



## WOMEN'S LEADERSHIP IN ISLAM: A HISTORICAL PERSPECTIVE OF A HADITH

**Syamsul Bakri**

*Institut Agama Islam Negeri Surakarta*

*Email: syamsbakr99@gmail.com*

### Abstract

This paper aims to describe a woman's leadership in Islam. Woman's leadership had become considerable polemic in Islamic history. The data source of this qualitative research was taken from the books of hadith. The data was analysed using the hermeneutical Takhrij method and historical approach. This issue raised an urgency since, in several Muslim-majority countries, woman leadership is considered a forbidden thing. A conclusion drawn from this study is that the woman's leadership prohibition originally was referred from hadith narrated by Abu Bakrah as the common link. He had interpreted the meaning of hadith from his cognisance. It was influenced by his philosophy of cosmology and culture at that time, which cannot represent Islam. In critical studies, hadith has a temporal and conditional meaning. The prohibition for women's leadership occurred because many ulama interpret the misogynist hadith textually instead of historically. This historical approach to misogynist hadith has led to the conclusion that there is nothing wrong with women's leadership in government as long as they have the capacity, knowledge, and skills. The issue of woman's leadership in government belongs to social functions instead of religion. Religion only functions to provide spirit and morality, not to regulate the issue of leadership technically. The psycho-historical approach at the Prophet Muhammad's time and the socio-cultural conditions that developed during the era increasingly showed that the hadith was not an absolute prohibition for a woman to lead a government.

**Keywords:** *asbāb al-wurūd*; common link; gender; historicity of hadith; misogynist hadith.

### Abstrak

Tulisan ini bertujuan untuk mendeskripsikan kepemimpinan perempuan dalam Islam. Kepemimpinan perempuan telah menjadi polemik yang cukup besar dalam sejarah Islam. Sumber data penelitian kualitatif ini diambil dari kitab-kitab hadis.

Analisis data menggunakan metode hermeneutika *takhrij* dan pendekatan historis. Isu ini menjadi penting karena di beberapa negara mayoritas Muslim, kepemimpinan perempuan dianggap hal yang terlarang. Kesimpulan yang ditarik dari penelitian ini adalah bahwa larangan kepemimpinan wanita pada awalnya dirujuk dari hadis yang diriwayatkan oleh Abu Bakrah sebagai *common link*. Dia telah menafsirkan makna hadis dari kesadarannya. Hal ini dipengaruhi oleh filosofi kosmologis dan budayanya pada waktu itu, yang tidak dapat mewakili Islam. Dalam kajian kritis, hadis memiliki makna temporal dan kondisional. Pelarangan kepemimpinan perempuan terjadi karena banyak ulama menafsirkan hadis misoginis secara tekstual daripada historis. Pendekatan historis terhadap hadis misoginis ini telah membawa pada kesimpulan bahwa tidak ada yang salah dengan kepemimpinan perempuan dalam pemerintahan selama mereka memiliki kapasitas, pengetahuan, dan keterampilan. Isu kepemimpinan perempuan dalam pemerintahan merupakan urusan sosial, bukan agama. Agama hanya berfungsi memberikan semangat dan moralitas, bukan mengatur masalah kepemimpinan secara teknis. Pendekatan psiko-historis pada masa Nabi Muhammad dan kondisi sosial budaya yang berkembang pada zamannya semakin menunjukkan bahwa hadis bukanlah larangan mutlak bagi seorang perempuan untuk memimpin suatu pemerintahan.

**Kata Kunci:** *asbāb al-wurūd*; *common link*; gender; historisitas Hadis; Hadis misoginis

## Introduction

Islamic society has progressively altered the modern era since the 18<sup>th</sup> century. The issues and discourses of the Islamic world's modernity have accelerated socio-cultural changes, including the emergence of new patterns of interpretation of *nash* more dynamically and contextually. Problems in the West have been adopted into essential topics in Islamic studies. Among contemporary religious discourses resulted from globalisation related to gender are the emancipation and leadership of a woman.

The issue of women's leadership as a developing discourse discussed in the Islamic world has been brought through globalisation from the West.<sup>1</sup> Globalisation has ignited the importance of the interaction and interconnection between culture and thought.<sup>2</sup> Such occurs due to particularity and universality.<sup>3</sup>

<sup>1</sup> Syafiq Hasyim, et al., "Women's Movement in Islam," *Tashwirul Afkar* (Jakarta, 1999), p. 9.

<sup>2</sup> The current global reality has formed an interdependence in various common goals. Societies have interconnection (mutual relations) and interdependency. This necessity of interconnection and interdependence is what is often called globalization. See: Malcolm Waters, "Globalization," in *Oxford Dictionary of Sociology*, ed. Gordon Marshal (Oxford, England: Oxford University Press, 1994), p. 258–259.

<sup>3</sup> Peter Beyer, *Religion in Global Society* (London & New York: Routledge, Taylor & Francis, 2006), p. 24.

The discourse of women's leadership has become a universal discourse. This discourse has raised Muslims' awareness to pay more attention to issues related to women's status in the Muslim world, including the most crucial issue of women's leadership.

