
RESEARCH ARTICLE

Women Leaders in the Perspective of Indonesian Regulations and Progressive Fiqh

Moch. Nurcholis¹ ✉ and Iffatin Nur²

¹ Lecturer, Faculty of Shari'ah, Institut Agama Islam Bani Fatta, Jombang, Indonesia

² Professor of Islamic Studies, Graduate School, UIN Sayyid Ali Rahmatullah Tulungagung, Indonesia

Corresponding Author: Moch. Nurcholis, **E-mail:** mnurcholis033@gmail.com

ABSTRACT

The population of Indonesian women is slightly less than men, according to the Indonesian Central Agency of Statistics survey in 2022. Unfortunately, they have not yet filled and occupied many public sectors, which have significant influence in determining decisions and important policies as their male counterpart have. This paper aims to elaborate on the potential of having Indonesian women as leaders - including political leaders and parliamentary representatives - by analyzing data about women's participation as parliamentary representatives and regency/city and provincial leaders in Indonesia. The study is descriptive qualitative research employing historical and both Indonesian regulations and progressive *fiqh* (Islamic jurisprudence) juridical approaches. The data were analyzed using *fiqh al-siyāsah* (Islamic jurisprudence on politics) and empowerment theories. The findings show that 1) historically, women, in general, have the same capability and competence to become public and political leaders as men, and 2) juridically, the right to become public and political leaders is properly guaranteed in both Indonesian regulations and progressive Islamic jurisprudence.

KEYWORDS

Fiqh al-siyāsah; Islamic jurisprudence on politics; progressive fiqh; women empowerment; women leaders

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1. Introduction

Gender equality is still one of the hot topics to be discussed and studied. Studies about women and gender equality never subside in every space and time (Rohmatullah, 2017) and fill a lot of discourses in the midst of our society. Such issues become even more interesting when awareness of the injustice between the two types of gender (male and female) - which is often called gender inequality - increasingly gets high attention in our society (Marzuki, 2008). According to the Indonesian Central Agency for Statistics (Badan Pusat Statistik or BPS)'s latest survey by the end of 2022, the population of Indonesian women is slightly less than men, - 136,385 million compared to 139,389 million (BPS, n.d.1). Unfortunately, they have not yet filled and occupied many public sectors which have significant influence in determining decisions and important policies as their male counterpart have. Even when women enter public sectors, their position is often always under men, especially in politics. Such a phenomenon does not only occur in developing countries such as Indonesia but also in developed countries such as Western Europe and the United States.

So far, women have always been considered an object of development, even though evidence has been found for a long time that women have succeeded in becoming the subject of development. Therefore, as Suratman stated, the term 'women empowerment' is no longer suitable to be used, but rather it is more suitable to use 'improvement of women empowerment' (Pusat Studi Wanita (PSW), 2017). As emphasized by Mrs Maya Juwita, the Executive Director of the Indonesia Business Coalition for Women Empowerment, the concept of empowerment that is really needed by women is not to be given strength but, rather, to be given equal opportunity in all aspects and, she believes that the world will be a better place if men think more like women (Handayani, 2021). Women's long struggle still faces many obstacles or controversies that may come from external or internal factors (PSW, 2017).

Talking about the gender gap, the World Economic Forum (WEF) 2022 report shows that the global gender gap has been closed by 68.1%. At the current rate of progress, it will take 132 years to reach full parity. This represents a slight four-year improvement compared to the 2021 estimate (136 years to parity). However, it does not compensate for the generational loss that occurred between 2020 and 2021: according to trends leading up to 2020, the gender gap was set to close within 100 years (World Economic Forum, 2022). According to the report, Indonesia is ranked 92nd out of 142 countries reported in terms of the gender gap, with a score of 0.697. Meanwhile, according to data released by BPS (n.d.3 and n.d.4), the Gender Empowerment Index (GEI) in 2018, 2019, 2020, and 2021 are 72.10, 75.24, 75.57, and 76.26 respectively, whereas the GEI with a measuring instrument of placing women as professionals in Indonesia in 2019 still in the range between 35% to 55% (Handayani, 2021).

However, along with the progress of time, the advancement of science and technology triggers humans to always develop themselves. The potentials that exist within a person become a major capital in the formation of productive human resources. Not only men but women also begin to take part in achieving their life goals and dreams in all aspects of life, particularly in the public sphere (Said, 2018), including education, economy, and politics.

A fact that we are witnessing today is that women also take part in many public leaderships, including in politics (Said, 2018). In several districts and cities, as well as at the provincial level, several potential leader-candidates include women, and some of them were eventually elected. Not long time ago, Indonesia was led by a woman president, Mrs. Megawati Sukarnoputri (from 2001-2004), who is the daughter of the first President of Indonesia, Soekarno. She still holds the general chairperson position of the Struggle-Indonesian Democracy Party (Partai Demokrasi Indonesia-Perjuangan, PDI-P), which is the biggest political party in Indonesia at the moment. Even her daughter, Mrs Puan Maharani, is now the Chairperson of the People's Representatives Council (Dewan Perwakilan Rakyat, DPR). This seems to raise a question: Can women become leaders in the public sphere while there are still men who can occupy such positions? There are normative religious texts that provide several interpretations of whether a woman is permissible or not to be active in public affairs. Several texts of the Qur'an and hadith suggest the women's position, and it is stated that Islam highly upholds the dignity of women. No discrimination between men and women in their human values as fellow human beings and as servants of God (Mufarihin & Dewi, 2021).

