

# GENDER SEGREGATION IN ISLAM

## Protection or Destruction?

### Abstract

In spite of the commonly accepted idea among contemporary scholars of Islamic orthodoxy that gender segregation would be a policy of protection for individuals and society, my argument will be that male/ female segregation is an anti-Islamic attitude and practice as it artificially constructs gender inequality based on social practices that are legitimated by supposedly religious precepts. The term Islamic is understood here as referring to Islamic ethics respecting such values as justice, fairness, equality within mankind, honesty, moral righteousness, humility in front of God. My contention will be that instead of being a means of soul, family and community protection, gender segregation is dangerously destructive. It entails the destruction of souls, individuals, families and societies.

So-called Islamic rules of segregation are supposed to preserve chastity in both men and women and therefore «protect» believers from temptation, evil and sin. Instead, it increases mutual ignorance about the other gender, maintains and promotes inequality and reinforces discrimination in societies that are already culturally patriarchal. In addition, it contributes to create a dividing atmosphere of suspicion and

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distrust between genders, and fosters gender disharmony and discord. Gender segregation policy does not prepare men and women to fair and successful marriage and often entails misunderstanding and conflict between marital partners, out of mutual ignorance and lack of deeper common ground.

Lastly, on ethical grounds, I shall argue that gender segregation policy results in the negation of religious education and ethics, as it favours utopia over drama, does not grow moral conscience, produces moral disability and does not comply with God's design for mankind.

### Introduction:

Gender segregation, often termed as the prescriptive prohibition of free-mixing in Islam, is commonly presented as a means of individual and societal protection. Men and women are supposedly commanded by God not to interact or socialize with one another, except for their spouse and respective mahram.<sup>(1)</sup> This is presented as a necessary prevention against temptation, soul pollution,

adultery, personal collapse into sin, losing the opportunity to ultimate salvation at the individual level, and against moral corruption, widespread vice, and social chaos at the society level. Such scarecrow shakers lavishly quote supposedly sound ahādīth to support their segregationist discourse. However, the frightening picture

that is offered to believers could be greatly deceptive and misleading with regard to Islamic ethics and how Muslims are expected to behave along the line of the dynamics set by the Qur'ān.

Based on recurrent reminders in the Qur'ān<sup>(2)</sup>, the call for equality within mankind, regardless of gender, age or race, stands out as a prominent feature of Islamic ethics. Such ethics also teach believers to engage in social action, acquire the sense of community and human solidarity and promote inclusion rather than exclusion. Based on such ethics, why would Islam demand of believers to create new artificial boundaries, borders and divides between people, while social and racial apartheid provide enough division already? Why would it ask for gender apartheid in the

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name of adultery prevention? Why would it bar the possibility of male/ female friendship and social interaction when believers are expected to respect everybody, regardless of gender, as creatures of God and autonomous rational beings capable of moral conscience?

### **1. Gender segregation as protection?**

Gender segregation is usually shown as an Islamic prescription, mainly based on Hadīth and some interpretations of the Qur'ānic verse on "lowering the gaze" (24:30-31), as it aims to protect the chastity of both male and female believers, hence protecting them from the tyranny of desires and, ultimately, from committing such sins as adultery and, as a result of adultery, potentially destroying the balance and harmony of a whole family. Many contemporary scholars, such as Shaykh Sami al-Majid, declare that "Islam forbids any mixing between the sexes that might provide even the remotest possibility of temptation"<sup>(3)</sup> and heavily rely on hadīth collections, mainly Sunan collections, to support their opinion. In such comments, the key word is usually temptation, so as to become an obsession

with the very idea of temptation and sin.

Traditions rather insist on the particular case of mosque attendance and the prescribed sexual segregation in mosques. Nevin Reda's historical study on women's attendance of mosques from 610 to 925 (AH) reveals that "from the primary sources available for the first period [the Prophetic time], there does not appear to be any evidence of segregation; rather the evidence indicates that women had full access to the mosque."<sup>(4)</sup> However, in the second period, namely from 634 to 925 (AH), three trends are discernible: "a pro-segregation trend, an anti-segregation trend, and a trend that sought to prohibit women from going to the mosque altogether."<sup>(5)</sup> Yet, in the Sharī'ah-based legalist orthodox discourse, the segregationist approach to mosque attendance spread to the rest of private and public life and space.<sup>(6)</sup>

