

RECLAIMING HAWWA' IN ISLAMIC CIVILIZATION AND DISCOURSE

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SHORT BIO

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ABSTRACT

The ‘woman question’ in Islamic discourse and history is perhaps one of the most emotive and contested issues for Muslims and non-Muslims. In the western imaginary, nourished by vivid media images of shadowed, black-cloaked silent women coupled with sensational stories about honor killings and stoning, domestic oppression, political and legal disenfranchisement, women are symbols of the east-west civilizational conflict. In international politics, the idea of culture has gained

prominence and Muslims are presented as a homogenized and troubled culture and Muslim women represent how alien this civilization is. For some Muslims, a patriarchal interpretation of the 'rib of Adam' narrative asserts that a woman is secondary to a man as a human being. Yet, in the course of Muslim civilizational history and tradition, women were heads of states in Muslim societies, philosophers, preachers, intellectuals and freedom fighters. This paper examines this disjuncture and argues that one needs to re-think the 'woman question' not only in the Quran and hadith literature but to re-visit Islamic history and civilization to reclaim the place of women in contemporary Islam and its imaginaries.

KEYWORDS

woman; Islamic civilization; Islamic history; tradition;

INTRODUCTION

Islamic Civilisation (s), History and Tradition

How does one define Islamic civilisation? Islamic Civilisation or Islamic Civilisation(s) were found in the East and the West stretching from the Middle East to Europe, Africa, Central Asia, South Asia and Southeast Asia. Some of the many and varied examples of Islamic caliphates, empires, sultanates, dynasties, states are the The Rashidun Caliphate (632-661), The Umayyad Caliphate (661-750) - Successor of the Rashidun Caliphate, The Umayyad Caliphate of Cordoba in Islamic Spain (756-929-1031), The Abbasid Caliphate (750-1258) - Successor of the Umayyad Caliphate, The Fatimid Caliphate (910-1171), Umayyad Caliphate of Cordoba (929-1031) (Spain), The Almoravid dynasty (1040-1147) of Morocco, The Almohad dynasty (1121-1269) of Morocco, The Ayyubid dynasty (1171-1260), The Mamluk Caliphate (Bahri dynasty then succeeded by Burji dynasty) (1250-1517), The Golden Horde (1251-1502) (Russia), The Chagatai Khanate (Central Asia), The Ottoman Caliphate (1517-1923), The Mughal Empire in India (1526-1857), The Aceh Sultanate (c.1520-1903) (Southeast Asia), The Sultanate of Deli, The Sultanate of Siak Sri Indrapura, The Sultanate of Riau amongst others.

In the contemporary period, where and how does one define the "Islamic world"? Where is the heartland/mainland of Islam, is it the Middle East, Asia, or Europe? Of course many would identify the Arab world as the center of the Muslim world, however, with a majority of Muslims migrating to the USA and Europe, the centers of intellectual and social thought have shifted to these new centers of learning. Rising Asia – China, India and Southeast Asia with Indonesia being the most populous Muslim majority state, we may have to shift our orientation as to where is the center of Muslim world and thus Muslim 'civilisation' now.

Of course there are important common characteristics that define an Islamic civilization and common identity of the global ummah such as the centrality of the Quran and Sunnah, the five pillars of Islam, the hajj, the Eid ul-Fitr and Eid ul-

Adha, Arabic language and other such material and aesthetic culture such as architecture (mosques), art (Quranic/Arabic calligraphy) etc. However, there exist major differences between the diverse Islamic Caliphates and Empires such as the Fattimids, Safavids, Ottomans, Mughals, and Malay-Muslim Sultanates in Southeast Asia. Despite commonalities and a global identity of the ummah, how Muslims understand, interpret and perform their religion certainly differ, determined by their own local socio-political and cultural contexts. There also exists a more localized understanding, interpretation of Islam inflected by local culture and practices. It is important to note that when we talk about Islamic civilization, history, tradition and discourse we are also referring to a very diverse, plural historical tradition and a very discursive, contested discourse.

The 'Woman Question' in Islamic History and Discourse

The 'woman question' in Islamic history and discourse is one such discursive and contested issue. Mainstream dominant discourse on women originating from the Middle East with Salafi and Wahhabi orientations tend to limit women in many spheres be it domestic, legal, public and political. A patriarchal and hegemonic reading and understanding of the Quran and Hadith have resulted in an asymmetrical power relation favoring men sometimes even at the expense of women. These are in turn translated into discriminatory state and institutional policies on women for example in Saudi Arabia and Afghanistan. These actions are responsible for the negative image of women in the west, especially in the media where shadowed black-cloaked women become symbols of Islam as an archaic, backward and patriarchal religion.

