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A CRITIQUE OF ABU BAKRAH'S HADITH ON WOMEN POLITICAL LEADERSHIP

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Abstract

Discourse on women political leadership is based on the Prophetic hadith which states: “a people ruled by a woman will never prosper.” This generates a serious controversy in socio-cultural milieus which civilizational edifices are built on Islamic foundations. This research critiques this hadith through the historical lens of the past and extra-textual reality of the present. The hadith is the linchpin of all arguments against women leadership which apparently prophesied failure of a nation under them. It employs the method of documentary analysis and adopts Immanent Critique advanced by Ahmad as theoretical framework. It argues, within that framework, that women with leadership prerequisite could be successful leaders. It finds that women, just like men, could lead nation(s) to prosperity. It concludes that the prophetic political statement is context specific; and cannot be generalized. It implies that government policies could be tailored to favor women leadership. It recommends that women with essential qualifications should be allowed to lead if that serves good purpose.

Keywords: Critique, Political Leadership, Politics, State, Women Leadership.

INTRODUCTION

The wave of democracy which cuts across the globe has exposed large fraction of the world to a political system which they were hitherto not familiar with. It appears to be irresistible—at least at the moment—due to the over domineering effects it has on the people's psyches. The Muslims are also caught up in this quagmire of coping to live within a system which is palpably adverse to the real foundation of their religion (Islam). Advocates of democracy have cleverly made the ground of politics to be appealing to females and pitch them as rivals against their male counterparts. This makes political leadership position a contentious issue as Muslim women are

beginning to aspire for positions of leadership in a world where state politics is known to be the traditional domain of men.

To make the above scenario more compounding, several quotas and policies are introduced to encourage female representation in government. Consequence upon this is the emergence of Muslim feminists advocating for Muslim women active participation in politics. The feminists argued that Islam promotes equity and justice; hence denial of political leadership to female Muslims is antithetical to the spirit of Islam. The feminists, as proponents of women participation in politics, do not see any sharp distinction between the opposite genders in terms of role designation in the political sphere. To them, women can ascend as far as men to the highest positions in the state politics or highest offices in government. They aver that there is no single verse of the Qur`an that categorically or implicitly bars women from managing the affairs of the state.

However, to most classical Islamic scholars, this stance seems to be an albatross to the progress of any nation. They premised their argument on the tradition of the Prophet (PBUH) which says: “A people ruled by a woman will never prosper” (Bukhari, 1973:4425). Critique of the hadith becomes relevant because it is mostly referred to in any discourse that boards on women political leadership. It is not evadable when justifying the appropriateness and legality or otherwise of women leadership. An excursion into the annals of Islamic political history also gives credence to the patriarchal nature of virtually all Islamic societies. Hence, the permissibility or impermissibility of women political leadership in the modern state has indeed created a noticeable cleavage among the contemporary scholars of Islamic thought. This paper aims at critiquing Abu Bakrah’s hadith which informs the doxa (popular belief) that nation under women leadership is bound to fail.

METHODS

This research employed the method of qualitative document analysis. This method as explained by Corbin & Strauss (2008), is a systematic procedure for reviewing or evaluating documents—both printed and electronic. Like other analytical methods in qualitative research, document analysis requires that data be examined and interpreted in order to elicit meaning, gain understanding, and develop empirical knowledge.

Bowen (2009) adds that documents can provide data on the context within which research participants operate. In analyzing past events alongside the present reality, documents provide background information as well as historical insight. Such information can help researchers understand the historical roots of specific issues and can indicate the conditions that impact upon the phenomena currently under

investigation. For the purposes of this discussion, verses of the Qur'an and some traditions of the Prophet that are related to women political leadership will be examined and analyzed within the context of the reality of life experienced by Muslims in the emerging global society.

Scholars with specialty in *mustalahul hadith* (the sciences of hadith authentication) also utilize the method of document analysis in distilling the weak, unreliable, and fabricated hadith from the strong, reliable, and sound ones. They also exploit this method when there appears to be conflict between the Qur'an and a tradition of the Prophet. At any rate the Qur'an takes precedence (Brown, 2011).

Primary and secondary sources of data collection were utilized through the survey of legal texts which are relevant to justifying rulings that espouse Muslim women political leadership in modern state. Relevant verses from the Quran and hadith of the Prophet were analyzed; these are the primary source. While the secondary source includes a survey and analysis of legal corpus of scholarly interpretations and opinions as they relate to the topic under review. Journals, newspapers, online materials and other published books on women in politics are also utilized.

