

# WOMEN'S LEADERSHIP IN ISLAM WITH *ASBÂB AL-WURÛD* APPROACH

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**Abstract:** The purpose of this research is to analyze women's leadership with *asbâb al-wurûd* approach. This research is library research with a qualitative approach. Data collection methods use documentation methods from various articles and books. Then analyzed using the content analysis method, namely analyzing data that is a descriptive or scientific analysis of premium messages with *asbâb al-wurûd* approach. The result of this research is Hadith narrated by Bukhârî, al-Tirmidzî and al-Nasâ'î on female leadership, in general, is *shahîh li dzâtihi*. Sanad meets the requirements, that is, *sanad muttashil*, *râwî* is also *tsîqah* and protected from *syuzûz* and *'illat*. Textually, the majority of scholars explicitly state the prohibition of female leadership. At the same time, contextually, Islam does not prohibit women from becoming leaders or heads of state, provided they can perform their duties. Therefore, Hadith Abû Bakrah must be understood contextually using the *asbâb al-wurûd* approach because the content of the instruction is temporal. The similarity of this study with previous research is that the Hadith analyzed is Hadith Abû Bakrah on women's leadership by analyzing *sanad* and *matan*, while the difference is that this research uses *asbâb al-wurûd* approach

**Keywords:** woman's leadership; Hadith Abû Bakrah; *asbâb al-wurûd*.

**Abstrak:** Tujuan dari penelitian ini adalah menganalisis kepemimpinan perempuan dengan pendekatan *asbâb al-wurûd*. Penelitian ini merupakan library research, jenis penelitian yang dilakukan dan difokuskan pada penelaahan, pengkajian dan pembahasan literatur klasik dan modern yang berkaitan dengan hukum kepemimpinan wanita sebagai obyek dari penelitian ini. Pendekatan yang digunakan adalah metode *ta'limî* sebagai sudut pandang penalaran dalam menganalisa permasalahan yang dikaji, serta pendekatan *asbâb al-wurûd* dalam menetapkan hukum. Metode pengumpulan data menggunakan metode dokumentasi dari berbagai artikel dan buku. Kemudian dianalisis menggunakan metode analisis isi, yaitu menganalisis data yang bersifat deskriptif atau analisis ilmiah terhadap pesan premium dengan pendekatan *asbâb al-wurûd*. Hasil dari penelitian ini adalah Hadith yang diriwayatkan oleh Bukhârî, al-Tirmidzî dan al-Nasâ'î tentang kepemimpinan perempuan secara umum adalah *shahîh li dzâtihi*. *Sanad* memenuhi persyaratan, yaitu, *sanad muttashil*, *râwî* juga *tsîqah* dan dari *syuzûz* dan *'illat*. Secara teks, mayoritas ulama secara eksplisit menyatakan larangan kepemimpinan perempuan, sedangkan secara kontekstual, Islam tidak melarang perempuan untuk menjadi pemimpin atau kepala negara dengan syarat mereka mampu melaksanakan tugas. Oleh karena itu, Hadis Abû Bakrah harus dipahami secara kontekstual menggunakan pendekatan *asbâb al-wurûd*, karena isi instruksi bersifat temporal. Kesamaan dari penelitian ini dengan penelitian sebelumnya adalah bahwa Hadis yang dianalisis adalah Hadis Abû Bakrah tentang kepemimpinan perempuan dengan menganalisis *sanad* dan *matan*, sedangkan perbedaannya adalah penelitian ini menggunakan pendekatan *asbâb al-wurûd*.

**Kata kunci:** kepemimpinan perempuan; Hadîth Abû Bakrah; *asbâb al-wurûd*.

## Introduction

Islam came with a moral message of humanity that was not found in any religious teachings. Islam not only invites people to escape from the shackles

of the polytheist divinity to the monotheistic divinity. Islam is an appropriate tool to unite the mission and vision of equality between men and women. History has shown the position of women in the time of

the Prophet Muhammad, not only considered a wife, a companion and complement but also seen as a human who has an equal position in rights and obligations with other humans in front of God.

Women's leadership is often understood subjectively. For example, in Benazir Bhutto's case, when she was Prime Minister of Pakistan, many scholars criticized her position. Therefore, when Nawaz Syarif succeeded in overthrowing Benazir Bhutto's position in the 1997 election in Pakistan, this was used as a weapon for Islamic fundamentalist groups to attack women's leadership ability.<sup>1</sup> Regardless of the controversy, Indonesia and other countries attempt to increase women's role and position continue one of the real efforts of the state's attention to women. Basically, women have the equal rights and obligations as men in development in all fields.<sup>2</sup>

The issue of women is also inseparable from the role of religion, which comes from the Quran and Hadith, which is very important in determining. Women's problems are actual and important to be studied. The differences between men and women still have several problems, both in terms of the substance of the incident and the roles that are carried out in society.<sup>3</sup> Women are still clustered as second class beings, and their rights are often limited to very exclusive and marginalized areas of life. This can be clearly seen in their role, both

in the domestic and public sectors. Observers of women's studies argue that the religious people can also justify women's position due to ideological and cultural factors in favor of men.<sup>4</sup>

As for women's leadership in public affairs, it is still a matter of controversy. The majority of scholars forbid women from becoming leaders in public affairs in accordance with Hadith; "Told to Uthmân Ibn al-Haytham, told us 'Awf from al-Hasan from Abû Bakrah said, Allah has benefited me with the sentence that I heard from the Prophet Muhammad during the Camel War. Abû Bakrah said, when it came to the news to Prophet Muhammad that the Persians adopted the king's daughter as his successor, Prophet Muhammad, "There was no success for a people who gave their affairs to women" (Al-Bukhârî ).<sup>5</sup>

But on the other hand, there are other scholars who allow women to be leaders outside their households, because the Quran provides a sign that women can become leaders, not just men. Therefore, there are some scholars who allow women's leadership in general<sup>6</sup> if they have the ability to carry out the mandate. In addition, they also have criteria<sup>7</sup> or conditions as a leader.<sup>8</sup>