There is a need to re-visit, re-think about the long, varied, contested, plural and discursive historical discourse in Islamic intellectual and social thought in order to appreciate the contested scholarly debates amongst exegetes, theologians and ulema across Islamic history. This is critically important if one were to understand Muslim women's position and rights in Islam. If we were to have a counter-narrative to the dominant, conservative and at times extremist ideology regarding women, we need to reclaim the place of women in Islamic history, tradition and discourse by not only a re-reading of the Quran and hadith, but to examine local historical traditions and cultures in the varied areas across the Muslim world throughout history to appreciate the many contestations, understandings, manifestations of women's positions in Islam. In this regard, it is critical to understand how Islam is 'localized', 'translated' according to local contexts. Also, to foreground the rather silenced narrative of Islam's enlightened position on women based on justice, kindness, love and partnership between the sexes as interpreted by reformist scholars both male and female.

This paper first examines the contested debates - Quranic and Hadith interpretations amongst exegetes and scholars from the 8th century to the 21st century regarding women's rights and responsibilities. Secondly, it will demonstrate how local interpretations on women's roles differ from mainland dominant

narratives on women. This paper focuses on elite women and the debate on women's position in the public sphere and politics.

Re-thinking the role of Hawwa' and the origin of humanity – Debates amongst Muslim exegetes

In the Classical period, there was very little record of women voices and exegetes during the early era of Islam but the Prophet's wife, Aisha's voice could be heard in some works remonstrating some male companions for carelessly attributing misogynist reports to the Prophet. Early biographical works of Ibn Sa'd (d.845), document details of lives of the first generation of Muslim women who contributed to the early Muslim community.

“(Male) believers (al-mu'minun) and (female) believers (al-mu'minat) are the natural partners (awliya) of one another; they command the good and forbid wrong and they perform prayer, give the obligatory alms and obey God and His messenger. They are those upon whom God had mercy; indeed God is Almighty, Wise.” Quran 9:71

Muqatil b. Sulayman al-Balkhi (d.767) during the Umayyad era, interprets Quran 9:71 and asserts the full and equal partnership between male and female believers in matters of religion. Similarly al-Tabari, in the Abbasid era, sees male and believers as allies and supporters. Al-Wahidi (d.1076) underscores the complementarity of men and women's religious and familial roles and quoted Ibn 'Abbas (Prophet's companion) who stated that men and women were allies in mercy and affection. Muhammad b. Ahmad al-Qurtubi (d.1273) an Andalusian exegete sees men and women united in affection, love and empathy.¹

Early Muslim scholars and exegetes tend to have a more positive view of women and interpret Quranic verses in a more gender egalitarian manner where if men are seen to have a superior position it is because of ontological and functional reasons within a family or societal context.

“O humankind! Be careful of your duty to your Lord who created you from a single soul (nafṣ wahida) and from it created its mate and from them the two have spread abroad a multitude of men and women” Quran 4:1

This verse clearly states the creation from a single soul without specifying which sex was being created first illustrates a gender egalitarian notion in both ontological and biological sense negating the justification of a hierarchical relationship between men and women, what more an inferior female sex.

Latter male Muslim scholars tend to interpret these Quranic verses in a gendered manner where these verses are taken to mean a general divine preference for men over women. The 'patriarchalisation' of Muslim societies began soon after when only men voices began to be heard and recoded in interpreting the Quran

¹ Asma Afsaruddin, *Contemporary Issues in Islam*, (Edinburgh, Edinburgh University Press, 2015), p.90.

regarding gender relations and women's roles and status in society. From the 10th century onwards, the exegete Fakhr al-Din al-Razi (d.1210) emphasized the biblical literary motif of woman's creation from the rib of Adam which later became a narrative in Muslim exegeses to illustrate the argument that female is secondary to the male as a human being, thus allowing a wide variety of justifications of female inferiority in many other spheres justifying men's superior position in politics, ethics and morality, legal, even within the family and personal spheres.

Partnership or Guardianship?

“Men are qawwamun over women because God had preferred some of them over others and because of what they spend of their wealth. Virtuous women are devout (ganitat) preserving that which is hidden according to what God has preserved. As for those women whose recalcitrance may be feared, reprimand them, banish them to their beds and strike/avoid them. And if they obey you, then do not misbehave towards them at all; indeed God is majestic and great.”
Quran 4:34

Early classical exegetes such as Muqatil b. Sulayman al-Balkhi interprets this verse to mean that men have been granted authority and rights over women because of the bridal gift (*mahr*). Muqatil and al-Tabari (d.923) view this verse in the context of marriage and that the husband's guardianship is primarily **functional** due to his position as a financial provider where a certain moral authority is appended.