The woman's leadership discourse is an original discourse from Islam. However, globalisation has greatly influenced the emergence of this discourse in today's contemporary discussion. This paper is significant to delineate a mosaic of understanding of women's leadership based on hadith with a historical perspective. Hence, it can contribute to understanding hadith from a different, novel perspective.

There are numerous hadith regarding the prohibition of women's leadership, one of which is the following hadith:

حَدَّثَنَا عُثْمَانُ بْنُ الْهَيْثِمِ حَدَّثَنَا عَوْفٌ عَنِ الْحَسَنِ عَنْ أَبِي بَكْرَةَ قَالَ لَقَدْ نَفَعَنِي اللَّهُ بِكَلِمَةٍ سَمِعْتُهَا مِنْ رَسُولِ اللَّهِ - ﷺ - أَيَّامَ الْجَمَلِ لَمَّا بَلَغَ رَسُولُ اللَّهِ - ﷺ - أَنَّ أَهْلَ فَارِسَ قَدْ مَلَكَوْا عَلَيْهِمْ بِنْتَ كِسْرَى قَالَ « لَنْ يُفْلِحَ قَوْمٌ وَلَوْ أَمَرَهُمْ امْرَأَةٌ »

*During the battle of Al-Jamal, Allah benefited me with a Word (I heard from the Prophet). When the Prophet heard the news that the people of Persia had made the daughter of Khosrau their Queen (ruler), he said, "Never will succeed such a nation as makes a woman their ruler (Hadith narrated by Abu Bakrah).<sup>4</sup>*

Abu Bakrah narrated the hadith from 'Uthman bin Haitham from 'Auf from Hasan from Abu Bakrah. At-Tirmidzi and An-Nasa'i also narrated the hadith from Muhammad bin Mutsanna from Kholid bin Harith from Humaid from Hasan from Abu Bakrah with the same hadith wording.<sup>5</sup> In Musnad Ahmad, this hadith was narrated from his father from Yahya from 'Uyainan from Abu Bakrah.<sup>6</sup> Ibn Hiban also narrated the hadith from Muhammad bin Abdurrahman As-Sami from Ahmad bin Abdullah bin Yunus from Mubarak bin Fadhalah from

<sup>4</sup> Al-Bukhari, "Shahih Al-Bukhari, Al-Maktabah Al-Syamilah," n.d.

<sup>5</sup> - أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ حَدَّثَنَا خَالِدُ بْنُ الْحَارِثِ قَالَ حَدَّثَنَا حَمِيدٌ عَنِ الْحَسَنِ عَنْ أَبِي بَكْرَةَ قَالَ عَضَمَنِي اللَّهُ بِشَيْءٍ سَمِعْتُهُ مِنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَمَّا هَلَكَ كِسْرَى قَالَ مَنْ اسْتَخْلَفُوا قَالُوا بِنْتُهُ قَالَ لَنْ يُفْلِحَ قَوْمٌ وَلَوْ أَمَرَهُمْ امْرَأَةٌ

<sup>6</sup> - حَدَّثَنَا عَبْدُ اللَّهِ حَدَّثَنِي أَبِي حَدَّثَنَا يَحْيَى عَنْ عُبَيْدَةَ أَخْبَرَنِي أَبِي عَنْ أَبِي بَكْرَةَ عَنِ النَّبِيِّ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - قَالَ « لَنْ يُفْلِحَ قَوْمٌ أَسْنَدُوا أَمْرَهُمْ إِلَى امْرَأَةٍ »

Hasan from Abu Bakrah.<sup>7</sup> Al-Baihaqi also narrated from Abul Hasan Ali bin Ahmad bin Abdan from Ahmad bin Ubaid from Ishaq bin Hasan al-Harbi from Uthman bin Haitham from 'Auf from Hasan from Abu Bakrah.<sup>8</sup>

In Musnad Ibn Syibah, the hadith was narrated from Abu Dawud from Uyainah bin Abdurrahman from his father from Abu Bakrah.<sup>9</sup> Likewise, in al-Mustadrak al-Hakim, the hadith was narrated from Abu Ali al-Hafidz from Haitham bin Khalif ad-Daurti from Muhammad bin Mutsanna from Khalid bin Harith from Hamid Thawil from Hasan from Abu Bakrah.<sup>10</sup> In Musnad At-Thayalisi, there is also a narration of the hadith prohibiting women's leadership narrated from Abu Dawud from Uyainah bin Abdurrahman from his father from Abu Bakrah.<sup>11</sup>

From the previous hadith, it appears that many narrators narrated the hadith in several books, and it originated from the same person, namely Abu Bakrah. In this study, Abu Bakrah becomes the common link (*al-madar*).<sup>12</sup> After several narrations, it can be ascertained that the hadith found in various hadith books in different narrations is indeed a hadith. It is not *qaul as-shahabi*, or *tabi'in* or *ulama* that are ordained as a hadith, nor is it an unknown hadith that is not found in any hadith books.