2. Literature Review

There have been some studies about women as leaders, either viewed from the Indonesian regulations or Islamic law on politics (*fiqh al-siyāṣah*). Syamsul Anwar (1994) studied women leaders in the perspective of *fiqh al-siyāṣah*. He presented both opinions of classic Muslim scholars who agreed and disagreed with women being leaders and found that the majority of them disagreed. However, he offered a new insight into understanding the religious texts about the matter by considering the spirit behind the texts and not being *letterlijk* (textual). Meanwhile, Khairil Anwar (2004) studied women's leadership from the perspective of *fiqh siyāṣah*. He described the two groups of scholars' opinions - pros and cons of women's leadership - then analyzed their thoughts historically and contextually, as well as provided an assessment by reconstructing classical thoughts about the issue to fit the present time context. Then, Haryanto (2019) conducted his research on the political construction of women's leadership, which focused on to study of the role of Qadhi Malik Adli during the reign of the 17th Century. His findings show that Shaikh Abd al-Rauf al-Sinkili did not regard women as forbidden to occupy the highest office and emphasized more on the moral attributes of the ruler(s) instead of other criteria. He also came to the conclusion that Queen Shafiyah al-Din's reign was successful because of her personal integrity, human and fair treatment of their people, and her dedicated commitment to good governance (Haryanto, 2019).

After studying Hamka's perspective on women's leadership, Amir (2020) found that Hamka has outlined several important criteria describing the rights and status of women as leaders. Hamka maintained their independence as leaders and emphasized the same responsibility that must be taken in upholding this leadership, which was discussed in a broad context and scope of Islamic principles which provide space for them to involve themselves in government and statutory planning and contribute to elevating the position and dignity of Moslem society. Then, Sejahtera (2021) focused his research on the legality of women's leadership from the perspective of *siyāṣah al-shar'iyyah* (sharī'ah based politics). He concluded that the method of *istinbāṭ al-aḥkām* (postulating the law) used by Yūsuf al-Qarḍāwī is through bayāni reasoning patterns, which means looking at the linguistic rules that exist in the Qur'an and hadith. Judging from the concept of *siyāṣah al-shar'iyyah*, al-Qarḍāwī's opinion about women's leadership is in accordance with the concept of Islamic politics (Sejahtera, 2021). Next, Gunawan (2022) did his research about the position of women in politics from the perspective of *fiqh siyāṣah*, in which he concluded that, in *fiqh siyāṣah*, women are given their rights as citizens, such as the right to vote and be elected the right to deliberation, and the right to participate and express opinions.

Differing from those aforementioned studies, this paper tries to present the historical facts and both Indonesian conventional and progressive Islamic jurisprudence about women leaders in an effort to contribute to enlightening the classical issue. The findings and discussion of the topic are expected to refresh our horizons of thinking so that we are wiser in addressing the issue of women becoming leaders.

3. Methodology

This study is descriptive qualitative research. The data were gathered from reliable sources (reports from BPS and Cakra Wikara Indonesia, which are presented in Tables 1-3) and relevant information relating to women's leadership from secondary sources like documents, records, and authorities (Ogburn, 2010). In this paper, the authors attempt systematically to describe the phenomenon (Kim *et al.*, 2017) of electing women as public leaders, especially as regional heads/vice-heads and as regional and national parliamentary members, and to portray accurately the characteristics of that particular situation (Kothari, 2004). The data obtained were elaborated historically and juridically. Then, they were analyzed employing the *fiqh al-siyāṣah* (Islamic jurisprudence on politics) and empowerment theories. Next, the phenomenon of having women leaders were confronted with both Indonesian regulations and progressive Islamic jurisprudence. Finally, a conclusion was drawn from the findings.

4. Results and Discussion

4.1. Having Women Leaders is a Global Phenomenon

Recently, some women have occupied strategic positions in Europe. Three out of five key European leadership positions are held by women so that the European Union (EU) can finally claim that gender equality in its decision-making positions is improving (Hermanin, 2022). Mrs Roberta Metsola is the President of the European Parliament, Mrs Ursula von der Leyen becomes the President of the European Commission, and Mrs Christine Lagarde is appointed as the President of the European Central Bank. Roberta Metsola, who has gathered large support to become the President of the European Parliament, comes from the Maltese party and is known to gender equality advocates for her anti-abortion declarations. Christine Lagarde is the past finance minister of France. Ursula von der Leyen, the first woman to become President of the Commission, was a defense minister for Angela Merkel (herself was a long-time German councilor).

"It is not a gender competitive; it is about mutual respect," said Mrs. Sarah Kurovski, the first and youngest female mayor in Pleasant Hill, Iowa, United States. She stated that during her visit to Indonesia when becoming a speaker at a public lecture entitled "Politics and Gender: Indonesia and the US Perspective", together with Ulya Niami Efrina Jamson, a lecturer at the Department of Politics of Gadjah Mada University, which was held on 25 March 2019 (Fisipol UGM, 2019). Sarah related that in the 1770s, when America was newly independent, women did not have the right to vote. Until 2019, there was only 23 percent of women's participation in congress seats, so America still had a lot of ways to go. The image of women that was still underestimated was not only in the government sector; in the media; there was an implicit bias against women: how women were interviewed and reports about them were more focused on their appearances and families, whereas men were more focused on policy. So far, women tended to only be able to dominate the grassroots sector (Fisipol UGM, 2019). In many organizations, gender biases and stereotypes frequently occur, consciously or unconsciously, regardless of whether women take on leadership roles (Galsanjigmed & Sekiguchi, 2023).

In one paper, Chuluun and Young (2020) mentioned the statistics on the lack of representation of women in leadership positions. For example, only 37 of the companies listed on the Fortune 500 list of 2020 had women CEOs. And only three of them were women of color. Numerous initiatives across both the private and public sectors currently exist to promote more women into leadership roles. Within the corporate world, gender quotas and recommendations have been implemented to increase diversity in boardrooms in places from India to Australia. Within the public sector, several countries, such as Rwanda and Argentina, have instituted gender quota systems to increase the representation of women in government. As a result of these and other changes and reforms, the last couple of decades have seen some progress in increasing the number of women holding various positions of leadership globally. However, women, especially women of color, remain dramatically underrepresented (Chuluun & Young, 2020).

