

CHAPTER EIGHT

Why can't a woman be caliph or leader of state?

A Hadith of the Prophet (may Allah bless him and grant him peace) states, *"No nation that places itself under the leadership of a woman will prosper."*

Let us begin with the position taken by Islamic law on appointing a woman as head of state, as well as the wisdom entailed by this position. According to a tradition recorded by al-Bukhari, Ahmad ibn Hanbal, al-Tirmidhi and al-Nasa'i on the authority of Abu Bakr (may Allah be pleased with him) the Messenger of Allah (may Allah bless him and grant him peace) said, "No nation that places itself under the leadership of a woman will prosper." Those familiar with Islamic history will know that the Prophet (may Allah bless him and grant him peace) uttered these words when the Persian King Shirawayah died and was succeeded to the throne by his daughter, Buran. As for the implications of this sound tradition, we find that most scholars of Islamic law understand it to be a prohibition against assigning the functions of caliph or head of state to a woman.

Head of state

What, then, is the wisdom to be found in this hidden prohibition? In answer to this question, it should be noted that a large percentage of the duties performed by a caliph or head of state (that is, in an Islamic context) are religious in nature rather than being merely political. For example, one of the leader's duties is to gather the people for the Friday congregational prayer and deliver the Friday sermon. However, the woman is not required (not obligatory) to perform or even attend the Friday congregational prayer. How, then, can a woman lead and oversee others in the performance of a task which she herself is not required to engage in? (As already discussed in chapter three)

Someone might say: then let her delegate this task to a man under her authority. However, the rule of jurisprudence which applies here is that it is not permissible to assign someone as one's deputy in the performance of a given task unless the task concerned is required equally of both the person doing the assigning and the person being assigned, and unless the same conditions for a valid performance of this task apply equally to both.

Commanding the army

Another function of the caliph or head of state is to declare war when the situation requires, as well as to command the army. As we have seen, the woman is not required (not obligatory) to engage in armed struggle in defence of Islam or the Islamic nation unless there is a general call to arms, i.e. when there has been a surprise attack by the enemy on Muslims' own territory. On what basis, then, would a woman be assigned to lead people in military operations which she is not required to take part in herself? An outgrowth of the war-related duties of the caliph or head of state is the duty to declare truces and peace agreements; all these responsibilities, as we have seen, are inapplicable to the woman since the basis for all of them, namely, armed struggle for the sake of the Islamic nation is not required of the woman.

It follows, then, that the woman should not be placed in such uncomfortable situations unless there is some urgent necessity for doing so; and in fact, there is no real need to charge her with these particular responsibilities.

Other points

Another function of the head of state is that of leading the prayer, giving the sermons of the Friday prayer and the 'Eids, etc. If the woman is going to do all this then who will look after the household, the children and the affairs of the home?

In Islam, it is not permissible for a woman to raise her voice in front of strangers (Ghair-Mehram) as women's voices have sweetness and is attractive, hence goes against the principles of the Hijab. Allah mentions in the Quran:

"...be not so polite in your speech lest one in whose heart is a disease should feel tempted..."ⁱⁱ

Van de Velde in his book 'Ideal Marriage', states,

"The tone-colour of a voice and the intonation of a single word – and it may be a word of no special meaning or association in itself – may excite incredible intensity of desire. The unique and precious significance that a woman's voice can give to 'you' or 'thou' can suffice to overwhelm man's power of endurance and control..."

Islam has, hence, forbidden its women to speak in a soft or 'sexually' sweet tone. If anyone is aware of the springs of sex-psychology he will clearly see the justification for Islam's restriction in this matter.

Another thing to be kept in mind is as you already probably know that intermingling with the opposite sex is not permitted in Islam, and it is necessary for the head of state to intermingle and look after the affairs of the community and have closed door meetings (As discussed in chapter five). If a person wanted to speak in private then he would have to be alone with the woman which is not permissible in the first instance. So Islam has taken everything into consideration before making the rules and is not like the man made laws where it changes but the laws of Allah (The Exalted) will remain the same until the day of judgement.

Hijab and covering herself in front of men is very important, hence if a women did become the head of state she would have to remain covered and the people would not know who is behind the veil and being a leader the community should be able to see who is their leader and if she unveiled then there would be a lot of corruption in the community. (As discussed in chapter five).

It is clear from the above that the implications of Hijab are in direct conflict with the duties of leadership. In order to ensure the welfare of his subjects, the leader has to leave his home daily, meet and consult with people (men in particular) and travel to various parts of his country and sometimes to other countries as well. These cannot, however, be achieved if a lady has to be the ruler and at the same time observe the rules of hijab. It is on this accord that Shariah has prohibited female leadership.

Heads of Non-Islamic states

Think for a moment of the names of those who have risen to power as kings or heads of state in non-Islamic societies over the millennia of recorded human history, and you will find that the vast majority of them were men. This fact alone serves as clear evidence that these societies, including both their men and their woman, were convinced of the truth of what Islam teaches in this regard; otherwise, why have women not represented half, or even a fourth, or a tenth, of those who have become presidents, kings, etc. with governing authority throughout these various phases of history? Why have we never heard of a woman occupying the White House in the United States since the establishment of that nation? Indeed, why have we not heard of a woman even nominating herself for the presidency of the United States, the government which itself urges women in the Arab and Islamic worlds to fight for this very right?

Imam Abu Hanifa, the founder of the Hanafi school of jurisprudence, says that a woman can be appointed to a judicial position where she is supposed to adjudicate in civil and commercial cases, but he too says that it is not proper to appoint her to a position where she is supposed to adjudicate in (*hadd*) punishment and equitable retaliationⁱⁱⁱ cases and cases involving marriage. However, scholars like ibn Jarir at-Tabari have said that a woman can be appointed to a judicial position to adjudicate in all matters.^{iv}

Why can't a woman lead in Salaah?

1. We find that if the women were to lead the Salaah, then she would be neglecting the duty of looking after the husband, the upbringing of children and the affairs of the household.
2. If she was to lead the Salaah then she would have to stand in front and this goes against the principles of Hijab. There is a chance that the men would be looking at the 'behind' of the woman distracting their attention away from Allah (The Exalted) which is the purpose of Salaah.
3. She has to recite the prayer in a loud voice which again goes against the hijab as the voice of a female is an *awrah* and should not raise her voice in public, hence in Salaah it is a necessity to do just that.
4. Intermingling of the sexes is prohibited in Islam as mentioned in chapter six.
5. Once every month the women can not offer or lead the Salaah due to the monthly cycle, would a woman want everyone in the community to know that she is on her period?

Islam prescribes that there should be one leader in every human organisation, be it family, a group of travellers, two or more "bosses" would lead to an inability to resolve issues, which would in turn lead to chaos. Men are traditionally viewed as being generally more suited to leadership, which is why the position of Imam, Khalifah, etc. are viewed as being open only to males, but identifying the husband as the head of the household does not entitle the husband to be a "little Hitler." Consultation and mutual decision-making are required, and the wife should have a say in any major decisions. Again, role differentiation is the outside activities, whilst the wife tends to be in charge of internal household affairs, according to its own unique circumstances.

ⁱ Bukhari

ⁱⁱ Surah Al-Ahzab, Surah No: 33, Verse: 32

ⁱⁱⁱ See al-mawardi, op. cit., page 65; fath al-qair, vol. 5

^{iv} al-mawardi, p 64