<sup>7</sup> ذكر الاخبار عن نفي الفلاح عن أقوام تكون امورهم منوطه بالنساء أخبرنا محمد بن عبد الرحمن السامي قال حدثنا أحمد بن عبد الله بن يونس قال حدثنا مبارك بن فضالة عن الحسن عن أبي بكره قال قال رسول الله صلى الله عليه وسلم **لن يفلح قوم تملكهم امرأة**

<sup>8</sup> أَخْبَرَنَا أَبُو الْحَسَنِ : عَلِيُّ بْنُ أَحْمَدَ بْنِ عَبْدِانَ أَخْبَرَنَا أَحْمَدُ بْنُ عُثَيْدٍ الصَّفَّارُ حَدَّثَنَا إِسْحَاقُ بْنُ الْحَسَنِ الْخَزْبِيُّ حَدَّثَنَا عُثْمَانُ بْنُ الْهَيْثَمِ حَدَّثَنَا عَوْفٌ عَنِ الْحَسَنِ عَنْ أَبِي بَكْرَةَ قَالَ : قَدْ نَعْنَى اللَّهُ بِكَلِمَةٍ سَمِعْتُهَا مِنْ رَسُولِ اللَّهِ -صلى الله عليه وسلم- بَعْدَ مَا كِدْتُ أَنْ أَلْحَقَ بِأَصْحَابِ الْجَمَلِ فَأَقَاتِلُ مَعَهُمْ. بَلَغَ رَسُولُ اللَّهِ -صلى الله عليه وسلم- أَنَّ أَهْلَ فَارِسَ مَلَكُوا عَلَيْهِمْ ابْنَةَ كِسْرَى. فَقَالَ : « **لَنْ يَفْلَحَ قَوْمٌ وَلَوْ أَمَرَهُمْ امْرَأَةٌ** ». رَوَاهُ الْبُخَارِيُّ فِي الصَّحِيحِ عَنْ عُثْمَانَ بْنِ الْهَيْثَمِ.

<sup>9</sup> حدثنا أبو داود عن عيينة بن عبد الرحمن عن أبيه عن أبي بكره قال سمعت النبي صلى الله عليه و سلم يقول **لن يفلح قوم أسندوا أمرهم إلى امرأة**

<sup>10</sup> فحدثني أبو علي الحافظ ثنا الهيثم بن خلف الدوري ثنا محمد بن المثنى حدثني خالد بن الحارث ثنا حميد الطويل عن الحسن عن أبي بكره رضي الله عنه قال :

عصمني الله بشيء سمعته من رسول الله صلى الله عليه و سلم لما هلك كسرى قال : من استخلفوا قالوا : ابنته قال : فقال : **لن يفلح قوم ولوا أمرهم امرأة** قال : فلما قدمت عائشة ذكرت قول رسول الله صلى الله عليه و سلم فعصمني الله به تعليق الحافظ الذهبي في التلخيص : على شرط البخاري ومسلم

<sup>11</sup> حدثنا أبو داود قال حدثنا عيينة بن عبد الرحمن بن جوشن عن أبيه عن أبي بكره قال سمعت رسول الله صلى

الله عليه و سلم يقول : **لن يفلح قوم أسندوا أمرهم إلى امرأة**

<sup>12</sup> Common link is a transmitter who hears something from (seldom more than) one authority and passes in on to a number of pupils. Common link is the oldest transmitter mentioned in a bundle who passes the hadis to tomore than one pupil. See Gautier H A Juynboll, "Some Isnad-Analytical Methods Illustrated on the Basis of Several Woman-Demeaning Sayings From Hadith Literature," in *Hadis, Origins and Developments (The Formation of the Classical Islamic World)*, ed. Harald Motzki (Great Britain & United State: Ashgate Publishing, 2004), p. 183-184.

It has led to a further problem. It invites questions regarding who Abu Bakrah is (the common link) and if Abu Bakrah can be trusted. For this reason, it is crucial to examine the historical aspects of this hadith and matters related to Abu Bakrah as the common links of this hadith. The history of the hadith (*asbab al-wurud*) and the historical analysis of this hadith are challenging to understand without examining Abu Bakrah as the first person to accept the hadith and pass it on.

This paper discussed the hadith that is considered the basis for the prohibition of women's leadership using a historical contextual approach. This issue is described in three main problems, namely; (1) differences of interpretation in understanding the hadith, (2) the status of the hadith, and (3) the need for a historical perspective in understanding the hadith. Classical scholars generally understand the hadith prohibiting women's leadership in a textual-scriptural manner generating fatwas that women should not become leaders. Leadership in this paper is limited to leadership to lead a country, not leadership in another context.

The sources in this paper are several misogynistic hadith found in various hadith books. The validity of the data was ensured using *Takhrij* method. The data analysis used the hermeneutic method and historical approach.