Twentieth century reformers such as Rashid Rida (d.1935) in the *Tafsir al-manar* argues that guardianship is based on functional superiority, not biological and should be understood within the family context where the financial responsibilities of the husband confer them a degree above the wife. Muhammad Abduh (d.1905) emphasizes the complementarity of roles between husband and wife where the husband is head and wife is the body. Rida views *nushuz* as the wife rebelling against her husband and denying him his rights. If she refused to be counseled, light beating would be done as a last resort and in exceptional cases.

Sayed Qutb stresses that men and women assume complementary and equally important roles in the family based on their ontological attributes. He views wives as having their own identity, legal and ethical rights. He sees light beating as a last resort to effect a willing acquiescence rather than a coerced one.

Scholars in more recent times such as Fazlur Rahman and Khaled Abou Fadl emphasize that the verse only refers to functional superiority due to men's role as breadwinners. If women assume such a function they too assume *qiwama*, thus this role and responsibility is based on who is assuming this function rather than it being gendered and must be therefore attributed only to men. Others such as Mohammed Shahrour and Aby Zayd argue that the overall message of gender egalitarianism in the Quran does not support the privileged status of men by virtue of their sex.²

² Asma Afsaruddin, *Contemporary Issues in Islam*, pp. 96-97.

However, other exegetes disagree. This verse has been quoted often times to justify men's (husbands') control and superiority over women (wives). Indeed, hadith literature regarding the above verse have been generalized by some scholars to be applicable to contexts outside marriage and family and used to justify and limit women's access to the public sphere and to aggrandize the political, social and legal prerogatives of men over women. In hadith literature, Ibn Kathir (d.1373) raised the status of husbands to almost akin to God's, where wives are exhorted to be obedient to God and their husbands.

Another example is Ibn Kathir exegesis of Quran 4:34 concerning the inability of a nation to prosper if its affairs are governed by a woman. Fatima Mernissi has argued that this is based on a solitary report by Abu Bakra who had once been flogged by Khalifah Umar for giving false testimony in a case involving adultery questioning his reliability as a hadith transmitter. He also appeared to 'remember' this so-called hadith around the time of the Battle of the Camel when Aisha, the Prophet's widow was involved.

One Man Equals Two Women?

"Set up two witnesses from your own men, and if there are not two men, then choose a man and two women as witnesses, so that if one makes a mistake, then the other can remind her." Quran 2:282

Another verse which has been generalized from a specific context and universalized to represent the superior status of men over women in general is verse 2:282.

This is part of a verse in surah al-Baqarah which is actually the longest single verse in the Quran which is revealed in connection with advanced agricultural sales and other agreements, including loans where payment and delivery do not take place simultaneously. In a forward sale as practiced in Madinah during the Prophet's time, one could receive payment for agricultural goods to be delivered in one to three years' time in the future. Two women were needed because generally women at that time would not have the expertise on complex financial arrangements. Considering the social conditions of that time, for women to be called upon as witness was already radical. To require two of them would be understood to as providing a measure of protection for them against bullying or manipulation by interested parties rather than as an indictment of their testimony.³

Therefore, this verse concerns a very specific reference to a loan transaction where women in pre-modern times might not have much expertise. But this verse has been taken as proof-text by some scholars that a woman's legal testimony in general is worth half of that of man's. The assumption is that it is in the nature of women to be forgetful and not as mentally competent as a man.

In contrast, scholars such as Ibn Taymiyya (d.1328) and Ibn Qayyim-al-Jawziyya (d.1350), highly regarded in conservative circles of Muslims actually have a more

³ Seyyed Hossein Nasr, (ed), *The Study Quran, a new translation and commentary* (HarperOne, 2015), pp. 122-123.

egalitarian interpretation of this verse even close to articulating the equal valid testimony of women compared to men. Because of the specific nature and context of the verse, a woman's incompetence in financial transactions in the pre-modern period (where such expertise would be rare) should not be universalized that a woman's legal testimony and expert judgement in all matters is less superior to a man. Indeed, women's transmissions of ahadith with its high standards and moral probity have been accepted when women have been recognized as meeting these stringent standards.