Gender segregationists quote verses 24:30-31 to support their argument and maintain that the prescription to lower one's gaze in the presence of a person of the other sex entails that there should not be any interaction or mixing between genders. Ibn Kathīr interprets verse 24:30

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as a prohibition for Muslim men to look at any female stranger, regardless of the kind of gaze, and verse 24:31 as a prohibition for Muslim women to look at any male stranger, for some scholars, regardless of the kind of gaze, for others, only if this gaze is tainted with desire.<sup>(7)</sup> Allamah Sayyid Sa'eed Akhtar Rizvi interprets the verse as a justification to make both Hijab and Purdah necessary for Muslims. In Part 1 of Hijab: The Dress of Modesty in Islam, the Shi'ah Allamah Sayyid Sa'eed Akhtar Rizvi insists on the partition between men's and women's respective spaces and responsibilities, supposedly connected to their respective "natural abilities": "Islam believes in keeping men and women apart. It has entrusted males and females with completely separate responsibilities, according to their natural ability. Man is obliged to earn livelihood for himself and his family. Woman has been entrusted with responsibility of managing domestic affairs, and upbringing the children in Islamic background."<sup>(8)</sup> Interestingly, the Indian Shi'ah scholar Sayyid Sa'eed Akhtar Rizvi seems to make an obvious connection between the different

responsibilities of men and women and the necessity to keep them apart from one another. Therefore, he connects the issue of specialisation of responsibilities according to gender, namely gender roles, to the other issue of gender segregation. After verse 24:31, Sayyid Sa'eed Akhtar Rizvi deems useful to explain a few "important words" such as "zinat", "khumur", "juyub," "mahram" and "illa ma zahara minha"; but there is no specific explanation on the beginning of the verse, namely on the characterisation of the "lowering of the gaze", which he seems to take as an obvious obligation to stay apart. The connection he makes between "lowering the gaze" and the obligation of gender segregation is neither explained nor justified, it is therefore an arbitrary leap and an abusive assumption. However, verse 24:30 enjoins believing men to "lower their gaze (yaghuddū min absārihim) and guard their modesty (yahfazū furūjahum)", while verse 24:31 symmetrically enjoins believing women to "lower the gaze and guard their modesty."<sup>(9)</sup> The requirement is the same and, interestingly, does not specify the kind of person they should

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lower their gaze at. This would mean that the requirement is valid for all kinds of people, both men and women. As a consequence, the verse might not address the issue of gender segregation, rather it reminds believers of both genders that they should behave modestly with everybody, both male and female, and should not publicly exhibit their intimacy, with men or women. For example, they should not heavily stare at someone, as this is likely to embarrass the person. Verse 24:31 carries on with further recommendations to believing women, enjoining them “not to display their beauty and ornaments except what appears thereof” and to “draw their veils (khumur) over their bosoms.”<sup>(10)</sup> This prescription for believing women is far from prohibiting any interaction with men. They are advised not to make a sexually connoted display of “their beauty” (zīnatahunna), namely of their sexual attire (hence the direct mention of their “bosoms”- “juyūbihinna”),<sup>(11)</sup> or “strike their feet in order to draw attention to their hidden ornaments” in front of other men than their husband or other mahram that could not be sexually aroused. In other words, believing women are asked not to be brazen, flirtatious

or flaunt themselves in front of men: the feet-striking example may directly refer to sexually connoted dancing (and only to this specific kind of dance), which believing women should not perform in front of others than their husbands. However, the verse does not prohibit non-sexually connoted interaction with men.

Interestingly, the Moroccan scholar Asma Lamrabet argues that a historical semantic shift occurred from the idea of decency (connected to the khimār) to the idea of separation and segregation (connected to the hijāb, from the root hajaba, ‘to separate’, ‘to segregate’), as the image of a separating screen-shield became a powerful metaphor to justify gender segregation in the guise of apparent protection from evil and danger.<sup>(12)</sup> She sets forth that the various occurrences of the term hijāb in the Qur’ān (7:46, 17:45, 19:17, 38:32, 41:5, 42:51, 33:53) are not restricted to the address to women and rather demonstrate a non-gendered use; indeed, hijāb is used in the sense of ‘screen’, ‘barrier’,

which seems to refer to an invisible screen, usually endowed with a highly spiritual value. It is used, for example, to address the Prophet and refers to the divine

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invisible screen that protects him against the potential slanders or mockery of disbelievers when reciting the Qur'ān (Q. 17:45). Another occurrence of hijāb refers to the 'veil' or 'screen' through which God may speak to a human being, as it cannot be a direct and unmediated address. In that sense, hijāb is like the burning

bush through which God spoke to Moses or comparable to prophetic inspiration itself (wahy) when, for example, Muhammad repeatedly received God's revelations (42:51).

