.msn.com> © 1997-2009 Microsoft Corporation.
- <sup>51</sup> **Benazir Bhutto** (1953-2007), Pakistani political leader who was assassinated in December 2007 as she campaigned for a third term as prime minister. She served as prime minister of Pakistan from 1988 to 1990 and from 1993 to 1996. Bhutto was the first democratically elected female prime minister in any modern Islamic country. She was the daughter of Zulfikar Ali Bhutto, who was the Prime Minister of Pakistan from 1971-1977. She attended Harvard’s Radcliffe College in the United States and the University of Oxford in England, where she was the first Asian woman to be elected president of the Oxford Union. See “Benazir Bhutto”, Microsoft® Encarta® Online Encyclopedia 2009 <http://encarta.msn.com> © 1997-2009 Microsoft Corporation.
- <sup>52</sup> **Khaleda Zia** (1945- ) politician who served as prime minister of Bangladesh in 1991–96 and 2001–06. The first woman to serve as prime minister of Bangladesh, she governed during a period of natural disasters, economic distress, and civil unrest. In 1959 she married Zia ur-Rahman, a leader in the fight for the independence of Bangladesh, then part of Pakistan. During the struggle in 1971 she was kept under house arrest, though she remained largely uninterested in politics, even after her husband became president of Bangladesh in 1977. After her husband was assassinated in 1981 by military officers, she became politically active, and in 1984 she assumed the leadership of the Bangladesh Nationalist Party. See Khaleda Zia. (2009). Encyclopædia Britannica. *Encyclopædia Britannica 2009 Student and Home Edition*. Chicago: Encyclopædia Britannica.
- <sup>53</sup> **Sheikh Hasina Wazed** (1947- ) politician and the current Prime Minister of Bangladesh. She has been the President of the Awami League, a major political party, since 1981. She is the eldest of five children of Sheikh Mujibur Rahman, the first president of Bangladesh. She has been elected as Prime Minister of Bangladesh twice in 1996 and in 2008. During the last year of her rule (1996-2001), Transparency International declared Bangladesh to be the most corrupt country in the world. Though Bangladesh had almost always been in the bottom five, the last position created an uproar and was seen by many as a major failure by Hasina. Her Party received landslide victory in 29 December 2008 election. Begum Zia, however, rejected the results of the election, sarcastically thanking the Chief Election Commissioner "for stage-managing the parliamentary election" in a statement. See “Sheikh Hasina” Wikipedia the Free Encyclopedia, [http://en.wikipedia.org/wiki/Sheikh\\_Hasina](http://en.wikipedia.org/wiki/Sheikh_Hasina)
- <sup>54</sup> **Tansu Çiller** (1946 - ), first female prime minister of Turkey (1993-1996). Born in İstanbul, Çiller studied economics at University of the Bosphorus in İstanbul, obtained a doctoral degree from the University of Connecticut, and carried out postdoctoral studies at Yale University. Çiller returned to Turkey to teach and, at age 36, became the nation’s youngest full professor. As she assumed power, Çiller faced the growing violence of Kurds in southeastern Turkey. In 1995 the DYP’s coalition collapsed, but Çiller stayed on as caretaker prime minister until 1996, when her party and the Motherland Party formed a coalition that promptly fell apart. Çiller was reelected as the DYP’s leader in 1999, but, after the party fared poorly in the 2002 elections, she stepped down. See Tansu Çiller. (2009). In *Encyclopædia Britannica*. <http://www.britannica.com/EBchecked/topic/117856/Tansu-Ciller>

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<sup>55</sup> for details, see:

[http://en.wikipedia.org/wiki/List\\_of\\_the\\_first\\_female\\_holders\\_of\\_political\\_offices\\_in\\_Africa](http://en.wikipedia.org/wiki/List_of_the_first_female_holders_of_political_offices_in_Africa)

<sup>56</sup> "Female Pakistani minister shot dead for 'breaking Islamic dress code' - Times Online."

<http://www.timesonline.co.uk/tol/news/world/asia/article1414137.ece> (07/26/09 23:21:25)