Redressing the Imbalance and Interrogating Dominant Narratives

It is clear from the above illustration that the 'woman question' has been a highly contested and intensely debated one in Muslim discourses. There is an urgent need to foreground the lesser known and more enlightened interpretation on women's roles in Islam and redress the imbalance that has been tilted towards a more vocal and conservative narrative that limit women and treat them as a degree less than men.

How does one seek to do this? One way is to adopt a holistic reading of the Quran rather than an atomistic line-by-line method. A fundamental flaw in traditional Quranic hermeneutics has been the inability of many exegetes to distinguish between the general or universal commandments of the Quran and the particular, contextualized applications of them. In the *tafsir* discipline, this division has been well-recognised in regard to the meaning of verses that are considered '*amm*' (general) and '*khass*' (particular). However this distinction has not been consistently applied. According to Asma Afsaruddin's diachronic survey, most post-classical exegetes derived a theory of the general superior status of men vs women from Quran 4:34 and mis-interpreted what was meant to be a functional description of a husband's role and status within the family as a universal injunction of men's superiority over women applicable to all time and place. Another verse Quran 2:282 was also generalized to have universal implication. Both the Quranic verses, the particular historical context and financial practices at that time do not allow for a universal proclamation of women's ontological inferiority to men's. Thus, there is a need to recognize and differentiate the general from the particular, universal principles from specific, contextual instructions. These verses, when read with other verses in the Quran such as Quran 33:35 and Quran 9:71 (see below) show that these general verses regarding the equality of women to men and their moral agency do not support the verses that were meant to describe a particular historical contingency.

More recent Muslim scholars such as Fazlur Rahman, Abou Fadl, Amina Wadud and Asma Barlas call for a more enlightened and universal reading of the Quran. Muslim exegetes must develop a hermeneutical framework where correlations among verses must be made to exemplify the full impact of Quranic coherence. Asma calls for the legitimacy of liberatory readings to challenge and contest readings of the Quran that justify abuse and degradation of women. Historical

contexts meant to be particular descriptions with its own contingency are often used by some exegetes to universalized injunctions subverting the fundamental, universal, Quranic ethos of justice and equality.

Gender justice and moral agency and excellence in the Quran

“Those who have surrendered to God among males and females; those who believe among males and females; those who are sincere among males and females; those who are truthful among males and females; those who are patient among males and females; those who fear God among males and females; those who give in charity among males and females; those who fast among males and females; those who remember God among males and females – God has prepared for them forgiveness and great reward.” Quran 33:35

“(Male) believers (al-mu’minun) and (female) believers (al-mu’minat) are the natural partners (awliya) of one another; they command the good and forbid wrong and they perform prayer, give the obligatory alms and obey God and His messenger. They are those upon whom God had mercy; indeed God is Almighty, Wise.” Quran 9:71

It is clear that the above verses illustrate the gender egalitarianism in the Quran with regards to moral agency and excellence in this world and the rewards that await in the hereafter. Both male and female are partners to promote good on this earth and in fulfilling both their communal and individual obligations.

Reclaiming women in Islamic history and traditions

The dominant negative interpretations, understandings and assertions about women tend to silence or marginalize Muslim women who had played great roles and contributed to Muslim history and societies who were accepted as authoritative and legitimate in their own societies by both men and women. Islam, some have argued, demands the seclusion of women and relegates them to the realm of the private and the domestic. The political sphere—a public domain—is generally seen as a prerogative of men, rarely encroached upon by the female sex; political and religious leadership in the hands of women is almost unthinkable. And yet studies by Fatimah Mernissi on Muslim queens in history and Muhammad Akram Nadawi on women religious scholars and narrators of hadith al-Muhaddithat (female scholars of hadith—sayings of the Prophet) show that there are examples in Muslim history of women exercising political and religious authority.⁴

Women rulers who have been recognised and recorded in history include Sultanah Radiyya, who ruled Delhi in 1236.⁵ Tindu ruled the Mongol Jallarid dynasty of

⁴ Fatima Mernissi, *Forgotten Queens of Islam*, trans. Mary Jo Lakeland (Minneapolis: University of Minnesota Press, 1993); Muhammad Akram Nadawi, *Al-Muhaddithat: The Women Scholars in Islam* (Oxford: Interface Publications, 2007).

⁵ Peter Jackson, ‘Sultan Radiyya Bint Iltutmish,’ in *Women in the Medieval Islamic World*, ed. by Gavin Hambly (New York: St. Martin’s Press, 1999), pp. 181-182.