<sup>(13)</sup> In another verse, hijāb is the invisible veil of protection that was spread between Maryam and her folks,

so that she could be miraculously set in a suitable spiritual state that enabled her to be receptive to the visit and announcement of Angel Jibra'īl while withdrawing to an Eastern retreat (Q. 19:16-17).<sup>(14)</sup> In these occurrences, hijāb is endowed with strong spiritual value, so there is no reason to think that it could be otherwise in verse 33:53, which was revealed as a courtesy reminder to the Prophet's guests and Companions, so that they should

learn to respect the intimacy of the Prophet's home and, generally speaking, the intimacy of other homes. So when hijāb is mentioned in the verse ("And when ye ask for anything ye want, ask them from before a screen (hijāb): that makes for greater purity for your hearts and for theirs." 33:53), the 'screen' may well

be the invisible and intangible screen of respect, courtesy and politeness. However, this does not mean that a curtain should be literally drawn or that a wall of bricks should be artificially put up between men and women, so that women would be walled in. As opposed

to what some scholars of the Hanbalī legal school argue, verse 33:53 does not point to the idea of gender segregation, neither does it make some face-covering dress obligatory for Muslim women; rather, it aims to remind guests of necessary respect and courtesy towards their hosts. Moreover, this particular verse was initially revealed for the particular case of the Prophet's home.

However, the bulk of the evidence quoted

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by pro-segregationists comes from the vast body of hadith. In a hadith, the Prophet is reported to have said, “Never is a man

alone with a woman except that Satan is the third party with them.” Such a hadīth would assume that neither a man nor a woman can have self-control in such a situation or just not feel any desire for each other. A famous hadīth reported by Ibn Abbās reads: “It is not permissible for a man to be alone with a woman, and no lady should travel except with a mahram.”<sup>(15)</sup> Likewise, ahādīth are quoted to justify the prohibition of handshaking between man and woman: “Umaymah b. Raqiqah said: (...) The Prophet said: ‘I do not shake hands with women. The way I accept the pledge from one woman is the same as with one hundred women.’”<sup>(16)</sup> Another hadīth is often quoted to provide evidence that women may not sit with “strange men” while wearing perfume: “The Prophet said: ‘Any woman who puts on perfume, then goes and passes by some men to let them find her scent is a type of adulteress.’”<sup>(17)</sup> Such a hadīth assumes that any woman is sexually focused at all times, as if a nice scent on her necessarily meant a sexual offer to all men around, which is obviously

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far off the line and an obvious slander. Such prescriptions do not aim to protect women from sexual assault or men from sexual

transgression, they rather aim to sexually objectify women and control their freedom of action by comforting men’s pride, jealousy and sense of ownership with regard to their wives. We may therefore wonder whether gender segregation policy may not lead to adverse consequences, namely the oversexualization of social relations in society.

## **2. Gender Segregation and the fitnaisation of women**

Instead of preserving chastity, gender segregation may indeed give a strongly sexual orientation to any gender relations, regardless of the purpose of this interaction. Hence, it tends to oversexualize, even overeroticize, gender relations in society, inasmuch as it fills any man-woman relation or interaction with sexual connotation. In such a societal context, women themselves undergo a fitnaisation process. They are primarily viewed as a source of sexual temptation (fitnah) for men. This means that they are considered as

sexed individuals, as females first, rather than as persons first. By person, it is understood a being characterized by consciousness, rationality, and a moral sense.<sup>(18)</sup> This entails that, in such a conception, womanhood prevails over personhood in the sight of society and women's sexual identity prevails over their human identity. Women themselves are conditioned to view themselves as potential objects of desire and attraction, regardless of the kind of interaction. In these circumstances, even professional, educational or business based relations are made difficult between genders, let alone any other personal relationship such as camaraderie or friendship. As a result, such a segregated society develops a disproportionate focus on sexuality in social relations and tends to create an unhealthy atmosphere of suspicion, to the point of associating any man-woman social interaction with potential adultery. It therefore creates a climate of fear, anxiety, psychosis and neurosis.<sup>(19)</sup>