STATE IN MODERN DEMOCRACY

Modern democratic states are established on some certain principles and sometimes referred to as pillars. It is different from any other types of state. Any democracy around the world can be evaluated on the basis of principles which include monopoly control of the means of violence, territoriality, sovereignty, constitutionality, impersonal power, the public bureaucracy, authority/legitimacy and citizenship (Pierson 2004). The modern state established a centralized power with executives enforcing authority over a territory. It is dated from the Treaty of Westphalia with sovereignty as its key principle (Harrison 2003).

This is a far cry from ancient democracy of the Greek city state and other states where power is mostly personalized. As important as all these features are, impersonal power, citizenship and sovereignty deserve more attention as they relate to the political leadership position of Muslim women in the modern democratic states. It is widely argued that, within a constitutional order of a democratic state, those who exercise state power must do so in ways which are themselves lawful, constitutional and constrained by publicly acknowledged procedures. They are generally seen to act not upon a personal basis, but rather as the occupants of particular offices of state (Pierson 2004). Power is not meant to be personalized in a democratic regime.

Sovereignty which is held as the most basic principle in the modern democratic state is the main point of divergence with Islam. It is impossible to grasp the concept of the state without reference to this defining feature. However, in Islam, only God is recognized as the Sovereign. He makes laws on behalf of the people which are to be implemented through His representatives (prophets and subsequently, Islamic scholars). However in democracy, sovereignty belongs to the people who make laws through their representatives. Modern democracy, known as representative democracy, essentially blurs the line of gender disparity in all levels of political participation. The European Union (2011) enumerates ‘equality’ as one of the principles of a democratic state among others. It defines equality as equality before the law, equality of opportunity in the realization of individual capacities without regard to one’s race, gender, ethnic background, religion or whatsoever.

WOMEN POLITICAL LEADERSHIP

Defining political leadership as both an action and as a position opens the door to diverse perspectives on women as political leaders. Studies of women’s political leadership as action typically focus on the biographies of particular women leaders, or on the types of women leaders, or on the leadership styles of women compared to men, or on the policy consequences of women’s political leadership. Studies of women’s political leadership as a position focus on what is termed women’s ‘political recruitment’, by which is meant how women get into positions of political leadership and what can be done to enhance that access (McDonagh, 2009). This is not to say that women lead only from positions of formal political inclusion as voters and officeholders. To the contrary, women have influenced politics effectively from informal locations outside the electorates (Bystydzienski, 1992).

It is contended that women in power differ from men significantly in exercising power. Kelly *et al* (1991) note that while some studies done in the US show no significant sex difference in power salience, power drive, power anxiety, power enjoyment or power style, sex differences have been seen in the perceived purpose of exercising power. Women view power as a means to promote change, while men view power as a means of having influence over other people. This cannot be true of every individual man and woman; there are individual idiosyncrasies even within same gender when it comes to perception towards power. They, at least, paint an appealing picture of women as having the ability to play an effective leadership role in positions of authority. In an analysis of women’s leadership, it is written; “if we want politics to change, entry of women into formal politics is a necessary but not sufficient condition. We need to work on changing the patriarchal structure and culture within the political parties and systems” (Nazneen and Tasneem, 2010:41).

Despite the challenges facing women seeking to gain elected office at both executive and legislative levels, the last two decades have registered some notable gains for some women leaders, shattering the marble ceiling at the highest levels of state. In 1965, Sri Lanka was the only state in the world with a female head of government (President Sirimavo Bandaranaike). Around 1985, women headed half a dozen states (Norris, 2008). The trend continues progressively, and as at February 2019, that number has more than doubled; there are 11 women serving as Head of State and 12 women serving as Head of Government (UNWOMEN, 2019).

THEORETICAL FRAMEWORK

The lens through which Abu Bakrah's hadith on women leadership is analyzed in this article is Immanent Critique as theorized by Ahmad. This theory is used to detect and analyze societal contradictions with the objective of bringing about emancipatory change. Connecting to hadith under study, it highlights, by means of contrast, what is apparently said in the hadith and the lived reality of women political leadership. The prophecy and our collective real experience are poles apart: women had/are becoming leaders, and states led by them prosper. Hence, immanent critique finds contradictions embedded in the hadith on women leadership, explains, analyzes, and gives reasonable (empirical) interpretation of it without rejecting it.