Iraq from 814 to 822, while some centuries later the Kutlugh-Khanid dynasty produced Kutlugh Khatun (r. 1257–82), and her daughter, Padishah Khatun (r. 1282–95). The latter's niece, Absh Khatun, ruled the Atabek dynasty from 1263 to 1287, and Sati Bek became Ilkhan sultanah in 1339.⁶ The Fatimids, who established an Isma'ili Shi'i caliphate in Yemen to rival the Sunni Abbasids, placed two queens on the throne, Malika Asma and Arwa, who between them held power from 1019 to 1038.⁷ In the Maldives, three queens—Sultanah Khadijah, Sultanah Myriam and Sultanah Fatima—ruled from 1347 to 1388.⁸

Early Islam gave women a much more prominent position compared to the latter years when religion became institutionalised and bureaucratised by male elite. Most of the writing favourable towards women's contributions in public affairs belongs to the earlier period of Islam; that is from the eighth to the ninth centuries. This is when Islamic societies generally appear to have allowed women a great deal of prominence and in the arena of politics in particular. Some examples of the classical religious histories that recorded women's involvement in historical events are works by Ibn Saad, Shaikh Ibn Hajar and Abi Ja'afar Mohammed Ibn Jarir, better known as Tabari.

As Islam spread and consolidated, it was interpreted and executed by males, and power and authority began to be constructed and defined as necessarily male. During the latter period, especially from the seventeenth century, women's involvement in politics was viewed derisively, and women were seen as a factor contributing to the decline of the Ottoman and other Islamic dynasties, such as the Safavids and Mughals. Only in recent years, with a more feminist reading of the Qur'an, have women begun to interpret the religion themselves in ways that have resulted in redefining ideas of power, authority and leadership.

In contrast to mainland of Islam, the queens mentioned above belong to what could be termed as the peripheral lands of the Muslim world – in Delhi, in Shi'i Yemen, the Mongol dynasty in Iraq and the Maldives. Much unknown and very little researched, in Malay-Muslim insular Southeast Asia, spatially and culturally removed from the heartlands of Islam, there was a preponderance of Muslim women rulers in the early modern period. The kingdom of Patani was governed by four women in succession from c.1584 to 1718, in Sukadana between 1608 and 1622, in Jambi between 1630 and 1655, and in Solor from 1650 to 1670.⁹ The Sultanahs of Aceh reigned from 1641-1699.¹⁰ Indeed the tradition of Muslim

⁶ Gavin Hambly (ed), *Women in the Medieval Islamic World*, pp. 13-17.

⁷ Farhad Daftary, 'Sayyida Hurra: The Isma'ili Sulayhid Queen of Yemen', in *Women in the Medieval Islamic World*, ed. by Gavin Hambly (New York: St. Martin's Press, 1999), p. 118.

⁸ Fatima Mernissi, *Hidden from History- Forgotten Queens of Islam* (Pakistan: Al-Abbas International, 1996), p. 89, pp. 107-108.

⁹ Cheah Boon Kheng, "Power behind the Throne: The Role of Queens and Court Ladies in Malay History", *Journal of the Malaysian Branch of Royal Asiatic Society* 66, 1 (1993), pp. 1-2.

¹⁰ Sher Banu A.L.Khan, *Sovereign Women in a Muslim Kingdom: The Sultanahs of Aceh 1641-1699*, (Singapore: National University Press, 2017), forthcoming.

women leaders continues till today with the likes of Megawati Sukarno Putri in Indonesia and Wan Azizah in Malaysia.

The Malay/Islamic perceptions of power and leadership in the pre-colonial era – Localization of Islamic Thought

Mainstream Islamic political doctrines on leadership formulated in the Middle East implied that a leader should necessarily be male. Al-Ghazali cited manliness, good horsemanship and skills in bearing arms as necessary qualities a ruler should possess.¹¹ Following the tradition set by al-Mawardi, he was severe towards women, for, according to him, they should be barred from holding even subordinate positions, such as those of a vizier, minister or judge. How was women's involvement in politics viewed in the Malay world in the early modern era? To answer this question, it is important to draw on sixteenth to seventeenth century Malay/Islamic political treatises that laid out the theory on kingship. In the context of Muslim Southeast Asia, the religious scholars in Aceh might well have referred to these contemporary religious and other writings that touched on the issue of female participation in politics and governance to explain their acceptance of the ascendance of the first female sultanah to rule Aceh dar al-salam in 1641.