A similar situation was indicated by Calsy and D'Agostino (n.d.). They found that in the public and private sectors, women continue to address multiple hurdles despite diversity and equity initiatives. Women have made tremendous strides in the workforce but are still a minority in leadership positions worldwide in multiple sectors, including nonprofit, corporate, government, medicine, education, military, and religion. In the United States, women represent 60% of bachelor's degrees earned at universities and outpace men in master's and doctoral programs. However, a significant body of research illustrates that women's upward mobility has been concentrated in middle management positions (Calsy & D'Agostino, n.d.).

4.2. Indonesian Women's Participation in Politics

In the Indonesian pre-Islamic era, there were some well-known queens governing past kingdoms. One of them was Queen Sima, who governed Kalingga (a place in Central Java province) in the 7th century and was known for her firm, just, and honest character. She was beloved and obeyed so much by her people. The Queen applied firm and strict laws to combat theft and crimes and to encourage her people to be honest. Even, as historians say, she punished her own crown prince for touching one's wallet - which was intentionally left in the street for three years - with his foot by amputating his foot (Soekmono, 1998).

During the earlier time of the Dutch colonialization era, Aceh was led by an outstanding queen, Shafiyah al-Din, who represented herself as an executor of God's law to distinguish herself from her predecessors. While basing her power on her status as crowned queen, she placed her power firmly on the foundation that she was chosen by God to be His representative in carrying out His laws (Haryanto, 2019). Moreover, during the nation's struggle against the imperialists, the Dutch in particular, Indonesia witnessed

its best heroines who were even capable of organizing resistance and wars against the colonialists by becoming commander in chief of many male warriors. The list includes Laksamana Malahayati, Cut Nyak Meutia and Cut Nyak Dien from Aceh, Nyai Ageng Serang from Central Java, Opu Daeng Risaju from South Sulawesi, and Martha Christina Tiahahu from Maluku, to name but few.

In the post-independence era, the involvement of Indonesian women in the public sphere, including politics, is guaranteed by the 1945 Indonesian Constitution, particularly Article 28E paragraph (3), which clearly states: *“Everyone has the right to freedom of association, assembly, and expression.”* In fact, various legal instruments have guaranteed the representation of women in politics, including the United Nations (UN) Convention on the Elimination of All Forms of Discrimination against Women, which includes the political rights of women. Women can vote and be elected in every election as men can. There is no discrimination; even women have the right to hold public office and perform all public functions.

As Teguh and Nur (2022) emphasized, women's participation in Indonesian politics gives its own color to the democracy of the nation. Before the 1998 Reform Era, Indonesia already had some credible women politicians, including Mrs Aisyah Aminy (a DPR member from the United Development Party (PPP) from 1977-2004), Mrs Tuty Alawiyah (a member of the People's Consultative Assembly (MPR) from 1992-2004), and Mrs. Mien Sugandhi (a DPR member from the Working-Class Party (Partai Golkar) from 1977-1993) as examples. However, it is an undeniable fact that the number of women representatives in Indonesian central and regional parliaments and that of women regency/city and provincial leaders are still far from adequate. Based on BPS' data, the percentage of women MPs in each province and nationally may be seen in Table 1:

Table 1
Women's Participation in Parliament from 2010-2021 (%)

No.	Province / State	Year (%)											
		2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
1	NANGROE ACEH DARUSSALA M	5.80	4.35	5.80	10.14	14.81	14.81	16.00	14.81	14.81	11.11	11.11	11.11
2	SUMATERA UTARA	16.00	15.00	17.00	17.00	13.00	14.00	15.00	15.00	17.17	13.00	13.00	13.13
3	SUMATERA BARAT	12.73	12.73	12.73	12.73	9.23	9.23	10.77	10.77	10.77	4.62	4.62	10.77
4	RIAU	18.18	18.18	21.82	21.82	27.69	27.69	27.69	28.13	28.13	18.46	18.46	21.54
5	JAMBI	11.11	11.11	13.33	17.78	12.73	12.73	12.73	14.55	16.98	14.55	14.55	14.55
6	SUMATERA SELATAN	18.46	18.46	14.67	18.18	17.33	17.33	17.33	20.27	21.33	21.33	21.62	21.33
7	BENGKULU	17.78	17.78	17.78	22.22	15.56	15.56	17.78	17.78	15.56	15.56	16.28	15.91
8	LAMPUNG	18.92	18.67	20.00	17.57	14.12	13.10	13.10	14.12	14.12	20.00	20.00	18.82
9	KEP. BANGKA BELITUNG	11.11	11.11	11.11	11.11	8.89	8.89	4.44	6.67	4.44	4.44	4.44	8.89
10	KEP. RIAU	13.33	15.56	11.96	13.33	13.33	13.33	16.28	17.78	17.78	11.11	11.11	8.89
11	DKI JAKARTA	23.40	24.47	24.47	27.17	17.92	17.92	18.87	18.87	19.81	21.70	21.70	21.70
12	JAWA BARAT	24.00	24.00	24.00	22.00	22.00	22.00	24.00	22.00	22.00	20.00	20.83	20.83
13	JAWA TENGAH DI	19.00	19.00	19.00	21.00	24.00	24.24	24.00	24.00	22.00	19.17	18.80	18.33
14	YOGYAKARTA	26.42	26.42	21.82	21.82	10.91	12.73	10.91	12.73	12.73	16.36	18.18	20.00
15	JAWA TIMUR	18.00	18.00	18.00	19.00	15.00	15.00	15.00	15.00	15.00	18.33	18.33	17.50
16	BANTEN	18.82	18.82	17.65	17.65	17.65	18.82	18.82	20.00	23.53	17.65	17.65	17.65
17	BALI	7.27	7.27	7.27	9.09	9.09	9.09	9.09	9.09	9.09	16.36	16.36	16.36
18	NUSA TENGGARA BARAT	9.09	10.91	10.91	10.91	9.23	9.23	9.38	9.23	9.23	1.54	1.56	1.59