<sup>4</sup> Husen Muhammad, *Peran Perempuan* (Yogyakarta: LKIS, 2007), p. 23-24; Syaifiq Hasyim, *Hal-hal Yang Tak Terpikirkan Tentang Isu-isu Kepemimpinan Dalam Islam*, (Bandung: Mizan, 2001), p. 48

<sup>5</sup> Abû 'Abdullah Muhammad Ibn Ismâ'îl Ibn Ibrâhîm al-Bukhârî, *Shahîh al-Bukhârî*, (Beirut: Dâr al-Fikr, 1994), Juz. V, p. 160

<sup>6</sup> Leadership in the Indonesian dictionary is defined as a matter of leading. At the same time, general affairs are matters concerning various matters relating to work, service, etc., which take care of something. Departemen Pendidikan dan Kebudayaan, *Kamus Besar Bahasa Indonesia*, (Jakarta: Balai Pustaka, 1989), p. 864 and 997.

<sup>7</sup> The criteria and requirements for a leader; (1) Knowledgeable, (2) The ability to think conceptually, (3) The ability to identify strategic things, (4) The ability to act as an integrator, (5) Objective in dealing with and treating subordinates, (6) How to act and think rationally, (7) Patterns and lifestyles that can be set as an example, (8) Openness to subordinates without forgetting the prevailing hierarchy, (9) Democratic leadership style and (10) Ability to play a role as advisor wise. See SP. Siagian, *Bunga Rampai Manajemen Modern*, (Jakarta: Haji Masagung, 1993), p. 28; F. Ducler, *Bagaimana Menjadi Eksekutif yang Efektif* (Jakarta: Pedoman Ilmu Jaya, 1986), p. 25; Kartono, *Pemimpin dan Kepemimpinan*, (Jakarta: Raja Grafindo Persada, 1994), p. 38-40; Tasmin Tangngareng, "Kepemimpinan Perempuan Dalam Perspektif Hadith", *KARSA: Journal of Social and Islamic Culture*, Vol. 23, No 1 (2015), p. 166-167.

<sup>8</sup> This view is related to the status and role of women. On the one hand, generally think that women should be in the house, give to their husbands and only have a domestic role, then the problem of leadership, where women are positioned as the party that is controlled or led and must submit to the leadership of men. Hasyim Muzadi, *Nadhatul Ulama di Tengah*

<sup>1</sup> Wahbah al-Zuhayli, *Nizhâm al-Islâm*, (Beirut: Dâr Qutaybah, 1993), vol. 3, p. 20. Before the Quran descended, many great civilizations such as the Greco-oman, Indian and Chinese existed and developed. Likewise, major religions such as Christianity, Judaism, Hinduism, Buddhism and Zoroastrianism in Persia. M Quraish Shihab, *Kodrat Perempuan Versus Norma Kultural*, dalam ed. Lily Munir, *Memposisikan Kodrat Perempuan dan Perubahan Dalam Perspektif Islam*, (Bandung: Mizan, 1999), p. 77. Greek society is famous for its philosophical thinking not much to talk about women's rights. At the height of Greek civilization, women were given the freedom to make ends meet. In Christianity, women are the weapon of Satan to resolve men. Even at the end of the 6<sup>th</sup> anniversary, a meeting was held to discuss whether women were human or not. The conclusion of the meeting is that women are human beings created solely to serve men. Khurshid Ahmad, *Mempersoalkan Wanita*, (Jakarta: Gema Insani, 1989), p. 13-14

<sup>2</sup> Siti Muri'ah, *Nilai-nilai Pendidikan Islam dan Wanita Karir*, (Semarang: Rasail Media Group, 2011), Ed. 1, p. ix

<sup>3</sup> Nasaruddin Umar, *Argumen Kesetaraan Gender Perspektif Al-Qur'an*, (Jakarta: Paramadina, 2001), Ed. 2, p. 1. The role of women in society often becomes a problem, where the tendency to judge that Islamic normativity prevents that the best place for women is inside the house, while outside is not allowed because there is a lot of emergencies. M Quraish Shihab, *Wawasan Al-Qur'an: Tafsir al-Mawdhû'î Atas Berbagai Persoalan Umat*, (Bandung: Mizan, 1996), Ed. 13, p. 313.

## Method

This is library research with a descriptive approach, which describes or explains women's leadership in Islam with *asbâb al-wurûd* approach. The research data collection method used the documentation method and various articles and books. It was analyzed using the content analysis method, which was analyzing library data that is a descriptive or scientific analysis of a premium message

## The Concept of Women Emancipation in Islam

The emancipation of women is equal to rights and gender—women's emancipation to demand equal rights of women and men in all life areas. The emancipation of women aims to provide women with the opportunity to work, learn, and work like men, in proportion to their abilities. This understanding is more perceived in the word parallel because it cannot be denied that women and men are clearly different.

The difference can be seen from the physical condition, emotional and innate characteristics. Psychologically, for example, women experience menstruation so that the consequences are different from their laws. Meanwhile, from the psychological perspective, men generally put forward their minds so that they are wiser, while from the psychological perspective, women tend to put their emotions first. However, with these prominent emotions, women should a strong bond with their children.<sup>9</sup>

From the above understanding, it can be concluded that emancipation is an effort to identify differences between women and men in terms of socio-culture, psychology, and even moral, ethics and art. At the heart of the discourse on emancipation is equal rights. Justice actually

*Agenda Persalan Dalam Islam*, (Jakarta: Logos, 1999), p. 71. On the other hand, there is a growing opinion that women should be free and in accordance with their rights regarding freedom. This means that they have the right to play a role in the public sector, for Muslims, these differences are closely related to differences in understanding the Quran text which talks about gender relations. Istibsyaroh, *Hak-hak Perempuan: Relasi Gender Menurut Tafsir al-Sya'rawi*, (Bandung: PT. Mizan Publika, 2004), p. 1

<sup>9</sup> Emancipation, which is hard-fought for, needs to be followed up with real action, not just a concept because if it is still on the concept of the expected goal so far, it will be in vain. This is proven by the fact that many women do not feel gender equality, especially in education.

already exists, but the nature of gender justice that strengthens equality of rights between women and men often experiences distortion.