According to Reid, "Austronesian societies...which include Polynesia and Madagascar as well as Indonesia and the Philippines have been more inclined than perhaps any other major population group to place high-born women on the throne."¹² Prior to the founding of the kingdom of Aceh, in the Northern part of Sumatra, a historical precedent had been set where female rulers appeared not only to have already been in existence but were highly honoured and commemorated. A pair of gravestones, one written in Old Javanese and one in Arabic characters, were found in the village of Minye Tujoh in Aceh, inscribed with the dates of death 781 or 791 A.H. (1380 or 1390 A.D.) respectively.¹³ According to Ibrahim Alfian,¹⁴ the stones mark the grave of a Queen Nur Ilah, with the appellation "Queen of the Faith...who has rights on Kadah [Kedah] and Pase [Pasai]."¹⁵ In what is now the district of North Aceh, another gravestone made of marble with exquisite Arabic calligraphy and Quranic verses was also found. The Arabic calligraphy translates as "this is the grave of a brilliant holy woman, a Queen respected by

¹¹ See Ann K.S. Lambton, *State and Government in Medieval Islam: An Introduction to the Study of Islamic Political Theory* (Oxford, New York: Oxford University Press) p. 121.

¹² Anthony Reid, "Female Roles in Pre-Colonial Southeast Asia", *Modern Asian Studies* 22, 3 (reprint 1998): 629–45, p. 639.

¹³ W. F. Stutterheim, 'A Malay sha'ir in Old-Sumatran characters of 1380', *Acta Orientalia*, 14 (1936), 268-279, pp. 276-277.

¹⁴ Ibrahim Alfian, 'Ratu Nur-Ilah', in Ismail Sofyan and Others, *Wanita Utama Nusantara* p. 2.

¹⁵ Translated from Old Javanese by C. Hooykaas, quoted by Ibrahim Alfian, 'Ratu Nur-Ilah', in Ismail Sofyan and Others, *Wanita Utama Nusantara* p. 3.

all...Nahrasiyah...who died on 17 Zulhijah 823 (1428).¹⁶ The Hikayat Patani (court chronicle) related that when Sultan Bahadur died, there was no male heir to succeed him. The orangkaya (aristocratic elite) appointed his daughter, Raja Ijau as Patani's next ruler.¹⁷ Several more instances of female rulers in the region were in Sukadana, in Jambi and in Solor. The preponderance of these female rulers show that sex was not the main criteria for succession in the Malay world.

In Southeast Asia, ancient and pre-colonial concepts of power and authority were defined in terms of dualities of male/female with implications of fertility and complementariness.¹⁸ According to traditional Malay ideas of political leadership as found in indigenous chronicles and hikayat (folklore), the ruler, or raja, had a central role as the state or government was constructed around his person. In the Hikayat Pahang (court chronicle), he was valued more for his manners than his practical skills.¹⁹ The mark of a true king lay in his behaviour: an exemplary raja should exhibit baik budi bahasanya (excellent manners) and speak in a manis (graceful/sweet), lemah lembut gentle and polite way. One of the most important duties of a raja was to bestow titles, gifts and honours to his subjects according to their rank.²⁰ A raja should behave with patut (propriety) and if he did not, he would be considered tiada adil (unjust). Good manners and the ability to treat his subjects with appropriate formality were the raja's most valuable attributes. Manliness and prowess did not seem to factor at all in Malay conceptions of successful leadership: indeed, from the perspective of adat, neither did the leader's sex. A female could be as well suited to being an exemplary raja as a male.

The Kanun Syarak Kerajaan Aceh²¹ (Laws concerning the kingdom of Aceh dar al-Salam), written in the sixteenth century, did not consider being male as a pre-requisite to becoming a ruler. Rather, the pre-requisites of a ruler were his knowledge and moral attributes. The Taj us-Salatin, a political treatise, written in

¹⁶ Ibrahim Alfian, 'Ratu Nahrasiyah', in Ismail Sofyan and Others, *Wanita Utama Nusantara* p.16.

¹⁷ Siti Hawa Haji Salleh (ed), *Hikayat Patani*, (Dewan Bahasa dan Pustaka:Kuala Lumpur, 1992), p.28.

¹⁸ Leonard Andaya, "The Stranger-King Complex in Bugis-Makassar Society", unpublished paper presented at the Stranger-Kings in Southeast Asia and Elsewhere Workshop, Jakarta, Indonesia, 5-7 June 2006, p. 1.

¹⁹ Anthony Crothers Milner, "The Malay Raja: A Study of Malay Political Culture in East Sumatra and the Malay Peninsula in the Early Nineteenth Century" (Unpublished PhD thesis, Cornell University, 1977), p. 196.