19	NUSA TENGGARA TIMUR	7.27	7.27	7.27	7.27	9.23	10.77	10.77	9.23	10.77	18.46	20.00	20.00
20	KALIMANTA N BARAT	5.45	5.45	7.27	7.27	10.77	10.77	10.77	10.77	10.77	13.85	13.85	16.92
21	KALIMANTA N TENGAH	17.78	17.78	17.78	15.56	26.67	26.67	26.67	28.89	24.44	35.56	33.33	33.33
22	KALIMANTA N SELATAN	10.91	14.55	16.36	12.73	14.55	16.36	12.70	12.73	16.36	20.00	20.00	20.00
23	KALIMANTA N TIMUR	20.00	20.00	20.00	20.00	9.09	10.91	10.91	10.91	10.91	18.18	18.18	20.37
24	KALIMANTA N UTARA	-	-	-	-	20.00	20.00	14.29	11.43	20.00	11.43	14.29	11.43
25	SULAWESI UTARA	24.44	26.67	28.89	28.89	28.89	36.36	37.78	38.64	33.33	28.89	29.27	29.55
26	SULAWESI TENGAH	18.18	18.18	20.00	20.00	15.56	15.56	20.00	20.00	24.44	24.44	26.67	27.27
27	SULAWESI SELATAN	16.00	16.00	16.00	16.00	17.65	18.82	21.18	21.18	19.05	27.71	28.40	25.88
28	SULAWESI TENGGARA	15.56	15.56	15.56	13.33	15.56	20.00	17.78	17.78	18.18	17.78	19.05	20.00
29	GORONTAL O	20.00	20.00	20.00	17.78	26.67	28.89	28.89	29.55	28.89	26.67	26.67	26.67
30	SULAWESI BARAT	11.11	11.11	11.11	11.11	13.33	15.56	17.78	20.00	17.78	11.11	11.11	11.11
31	MALUKU	28.89	28.89	31.82	33.33	26.67	26.67	26.67	28.89	26.67	23.26	23.26	23.26
32	MALUKU UTARA	8.89	8.89	8.89	8.89	9.09	13.89	16.28	17.78	20.45	26.67	26.67	28.89
33	PAPUA BARAT	15.91	15.91	15.91	13.64	4.44	4.44	4.44	3.57	5.36	14.29	14.29	14.29
34	PAPUA	7.14	7.14	8.93	7.14	12.96	12.73	12.73	10.61	16.36	12.73	14.55	14.55
35	INDONESIA	17.49	17.49	18.04	18.04	17.32	17.32	17.32	17.32	17.32	20.52	21.09	21.89

Source: BPS, n.d.2

The decrease in the percentage of women's participation in parliament, which was only 9% in the 1999 democratic elections, prompted women's organizations to launch a movement to increase women's representation in parliament through affirmative action in the form of a 30% quota for women in democratic elections. This was done because, based on the experience of many countries implementing affirmative policies in the electoral system, it has proven successful in significantly increasing the number of women in parliament. Through media campaigns, street demonstrations, and intensive lobbying during the deliberations of the election law for the 2004 general elections, the efforts of women's organizations have shown results. The fruits of this struggle can be seen in the Indonesian Acts No. 31 of 2002 concerning Political Parties and No. 12 of 2003 concerning the General Election of Members of the People's Representative Council, Regional Representative Council, and Regional People's Representative Council. Article 13 paragraph (3) of Act No. 31/2002 introduces the need for gender justice in party management, and, for the first time, Article 65 paragraph (1) of Act No. 12/2003 implemented a 30% quota policy for women's representation in the list of legislative candidates (Pusat Kajian Politik UI, 2011).

The implementation of the 30% quota still does not make women's representation in parliament exceed the 30% representation even though the parliamentary threshold has increased to 4%, and political parties also follow the quota rules and the zipper system (Umagapi, 2020). Unfortunately, until 2021, only a handful of provinces have succeeded in meeting the quota target. And, although in the last four years, the percentage has tended to increase nationally, the figure is still lower than the allocated quota. Even in some provinces, the percentage is below 10%, as shown in Table 1. The provinces with the lowest and highest percentages are shown in Table 2:

Table 2
Indonesian Women Parliament Representative Members (2010-2021)

Year	National Percentage (%)	Lowest Women Participation		Highest Women Participation	
		Province(s)	Percentage (%)	Province(s)	Percentage (%)
2010	17.49	Nangroe Aceh Darussalam	5.80	Maluku	28.89
2011	17.49	Nangroe Aceh Darussalam	4.35	Maluku	28.89
2012	18.04	Nangroe Aceh Darussalam	5.80	Maluku	31.82
2013	18.04	Papua	7.14	Maluku	33.33
2014	17.32	West Papua	4.44	North Sulawesi	28.89
2015	17.32	West Papua	4.44	North Sulawesi	36.36
2016	17.32	West Papua & Bangka-Belitung Islands	4.44	North Sulawesi	37.78
2017	17.32	West Papua	3.57	North Sulawesi	38.64
2018	17.32	Bangka-Belitung Islands	4.44	North Sulawesi	33.33
2019	20.52	West Nusa Tenggara	1.54	Central Kalimantan	35.56
2020	21.09	West Nusa Tenggara	1.56	Central Kalimantan	33.33
2021	21.89	West Nusa Tenggara	1.59	Central Kalimantan	33.33

Source: BPS, n.d.2

Meanwhile, quantitative data shows an increase in the number of female candidates for regional heads and deputy heads in the 2015, 2017, 2018, and 2020 simultaneous local elections. Although the number the candidacy of women in regional elections is very low when compared to the male candidates, data compiled by Cakra Wikara Indonesia (CWI) (2021) in 4 simultaneous local election periods shows an increasing trend in the percentage of women's candidacy, as indicated in the following table:

Table 3
Comparison of Male and Female Candidacy in Simultaneous Regional Head Elections (PILKADA Serentak) in 2015, 2017, 2018, and 2020

PILKADA Serentak	Number of Candidates	Number of Male Candidates	Number of Female Candidates	Percentage of Female Candidates (%)
2015	1,654	1,530	124	7.50 %
2017	620	575	45	7.26 %
2018	1,044	950	94	9.00 %
2020	1,482	1,323	159	10.73 %

Source: Cakra Wikara Indonesia, 2021

4.3. Muslim Queens in the Past Era as Exemplary Models of Leaders

In Merriam-Webster Dictionary, the word 'exemplary' means a) deserving imitation because of excellence, b) serving as a pattern, and c) serving as an example, instance, or illustration. Etymologically, 'exemplary' (and its close relatives: example and exemplify) derives from the Latin noun *exemplum* (means example). When exemplary describes something as 'excellent', it almost always carries the further suggestion that the thing described is worthy of imitation (Merriam-Webster, n.d.). So, in this context, we would like to present some past Muslim queens that can be used as an example or a role model in exercising their leadership.

Revealing the history of Muslim queens again seems to be very paradoxical when it is communicated with the present masculine-ruled Arab world particularly, and Muslim countries in general, where until now, Muslim women (especially Arabic women) do not appear to stand equal with their men. Meanwhile, those queens lived at a time of ignorance (*jāhiliyyah*), an era when women were considered less valuable, a pagan era, and the era before the coming of the prophet Muhammad and the Quran revealed to him. Regardless of the debate and redefinition of the meaning of Islamic esoteric and exoteric teachings, one thing necessary to be blueprinted of this historical appreciation is a surrealistic idea of the credibility of the queens of Saba' (Sheba) and al-Mamluk as a mirror for women, especially in empowering themselves and their ability to actualize their 'inner dynamic' and in concocting a militant movement.

4.3.1. The Prototype of Sheba Queens

Departing from the historians' information that, unfortunately, tried to reduce the existence of Queen Balqis and even consider her merely as a legend, the authors try to trace her data's validity through an accurate source, which is the Holy Qur'an Sura (QS) al-Naml [27] verse 29 which reads: "(The Queen) said: *'Ye chiefs! Here is - delivered to me - a letter worthy of respect'*" (Ali, 2020). God does not explicitly mention the name of the queen; however, through historical and sociological research, a consensus that the queen concerned by the verse was the queen of Balqis had been made.

God's information to King Solomon about the presence of Queen Balqis, who held the kingdom of Sheba with great wisdom, had been confirmed. King Solomon himself acknowledged Balqis as a reliable political actor who understood the whole political system and all its underlying philosophy. In each of her preaches, Balqis always promoted the three basic principles which have democratic connotations: *liberte, egalite, and fraternite* (liberty, equality, and brotherhood) (al-Tabari, 1979).

When King Solomon admired the queen's greatness and titled her the great (al-'aẓīm), this contains two connotations, both material and non-material. The material connotation leads to the grandeur of her gold and pearl-studded throne, while the non-material connotation is his admiration towards her greatness, wisdom, grace, and wit in holding and running the governmental businesses. Thaiyfur (1972) and Kahhalla (1902) recorded her as an unimpeachable queen. Balqis' submission to King Solomon was really not a political defeat or a woman's defeat against man, but rather it was due to a spiritual purpose for the recognition of God's truth, as God narrates it beautifully in QS al-Naml [27]: 44 which reads:

She was asked to enter that lofty palace, but when she saw it, she thought it was a lake of water, and she (tucked up her skirts), uncovering her legs. He said: "This is but a palace paved smooth with slabs of glass." She said: "O my Lord! I have indeed wronged my soul: I do (now) submit (in Islām), with Solomon, to the Lord of the worlds" (Ali, 2020).

Another figure ever ruled Sheba was Asma. Asma bint Shihab al-Sulaihiyyah, a Sheba queen who was very genius, held royal power and ran the governmental businesses very democratically. Historians recorded that she often made other heads of state stunned by her brilliant ideas in many state meetings. She fought hard to create an egalitarian tradition of power-sharing between men and women as well as the weak people and the strong ones. Her propaganda for liberating women from any harem (a place in the past time where a man had many concubines and woman slaves) and strict prohibition in the slavery practice is a great asset for the birth of the humanization movement (al-Amri, 1987).

Unfortunately, Asma's reign was very short; she became a captive of an Ethiopian king, Said bin Najjah, who invaded her entourage while on the road to the holy land and killed her husband. She was sequestered in a secret prison without being able to communicate with her children and her people. A year later, her people invaded Ethiopia, and they released her from her captive even though she was in half-paralyzed condition. In such physical condition, she was able to hold her royal power again, and at the end of her reign, Sheba reached its golden age (Zarkaly, 1958).

4.3.2. The Portrait of Sultanah (Queens) al-Mamluk

The political career of Shajarat al-Durr and Raḍiyah as sultanah al-Mamluk began nearly at the same time. Raḍiyah came to power in Delhi in 634 After Hegira (AH) or about the year 1236 AD, and Shajarat al-Durr was up to the throne of Egypt in 648 AH or 1250 M, 14 years after Raḍiyah. Thanks to the Mamluk clan's military forces, Raḍiyah took the throne from her father, Sultan Ilturmusy, while Shajarat took over the throne from her husband, Sultan Malik al-Salih.