In the Prophet Muhammad's time, women gained rights, independence, and a bright inner atmosphere. Their self-confidence is growing to achieve glorious achievements, both in the domestic and public sector.<sup>10</sup>

According to Masdar, this is due to certain traits in women that tend to be degrading. In Islam, women can be equal to men from a spiritual perspective.

## Analysis of Hadith Women's Leadership

Before analyzing the Hadith content on women's leadership above, it is necessary to describe some important vocabulary as follows: The word *lan*, meaning it will not occur and contains emphasis, the word *yuflihu*<sup>11</sup> means success, victory, glory,<sup>12</sup> which comes from the word *falaha*; the word *qawmun*<sup>13</sup> means congregation or group; the word *amruhum*<sup>14</sup> means affairs derived from the word *amara*; and the word *imraatun*<sup>15</sup> which means

<sup>10</sup> This kind of reality does not last long due to many factors. For example, the Islamic world has grown to become a misogynistic center, guaranteeing gender segregation and discrimination against women on inheritance, divorce, childcare, and other family matters, as happened in Damascus, Baghdad, and Persia. Also, the unification and codification of the Hadith, *tafsir*, and fiqh books were heavily influenced by the social culture, which either directly or did not limit rights and activities. The tendency of society to place men in the public world and women in the domestic world occurs in almost every human civilization. This kind of myth has given birth to a prolonged social gap between the sexes. Women are considered superior in household activities (domestic activities), while men are considered the most responsible for public activities.

<sup>11</sup> The word *yuflihu* comes from the word *falaha* consisting of the letters *fa'*, *lam* and *ha* which means victory and eternal. Abû al-Husayn Ahmad Ibn Fâris Ibn Zakariyâ, *Maqâyis al-Lughah*, (Mesir: Maktabah wa Mathba'ah Mushthafâ al-Bâbî al-Halabî wa Awlâduh, 1972), Juz. 2, p. 450

<sup>12</sup> Muhammad Idrîs 'Abd al-Ra'ûf al-Marbâwî, *Qâmûs al-Marbâwî*, (Mesir: Dâr al-Fikr, t.th), Juz. 1-II, p. 250

<sup>13</sup> The word *qawm* consists of the letters *qaf*, *waw* and *mim*, the original meaning there are two meanings, namely a) a group of people and b) enforcement or standing tall or can also mean a strong desire. Abû al-Husayn Ahmad Ibn Fâris Ibn Zakariyâ, *Maqâyis...*, Juz. VI, p. 43; Butros al-Busthâmi, *Quthr al-Muhîth*, (Beirut: Maktabah Lubnân, t.th), Juz. 2, p. 151; al-Marbâwî, *Qâmûs al-Marbâwî*, p. 163; Tasmin Tangngareng, "Kepemimpinan Perempuan...", p. 167.

<sup>14</sup> The word *amara* comes from the word; *hamzah*, *mim*, and *ra'* which means the prohibition antonym affair. Abû al-Husayn Ahmad Ibn Fâris Ibn Zakariyâ, *Maqâyis...*, Juz 1, p. 137

<sup>15</sup> The word *imra'ah* comes from the letters *hamzah*, *mim* and *ra'* meaning women. Abû al-Husayn Ahmad Ibn Fâris Ibn Zakariyâ, *Maqâyis...*, Juz. 5, p. 315.

a plural woman is *al-nisâ'* which means woman.<sup>16</sup>

The fragment of Hadith "*laqad nafa'aniya Allah bikalimatin sami'tuhâ*". Meaning to give me wisdom during the Jamal War with words that I have heard from the Prophet Muhammad. The word *ayyâm* according to Arabic grammar is distributed semantically with verbal *nafa'ani*, not with verbal *sami'tuhâ* in *qath'î* he had heard that before the Jamal War.<sup>17</sup> The sentence *ba'da mâ kidtu 'an alhaqa bi ashhâbi al-Jamal* (after almost I followed the forces of Âisyah), and what is meant by *ashhâb al-Jamal*,<sup>18</sup> in this Hadith is the army of Âisyah. According to Ibn Mâlik (672 H), the word *farisan* in the sentence *lammâ balagha Rasulallah anna ahla fârisan* is *isim* that is *tashrif*. Meanwhile, according to al-Kirmânî, this word is intended for Iranians and their countries.<sup>19</sup>

The meaning of the sentence *lammâ balagha* is Abû Bakrah (51 H). The phrase is an interpretation of *bikalimatin*. Here the symptoms of *ithlâq* (deduction), *kalimah* is a word that shows the meaning of a long conversation,<sup>20</sup> (Bintu Kisra leads them). In the history of Humayd, it is mentioned that *lammâ halaka Kisrâ qâla al-nabiyyu* which means that when Kisra Persia died, the Prophet Muhammad said: "Who replaced him?" They answered, "his daughter". What is meant by Bintu Kisrâ is Burawan bint Syayrawayh Ibn Kisrâ Ibn Barwaiz.