In Islamic history, after the Prophetic period, as soon as the end of the first century AH and the early collections of traditions,<sup>(20)</sup> women grew ever more associated to temptation, sin

and, ultimately, to discord and dissention in the sight of society, as the growing body of misogynistic ahādīth seem to demonstrate at that time. A hadīth deemed as authentic says: "The Prophet said, 'I have not left behind any fitnah more harmful to men than women.'" Hence, it seems that men traditionally associated women to harmful sin as they viewed them as an instrument of Shayṭān and a gateway to hellfire, considering them as a trap for their own desires and potentially able to deprive them of God's blessing and Salvation in the hereafter. In that sense, we may speak of historical fitnaisation of women. Al-Tirmidhī transmitted a hadīth reported by al-Khudrī, according to whom the Prophet would have said: «The world is sweet and verdant and Allah is putting you as successors in it, so consider how you act. Be on you guard against

the world, and be on your guard against women.»<sup>(21)</sup> Traditional religious asceticism is based on the fear of femininity as leading God's servant astray

and Annemarie Schimmel highlights the way Classical tafsir gave such an orientation to the interpretation of nafs in the Qur'ān.<sup>(22)</sup> Indeed, the soul (nafs) described as "ammara bi 's-

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su” (12:53), “prone to evil”, in Surah Yusuf was associated to woman in Classical tafsir and used as a metaphor of femininity in Sufi tradition. As Al-Aziz’s wife speaks these words of self-blame (12:53), she became the symbol of women’s evil ways through seduction and temptation and, in Sufism, the reflection of the female soul (nafs) that needs to be tamed, controlled and mastered by the male rational mind (‘aql). This gendered interpretation of the nafs-‘aql duality nourished the long-running association of woman with basic instincts, emotions, passion, which, in Islamic understanding, are viewed as related to Satan’s work and need to be defeated.

### **3. Gender segregation, suspicion and the spirit of gender enmity**

In a gender segregated context, men who receive a traditional education are taught, from an early age, that all women are potential temptresses, provocative by definition, and therefore evil-thinking and evil-doing. Men are raised in the suspicion of women’s ruse, plots

and intrigues that would aim to lead them into sin and ruin their chances of salvation in the hereafter. The long-standing association of woman to temptation and sin turned woman into a foe more than a friend in the eyes of man. On the origins of such an association even within Islamic sacred imaginary, we may

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wonder how much the Isrā’īliyāt or “Jewish anecdotes,” which had so much influence upon hadīth writing and hadīth forgery in the first two centuries of Islam, contributed to shape such an association

within traditional Islamic conception. According to historians, the Isrā’īliyāt could have been passed on through both the Jews and the Christians of Arabia and the Hijaz, but also through the early converts to Islam for whom these stories had long become familiar if they had been living with Jews and Christians. Indeed, the association of woman to temptation and sin may find its origin in the narrative of the fall of Adam and Eve from Paradise as told in the Torah and the Book of Genesis in the Old Testament, in which the blame is put on Eve for listening to Satan’s speech (the serpent), disobeying God’s command and leading

Adam into temptation.<sup>(23)</sup> This association turned woman into a potential threat, as if she was supposed to be harmful to men by essence. Therefore, it introduces suspicion and distrust between genders, especially on man's side. The traditional interpretation of the Qur'an narrative of Yusuf is telling: it was given an artificial misogynistic orientation, inasmuch Yusuf comes across as the heroic victim of a powerful evil woman's lust (the wife of Vizier Al-Aziz). Instead of highlighting the rejuvenating power of love or Zulaikha's later truthful testimony to free Yusuf from jail (Q. 12: 51-52-53), Classical interpretation prefers to emphasize her malign intentions. Therefore, segregation may be viewed as fostering a mindset of enmity and distrust and, consequently, a spirit of discord and gender war.

As for women, the way they are repeatedly being reminded of the danger of finding themselves alone with a man other than a mahram ends up developing fear and some sort of paranoia in them. Indeed, in spite of actual facts and figures on assaults and sexual abuse, they are taught to think that all stranger

men could turn into potential aggressors.<sup>(24)</sup> This instills artificial anxiety in them and damages not only their self-confidence, but also their trust in humanity.