### **Classic Ulama's view on the prohibition of women's leadership**

The hadith, as mentioned above, deals with women who lead the country. It means that the discussion associated with the hadith is limited to women leading the country. Thus, it is irrelevant to relate this hadith to women's leadership in a particular organisation or community. In the history of Islamic jurisprudence (*fiqh*), most scholars have made this hadith the basis for prohibiting women's leadership. Al-Mawardi, a Sunni Muslim scholar who is a reference in the *siyasa*, argues that women should not lead a government. Appointing a state leader from women is against *sunnatullah* and its sharia, as stated in Surah An-Nisa 4:34. It is in line with Imam Al-Baghawi that the scholars of his time agreed on the prohibition of women leading the country because women are *aurat* and not strong enough to take after all fields. Besides, Imam Syaukani clearly stated that the hadith is a clear argument on the prohibition of women leading the country. On this basis, it is forbidden to appoint women as leaders of a nation. Consequently, Muslims must reject it to avoid tormenting problems.<sup>13</sup>

<sup>13</sup> Muhammad Asy-Syaukhani, *Nailul Authar*, Ed. VII. (Egypt: Mustafa al-Babi al-Halabi, 1973).

Another scholar who prohibits women from leading a government is Rasyid Rida, who clearly states that becoming a leader is *mukallaf, mujtahid*, brave, wise, capable, physically healthy, just, from among the Quraish and from men. A-Junaini, Imam al-Haramain and Hanifa ulama, who are known to be rational, also require that the leader be male<sup>14</sup>. Sayyid Sabiq also described the ulama's agreement about the prohibition of appointing women to become leaders of the state. All the statements offered by Sayid Sabiq referred to the scholars based on the hadith described previously.<sup>15</sup> Al-Khatibi also said that women are not legal leaders of government. Meanwhile, other scholars such as Ibn Hazm, al-Ghazali, Kamal ibn Abi Syarif, and Kamal ibn Abi Hammam, also made men a requirement as a state leader.<sup>16</sup>

In the view of classical scholars, this hadith is supported by several hadith that women were created from the rib of Adam. The scholars later developed into a concept that women are subordinate to men. This understanding strengthens the prohibition of women to lead a government. The idea of *qawwâm* in the Quran Surah An-Nisa 4:34 that men (*ar-rijâlu*) as leaders (*qawwâmûna*) over women (*an-nisâ'a*) are often referred to among textualist to support the view that women are prohibited from becoming leaders.

Despite the wording of the hadith prohibiting women's leadership is relatively straightforward, it must be observed from socio-historical factors when this hadith was written. This hadith must be understood with a historical approach to know the Prophet's words' intent and purpose. The textual-scriptural approach is considered not solving the problem. It even adds new issues, such as taking Islam to the challenges of modernity in polarisation surroundings.

The historical approach is essential considering that the hadith had a historical background (*asbab al-wurud*) in socio-cultural conditions. As the *asbab al-nuzul* in the science of Qur'an has developed a broader meaning, which includes the historical situation and needs surrounding the passage of a verse, the connotation of *asbab al-wurud* is also interpreted as a historical condition behind the hadith.<sup>17</sup> The passing down of this hadith by Abu Bakrah is also the focus of this study. The spreading of this hadith despite the contents of the hadith never

<sup>14</sup> In the literature search, the author did not find well-known ulama who allowed women to become leaders of a country. This shows the strength of the hadith influenced the thought of classical scholars

<sup>15</sup> Sayyid Sabiq, *Fikih Sunnah*, ed. Mahyuddin Syaf (Bandung: Alma'arif, 1996), p. 315.

<sup>16</sup> Muhammad Yusuf Musa, *Politics and State in Islam*, ed. M Thalib (Yogyakarta: Pustaka LSI, 1991), p. 60.

<sup>17</sup> Syamsul Bakri, "Asbabul Nuzul: Dialogue Between Text and Historical Reality," *At-Tibyan* 1 (2016), p. 1-18.

became essential during Prophet Muhammad's time to Uthman bin Affan. Abu Bakrah raised this hadith during the Jamal war (Caliph Ali and Aisha, Talha, and Zubair). The political analysis also became inevitable since the hadith suddenly spread in a state of internal crisis when Caliphate Ali had to fight Aisha.

### **Textual and Contextual Understanding of the Hadith of Women's Leadership**

The studies on the existence of women in the Qur'an begin since feminism and emancipation has spread to Muslim countries. Nevertheless, the issue of women is an original issue in the Islamic system. However, women's leadership has a place in global discourse since globalisation hits the Islamic system. Socio-historical dynamics and globalisation have demanded scholars and Muslims to be more sensitive to global issues. The Qur'an describes a place of honour and equality for woman and men. There is no significant debate among scholars on this matter. However, when it comes to leadership issues, there were quite striking differences of opinion. This distinction had not yet emerged in the classical era. However, modernity brought by globalisation shifted thoughts that challenged classical scholars' views.

In general, the scholars' understanding of hadith can be categorised into two. First, those who understand hadith by believing in hadith (*sahih*) as the source of Islamic teachings regardless of the historical process. Second, those who believe in hadith as the second source of Islamic teachings criticise the historicity of hadith.<sup>18</sup> Classical scholars understand the hadith regarding women's leadership prohibition without considering a critical historical study. The hadith's historicity (*asbab al-wurud*) is not studied critically emerging a fatwa that Islam prohibits women from becoming state leaders adhering to the hadith. A-historical textual understanding prioritising the generality of the wording spread among scholars to this day. The reasons for the emergence of the hadith and the socio-historical and psycho-historical conditions that occurred have been ignored.