In the history of al-Tirmidzî (279 H) and al-Nasâ'î (303 H) from the Humayd Ibn Thawî I (142 H) line from al-Hasan bin Abî al-Hasan Yasâr (110 H) from Abû Bakrah (51 H) with the sentence *assamaniya Allah bi syay'in sami'tuhu min rasulillâhi 'alayhi wa sallam kemudian disebutkan falamâ qadimat 'Âisyah dzakartu dzâlika fa'assamaniy*

<sup>16</sup> Muhammad Warson Munawwir, *Kamus Munawwir Arab-Indonesia*, (Yogyakarta: Pesantren al-Munawwir, 1984), p. 415

<sup>17</sup> Syihâb al-Dîn Abû al-Fadhl Ahmad Ibn 'Alî Ibn Hajar al-'Asqalânî, *Fath al-Bârî*, (Beirut: Dâr al-Ma'rifah, 1379 H), Juz. VIII, p. 372

<sup>18</sup> When Uthmân Ibn 'Affân was killed and 'Alî bin Abî Thâlib was pledged to become Khalîfah, THalbah and Zubayr left for Mecca. There they saw Âisyah and her army agree to go to Bashrah and ask for help in making demands for the murder of Uthmân bin 'Affân. This news reached 'Alî and he went out to face Âisyah's forces, then what became known as the Jamal War. The term *jamal* (which means camel) refers to a camel driven by 'Âisyah in a sedan he calls on the inhabitants of the land to demand kindness. Syihâb al-Dîn Abû al-Fadhl Ahmad Ibn 'Alî Ibn Hajar al-'Asqalânî, *Fath...*, Juz. 8, p. 472

<sup>19</sup> Syihâb al-Dîn Abû al-Fadhl Ahmad Ibn 'Alî Ibn Hajar al-'Asqalânî, *Fath...*, Juz 7, p. 558

<sup>20</sup> Syihâb al-Dîn Abû al-Fadhl Ahmad Ibn 'Alî Ibn Hajar al-'Asqalânî, *Fath...*, Juz 8, p. 472

*allâhu*. 'Amr Ibn Syu'bah narrated from Mubârak Ibn Fudhâlah (164 H) from al-Hasan bin Abî al-Hasan Yasâr (110 H) that 'Âisyah ra was sent to Abû Bakrah (51 H) and Abû Bakrah (51 H) said: "You are is a mother and indeed your truth is great", but I hear Prophet Muhammad has said: "There is no success of a people (society) who submit (to lead) their affairs to women"<sup>21</sup>

## Debate of Women's Leadership Law Scholar

The majority of scholars understand Hadith textually. They argued that the Hadith directive, women's appointment as being to the state, court judges,<sup>22</sup> and various equivalent positions were prohibited. According to *Syara'*, women were only

<sup>21</sup> Syihâb al-Dîn Abû al-Fadhl Ahmad Ibn 'Alî Ibn Hajar al-'Asqalânî, *Fath...*, Juz. 7, p. 558;

<sup>22</sup> *Mufassîr* such as al-Qurthubî (1273), Ibn Kathîr (1373), Muhammad 'Abduh (1905) and Muhammad THâhir Ibn 'Asyûr (1973) have the same opinion. They agreed that these male strengths were gifts from God, something natural. Based on all this, they argue that women are not fit to occupy positions of public and political power, even state leadership. Hussein Muhammad, *Dismantling Fiqh Conception about women in Women's Leadership in Islam*, ed. Syaîq Hasyim, (Tk.: tp, t.th), p. 43. The jurisprudence experts stated that several leaders' requirements were agreed upon, namely a) Muslims; b) understanding; c) be fair and understand Sharia law; d) physically fit, and e) mature and independent. Meanwhile, gender requirements are debated. There are three opinions of scholars regarding sex requirements. First Mâlik Ibn 'Anâs (795 AD), al-Syâfi'î (820 AD) and Ahmad Ibn Hanbal (855 AD) stated that this position must be held by men and should not be women. According to them, a judge and attending open hearings in which there are men must also have excellent intelligence. The level of intelligence of women is below the level of intelligence of men. Also, he will deal with men; his presence like this will cause slander. Second, Hanafî dan Ibn Hazm al-Zhâhirî (1064 M). According to them that men are not an absolute requirement for judicial authority. Women may be judges, but they can only adjudicate cases outside of serious criminal offenses (*hudûd* and *qishâsh*). This is because women are justified as witnesses for these cases. Also, the judge is not the same as the *mufthî*. Moreover, this idea rejects Hadith regarding state leadership as a legal basis for the Judiciary function. Third, Ibn Jarîr al-Thabarî (310 H) and al-Hasan al-Bashrî (728 AD) stated that women could be judges to handle various cases. Men are not a condition of judicial authority. If a woman can become a *mufthî*, then it is logical that she also becomes a judge. The task of the *mufthî* is to explain religious laws through scientific analysis with personal responsibility, while the judge also has the same task. But this third opinion was rejected by al-Mâwardî (1058) by arguing that the opinion of Ibn Jarîr al-Thabarî (310 AH) had deviated from *Ijmâ'*. According to Ibn al-Bassâm (1147), after criticizing Hadith Abû Bakrah, he said that the leadership of a woman is invalid, and a nation that appoints women as leaders will not be happy, both in worldly and *ukhawi* affairs. Such is the opinion of Jumhur ulama, Mâliki, Shâfi'î and Hanbalî. Except Abû Hanîfah allowed to appoint women as leaders in legal matters except had punishment. Al-Bassâm, *Taudhîh al-Ahkâm*, (Beirut: Dâr al-Fikr, t.th), Juz. 6, p. 142

given the responsibility to look after their husbands.<sup>23</sup> According to al-Khitthâbî (1963), this Hadîth implies that women should not be leaders or judges.<sup>24</sup>

Also, some propositions forbid women to become leaders outside of their household, namely *First*, al-Nisâ' [4]: 34. *Second*, Hadith of the Prophet Muhammad stated that women are less intelligent than men. *Third*, Hadith "*lan yufliha qawm wallau amrahum imra'ah*". These three propositions are interrelated in strengthening the argumentation that women are incapable of holding leadership. For different reasons, both the verse and the Hadith signal leadership only for men and emphasize woman's need to recognize this leadership rule.