In reality, according to studies and statistics made on sexual abuse and violence against women, close relatives, namely the mahram, and mainly husbands, are to be held responsible for most of this violence against women. In a Muslim country such as Morocco for example, figures reveal that most of the cases of violence committed against women are cases of domestic violence.<sup>(25)</sup> The 2011 Global Rights Report specifies: "A 2011 national study on the prevalence of violence against women found that 62.8% of women in Morocco of ages 18-64 had been victims of some form of violence during the year preceding the study. This same study found that 55% of these acts of violence were committed by a victim's husband, and the violence was reported by the wife in only 3% of

such cases.<sup>(26)</sup> Another 2011 report identified that in cases of violence against women, the perpetrator is the husband in eight out of ten cases."<sup>(27)</sup> However, in spite of such factual

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evidence, the myth of gender segregation as supposedly justified by the necessary prevention against sexual abuse and violence still runs deep. In effect, the mahram people are the ones who are most likely to commit sexual crime against girls and women, as in cases of rape and forced incest. But the long-running myth on the great dangers of freely mixing with non-mahram men remains and it instills artificial anxiety in women and damages not only their self-confidence, but also their trust in humanity. In that sense, it is psychologically destructive.

#### **4. Gender segregation and marital discord**

Such a segregated environment therefore creates gender barriers and blocks opportunities of dialogue between people of different sex. It does not only foster a culture of gender estrangement, but also of gender conflict. Segregation tends to develop mutual ignorance between genders and, as a consequence, develops both harmful

fantasies and damaging prejudices. By spreading ignorance, it also fosters intolerance and discord through lack of understanding.

Gender segregation culture may be held responsible for marital conflict and domestic violence, inasmuch misunderstanding and unhappiness in marriage are partly due to the lack of common ground between spouses, in terms of imagination,

sensibility, intellectual and spiritual focus, as a result of separate education, upbringing and socializing environment. Within a gender-segregated society, husband and wife typically lead separate parallel lives and are rarely able to construct proper togetherness, namely psychological, intellectual and spiritual intimacy, because they lack the tools of communication and extremely sexually polarized education made them grow far apart, hardly able to develop a true friendship and complicity with their spouse. As a consequence, in such a context, husband and wife often have hardly any other opportunity to meet than upon sexual intercourse, practical and children's matters and home budget.

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## 5. Gender segregation as a symptomatic fear of change

At a wider level than within the family circle, gender mixing in education, at work or in civil society may indeed entail societal change and social reorganization away from the traditional structures of most Muslim societies. The so-called “status of woman” becomes the hardcore of the tradition-modernity debate. Hence, the insistence to maintain gender segregation within Muslim societies, or, sometimes, on the “return” to gender segregation is more often than not the symptom of a fundamental fear of change, usually considered by traditionalists as disruption and chaos. In societies suffering from social ills such as heavy unemployment, youth on drugs, prostitution or a crime rate on the rise, traditionalists are quick to associate such ills with the change of women’s aspirations and behaviours. In Muslim societies that suffered from past Western colonization, any contemporary change in women’s mindset and behaviour is associated with negatively connoted “Westernization,” regardless of the nature and purpose of change. In most of these Muslim societies, women became hostages of national or local identity debates, inasmuch the change of

their education and aspirations is suspiciously viewed as a betrayal to their “culture” and “identity.” Missing out on the liberating power of Islam, conservative Islamic discourses are used to provide religious legitimacy to visions of society structures that only aim to maintain social order, patriarchal order and distressingly avoid change, negatively equated to social disruption and chaos. Far from trying to make out the various meanings of Islamic message and Qur’ānic calls in an intellectually and spiritually dynamic way, such conservative discourses try to associate Islam to the nostalgic idealized picture of static society structures, as if Islamic legislation could easily provide a ready-made perfect society. According to these discourses, gender segregation would be one of these ready-made miraculous keys to individual and societal bliss. This means that any critical approach to gender segregation as an Islamic principle touches on a taboo within Islamic societies and on one of the “unthinkable” topics within Islam thought as set forth by Mohammed Arkoun in his plea to the introduction of Social Sciences and critical thinking into Islamic scholarship.<sup>(28)</sup>

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Indeed, the issue of gender segregation touches upon the