It should be noted that critical theory is generally and most often associated with the Frankfurt school. It is commonly held to be antithetical to Islam and Islamic discourse (Saud, 2017). It is argued that being a Muslim precludes one from being a critical theorist; because a Muslim unquestioningly submits to Allah and the dictates of Sharia. It is this thinking that permeates the thought of most classical scholars and conditions them to uncritically think that women leadership is an aberration. If this kind of thinking goes unchallenged and allowed to persist, the human mind would become dull which will subsequently lead to paralysis of intellectual activities and reform that will improve the condition of the umma [community] (Ahmad, 2017).

However, critical thinking could be located at the very root of Islamic faith. The proposition that Islam and critique or reasons are not compatible is thus false. Indeed, one can begin to conceptualize Islam as "permanent critique" asserts Ahmad. He further avers that "Muhammad was a critic of the Meccan social order. This critical enterprise didn't die with his death" (Ahmad, 2011:116). Taha in James (2017) suggested a Quranic critical theory that began with the radical questioning of inherited norms as a necessary prerequisite to reinventing society. This norm contributes to women alienation in the scheme of things. It is this uncomfortable reality that prompted Ummu Salamah (one of the wives of the prophet) to ask why

men are often mentioned in the Qur’an to the exclusion of women. Then Allah revealed the verse (Q 33:35):

Verily, for all men and women who have surrendered themselves unto God, and all believing men and believing women, and all truly devout men and truly devout women, and all men and women who are true to their word, and all men and women who are patient in diversity, and all men and women who humble themselves [before God], and all men and women who give in charity, and all self-denying men and self-denying women, and all men and women who are mindful of their chastity, and all men and women who remember God unceasingly: for [all of] them has God readied forgiveness of sins and a mighty reward.

It is argued from this verse that men and women are equal. There is no point in prohibiting women from leadership position if men can lead. This is alienation in Marxism, avers Ahmad (2017) and it is the key concept that provides common ground for Islamic thought and Critical Theory. As a rebuttal to the assertion that the practice of critique is by-product of European enlightenment, Walzer (1988) contends that criticism is as old as probably humans themselves. It may, therefore, be somewhat flawed, explains Ahmad, “to think of critique and reflexivity as the sole property of Enlightenment and modernity. If we cannot decipher the contour of critique in pre-modern times, it is unwise to assume there was none” (Ahmad, 2011:115). Immanent critique has been central to Islamic histories and cultures, and its efficacy as a method of analysis is not in doubt as will be shown shortly.

ISLAM AND WOMEN POLITICAL LEADERSHIP

Women leadership is not an unknown phenomenon in the Muslim world. Muslim scholars had discussed this topic in the past. The advocacy for women leadership first gained prominence in the twentieth century with the wake of the women’s liberty movement. This work observes two notable positions of classical scholars on this issue from the Islamic perspective. They are as follows:

- a. Those who oppose it unconditionally; they are in the majority.
- b. Those who accept it as a possibility under certain conditions; they are in the minority.

In the contemporary Islamic scholarship, there exist another group who accepts that woman leadership is wholly permissible just as it is permissible for a man to rule. Of course, there is no single verse in the Qur’an that prohibits women, straightaway,

from assuming political leadership position. Most classical scholars have however prohibited it on the basis of their understandings and interpretations of particular verses like, *"Men are in charge of women..."* (Surah an-Nisa:34). This verse contextually and unambiguously refers to marital affair not political. Literally, there is no dispute about this, as it is understood from the verse itself and the subsequent verse which says: *And if you fear dissension between the two, send an arbitrator from his people and an arbitrator from her people..."* (Surah an-Nisa:35). There are other verses which subtly refer to men ascendancy and superiority over women (Salaudeen, 2019). However, it is not within the scope of this paper to delve into a detail analysis of these verses; its concern is primarily on the Hadith of Abu Bakrah on women leadership.

THE HADITH OF ABU BAKRA

This hadith is arguably the linchpin of all evidences against women leadership. It stands tall among other evidences cited against Muslim women political leadership. It was narrated on the authority of Abu Bakra who recounted that God benefited him during the days of the Jamal [Battle of the Camel] with words he had heard from God's Messenger, after he had almost joined in the fight on the side of the Companions of the Camel. When God's Messenger had heard that the Persians appointed Khosrau's daughter to rule them, he said: "A people who grant a woman authority to rule them will not succeed" (Bukhari, 1973:4425). This is the only authentic hadith often cited by scholars to prohibit women from assuming the positions of political leadership and serving as judges. In light of this hadith, classical scholars (Ibn Hajar, 129; Ibn `Arabi, 29; Qurtubi, 270; Ibn Kathir, 677) aver that there is evidence in it that leadership positions are not meant for women and it is not permissible for the people to make them leaders. They argue this is because it is an obligation to avoid anything that nullifies success; and that women cannot be leaders is also the consensus of the Islamic scholars. Majority of the classical scholars consider women leadership as anathema. Some are not convinced that women are humans; so, why should they lead? In his commentary on Qur'an 30:21, Razi (1981) goes as far as saying "women were created like animals and plants and other useful things...and that necessitates women not to be created for worship and carrying the divine commands...because the woman is weak, silly, in one sense she is a child, and no commands are laid upon a child"