Al-Qurthubî (1273), interpreting the verse, tends to see men's activities as breadwinners, men who become rulers, cupping and intermediaries. Other commentators followed this opinion. However, the contemporary commentators see these verses not be understood, especially the paragraph relating to the household problem.<sup>25</sup> The first reason is al-Nisâ' [4]: 34 "Men are in charge of women by [right of] what Allah has given one over the other and what they spend [for maintenance] from their wealth. So righteous women are devoutly obedient, guarding in [the husband's] absence what Allah would have them guard. But those [wives] from whom you fear arrogance - [first] advise them; [then if they persist], forsake them in bed; and [finally], strike them. But if they obey you [once more], seek no means against them. Indeed, Allah is ever Exalted and Grand".<sup>26</sup>

The word *qawwâmûna* in the above verse does not have a single meaning but has three meanings; (1) *Qawwâmûna* means leadership, but it is not permanent and is not caused by biological criteria. Because behind it is associated with giving a living and male excess. When this ability is not present, according to Mâlik (795 AD), this leadership can

be disbanded; (2) *Qawwâmûna* means the person in charge of the family; and (3) *Qawwâmûna* is defined as leadership in the family.<sup>27</sup>

The word *al-rijâl*<sup>28</sup> in the above verse does not mean men in general, but husbands because of the continued consideration of the verse is "because they (husbands) spend part of their wealth on their wives". If the word "men" is men in general, the consequences are not. Furthermore, the verse continues to speak clearly of the problems of wives and households. The verse clearly presents the division of labor between husband and wife, and if it is associated again with al-Baqarah [2]:288, then the understanding of al-Nisâ' [4]:34 is increasingly clearly associated with domestic matters.

The second reason, Hadith which states that women are less intelligent than men, as well as their diversity. Yûsuf al-Qardhâwî stated the reasons why women are prohibited from being leaders in public affairs, namely; 1) Physical factors and instincts. Women were created to carry out maternal tasks, nurture and educate children. This why women have sensitive and emotional feelings. With this feminine instinct, women usually highlight the emotional feelings of reasoning and wisdom, and 2) Natural factors, namely women are not

<sup>27</sup> Syaifiq Hasyim, *Hal-hal Yang Tak Terpikirkan...*, p. 9

<sup>28</sup> The Qur'an consistently distinguishes the use of the word. Note the use of the words *al-rajul/al-rijâl*, *al-imra'ah* and *al-nisâ'* in the following verses: al-Baqarah [2]:222, 223, 228, 231, 232 and 282; al-Nisâ' [4]:7, 22, 24, 32 and 34; al-A'raf [7]:46, 48 and 155; al-Ahzâb [33]:23; Yâsîn [36]:20; al-Tahrîm [66]:10 and 11; and al-Mujâdalah [58]:2 and 3; note also the use of the words *al-dzakar* and *al-unthâ* in the following verses: Âli 'Imrân [3]:36 and 290; al-An'am [6]: 43; al-Nahl [16]:58 and Fâthir [35]:11. Furthermore, the words *al-dzakar* and *al-unthâ* are used to indicate the sex of male and female biologically, while the words *al-rajul/al-rijâl* and *al-mar'ah/al-nisâ'* is only specific to human beings. Therefore, not all *al-dzakar* is *al-rajul*. Also, not all *al-nisâ'* is *al-mar'ah/al-imra'ah*. In another expression, only men who have certain cultural qualifications, for example adults, think, mature and have the characteristics of virility in Arabic are called *al-rajlah*. Likewise only women who have certain cultural qualifications, such as adults, who are married can be called *al-imtâ'/al-nisâ'*. In addition, according to Arabic rules, the word *al-rijâl* does not indicate all men, but certain men, then the word that uses *al* denotes a definitive or certain meaning. Thus, these verses will be understood that only men who have certain qualifications can be leaders over certain women. Moreover, *asbâb al-nuzûl* the verse was revealed in the context of the life of husband and wife in the household. From this perspective the verse means "certain husbands can become leaders for their wives, and the leadership is limited to domestic". Musdah Mulia, *Potret Perempuan Dalam Lektur Agama: Rekonstruksi Pemikiran Islam Menuju Masyarakat yang Egaliter dan Demokratis*, (Jakarta: tp, 1999), pp. 38-40; Ahmad Maulidzen and Eka Pratiwi, "The Concept of *Qat'l Dalalah*: Definition, Laws and Perceived Conflict", *Khatulistiwa: Journal of Islamic Studies*, vol 10, no.1 (2020), p. 120.

<sup>23</sup> Syihâb al-Dîn Abû al-Fadhl Ahmad Ibn 'Alî Ibn Hajar al-'Asqalânî, *Fath...*, Juz. 8, p. 123; Muhammad Ibn Ismâ'îl al-Kahlânî, *Subul al-Salâm Syarh Bulûgh al-Marâm min Jâmi' Adillah al-Ahkâm*, (Beirut: Dâr al-Kutub al-'Ilmiyah, t.th), Juz. 4, p. 123; Abû al-'Ulâ Muhammad Ibn 'Abd al-Rahmân Ibn al-Rahîm al-Mubâarakfûrî, *Tuhfah al-Ahwazî bi Syarh Jâmi' al-Turmuzî*, (Beirut: Dâr al-Fikr, 1399 H/1979 M), Juz. 6, p. 542.

<sup>24</sup> Syihâb al-Dîn Abû al-Fadhl Ahmad Ibn 'Alî Ibn Hajar al-'Asqalânî, *Fath...*, Juz. 8, p. 123; Tasmin Tangngareng, *Kepemimpinan Perempuan...*, p. 169.