Raḍiyah bore two great titles: the first was Raḍiyah al-Dunyā wa al-Dīn, this was due to her cleverness in combining and actualizing worldly and heavenly knowledge, and the second was Balqis Jihan because of her brilliance in ruling her people which was identified with the Queen Balqis of Saba' (Badriye, 1973). She continuously propagandized Islam as a theological discourse that is democratic, abolishes the hierarchical caste system, and creates an equal partnership between men and women in an egalitarian feel. The challenges facing Raḍiyah came from her own stepbrother Rukn al-Din, but, with her political acumen, she held a political conspiracy with the people by propagandizing the elimination of all forms of discrimination and injustice until there arose a people revolution demanding the death of Rukn al-Din (Chandra, 2020).

While in a different place, Syajarat struggled hard to eliminate any forms of women dehumanization and discrimination so that they did not get stuck back into the anonymous world of dark harems. She forbade the practice of slavery, which she thought

inhumane and not in accordance with the spirit of egalitarianism in the Holy Quran. Syajarat faced challenges from masculine imperials, especially the Abbasid caliphates, who thought that the women's emergence on the political stage was a symbol of the emergence of the apocalyptic uprising in the Muslim world. Anticipating such a situation, she made a scenario of political manipulation illustration by appointing her second husband, Izz al-Din Aybak, as sultan. According to Ibn Batutah, the first act in her political career was eliminating gender discrimination, subordination of women, violence, and all forms of misogynic views; then, she modernized the country's administrative system, which she deemed very manual and traditional.

A historical appreciation of the existence of Muslim queens presented in this paper is far from adequate when realizing that there are still hundreds more of such queens that have not yet been appreciated. Valid data about these queens may be traced back to the book titled 'The Forgotten Queens of Islam' by Fatimah Mernisi (1993).

4.3.3. The Transformation of Exemplary Principles of Muslim Queens into Contemporary Leadership

In the world of modern thoughts, there occurs tugging the concepts of women's movement in the socio-cultural context. Ironically, modern entities seem very paradoxical for women compared to those for men. Ideally, the modern world promises equality of men and women, but, in fact, cultural structures do not always behave emancipative to this offer. This causes the closure of the opportunities for women in various lines and accesses. In developing the concepts, the theoretical references, and the ideological foundation for constructing a militant women's movement, the writer tries an offer to re-read and reflect on the historical dialect configuration of the Muslim queens who succeeded in running their leadership roles.

The femininity movement (or feminine liberation) is not a women's movement against men, but it is a struggle against various forms of injustice, inequality, and persecution suffered by women in all aspects. This movement should be encouraged by the desire to transform any unjust systems and structures toward an egalitarian system for men and women as well as for other entities. This means that we will create a femininity movement as a reference for any universal struggle. Therefore, various theories and discourses about women's roles and their movement should be obedient to this vessel of universality, so a new millennium empire, which is a culture-free area, is created. This, hopefully, is a place where there are no more cultural and gender partitions that become barriers to cultural interaction and social actualization.

Empowerment is manifested as a redistribution of power sharing among the states, classes, races, genders, and individuals. Empowerment is intended to remove patriarchal ideologies and alter structures and regulations that reinforce gender discrimination and social injustice. The implication of this empowerment is liberating and empowering men in the material and psychological senses. Women strengthen political impact, which is currently male-dominated, by providing new energy, insights, leadership, and strategies. Even more important is its psychological impact: if women become equal partners, then men are freed from oppressing, exploiting, and stereotyping roles, which basically limit the men's potential to express their selves in their personality development.

Even though empowerment has power as its central aspect, the women empowerment concept leads to a new understanding of power. At this very time, the understanding of power, which is based on breaking down, destroying, and suppressing values, is developing in a hierarchical society and is dominated by men. The important thing is that women should not gain power and use it in an exploitative and corrupt way. The concept of women's empowerment, precisely, is to develop a new understanding of power, to use democratic methods and power-sharing, and to create new mechanisms in decision-making. In the Indonesian context, women's empowerment means the desire or even the demand for power sharing in equal, equitable, representative, and participative positions in making decisions concerning family, society, nation, and state life.

Regarding the equal position of men and women, God has stated in many verses in the Holy Qur'an, including Sura al-Tawbah [9] verse 71 that reads: « *The Believers, men And women, are protectors, One of another: they enjoin What is just, and forbid What is evil: they observe Regular prayers, practice Regular charity, and obey God and His Apostle* » (Ali, 2020). Meanwhile, the Prophet Muhammad once stated: « *A believer and other believers are like one building, some of them reinforce others* » (al-Bukhari, 1998). Therefore, women must not be treated as sub-ordinate colleagues, but rather, they must be empowered as equal partners. And whenever women choose to become leaders, generally, there are three things that need to be possessed in carrying out leadership, namely: 1) loving what they are led, 2) working together with a lot of listening, and 3) being oneself. This was conveyed by the BI's Senior Deputy Governor, Mrs. Destri Damayanti, at a virtual performance entitled "Redefining the Role and Leadership of Women" held by Bank Indonesia as the opening of the 2022 Kartini Festival (Haryono, 2022).

4.4. Women as Leaders in the View of Indonesian Regulations and Progressive Islamic Jurisprudence

4.4.1. Women's Rights in Politics in Indonesian Regulations

Indonesia has already ratified the UN Convention on the Elimination of All Forms of Discrimination against Women through the enactment of Act No. 7 of 1984. The Convention defines discrimination against women as "...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."

Therefore, the States that accept the Convention commit themselves to undertake a series of measures to end discrimination against women in all forms, including 1) to incorporate the principle of equality of men and women in their legal system, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women, 2) to establish tribunals and other public institutions to ensure the effective protection of women against discrimination, and 3) to ensure elimination of all acts of discrimination against women by persons, organizations or enterprises (UN, 1979). In accordance with such spirit, article 7 of Act No. 7 of 1984 explicitly regulates women's political rights and abolishes all forms of discrimination against women in the political field or in various other fields in society (Suhartono, 1994). Hence, coupled with the 1945 Indonesian Constitution, the right for women to appear on the political stage at any level has been accommodated and guaranteed.