On the other hand, Ibn Hazm (1988) argued based on this hadith that leadership at the apex (head of state) is what is not permissible for a woman. It implies, accordingly, that woman can hold other positions of authority. He premised his evidence on the hadith of the Prophet which says: "The woman is a shepherd in respect of her husband's house and is responsible for those in her care" [Bukhari, 1973:6719]. He further argued that there is no textual evidence that prevents her

from over sighting some part of the affairs. Abu Hanifa and the Hanafites did not differ from Ibn Hazm, they established that women are not forbidden from occupying positions in the judiciary system in matters that are of their sphere of testimony, that is, in non-criminal affairs. Hafiz Ibn Hajr indicates in Fathul Bari that Imam Ibn Jarir Al-Tabari not only supports the unrestricted appointment of woman to judgeship, he permitted also her appointment as Head of State (Al-Qaradawi, 2013). Al-Qaradawi agreed with them but opines that, even though it is not prohibited, that does not give it the status of incumbency or necessity. It is a possibility that can be adjusted according to different circumstances and interests: the interest of the family, the interest of the community and, above all, the interest of Islam. Thus, the possibility may lead to a situation where some distinguished women at a certain point of their age are chosen for judgeship in certain matters and under certain circumstances.

Sanusi (2011) is of the opinion that from the earliest days of Muslim scholarship, jurists differed on the meaning of “placing affairs in the hands of a woman.” Some scholars prohibit women from all public duties. Abu Hanifa permits a woman to hold public office, even to be a judge in matters in which her testimony is admissible—that is all cases other than those involving fixed penalties (hudud) and retaliation (qisas). A similar view is reported from Imam Malik Ibn Anas and adopted by some Maliki jurists. The point is therefore to note that there was no unanimity even among the earliest scholars on this matter, although the vast majority barred women from the office of the Head of State.

However, a number of contemporary scholars have challenged the veracity of this hadith. The renowned feminist Mernissi (1991) argues, for instance, that Abū Bakrah lacks the moral integrity to narrate hadith because he was flogged by ‘Umar for the crime of false accusation. She also asserts that the narration is suspicious because of possible political motives that Abu Bakrah might have had for narrating the Hadīth when he did, after the defeat of ‘Aisha’s forces at the Battle of the Camel. What adds to her suspicions is that no one else cited gender as an issue among those who opposed ‘Aisha or those who remained neutral in the conflict, though their discussions and objections are all well documented. She did not stop at this, she insisted that “this Hadith is the sledgehammer argument used by those who want to exclude women from politics since it is practically impossible to discuss the question of women’s political rights without referring to it, debating it, and taking a position on it” (Mernissi, 1991:4). This line of argument directed at disparaging the personality of a companion of the Prophet is not strong, nor reasonable enough to render the Hadith under discussion unauthentic. There is an Islamic principle which is unanimously agreed upon by scholars that all companions of the Prophet are just,

trustworthy and their narrations must be accepted (Ibn Hajar, 1995). Abu Bakra could not have narrated this hadith for any selfish interest as alleged by Mernissi.

Considering Abu Bakra's Hadith about the disqualification of women for the position of head of state, Mutawalli Syed (2004) explains that a hadith is not acceptable as genuine if it fails any of the following three fundamental tests:

1. A Hadith which is in conflict with the Quran.
2. A Hadith that contradicts the facts of history.
3. A Hadith that describes something which is impossible to believe.

From the study of the Qur'an, it is quite clear that this particular Hadith is in conflict with the Quranic verses (*Surah an-Naml:23-44*) that tell the story of the queen of Sheba—Balqees. On this basis alone the alleged Hadith cannot be accepted as genuine. It fails the first fundamental text of being in conflict with the Qur'an. It is this understanding that made Imam Malik not to agree with the majority of the scholars on the impurity of dogs. It apparently contradicts the verse of the Qur'an in which Allah says: "So eat from what they catch for you." (*Surah al-Maidah:4*). Malik concluded that the command to wash dishes drunk from by dogs was merely as an act of obedience performed for the sake of God alone and unrelated to dog's ritual cleanliness or lack thereof (Brown, 2014). The *Sunnah*, argues Al-Alwani (2005), is there to clarify the Quran, not to contradict or reject its basic principles.