<sup>25</sup> Syaifiq Hasyim, *Hal-hal Yang Tak Terpikirkan...*, p. 9

<sup>26</sup> Departemen Agama RI, *Al-Qur'an dan Terjemahnya* (Jakarta: Yayasan Penyelenggara Penerjemah/Penafsiran Al-Qur'an, 2011), p. 123

too appropriate to take up positions in public affairs, because physical changes always occur due to menstruation, pregnancy, childbirth and breastfeeding children. All this makes the physical, psychological, and thinking of women unable to carry out their duties outside the household.<sup>29</sup>

According to al-Râzî (606 H), the advantages of men include two things, namely science (*al-'ilm*) and physical abilities (*al-qudrah*). The intellect and knowledge of men, exceed the reason and knowledge of women and for men's hard work more perfect.<sup>30</sup> While al-Zamaksyarî (538 H), the excess of men from women is due to reason (*al-'aql*), assertiveness (*al-hazm*), strong determination (*al-'azm*), physical strength (*al-qudrah*) in general, has the ability to write (*al-kitâbah*) and truth,<sup>31</sup> whereas according to al-Thabâthabâ'î (1981), the excess of men over women is due to the ability to think (*quwwah al-ta'qqul*), then give birth, courage, strength, and ability to overcome various difficulties, while women are more sensitive and emotional.<sup>32</sup>

According to Nurul and Supiah, the cause of the emergence of opinion in the classical *fiqh* of being a leader is;<sup>33</sup>

1. The influence of the socio-cultural situation in Arabia when Islam came down, where they adhered to the monarchy system and always men who became kings.
2. In Islamic history, all Prophets and Apostles are male.
3. In Indonesia, with the royal system in ancient times, the king was a man and the position was hereditary to his sons.
4. The prayer leader is never from a woman, but a man. These conditions are listed in classical and modern *fiqh*. And the scholars agree that

women are not justified as leaders of prayer for men

5. Men are leaders for women.
6. Women are indeed weak, both in terms of physical, intellect and religion.
7. A woman cannot marry herself, but must be with a guardian

As for scholars who allow women to be leaders outside their households, they understand the context in Hadith. There are several considerations require contextualization in understanding Hadith, namely; (1) Consideration of an emergency situation, (2) Consideration of social change from the time of the Prophet Muhammad to the contemporary period, (3) Consideration of public benefit, (4) Consideration of differences in customs and traditions, (5) Consideration of change and differences in place and time and (6) Considerations avoid harm.<sup>34</sup>

To understand the Hadith, it is necessary first to examine the situation that was developing at the time the Hadith was addressed by the Prophet Muhammad. At that time, the degree of women in society was below that of men. Women are not trusted to participate in taking care of the interests of the general public, especially in matters of state. Only men were considered to have the ability to take care of society and the state's interest. Such conditions not only occur in Persia, but in the Arabian Peninsula and others. Islam came to change women's fate; they are given various rights, honor and as creatures responsible to Allah, both towards themselves, their families, society and the country.<sup>35</sup>

In the condition of the Persian empire and such a society, the Prophet Muhammad, who had wisdom, stated that a nation that gave upstate and social affairs to women would not be successful. How is it possible to be successful if the leader is not valued at all by the community. While one of the conditions that must be owned by a leader is authority.

In history, community appreciation for women has increased, and in many cases, women have been given the same position as men. The Quran provides equal opportunities for women and men to carry out various policies, as the word of God in

<sup>29</sup> Yûsuf al-Qardhâwî, *Fiqh Daulah Perspektif al-Qur'an dan Sunnah*, (Jakarta: Pustaka al-Kautsar, 1997), pp. 240-244; Ahmad Muhammad Jamal, *Problematika Muslimah di Era Globalisasi*, (Tk.: Pustaka Mantiq, 1995), p. 83

<sup>30</sup> Fakhr al-Dîn al-Râzî, *Al-Tafsîr al-Kabîr*, (Teheran: Dâr al-Kutub al-'Ilmiyah, t.th), Juz X, p. 88; Sulaemang L, "Kepemimpinan Wanita Dalam Urusan Umum (Hadîth Abû Bakrah)," *Jurnal al-Munzir*, vol. 8, no. 1 (2015): pp. 114-125

<sup>31</sup> Al-Zamaksyarî, *Tafsîr al-Kasysyâf*, (Mesir: 'sâ al-Bâbî al-Halabî wa Syirkah, t.th), Juz. I, p. 523; Tasmin Tangngareng, *Kepemimpinan Perempuan...*, pp. 170.

<sup>32</sup> Muhammad Husayn al-THaba' thabâ'î, *Tafsîr al-Mîzân*, (Beirut: Mu'assasah al-'Âlamî li al-Mathba'ah, 1991), Jilid. IV, p. 351

<sup>33</sup> Nurul Mahmudah and Supiah, "Kajian Sosiologi dalam Fikih Kepemimpinan Wanita," *Al-Mizan: Jurnal Pemikiran Hukum Islam*, vol 14, no 2 (2018), pp. 172-173

<sup>34</sup> Amrulloh, "Kontribusi M. Syuhudi Ismail dalam Kontekstualisasi Pemahaman Hadîth," *Mutawatir; Jurnal Keilmuan Tafsir Hadîth*, vol. 7, no. 1 (2017), p. 79

<sup>35</sup> Qâsim Amîn, *Tahrîr al-Mar'ah*, (Kairo: Dâr al-Ma'ârif, t.th), p. 25

al-Taubah [9]: 71: "The believing men and believing women are allies of one another. They enjoin what is right and forbid what is wrong and establish prayer and give zakah and obey Allah and His Messenger. Those - Allah will have mercy upon them. Indeed, Allah is exalted in Might and Wise".<sup>36</sup>

In general, the above verse is understood as a description of the obligation to carry out cooperation between men and women in various aspects of life, illustrated by the commandments to do the *ma'rûf* and prevent the evil. The word *awliyâ* in the above verse includes cooperation, assistance and mastery; while asking to do the *ma'rûf* covers all aspects of goodness, including providing input and criticism of the authorities. Thus, every Muslim woman and man can follow the development of society so that they are able to see and give advice and advice in various aspects of life.<sup>37</sup> In addition, in al-Aḥzâb [33]: 35 "Indeed, the Muslim men and Muslim women, the believing men and believing women, the obedient men and obedient women, the truthful men and truthful women, the patient men and patient women, the humble men and humble women, the charitable men and charitable women, the fasting men and fasting women, the men who guard their private parts and the women who do so, and the men who remember Allah often and the women who do so for them Allah has prepared forgiveness and a great reward".<sup>38</sup>

Mahmûd Syaltût (1963), states that human nature between men and women is almost the same. God bestows both of them the potential and ability to assume responsibility and make these two types able to carry out various general and specific activities. Therefore, Sharia also puts them in the same framework.<sup>39</sup>