The partiality towards women is also shown by the amendments of the 1945 Constitution, which contain elements of gender equality in the form of equal rights and obligations among fellow citizens in various fields of life, including in the fields of law and government. In fact, when the amendments to the 1945 Constitution were drafted, women's organizations were also involved under the coordination of the Women's Committee for Peace and Democracy. These amendments are reinforced by Article 46 of Act No. 39 of 1999 concerning Human Rights, which guarantees women's representation in the state's legislative, executive, and judiciary bodies (Pusat Riset Politik, 2010).

Regarding the low number of women's participation in parliaments, as previously shown in Tables 1 and 2, it may be resulted from, among other factors, an assumption that women only deserve to work in the domestic field. Meanwhile, women's representation is needed for the realization of justice without distinguishing between certain sexes. The fact shows that in her era, Aisyah Aminy, known as 'the Lioness from Senayan', appeared as a woman politician who shifted the public paradigm that women were able to enter the world of politics even though she was from an Islamic party during the New Order regime. Her journey of nearly seventeen years serving as an MP has proven that a woman is capable of developing herself in a wider realm without having to abandon her role as a wife and a mother. According to her, balancing the two tasks can be done by every woman without having to ignore one of them (Sufiyati, 2018).

However, although women's leadership in Indonesia, especially as a leader of the State, still becomes a controversial issue with its pros and cons supporters, the role of women as leaders in Indonesia shows positive development. Indonesia has witnessed its woman President, something that even some 'advanced' democratic countries have not achieved yet. Apart from President Megawati Soekarnoputri, there are many other prominent and intellectual women leaders who emerge in today's Indonesian politics, including Sri Mulyani as the Finance Minister, Khofifah Indar Parawansa as the Minister of Woman Empowerment, Minister of Social Affairs and now the East Java's Governor, Tri Rismaharani as Mayor of Surabaya and now the Minister of Social Affairs, and many others. In today's modern era, women have appeared to be leaders by occupying various important positions both in large (public) and small (domestic) scales of societies (Tohet & Maulidia, 2018). This phenomenon shows their true ability to be leaders and to be regarded as equal to men. It is interesting to recount a statement of the late President Abdurrahman Wahid about women leaders. Once, he said that the view of ulama' (Islamic scholars), which considers women to be weak creatures compared to men so that they do not have the ability to lead, is contrary to historical facts. In history, several women have become leaders of a country, for example, Queen Balqis of Sheba, Cleopatra of Ancient Egypt, Margaret Thatcher, - the Iron Lady, - of Great Britain, Benazir Butho of Pakistan, and Corie Aquino of the Philippines (Suhada, 2019).

4.4.2. Women Leaders in the Perspective of Progressive Fiqh

From the perspective of *fiqh al-siyāsah*, there are several opinions of the classical Sunni jurists regarding *siyāsah al-shar'iyah*. Some of them, such as Imam al-Ghazali, required that a leader must be a man, and some others did not mention a pre-requisite that a leader must be a man, as stated by Imam al-Mawardi and Ibn Taimiyyah (Kosim, 2011). Today, there are still different opinions related to women's leadership in the perspective of *fiqh al-siyāsah*; there are those who still do not permit women to be leaders for the reasons used by the classic *fuqahā'* (Islamic jurists), there are some who allow it, and also there are some others who fight for the permissibility of women to become public leaders based on gender studies (Kosim, 2011).

It has happened for centuries that the role of women in politics always invites debate and disagreement among *fuqahā'*. The debate between two views (pros and cons) is getting more complicated and sensitive because, in the end, each side usually involves religious logic, which tends to claim the absoluteness of each (Mas'udi, 1997). This occurs because the Qur'an and Sunnah do not explicitly mention commands or prohibitions for women to become leaders (Zainuddin & Maisaroh, 2005). As Osmani, Farooq, and Ahmad (2009) highlighted, orthodox Muslim scholars are in general agreement that women are not entitled to hold the leadership or the topmost public office of a nation. Many scholars hold an even more restrictive view on the issue as to whether it is due to Qur'anic texts and Prophetic traditions (*aḥādīth*) that women are barred from key positions or it is largely due to the sociocultural and economic settings of society. The majority of them forbid women to be leaders on the pretext of God's word in QS al-Nisa' [4]: 34 which reads: "Men are the protectors and maintainers of women" (Ali, 2020) and the hadith of the Prophet Muhammad narrated by Imam al-Bukhari (1998) from a Companion, Abi Bakrah, which reads: "When the news reached the Prophet about the Persians who appointed their daughter Kisra as their Queen, the Prophet said: "Never will succeed such a nation as lets their affairs carried out by a woman."

However, a prominent contemporary jurist, Yūsuf al-Qarḍāwī (1998), has his own view regarding the matter. According to him, the above arguments must not be understood as limited to their textual meaning, but we must also pay attention to their contextual meaning. To him, the application of such arguments in this contemporary era is inappropriate. Therefore, he believes that women have the same position as men in regard to managing the state. He equates women with men because, in political matters, both have rights have the full right to vote and the right to be elected (Zainuddin & Maisaroh, 2005). In another book, al-Qarḍāwī (1997) states that an adult woman is a *mukallaf* (a mature person bearing religious responsibility) as a whole as she is required to worship God, uphold religion, carry out obligations, stay away from His prohibitions, preach for His religion, and is obliged to do *amar ma'rūf nahi munkar* (enjoining goods and prohibiting evil-doings) as in the case of men. Therefore, to exercise such duties, women must be placed equally as men, even in the case of matters related to state affairs (al-Qarḍāwī, 1997).