In other words, if the hadith of Abu Bakra is given unrestricted interpretation, it means it is in opposition to a well-established fact of history documented in the Qur'an (*Surah an-Naml: 23-44*) wherein the story of Queen of Sheba who ruled over a flourishing kingdom is narrated. This is argued to be a fact of history that cannot be disputed; and runs contrary to a literal interpretation of the hadith under study as understood by most classical scholars who hold that women rulers are bound to fail. Reconciling this fact of history with the hadith of Abu Bakrah on woman leadership necessitates adopting a contextualized interpretation, which is the position argued and canvassed for in this treatise. What is established by the Quran cannot be restricted or discarded by *Ahad* Hadith—a report by single companion of the Prophet (Abdul-Halim, 2006).

Muhammad (2003) explains that the Hadith under discussion is about autocratic rule by women, not rule by consultation. Thanvi in Siddique (1986) advances that in cases like those of Bilqees where a woman rules with the help of an assembly or legislative body, the Hadith from Abu Bakra would not apply. The daughter of the King of Persia was a despotic ruler and hence the Prophet condemned her rule. Ghazali (1998) explains that the Hadith against women ruling illustrates perfectly the

challenge of balancing the truth of scripture with extra-textual realities in an era when the very culture in which texts were read was so contested. He contends that; empirical experience plainly contradicted the prediction that a community that entrusts its affairs to a woman will not flourish. A woman, Golda Meir, he remarked in a jab at a generation of failed 'mustachioed' Arab leaders, had led Israel to victory over her country's enemies. Indira Gandhi and Margaret Thatcher were two more female leaders widely respected both at home and abroad. To augment the list of flourishing nations under women leadership in view of the compelling evidence of history, Sanusi (2001) adds that England prospered under Queen Victoria and Queen Elizabeth I. So did Russia under Catherine the Great, Spain under Isabella and Zazzau under Queen Amina. Plus, Liberians lived in peace for more than a decade under woman leadership (President Ellen Johnson Sirleaf) after having lived in a terribly dehumanizing condition under Samuel Doe and Charles Taylor before her.

In the words of Salaudeen (2019:85) "She left office and successfully transferred power to George Weah who belongs to the opposition party in December, 2017 Liberia's Presidential Election without any attempt to hang on to power. Many will expect a dreadfully apocalyptic Liberia based on the hadith in question; this did not happen." It should be noted that as at December 2017, there are 20 women holding the office of the head of state or head of government across the globe out of which 3 are Muslims—Sheikh Hasina wazed of Bangladesh, Halimah Jacob of Singapore, and Ameenah Gurib-Fakim of Mauritius (Women in International Politics, 2017). None of these states could be said to be on the brink of collapse. This Hadith obviously contradicts facts of history; hence it fails the second fundamental test.

In their jointly published article; Suleiman, Bello and Mustapha (2015) argued that if a hadith was reported in which the Prophet said nations will not prosper under woman leadership, and women led different nations in different parts of the world, yet the nations prospered and did not crumble; would it be logical to accept such hadith as authentic (in this unrestricted form, timeless and for all nations) and on the other hand portray our beloved Prophet as having said something that is wrong? They buttressed their contention that Imam Bukhari would have rejected this Hadith had it become obvious to him, as it is obvious to us now, that this Hadith (in its unrestricted form, timeless and for all nations) couldn't have been uttered by our beloved Prophet. They further said;

Imam Bukhari himself was reported by Dhahabi to have rejected a Hadith based on its content "Matn" that said the signs of Qiyamah would come after the year 200 AH. As Imam Bukhari was compiling his Ahadith after 200 AH, and the world did not come to an end, he rejected that Hadith because as he said "these two

hundred years have passed, and there have been none of these signs". It was obvious to him that the statement couldn't have come from the Prophet. Both Imam Bukhari and Imam Muslim rejected Ahadith based on the inconsistencies contained in their "Matn". I honestly fail to see how upholding this Hadith amounts to upholding what Imam Bukhari upheld (Suleiman, Bello and Mustapha, 2015: para.9).