According to Al-Thabarî (310 H), the ability of a woman to become a leader, which departs from the ability of women to be witnesses in marriage. The context of Hadith is seen as a complement to Kistrâ's story which tore the letter of the Prophet Muhammad as a punishment from Allah by inflicting disaster on his kingdom so that his son took power

after his father and brother. Still, he was also destined to die so that a woman led his kingdom. This event brought about the destruction of the Kisra kingdom and all its descendants. They destroyed their own kingdom as the Prophet Muhammad had spoken.<sup>40</sup>

Therefore, some scholars do not think women cannot be leaders because the Hadith is merely a matter of not reporting on the law, and the Hadith is not generally applicable because the Hadith was said by the Prophet Muhammad. At that time, the Persian emperor died, the royal officials bestowed Persia's leadership to a queen. It was in the queen's hands that the Persian empire fell apart. This event was responded to by the Prophet Muhammad. Because it was proven that the queen was not successful in controlling the country. The Hadith did not stop there. It also did not contain the affirmation of forbidding all women from becoming general leaders.<sup>41</sup> The Hadith is used as a legal basis, but it only concerns one specific problem. Namely, women cannot lead a country, women cannot be *khalî fah*, but otherwise, they can.<sup>42</sup>

In the history of Islam, many Muslim women appear as leaders. Âisyah, the wife of the Prophet Muhammad, was recognized as a *mufthî*. Even her position as commander of the Jamal War.<sup>43</sup> Al-Syifâ, a woman who was good at writing, was assigned by the Khalîfah 'Umar bin Khatthâb as an officer in charge of the Medina.<sup>44</sup> The Quran also mentions a queen in the time of the Prophet Sulaymân, namely Balqîs who led her people well, full of wisdom and justice.<sup>45</sup>

## Women's Leadership in Islam with *Asbâb al-Wurûd* Approach

The ulama's differences regarding the issue of women's leadership above indicate that the problem is still in the disputed territory. This means that no religious proposition clearly states that women cannot be leaders of the state. In al-Nisâ'

<sup>40</sup> Syihâb al-Dîn Abû al-Fadhî Ahmad Ibn 'Alî Ibn Hajar al-'Asqalânî, *Fath...*, Juz. 8, p. 123; Tasmin Tangngareng, *Kepemimpinan Perempuan...*, p. 172.

<sup>41</sup> Ali Yafie, *Kodrat, Kedudukan dan Kepemimpinan dan Perubahan Dalam Perspektif Islam*, ed. Lily Zakiyah Munir, (Bandung: Mizan, 1999), p. 72.

<sup>42</sup> Ali Yafie, *Kodrat, Kedudukan...*, pp. 72-73

<sup>43</sup> Ali Yafie, *Kodrat, Kedudukan...*, pp. 72-73.

<sup>44</sup> Muhammad al-Ghazâlî, *Al-Islâm qa al-THâbaqah al-Muwaththalah*, (Kairo: Dâr al-Kutub al-Hadîthah, 1964), p. 138.

<sup>45</sup> Al-Naml [27]: 23-24

<sup>36</sup> Departemen Agama RI, *Al-Qur'an dan Terjemahannya*, p. 291

<sup>37</sup> Amîn al-Khûl, *al-Ma'ah al-Muslimah fî al-'Ashr al-Mu'ashirah*, (Baghdad: tp, t.th), p. 13

<sup>38</sup> Departemen Agama RI, ..., p. 291

<sup>39</sup> Mahmûd Syaltût, *Min Taujihât al-Islâm*, (Kairo: Al-Idârah al-'Âmah li al-Azhar, 1959), p. 193

[4]: 34 it turns out that according to the *mufasssir*, it has a meaning that is not singular.

Some *mufasssir* state the leadership referred to in al-Nisâ' [4]: 34 is male leadership in the family sphere. This is confirmed by the continuation of the verse "*bi mâ fadhala Allah ba'dhahum 'alâ ba'dh wa bi mâ anfaqû*". Looking at this snippet, there are at least two reasons why men deserve to be leaders. *First*, because men provided, and *second*, because men at that time had more access to the public than women. This definition and excess of access is sociological and historical, which can change and cause women to have the ability to provide a living and have access to politics. Therefore, women's leadership can occur not only in the family sphere and more general spheres such as the state. Al-Nisâ' [4]: 34 When seen, the sentence is in the form of preaching, it is not quite right if someone makes this verse as a legitimacy of the necessity of women not to be a leader of family and state.

Likewise, the leadership of women in the perspective of Hadith, which has the same nuance as the leadership of women in the perspective of the Quran. The incompetence of women as leaders needs to be reexamined. *First*, in terms of quality, the Hadith is included in the category of Hadith *shahîh li dzâtihi*. This is due to several factors; (1) all narrators of Hadith are rated *tsiqah*;<sup>46</sup> The Hadith is also considered *shahîh* by Shaykh Albânî;<sup>47</sup> and (3) al-Turmudzî considers this Hadith *hasan shahîh*. *Second*, judging from history, this Hadith was a response to the appointment of a Kisra Persian princess as queen, which was considered by the Prophet Muhammad to have no ability to lead a government. The Prophet's refusal was also not based because she was a woman but rather based on the daughter's inability to hold government control. It is very likely that if the woman in charge was not Kisra Persia's daughter, the Prophet Muhammad would not say that.

Related to this, Fatima Mernissi (2015) has made a sharp criticism of this Hadith. She criticized in terms of *sanad* and *matan*. In her criticism, she questioned the credibility of Abû Bakrah (51 H) as narrator of

Hadith, and why Abû Bakrah (51 H) only gave rise to this Hadith at the time of the political turmoil of the Jamal War between 'Âisyah and 'Alî bin Abî Thâlib after 23 years of the death of Prophet Muhammad, which in itself sided with 'Alî. Moreover, the context of Hadith is directed at the Kisra case in Persia, which left the throne to his daughter who did not have the capacity to be a leader.<sup>48</sup>

According to Meizara, et.al, there are several differences in the leadership of women and men in the company, including;<sup>49</sup>

1. How to work  
Women work in detail, systematic, controlled, rigid, irritable, and easily give tasks to subordinates, while male leaders work in no detail, trust more subordinates and emotions are more stable.
2. Empathy with subordinate conditions  
The female leader is less empathetic with family conditions because she compares with herself. She feels that she can manage household matters well, even the family sacrifices for the agency, so it is difficult for subordinates to ask permission to deal with children or families. In contrast, male leaders are more empathetic because they remember their wives and children at home; asking for permission from subordinates to pick up school children or family matters is easier.