²⁰ Ibid, p.196.

²¹ The *Kanun Syarak Kerajaan Aceh* was written in 1853 by Tengku di Meulek, a descendent of Aceh's Arab Jamal al-Din dynasty during the reign of Sultan Alauddin Mansur Syah. The *Kanun Syarak Kerajaan Aceh* was believed to be based on an earlier kitab, *Tazkirah Tabakah*, written in 1507 during the reign of Sultan Ali Mughayat Syah. See Abdullah Sani Usman, *Nilai Sastra Ketatanegaraan dan Undang-undang dalam Kanun Syarak Kerajaan Aceh dan Bustanus Salatin [Value of Literature on Governance and Law in the Canon Law of the Kingdom of Aceh and Garden of Kings]* (Bangi, Selangor: Penerbit Universiti Kebangsaan Malaysia, 2005), p. 18.

Aceh in 1603 by the Muslim scholar, al-Jauhari²², actually viewed female rule as legal in the absence of a male heir. One could argue that this treatise was way ahead of its time and was a reflection of the local religious scholars' attitude towards leadership and women in general. In chapter five of the *Taj us-Salatin*, under the heading of *kerajaan* (monarchy) and the *hukum* (laws) regarding the sultan, the writer, albeit, reluctantly²³, stated that a female could succeed a male king, but, only in special circumstances viz. in the event of the non-existence of a male heir in the royal family and to prevent crisis (*darurat*) in the country.²⁴ Although he placed caveats on female leadership, the very discussion on the legality of female leadership put this indigenous scholar's thesis in sharp contrast to the views held by Islamic scholars found in the Muslim heartlands at the time. The *Taj us-Salatin* explication of theories of female leadership, had taken on a distinctly local interpretation of Islamic doctrines to explain and reflect a local political reality, i.e. the existence of female rulers in the Malay archipelago.

The *Sulalat-us-Salatin*²⁵ or commonly known as *Sejarah Melayu*, (believed to be written in 1612 by the Bendahara of the Melakan sultanate), did not seem to object to female rule either or the involvement of several powerful aristocratic women behind the throne during the Malaccan Sultanate; in some instances even judge their influence as positive. Tun Sri Lanang, told his readers that a woman, Sikadar Syah, ruled the kingdom of Bentan and he described in great detail the greatness and prosperity of Bentan under her rule. For example, she bestowed upon Sang Sapurba and Sang Nila Utama, emissaries from Palembang, two crowns so decorated with precious stones that one could not even glimpse the gold underneath.²⁶

I have shown that neither religious knowledge nor sex was among the prerequisites in the selection of a ruler, nor was either used as a yardstick by which to judge the quality of the sultan or sultanah. The main tasks of an exemplary ruler—the defender of the faith—as laid out in the *Kanun Syarak Kerajaan Aceh*, *Taj us-Salatin*, *Bustan us-Salatin* and the *Adat Aceh* were to uphold Allah's laws, pursue prosperity for the subjects and ensure public welfare: success or failure in these depended on his or her moral attributes. The ruler must be just, merciful, generous, prudent, knowledgeable, pleasant/good looking and possess good conduct.

²² Khalid Hussain (ed), *Taj us-Salatin*, (Kuala Lumpur: Dewan Bahasa dan Pustaka, 1992), p. xiv.

²³ I suggest that Al-Jauhari reluctantly agreed to female rule because, in his explication of the ten prerequisites to good leadership, he advised kings to spend less time with women because according to him, they lacked good deeds. He also stated that a king, by right, should be a male because a king is also an *imam* and a woman can never be an *imam*, *Taj us-Salatin*, Khalid, p. 60.

²⁴ Ibid, p.60.

²⁵ See, *Sejarah Melayu - The Malay Annals* ed. by Cheah Boon Keng (Kuala Lumpur: The Malaysian Branch of the Royal Asiatic Society, 1998), pp. 10-20.

²⁶ Cheah, *Sejarah Melayu*, p. 25.

The *Bustan us-Salatin* written by a renowned ulama from Gujerat, Nuruddin al-Raniri²⁷, who was appointed as the Sheikh al-Islam (the highest court position in Aceh after the sultan) states:

“Her royal highness, our lord Seri Sultan Tajul Alam Safiyyat al-Din Shah Berdaulat, the shadow of Allah on earth, possessed many praiseworthy and virtuous traits, as well as being fearful of Allah and always praying five times a day and reading the Quran aloud, repeating the name of Allah and always reading the book of Allah, and commanding people to perform good deeds and forbidding them to commit bad deeds, as was sent down by Allah to our Prophet Muhammad, and was extremely just in the matter of examining and sentencing all the servants of Allah. On account of the blessing of the royal power and good fortune of Yang Maha Mulia, there were many of the servants of Allah who were faithful believers and prayed five times a day and pursued knowledge.”