On the basis of "Matn", they continued, Imam Bukhari can easily be excused for accepting this Hadith in his time even in the presence of the story of Bilqees in the Qur'an. The story of Bilqees was in the past, while the Hadith was talking about future. But we are in the future now, and have witnessed history rendering this Hadith "Null and Void". "Must we continue to accept it and use it as basis for an injunction in our society?" they queried. "If we will, surely Imam Bukhari wouldn't have"! He however concluded that the hadith is authentic but context specific. Ad-Dhahabi narrates this incidence as quoted above and cites Imam Bukhari's "*kitaab al-du'afa' al-kabir* on several occasions.

In the fifteenth century, when Ibn Hajar came to a Hadith recounting how "God created Adam, and he was sixty arms tall, and that, after Adam fell, mankind has continued to shrink since that time," Ibn Hajar noticed a problem. He observed that houses he had seen carved out of cliffs by ancient, bygone peoples were the same size as those in his own time. Their inhabitants had not been any taller than his fellow Cairenes. Ibn Hajar admitted frankly that "to this day, I have not found how to resolve this problem" (Brown, 2014:71). This is a case of something which is impossible to believe just as with the belief that when a woman leads a people they will not prosper. Without mincing words, Abu Bakrah's hadith also fails the third fundamental test advanced by Mutawalli in (Syed, 2004).

On the rejection of this hadith as evidence barring women from political leadership, modern scholars critique it from three different perspectives. The first are the 'feminist' (represented and championed by Fatima Mernissi); they reject the authenticity of the hadith in its entirety. Mernissi (1991) does the unspeakable by casting aspersion on the reliability of the companion of the Prophet who narrated the hadith. She suggests that Abu Bakrah, a former slave, joined Islam because of the promise of manumission. She argues, after 'Aisha lost the battle he opportunistically 'remembered' a hadith spoken 25 years earlier to curry favor with the winning side. Finally she stresses that the second Caliph (Umar) had ordered Abu Bakrah flogged for false testimony. She therefore rejects the authority of Abu Bakrah and with it the evidence of the hadith since to her it is a fabrication.

The second group adopts a different line of argument which is exemplified by Hussain (1987). They opine that it is glaring that Abu Bakrah did not understand from the words he narrated an injunction against the leadership of women. He was a companion of ‘Aisha and followed her and fought among her troops and with her to Madina after her defeat. He remembered this hadith as he stated during the Battle of the Camel and yet neither left her side nor advised anyone else to. This group says that to insist that the hadith is an injunction against female leadership places this companion of the Prophet in very unbecoming light. They argued that it is not possible that a true companion would remember an injunction of the holy Prophet and proceed in disobeying it as if he had never remembered. Would he be so impudent as to subsequently announce this recollection without any explanation for his non-compliance? It is possible that a companion quotes hadith verbatim but out of context. This is evident in ‘Aisha’s critique of Abu Hurairah when he narrated from the Prophet that: “[ill] omen is in three things, in the house, the woman and the horse” Aishah said: “Abu Hurairah did not preserve the [the whole of the matter]. He entered while the Messenger of God was saying: may God fight the Jews [for] they say there is *shu’m* [ill omen] in three things, the house, the woman, and the horse. Abu Hurairah heard the end of the hadith and did not hear the beginning of the hadith” (Nadwi 2007). In the same vein Abou el fadl (2001:238) suggests that there is the possibility that Abu Bakrah might have misheard the Hadith. According to him, the Prophet might have said: “A people who are led by *this* woman will not succeed.”

The third group accepts the hadith as authentic but insists that it was a prophecy relating to the Kingdom of Persia and had no legal implications beyond that. This group, best presented by Hiba Ra‘uf Ezzat (n.d.). She argues that the Hadith must be read along with related ones since, according to Ibn Hajar, it merely completes the story of the Chosroe who tore the Prophet’s letter. Three traditions connected with this episode were narrated by Al-Bukhari, two of which were in the chapter on ‘Letter of the Prophet to Chosroe and Caesar’. Abu Bakra's hadith is No 4425. The preceding hadith, No 4424, was reported from Ibn ‘Abbas who said that; “The Prophet of Allah sent Abdullah Ibn Huzafa with his letter to Chosroe and commanded him to hand it to the leader of Bahrain for delivery to Chosroe. When Chosroe read it he tore it. I believe Said Ibn Musayyab said: “Then the Prophet prayed to Allah that he tear them up completely.” If we were to admit Abou el fadl’s critique of possible error (confusing ‘a woman’ with ‘this woman’) in the hadith, that finally solves the conundrum once and for all.