Also, in the perspective of religious politics, the position of women seems to be constrained. However, in political practice, actually not a few women occupy important positions. Even the head of government. In Indonesia, for example, women serve as regional or government heads.<sup>50</sup>

<sup>46</sup> Fatima Mernissi, *Beyond the Veil* (Indiana: Indiana University, 1987), pp. 49-61; Umi Khoriyah, "Kontroversi Kepemimpinan Punlik Kaum Hawa Perspektif Hadîth Dalam al-Kutub al-Sitta", *Jurnal Lisan al-Hal*, vol 6, no 1 (2012): pp. 1-25; M. Ali Rusdi Bedong and Fauziah Ahmad, "Kepemimpinan Wanita Di Dunia Publik (Kajian Tematik Hadîth)", *Jurnal al-Maiyyah*, vol 11, no. 2 (2018), p. 221

<sup>49</sup> Eva Meizara, Puspita Dewi and Basti, "Analisa Kompetensi Kepemimpinan Wanita," *Jurnal Ilmiah Psikologi Terapan*, vol 14, no. 2 (2016), pp. 179-180.

<sup>50</sup> Election of Regional Heads 2018 there were 14 women who were elected as regional heads at the city, district and provincial levels. Among them (1) Dewi Handiani as Bupati of Tanggamus Lampung, (2) Ade Munawaroh Yasin as Bupati of Bogor, (3) Anne Ratna Mustika as Bupati of Purwakarta, (4) Ade Uu Sukaesih as Walikota of Banjar, (5) Umi Azizah as Bupati of Tegal, (6) Khofifah Indar Parawansa as Governor of East Java, (7) Puput Tantriana Sari as Bupati Probolinggo, (8) Mundjidah Wabah as Bupati Jombang, (9) Anna Mu'awanah as Bupati Bojonegoro,

<sup>46</sup> Ahmad Ibn 'Alî Ibn Hajar al- 'Asqalânî, *Tahzîb al-Tahzîb*, (Beirut: Dâr al-Fikr, 1404H/1984M), Juz. 10, p. 418, Juz 5, p. 57 and Juz 7, p. 143; Abû al-Hajjâj Yûsuf Ibn al-Dzâkî al-Mizzî, *Tahzîb al-Kamâl*, Juz. 30, p. 5.

<sup>47</sup> Muhammad Ibn 'Abdullah al-Khâthib al-Tibrîzî, *Misykah al-Mashâbih*, (Beirut: al-Maktab al-Islâmî, 1405H/1985M), Juz. 2, p. 340



The Quran also descriptively tells the story of the success of Queen Balqīs in leading her country.<sup>51</sup>

Based on the analysis of the arguments of the two groups above, the author argues for a better view of Hadith with contextual applicative concepts in line with the conditions and national political maps of the Indonesian nation when allowing women to become public leaders such as the President, Ministers, Prime Ministers and others. The reason is *First*, that according to the spirit and flexibility of Islamic law (*rûh al-Syarī'ah*) which must be able to answer all the changes and challenges of the times (*shâlih li kulli zaman wa makân*), then the Islamic messages documented in the Quran and Hadith relating to women's leadership needs to be socialized and contextually applied. Therefore, documentation of the results of *ijtihad* in the past scholars (various *fiqh*) including women's provisions should not be a public leader to be changed and relevant to the current real conditions, as exemplified by the creative *ijtihad* 'Umar bin Khatthâb and Shâfi'.<sup>51</sup>

*Secondly*, that the texts of the Quran and Hadith are always open to be understood and interpreted throughout the ages, as long as the *mufassirs* and *mujtahids* are competent to do so. Therefore, the Islamic jurisprudence category must always be adapted to the conditions so that its existence can answer new problems that continue to emerge, including women becoming public leaders in the current era, and *Third*, for the *mufassir* and *mujtahid*, it is necessary to try to change conventional thinking patterns (old paradigms) leads to contemporary methodological thought patterns (new paradigms), so that with this change, the understanding and interpretation of the texts of the Quran and Hadith can create contemporary Islamic legal thinking that can answer all the challenges and changes of the times.

Thus, in my opinion, Islam allows women from becoming leaders in public affairs, even becoming heads of state. The important thing is they can carry out these responsibilities, but with a note, if there

are no men who can assume the position. Therefore, the Hadith must be understood contextually because the content of the instructions is temporal.

## Conclusion

The qualities of Hadith narrated by al-Bukhârî (256 H), al-Turmudzî (279 H) and al-Nasâ'î (303 H) concerning women's leadership in general, are *shâhîh li dzâtihi*. His *Sanad* fulfills the validity of *sanad*, that is, his *sanad* is continuous, his narration is *tsîqah*, and is protected from *syudzûdz* and *'illah*. *Matan* also fulfills the validity rules of *matan* Hadith, which is to avoid *syudzûdz* and *'illah*. Textually, the Hadith shows the prohibition for women to be leaders in public affairs. The majority of scholars expressly state women's leadership in public affairs is prohibited. But contextually, it can be understood that Islam does not forbid women from occupying a position or be a leader in public affairs. They even became the head of state, with the condition that they would be able to carry out this task. Therefore, the Hadith must be understood contextually not just textual, because the contents of the instructions are temporal.

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<sup>51</sup> If this event is implemented in the economic world, then Bilqīs understands the strategy of conquering business opponents well so that he can get very satisfying results between the two parties.

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