When discussing women's rights and duties in the midst of community life - including in the fields of politics and government - it is worthwhile to recount that in several periods of Islamic history, many Muslim women were active in the practical political stage and occupied strategic positions in government, such as Syajaratuddur and Zubaidah, the wives of Caliph Harun al-Rashid. But this event rarely occurs in the next period of time. Quraish Shihab (1995) mentions that historical facts show that many Muslim women were involved in matters of practical politics. Umm Hani, for example, was justified by the Prophet Muhammad when giving a safety guarantee to temporary polytheists (safety guarantee is one aspect of the political field). Even 'Aishah, the wife of the Prophet Muhammad, directly led the war (known as the Camel War, 656 AD) against Caliph Ali ibn Abi Thalib regarding the succession after the assassination of the third Caliph, Uthman ibn 'Affan. The involvement of 'Aishah, along with many of the Prophet's companions and her leadership in that battle, shows that she and her followers adhered to the permissibility of women's involvement even in practical politics (Shihab, 1995).

The flexibility of Islamic jurisprudence regarding the issue of women leaders is actually in accordance with the spirit of Islamic law (*rūḥ al-sharī'ah*), in which it must be able to respond to all the changes and challenges of the times (*ṣāliḥ fi kulli zamān wa makān*) (Maimun, 2012; Nur & Muttaqin, 2020). The documented messages of Islam in the Qur'an and hadith related to women's leadership need to be socialized and applied contextually. So, the documentation of the results of *ijtihād* (intellectual exercise) of past scholars in the form of various *fiqh*, which include the stipulation that women should not become public leaders, needs to be wisely understood as something that may change relevant to current real conditions as already exemplified through the creative *ijtihād* of Caliph Umar ibn al-Khattab when addressing some of the Prophet's provisions and of Imam Shafi'i with his *qaul qadīm* (old statements) and *qaul jadīd* (new statements) due to different situation and condition surrounding him (Nur, Adam & Muttaqin, 2020).

Regarding the notion of having women leaders, it is worth noting what Osmani *et al.* (2009) state. It is indeed that the Qur'an urges the Prophet's wives (*nisā al-nabiyy*) to stay quietly at their homes and not to make dazzling displays like that of the time of primitive ignorance as mentioned in QS al-Aḥzāb [33]: 33. It is also commonly cited from the Qur'an that men are the caretakers/guardians in charge (*qawwāmūn*) of women as mentioned in QS al-Nisā' [4]: 34. The only Prophetic tradition regarding women's leadership is that the Prophet is reported to have said: "*Never will succeed such a nation as lets their affairs carried out by a woman*" (al-Bukhari, 1998: hadith no 4425; al-Nasai, 2010: hadith no. 8/227). On the other hand, the Qur'an also affirms that the believers, both men and women, are guardians (*awliyā*) of one another as mentioned in QS al-Tawbah [9]: 71 as God says: "*The Believers, men and women, are protectors one of another: they enjoin what is just, and forbid what is evil: they observe regular prayers, practice regular charity, and obey Allah and His Messenger. On them will Allah pour His mercy: for Allah is Exalted in power and Wise.*" (Ali, 2020). Furthermore, since the Qur'an acclaims the Queen of Sheba for her just rule, such prominent scholars as Imam Abu Hanifa, Imam al-Tabari, and Ibn Hazm support the opinion that women could hold the topmost judicial position. Ibn Hazm also asserts that there is no theoretical prohibition for women to carry out the mission of prophethood. Naturally, if they could be prophets, they could also be the leaders, for the Prophets are the leaders (Osmani *et al.*, 2009).

In the context of the Indonesian post-reform era, despite the pros and cons of the issue of women leaders, religiously-based parties show a good commitment to women's candidacy to become leaders. During the 4 simultaneous local head and deputy head elections, the top three of the list are occupied by such parties. Partai Kebangkitan Bangsa (PKB), with its constituent mainly from the Nahdlatul Ulama' followers, was the best place for women's candidacy with 20.71%, followed by PPP with 19.94% and then Partai Amanat Nasional (PAN) that has Muhammadiyah followers as its majority constituent with 19.84%. Besides that, the chances of women being elected also showed an increase. The 2020 election results show the highest percentage of women's electability in regional elections (11.02%), with previously at 8.38% in 2015, 7.43% in 2017, and 8.77% in 2018 (CWI, 2020). These findings show that even religiously based parties and their grassroots constituents openly accept women leaders. However, despite this encouraging phenomenon, women must not forget to exercise their roles as wives and mothers so that their families are not sacrificed.

5. Conclusion

This paper aims to elaborate on the potential of having Indonesian women as leaders - including political leaders and parliamentary representatives - by analyzing data about women's participation as parliamentary representatives and regency/city and provincial leaders in Indonesia and employing historical and both Indonesian regulations and progressive *fiqh* juridical approaches. The findings show the following: 1) historically, women leaders - including Muslim ones - are not something new; it is a long-time fact. Even God Himself mentions Queen Balqis, although not by name, in the Qur'an, and her kingdom, Sheba, is enshrined as one name of Suras in the Qur'an. Their legacies of good leadership become a historical record to be learned by all people; 2) women must not be treated as sub-ordinate colleagues, but rather they must be empowered as equal partners as God Himself has stated and the Prophet has taught; 3) Indonesian regulations guarantee women's right to participate in all aspects of life, including politics, in any level of position, and 4) alongside the era's development, progressive *fiqh* allows women to become leaders with strict prerequisites that men must possess and without leaving their natural role as wives and mothers.

Realizing that women have the same potency as men to become leaders in any position and both Indonesian regulations and progressive *fiqh* allow them to take such a role, the government must empower them and give them equal opportunities in any aspect as men enjoy without neglecting their respective roles in their families. The limitations of this study include the lack of well-recorded historical data about women's leadership, especially in Indonesia prior to the independence era. Future research may study the progress of women representatives in Indonesian parliaments, as executive leaders, and in other public offices relating to the mandate of Indonesian Law, which allocates them with a 30 % quota, as previously mentioned.

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Iffatin Nur's ORCID: 0000-0003-4548-075X

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