The third hadith is No 6639 reported by Bukhari in the chapter on ‘How the Oath of the Prophet was’ and it goes: “When Caesar dies there will be no Caesar after him. When Chosroe dies there will be no Chosroe after him. I swear by He in whose hand

is my life, you will spend their treasures in the path of Allah!" These are the three hadiths reported by Bukhari on Chosroe and the Persians and their consistency is self-evident. In one he prays to Allah to destroy the Chosroe's dynasty the way he tore the letter. The second predicts that there will be no Chosroe after him and the *Ummah* will inherit the Kingdom's treasures. The third, Abu Bakra's, predicts that the Persians (who were still being ruled by Chosroe's dynasty) would not prosper. To extend this last Hadith's scope to all societies ruled by women is refuted by the context (Sanusi, 2001).

Other prominent scholars do not question the veracity of the hadith but rather provide alternative explanations thereof. Most relevant among these explanations to the emerging trend of women political leadership is that advanced by Al-Qardawi, Sanusi, Abou Abou el fadl, Ashraf Al Thanvi, Izzat, Abdul-Halim, Sulaiman, Al-Badawi, Al-Ghazali among others. Abou el fadl (2001:238) suggests that there is the possibility that Abu Bakrah might have misheard the Hadīth. According to him the Prophet might have said: "A people who are led by *this* woman will not succeed." However, this particular possibility seems unlikely, argues Jalajel (2013:51) "since the Prophet would not have known anything about the leadership qualities of the woman in question, so there is no reason why classical jurists would have had reason to suspect this particular error in transmission." Abou el fadl (2001) sees the probability of the Prophet making a general comment on the political situation in Persia. He points out that the wordings of the ḥadīth—as it appears in its most authoritative narration in *Saḥīḥ al-Bukhārī* and elsewhere—leaves open the possibility that the Prophet was simply predicting the downfall of Persia, i.e. the Prophet was saying, 'With this woman in power, Persia will fall.' Interestingly, not all *ḥadīth* collectors placed this tradition in the chapter on governorship (*wilāya*), which means that they did not believe the tradition was setting out the qualifications of a ruler. The fact that the hadith is a comment on a particular political development raises serious hermeneutical difficulties for jurists wishing to derive a general prohibition from it. There are two ways a prohibition can be derived from a text. The first is directly from the text's structure, specifically a negative imperative statement like "Do not". This follows a principle in Islamic legal theory that a negative imperative indicates prohibition in the absence of evidence to the contrary. If the structure does not indicate a prohibition, the other approach is to consider contextual indicators (*qarā'in*) to make a claim that the speaker intended a prohibition when uttering the statement. "A people who grant a woman authority to rule them will not succeed." is neither a command nor a prohibition. It is statement, an observation. Furthermore, the context does not indicate that any command or prohibition was intended by it. As a result, the act of deriving a categorical prohibition from the statement is a highly subjective interpretive move (Jalajel, 2013).

Qaradawi (2015) contends that for this hadith to be a legal proof, some points have to be clarified. First, should the hadith be generalized or restricted to the occasion on which it was said—that is, that the ‘people’ meant in the hadith are the Persians whose hereditary rule forced them to crown a woman as their ruler although there could be much better qualified men among them to assume power? Although most jurists view that the text should be generalized not restricted to the occasion on which it was said, this opinion is not unanimously agreed upon. For example, it is narrated that Ibn ‘Abbas, Ibn ‘Umar and other companions stressed the significance of considering the occasions of revelation. Otherwise, there might be misconception and misinterpretation like that which troubled a *Kharijite* sect called *Al-Hururiyah* and their likes, when they generalized the Qur’anic verses about the polytheists and applied them to the believers.

Aware that ‘flourishing’ or ‘prosperity’ as mentioned in the Hadith might well be a question of the Hereafter more than of earthly success, Ghazali (1998) invoked a Qur’anic example as well. The Hadith, he asserted, blatantly contradicted the Holy Book. In the Qur’anic account of King Solomon and the Queen of Sheba, the queen rules over a prosperous and powerful kingdom that errantly worships the sun instead of the one God. When Solomon convinces her by way of miraculous signs to abandon her idolatry, she professes; “*I submit with Solomon to Allah, Lord of the worlds.*” (*Surah an-Naml:23-44*). Here, Ghazali concludes, was a woman leader who not only ruled over a flourishing realm but also guided it from religious error to the straight path of Islam. Ghazali asks his readers; “Would a nation led by this rare type of woman fail?” The Prophet was merely remarking on the dismal condition of the Persian Empire’s ruling family, which, in fact, was plagued with a cycle of no less than eight hapless emperors in the four years between 628 and 632. These included two daughters from the royal family, neither of whom had any experience with command. Ghazali concluded that medieval Muslim scholars had incorrectly interpreted this specific assessment as a universal declaration. Instead of finding fault with the Hadith like Mernissi, Ghazali contextualized the Hadith as a specific statement, not a general command (Brown, 2014).