Examining the misogynistic hadith is imperative. Therefore, it is necessary to carry out a critical historical study to bring up a fresh interpretation of the hadith that leads to Muslims' behaviour and mindset. The hadith with the common link of Abu Bakrah needs to be studied, considering that some

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<sup>18</sup> Muhammad Quraish Syihab, "Introduction," in *Critical Study of the Hadith of the Prophet, Between Textual and Contextual Understanding*, Muhammad Al-Ghazali (Bandung: Mizan, 1998), p. 8-9.

Muslims already believe the hadith as part of the worldview and fundamental religious views. In her study, Mernissi developed a theory that women's right marginalisation is a fabricated tradition. For Mernissi, misogynistic sources deeply disturb women's religious understanding and result from manipulating religious concepts.<sup>19</sup> This paper does not intend to confirm Mernissi's theory. Yet, Mernissi's research results have provided strong inspiration to conduct studies on misogynistic hadith, particularly concerning the prohibition of women leading the country.

Previously, Syaltut directed that it is urgent to interpret the hadith to link the Prophet's context when reciting the hadiths, whether as an apostle, leader of a country, warlord, judge, community leader, or an ordinary person.<sup>20</sup> The contextual understanding as a counter to a textual understanding limited by certain cultural spaces in the past is not only an academic and theological discourse, but the fact that there were woman presidents in some Muslim countries. In the history of modern Islam, there were women presidents in some countries. Pakistan was led by Benazir Bhutto and Indonesia was led by Megawati Soekarnoputri. Likewise, the prime minister of Turkey was once a woman.

It appears that in those countries, the textual understanding of the hadith about the prohibition woman's leadership against the dominant mainstream Muslim thinking. If they follow the dominant view, the three female leaders would have been taken down based on religion. It turned out that only a group of scholars and the Muslim community firmly rejected women's leadership. It shows that the Islamic community in those countries had a contextual understanding that may differ in traditional Muslim countries in the Middle East.

### **Historical Study of Hadith that Prohibits Women's Leadership**

To carry out complex studies, collaborative research involves multiple perspectives to synthesise the real understanding convincingly,<sup>21</sup> including understanding controversial hadiths. As discussed earlier, the common link of this hadith is Abu Bakrah as the first narrator. Abu Bakrah was a former slave who converted to Islam and became a friend of the Prophet.<sup>22</sup> This hadith

<sup>19</sup> Kim Knott, "Insider/Outsider Perspective," in *The Routledge Companion To The Study*, ed. John R. Hinnels (London: Routledge, Taylor & Francis, 2005), p. 248.

<sup>20</sup> Mahmud Syaltut, *Al-Aslam: 'Aqidah Wa Syari'ah* (Kairo: Dar al-Qalam, 1996), p. 510.

<sup>21</sup> Mahmud Syaltut, *Al-Aslam: 'Aqidah Wa Syari'ah* (Kairo: Dar al-Qalam, 1996), p. 510.

<sup>22</sup> Abu Bakrah's real name is Nafi 'ibn Masruq. Abu Bakrah is the maternal half sibling of Ziyad ibn Abi Sufyan. He had been a slave in Taif until the Prophet raided the city of Taif and gave a message that anyone who came to the Prophet would be freed from his status as a slave. Rasulullah called him Abu Bakrah. Read further Ibn Al-Qayyim, *Zad Al-Ma'ad*, Juz III. (Beirut: Dar al-Fikr, 1995), p. 497.



appeared from the story of the feud between the Byzantine Empire and the Sassanid Empire. When the Persian Emperor, Khosrau, was killed, there were socio-political instabilities in Persia. Instability was due to the death of Khosrau and the news that he had appointed his daughter to be a successor. The news that Khosrau's daughter (*bintu*) becoming the ruler of the Persian empire reached the Prophet. The Prophet responded of which Abu Bakrah considered the Prophet's statement on women's leadership. In Islamic history, the discourse of women's leadership was not popular in the Prophet's era.

Hadith developed in connection with the battle of Camel between Aisha (wife of the Prophet) and Ali ibn Abi Talib (son-in-law of the Prophet). Abu Bakrah himself did not have a firm stance in the dispute but sided with Ali ibn Abi Talib more than Aisha. Suddenly, the memory from 25 years with the Prophet returned to his memory. Thus, the hadith was developed.<sup>23</sup> Consequently, the assumption that women should not lead is more of Abu Bakrah's interpretation than Islamic teachings.