Al-Raniri wrote in the *Bustan* stating that her rule was accepted and justified because she had the qualities of a good ruler, i.e. she was just, generous, loving, caring and pious and exhorted her subjects to do good.²⁸ The possession of these virtues determined rightful rulers regardless of their sex. The *Bustan* described good male rulers in much the same way. I venture that this neutral attitude toward female rule suggests a less conservative and extreme interpretation of Islamic tenets regarding female roles and perhaps reflects a less gendered pre-modern concept of rule and power. It demonstrates a respect for sovereignty *daulat per se* regardless of the sex of the person in whom it is manifested based on lineage and good behaviour.

Another renowned seventeenth century ulama in the Malay world is Abdul Rauf al-Singkel.²⁹ Al-Singkel was born in West Sumatra and was appointed as the Sheikh al-Islam in 1661 upon his return to Aceh from studies in the Middle East. He was Sheikh al-Islam until his death in 1693 serving three successive female sultanahs. Abd al-Rauf al-Singkel wrote about twenty -two works ranging from law, Quranic exegesis, theology and mysticism. His text, the *Mirat al-Tullab* was written after he returned to Aceh in 1661. In his *Mirat al-Tullab*, (completed in 1663), he left open the possibility of women being in leadership positions, for example, as judges.

²⁷ This ulama's full name is Nur al-Din Muhammad, bin Ali al-Hamid al-Shafi'i al-Asha'ri al-Aydarusi al-Raniri al-Surati: Peter G. Riddell, *Islam and the Malay-Indonesian World: Transmission and Responses* (London: C. Hurst, 2001), pp. 116–8.

²⁸ Teuku Iskandar (ed.), *Bustan us-Salatin*, (Kuala Lumpur: Dewan Bahasa dan Pustaka, 1966), p. 73.

²⁹ Abd al-Rauf b.Ali al-Fansuri al-Singkili (c. 1615–93) was born in Singkel. He was *Sheikh al-Islam* until his death in 1693: Riddell, *Islam and the Malay-Indonesian World*, pp. 125–8; Azyumardi Azra, *The Origins of Islamic Reformism in Southeast Asia: Networks of Malay-Indonesian and Middle Eastern 'Ulama' in the Seventeenth and Eighteenth Centuries* (Honolulu: Allen and Unwin, University of Hawai'i Press, 2004), p. 71.

He did not view female rule as forbidden, seeing it as a normal phenomenon where a woman could rule even in non-darurat condition.³⁰

Spatially and culturally far away from the heartland of Islam in the new frontiers and far-flung regions of insular Southeast Asia, the ulama found themselves faced with a uniquely different political reality from that faced in mainland Islam, that was the tradition of powerful women in general and high-born women who played important roles at court. Interestingly, this lack of concern about the sex of the ruler in Malay/ Muslim kingdoms reflect not only pre-colonial adat values on leadership and authority but also the more egalitarian interpretation of Islamic tenets regarding women. The yardstick to measure effectiveness of a ruler is based on attributes such as knowledge and conduct not biological and gendered.

CONCLUDING REMARKS

In line with this conference's aim to rethink Islamic Civilization, reawaken Muslim Social Ethics, Intellectual and Spiritual Tradition, I suggest that we should reexamine the 'woman question' in Islam and view it in a less gendered and binary manner but to view both Muslim men and women in a more enlightened and capacious lens based on Islamic ethos of justice, love and complementarity. Also, to understand and accept that local political and social contexts and normative values help shape the practice and performance of religion contributing to Islam's rich, diverse and plural histories and traditions.

Islam Nusantara and Islam *Pribumisasi* as manifestations of Islamic practices within a local social and cultural milieu have universal messages for a more global Islamic *ummah*, especially concerning the rights and responsibilities of Muslim women. This is especially important as counter narratives to the very dominant so-called global, "Islamic" narrative about women, reified by media, that women not only have no place "above men" in politics but women should not have any right of autonomy to their own bodies since they belong to their fathers and husbands.

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³⁰ Amirul Hadi, *Islam and State in Sumatra: A Study of Seventeenth-Century Aceh* (Leiden: Brill, 2004), pp. 81-2.

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