Gomaa (2007) explained that the ruling against women leadership does not refer to the head of a modern state but to the traditional role of Caliph as both secular head of state and imam of the Muslims. He was referring to a position that was abolished with the fall of the Ottoman Empire in 1924. The head of state in a contemporary Muslim society, be he a president, prime minister or king, is no longer required or expected to lead Muslims in prayer. Therefore, it is permissible for women to hold the highest office in modern Muslim nations.

WEAK AND FABRICATED HADITH AGAINST WOMEN LEADERSHIP

There are some reports in some books of hadith which indicate that it is not permissible to follow the advice of a woman, and that it is obligatory for men to go against them. These ahadith are either fabricated or weak. Some of them go thus; "Men are destroyed when they obey women". "Obeying a woman will lead to regret". Hadith is fabricated. "Seek their advice, and go against it." It should be emphasized that all of these are flimsy reports that are to be rejected. Shaykh al-Albaani in his *Silsilat al-Ahaadeeth ad-Da'eefah wa'l Mawdo'ah wa Atharuha as-Sayyi' fi'l-Ummah* declared them as weak and fabricated. In addition, the meanings are not correct at all and are against historical facts.

It is proven in the story of the Peace Treaty of al *Hudaybiyyah*, in Saheeh al-Bukhaari, that Umm Salamah suggested to the Prophet, when his companions refused to slaughter their sacrifices, that he should go out, and not say a word to any one of them, until he sacrificed his camel and shaved his head. So he did that, and when his companions saw that, they got up and offered their sacrifices. This shows us that the Prophet listened to the advice of Umm Salamah and complied with it. Similarly, the Hadith "Seek their (women's) advice then go against it" has no basis, as mentioned above (Islamqa, 2016). One other hadith commonly used against women leadership says: The Prophet said: "When your rulers are the best among you, your wealthy are generous, and your matters are decided by mutual consultation, then the surface of the earth is better for you than the belly of the earth. However, when your rulers are the worst among you, your wealthy are miserly and your matters are in the hands of your women, then the belly of the earth is better for you than its surface." (Tirmidhi, 459). Commenting on the quality of this hadith, Tirmidhi writes: "This is a Gharib Hadith" (that is, a hadith that had been narrated by only one person in each era until the codification period). Albaani declared this hadith weak (Kareem, 2012).

CONCLUSION

A content analysis of the textual evidences as they concern women leadership in this research revealed that prohibition of women leadership in Islam cannot be textually established. There is a handful of Muslim scholars from the surveyed literature that toe this line of reason. They concur that Muslim women can be political leaders because position of authority is the highest level where a Muslim can be more effective in enjoining what is good and forbidding what is bad. In discharging this divine responsibility, all Muslims are equal irrespective of gender. Though it is established that majority of the scholars consider woman leadership as an aberration, it is equally established that rulings in Islam, according to Al-Fauzan (2011), are not justified on the basis of multitude number of those who uphold it; they are rather

justified on the strength of their merits. Hence the scholars say: “majority is not a proof that something is correct.”

In conclusion, there is no clear cut prohibition in Islam against women as heads of political institutions. The only text that suggests prohibition is the Hadith of Abu Bakra which authenticity is undoubtedly strong but its application in prohibiting women from political leadership is highly controversial; for scholars interpreted it differently. If the Hadith that a nation will never be successful if a woman ruled over them is to be understood as a prophecy—that has general application—critics will readily rejoin with deluge of historical antecedents and present examples of women political leaders across the globe who had governed effectively. If a state experiences an untold hardship under the leadership of a woman, it is so either because such a woman is a bad administrator, or she is uninformed about the art/science of government, or she is corrupt and unpatriotic. It will be unscientific and against the principle of justice in Islam to assert that it is because of her gender. In other words, bad leadership should not be explained in gender term, leadership failure and success are common denominators to both men and women. The findings of this research, though positive towards the permissibility of Muslim women political leadership, does not at any rate call into question the righteousness of Abu Bakra nor the authenticity of the hadith on woman leadership narrated by him from the Prophet [Peace and Blessing of Allah be upon him].

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