Although the hadith is in Sahih al-Bukhari<sup>24</sup>, there are defects, especially in the first narrator as the hadith's first transmitter. It is not surprising that some hadith reviewers dare say that the hadith is weak (*dla'if*) because there are defects in its *rawi*.<sup>25</sup> Even if this hadith is valid, it is necessary to reinterpret the contextual and historical context. The *Asbab al-wurud* of the hadith was a story about the Persian princess who replaced her father as king. The public considered this princess as not credible and very weak to lead Persia. The people at that time was so worried about her ability that it had a negative influence on politics, not to mention that the hadith is a casuistic thing. How can such a hadith be used as a source for determining legal status?

<sup>23</sup> See Fatimah Mernissi, *The Veil and The Male Elite: A Feminist Interpretation Of Woman Right in Islam*, ed. Mary Jo Lakeland (New York, USA: Basic Books, 1992), 49.

<sup>24</sup> The scholars have agreed that there is no more valid reference after the Qur'an than Shahih al-Bukhari and Shahih al-Muslim. See Haji Khalifah al-Maula Mustafa bin Abdillah Al-Qusthantini, *Kasyf Al-Dhunun 'an Asami Al-Kutub Wa Al-Funun*, Ed. 1. (Beirut: Dar al-Kutub, 1982), 541.

<sup>25</sup> In the book al-Tabari, Abu Bakrah was flogged 80 times by the caliph Umar bin Khattab for not being able to present sufficient witnesses in his accusation of adultery committed by Mughirah who was the Prophet's friend. As a result of this accusation, Abu Bakrah had to accept punishment, along with his friends, Nafi' ibn Khildah and Syibl ibn Ma'bad al-Bajali. See further Imam Abu Ja'far Muhammad bin Jarir Al-Thabari, *Tarikh Al-Thabari: Tharikh Al-Rasul Wa Al-Muluk*, Juz 2. (Egypt: Dar al-Ma'rifah, 1967), 493. However, some scholars argue that the hadith narrated by Abu Bakrah is authentic. Abu Bakrah guaranteed that each of his hadiths is valid, even though there are still many authentic hadith that have not been included in *al-Jami'* for fear of being too long. See Muhammad 'Ajaj Al-Khatib, *Ushul Al-Hadis: 'Ulumuha Wa Mushthalahuha* (Beirut: Dar al-Fikr, 1989), 318. This is often used as the reason for Abu Bakrah's defect as a *rawi*.

The interpretation from Abu Bakrah has created such a formidable understanding among traditional scholars that female leadership is taboo even *haram*. The hadith is often used as the benchmark for the sharia prohibition of making women leaders. This view is supported by other hadith that are more *dla'if*, namely the narration of Abu Nu'aim in Akhbar Ashfahan (2/34), Ibn Ma'asi in Juz' Al-Anshari (1/11) as in Ad-Dhaifah no. 436, Ibn Adi in Al-Kamil (2/218), Al-Hakim in Al-Mustadrak (4/291) and Ahmad (5/45) with the following *lafaz*:

هَلَكَ الرَّجَالُ حِينَ أَطَاعَتِ النِّسَاءَ

*Men are destroyed when they obey women*<sup>26</sup>

Hadith scholars consider that the hadith is classified as weak, both in terms of flawed *rawi* and errors in *lafaz*. Thus, the wording considered as hadith is difficult to use as supporting hadith for the hadith written earlier. Mernissi has initiated these studies as a first step to show that no marginalisation of women's rights. At the same time, this broke the understanding of classical *fuqaha*. The classical *fuqaha* agreed that it is *haram* to appoint a woman as the leader of a state. Mernissi deconstructed this kind of understanding.

Abu Bakrah's understanding has influenced Muslims' religious consciousness that is fixated on the text and does not see the context. Mernissi criticised the hadith, not in a Western way of thinking of Islam. Gender issues and women's rights are not Western issues; instead, their roots can be found in the Islamic tradition.<sup>27</sup> The complete participant approach taken by Mernissi was intended to give the courage to criticise texts and tradition that are considered sacred in Muslim society. There is no standard teaching source in Islam that directs fanaticism and decisive rejection of modernity, including women's leadership.<sup>28</sup> Scholars have begun to criticise texts and traditions that have traditionally been considered standardised and established. Modernity has brought fresh air in religious thought in Islam.

The effort to reinterpret meaning made by Mernissi is part of - to borrow Hassan Hanafi's term - transformative Islam.<sup>29</sup> It is needed since Islam as a *din* must provide concrete, empirical function in people's lives. Islam should

<sup>26</sup> The unpopular *Lafaz* can be found in various hadith. see "Al-Maktabah Al-Syamilah," n.d.

<sup>27</sup> Knott, "Insider/Outsider Perspective." P. 248-249.

<sup>28</sup> Karen Armstrong, *Islam: A Brief History*, ed. Fungky Kusnaendy Timur (Yogyakarta: Jendela, 2003), p.196.

<sup>29</sup> Transformative Islam is expressed by Hassan Hanafi with a statement "from God to land, from eternity to time, from predestination to free will, from authority to reason". See Hassan Hanafi, *Islam in The Modern World* (Kairo: Dar Kebaa Bookshop, 2000), p. 20.

not provide apologies and empty arguments that are not supported by good sources. Mernissi's deconstruction of the understanding developed in traditional scholars' thought was a very transformative breakthrough to create a counter-culture against fiqh scholars' understanding that she considered wrong.

With no intention of confirming the results of Mernissi's study that the prohibition of women's leadership is a manipulative religious concept, this paper presents the Qur'an verse to appreciate a female leader. In the Qur'an, there is the story of King Solomon with Queen Balqis as told by Allah in His words:

إِنِّي وَجَدْتُ امْرَأَةً تَمْلِكُهُمْ وَأُوتِيَتْ مِنْ كُلِّ شَيْءٍ وَلَهَا عَرْشٌ عَظِيمٌ

*Indeed, I found a woman ruling over them, who has been given everything she needs, and who has a magnificent throne (Surah An-Naml 27:23)<sup>30</sup>.*

This verse gives an insight that Allah is very appreciative of women's leadership. Thus, it is difficult to accept the hadith that prohibit women from becoming leaders of a government. It is not rejecting a hadith, but rather how to reproduce the meaning of the hadith. The actual hadith describes Khosrau's daughter, who did not have credibility and leadership. It means that a woman who does not have credibility and has no leadership should not lead a nation. This condition has the potential to create instability in society, even damage to the state. The leadership discourse that was not important in the Prophet Muhammad era, Abu Bakr, Umar, and Usman shows that the Prophet's words that the prohibition for women's leadership was only casuistic. If the hadith is the foundation of the religious system, there should be many hadith that have the same meaning, the hadith that is not casuistic.

The hadith that was emerged only during the battle of Jamal depicts a very strong politic. Politically, the emergence of this hadith was very unfavourable for Aisha as a woman. There is a possibility that Abu Bakrah sided with Ali bin Abu Talib. Thus, this casuistic hadith was created to legitimise the caliph Ali bin Abu Talib opposing Aisha in Jamal's battle. Previously, this hadith never emerged. Another analysis is also possible that Abu Bakrah had spread this hadith as part of his role in favour of Ali bin Abu Talib as caliph. Abu Bakrah's vague understanding of the Prophet's meaning and purpose was then used as a fundamental guideline in religion. If the hadith is true, then it must be understood as a casuistic hadith or a prophet's words that are conditional and situational. It should not be an important part of the Islamic legal system. The

<sup>30</sup> *Alquran Al-Karim*, n.d.

hadith may emerge influenced by the Prophet's psychological condition since he was disappointed in Khousra. This disappointment arose because the letter from the Prophet sent to him was torn into pieces<sup>31</sup>.

Therefore, it is necessary to reinterpret the meaning of this hadith. The reinterpretation of meaning aims to present Islam in a more polite and friendly manner to the world. To investigate whether Abu Bakrah was lying is not an easy matter. The lack of evidence as the time is farther away is the main factor that hinders deeper research on a hadith.

Consequently, to reinterpret and reproduce the hadith's meaning is more important and relevant to place the hadith level higher than merely Abu Bakrah's thought. Abu Bakrah may still be influenced by the pre-Islamic Arab cosmology and culture that looked down on women. Abu Bakrah's interpretation of this hadith seems to be influenced by the situation and political climate that developed. It is the reason why his understanding is gender-biased. The hadith must be understood as Abu Bakrah's interpretation of the hadith. The hadith regarding the prohibition of women's leadership must be seen in the perspective of pre-Islamic Arabic history till it entered the Islamic era. In pre-Islamic times, Arab women were at a disadvantage. Baby girls were killed or allowed to live to become slaves or labourers, even to serve the rich merchants. The presence of Islam is intended to raise the status of women. It is marked by the number of Qur'an verses that talk about the equality of men and women.

The verses as in Surah 2:187, 2:228, 30:189 (equality of men and women), Surah 4:1, 49:13 (similarity of origin), Surah 3:195, 4:32, 9:72, 33:35, 4:124 (equality in rewarded), Surah 17: 24, 30:21, 46:15 (love for one another), Surah 2:228, 16:97 (justice and equality), Surah 2:177 (equality in social security), Surah 9:71 (helping each other), Surah 8:11, 39:9 (study opportunities), Surah 4:4 (equality in terms of property), etc. have provided an understanding of the equality of men and women. It needs to be a world view as well as a basic view of seeing developing social phenomena. Essentially and principally, the Qur'an gives an honourable place to men and women in the same position. Men and women are equal. It is not men are nobler than women or vice versa. Biological differences do not intend to cause inequalities. Social functions cannot be

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<sup>31</sup> Long before this hadith emerged, the Prophet in the early days of Islamic preaching had sent a letter to the Persian emperor Khousra to convert to Islam. After reading the letter, Khousra immediately tore it up. The news reached the Prophet until the Prophet prayed that Khousra would be crushed to pieces as he destroyed the letter from the Prophet. See *Al-Bukhari*, "*Shahih Al-Bukhari*", *Al-Maktabah Al-Syamilah*."

attributed to biological differences.<sup>32</sup> In the context of leadership, the issue of gender should not arise. Leadership is a social function issue that prioritises intellectual skills and the ability to organise with good management.

On this basis, the hadith prohibiting women's leadership must be understood in the context of their era. It is necessary to observe the situation that was developing when the hadith emerged through its social setting. The social institutions in Arabia at that time placed women as subordinate to men. This culture has been deeply rooted since the pre-Islamic era. The Prophet's words regarding the prohibition of women's leadership must also be seen from the Prophet's perspective, assuming that women, in general, are not trained to be leaders.

Only a limited group of people provided a good education for women. By looking at the socio-historical facts, it is natural that people who leave their affairs to women will be complicated. Changes due to the dynamic development of education and social institutions that place women in the same role as men, supported by an egalitarian education, have created women's intellectual abilities. The involvement of women in various fields due to the times' demands has formed a global village that requires the reinterpretation of hadith.

The hadith prohibiting women's leadership must be understood as the Prophet's response to the appointment of the daughter of Khoustra of Persia, not the sharia of the prohibition of women becoming leaders of a country. That hadith must be linked to the Prophet's prayer when Emperor Kisra tore the letter from the Prophet. Khoustra's. The psycho-historical aspect must be put forward in the historical series of the emergence of the hadith. Judging from the relations between Islam (the Prophet) and the Persian emperor, it appears that the hadith is an impact of the prayer of the Prophet for the destruction of Khoustra, who insulted Islam. Hence, it is very naïve if this hadith is used as a basis for *fiqh siyasah* that a government leader must be male. Moreover, no other verses or hadiths explicitly prohibited women from becoming leaders of a country.

The socio-historical and cultural conditions that were patriarchal at that time did not allow a woman to become a state leader. It has to be taken into account in interpreting the hadith. Hadith wording is limited by space, time, and language. Thus, it is not proportional if the hadith is used as an excuse for prohibiting women from becoming state leaders today since the reasons for the

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<sup>32</sup> Asghar Ali Engineer, *Women's Rights in Islam*, terj. Farid Wajdi and Cicik Farcha Assegaf (Yogyakarta: Pustaka Pelajar, 1994), p. 59.

prohibition and the context of the prohibition do not exist today. Whereas in the past (the early Islamic era), the state's leader could not be held by a woman. However, in the current condition, when women already have the necessary skills in socio-political roles, interpreting the hadith literally and textually becomes irrelevant.

The hadith that prohibits women's leadership is also seen from the perspective of the Prophet's context, whether as an apostle, leader of the state, or others. When delivering the hadith, it appears that the Prophet Muhammad was not in the position of a prophet or an apostle whose words were absolute from God. The hadith emerged from the Prophet as the leader of a state who revealed the socio-political reality. It means that a patriarchal culture had not supported women's leadership at that time. Thus, it was potentially vulnerable as it can provoke instability in society. It is certainly different from the historical conditions of the more advanced and dynamic Muslim today.

The misunderstanding of misogynistic hadith has created ambivalence among Muslim women. Muslim women are challenged to excel and develop a career so that they do not burden men. On the other hand, a woman reaches the peak of her career, her existence as a pious woman is questioned in the name of religion. Being a leader can be challenged on behalf of God. Questioning women's leadership is part of violence against women. In this context, violence occurs due to the wrong understanding of religious texts and traditions (for example, understanding misogynistic hadith). Therefore, the interpretation that is considered sacred regarding women's rights' marginalisation needs to be deconstructed with a critical and comprehensive study using a historical perspective. Contextual historical understanding will see the meaning of hadith more deeply and in *syamil* manner than textual-scriptural understanding.

## Conclusion

Based on the hadith's historical analysis prohibiting women from becoming government leaders, several conclusions were drawn. *First*, different opinions between classical and modern Islamic scholars regarding the prohibition of women's leadership originated from understanding the hadith. Textual scholars observed the hadith as a valid hadith with a general meaning and, at the same time, is used as a reference in Islam. This understanding emerged without a prior critical study of the historicity of hadith. It is the focus of criticism from contemporary scholars that the hadith on the prohibition of women's leadership

must be understood historically and contextually to provide the hadith's new meanings and understandings.

*Second*, the hadith on the prohibition of women's leadership is a popular hadith, not just *qaul* from friends or *tabi'in* attributed to the Prophet. However, of the many narrations of these hadiths, all of them were narrated from Abu Bakrah. Abu Bakrah as a common link has produced the meaning of hadith from his interpretation. The prohibition of women from becoming government leaders is Abu Bakrah's understanding and awareness influenced by the cosmological and cultural views developed during his time. It cannot be said to represent Islam. The influence of socio-political conditions also shows that the hadith has a temporal and conditional meaning.

*Third*, the historical approach to this misogynistic hadith has resulted in an understanding that there is nothing wrong with women becoming government leaders if they have the capacity, knowledge, and skills as a leader. The issue of leadership and governance is related to social functions, not religion. Religion only functions to provide spirit and morality, not technically regulate leadership issues. The Prophet's psycho-historical approach and the socio-cultural conditions developed in that era showed that the hadith was not intended as an absolute prohibition for a woman to lead a government. Moreover, the hadith is more informative than sharia.

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