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societal organization that allocates specific set roles and spaces according to gender. Such traditional societies entirely rely on gender segregation to divide agency and space along the gendered lines of “private space” and “public space.” As the Islamic scholar Riffat Hassan emphasizes in her study on “Islam and Human Rights in Pakistan”, her native country, an “emancipated Muslim woman (...) appears to be in violation of what traditional societies consider to be a necessary barrier between “private space” (i.e., the home) where women belong and “public space” (i.e., the rest of the world) which belongs to men.”<sup>(29)</sup> Riffat Hassan is a scholar dedicated her research work to the Qur’ānic hermeneutics with a woman’s perspective and she insists that this gendered division of spaces and roles is locally rooted in traditional cultures, yet it does not belong to the Islamic worldview. She mentions that “this invisible barrier between these two unequal spaces is called “hijāb” (literally meaning ‘curtain’),”<sup>(30)</sup> so she equates gender separation to the concept of hijāb or ‘screen,’ as the two issues are related. The hijāb here understood as headscarf or, if more covering, as niqāb, has indeed become an internalized form of

gender segregation, as niqābi women screen themselves off the outside world, symbolically withdrawing from public space as an extended prevention against potential gender mixing. Riffat Hassan argues that “traditionally, Muslims have developed the belief that it is best to keep men and women segregated, i.e., in their separate, designated spaces, because the intrusion of women into men’s space is seen as leading to the disruption, if not the destruction, of the fundamental order of things.”<sup>(31)</sup> The insistence on gender segregation would then be the powerless answer given to fundamental fears of change and reveals some incapacity to self-questioning, self-reform, reflective attitude towards Islamic sources, as well as some incapacity to adopt a critical approach to one’s own Islamic intellectual and spiritual heritage. The sclerosis of gender segregation policy reflects the dominant and symptomatic intellectual sclerosis of many contemporary Muslim scholars. In the late 1990s, the latter was highlighted by Iranian Mehrangiz Kar in her address to Akbar Ganji, the editor of the weekly Rah-e now [The new way]. Ziba Mir-Hosseini notes that “Kar opened her address with a revealing observation

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about the pathology of the ‘woman question’ in Islamic discourses,” thus pointing to the fact that “among these new religious thinkers, no influential man has yet addressed the issue of gender in Islam.”<sup>(32)</sup> Ethically and critically rethinking gender segregation within Islamic frame remains indeed a taboo.

## 6. Gender segregation as an instrument of inequality, social determinism and injustice

Some contemporary conservative Islamic scholars, such as Morteza Motahhari, introduce some artificial opposition between what, according to them, would be “Islamic” and what would be “Western”. Motahhari argues that the claims of equality voiced by “Western women” led them to drift away from “nature”. By trying to justify inequality of rights and responsibilities between men and women, he argues that there would be “natural” physical, psychological and intellectual differences between genders, often generalizing his assumptions and ironically referring to Darwin or to some “Western” psychologists to back up

his conclusions.<sup>(33)</sup> Based on these so-called “natural” differences, such as, Motahhari argues, the “maternal instinct” or women’s so-called “instinct of submission”, he draws conclusions on the laws of causality connecting men and women’s “natural” differences and their different purposes in God’s Creation. However, he fails to highlight the role of gender segregation in the construction of gender identities and behaviours. Indeed, for example, when girls are prevented from mixing in outdoor games with boys, they cannot develop the skills of challenge, audacity and courage that are traditionally associated with men.<sup>(34)</sup> Likewise, when boys are granted

more freedom of action from an early age, they cannot develop the skills of patience and endurance that are traditionally associated with women.

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Raising children within a gender segregated environment is indeed a well-known instrument of social determinism and contributes to physically and mentally condition men and women in their characteristics. In that sense, gender segregation is an instrument of inequality as it enhances the disparities artificially created by sexually differentiating

education. Therefore, it contributes to widen the gender gap. Separation in schooling and higher education further contributes to inequality in terms of lack of emulation, lack of intellectual exchange, lack of physical stimulation in sports for girls, lack of building self-confidence, lack of quality standards of education for girls.

As a result, this gender segregation policy in society contributes to maintain patriarchal order, men's privileges, power, self-confidence and authority. Conversely, it contributes to maintain women as second-class citizens, considered as weaker bodies and minds, in need of male protection, hence hastily viewed as inferior creatures according to God's design.

## **7. Gender segregation and the negation of religious ethics**

The paradox of gender segregation is that, far from effectively stopping immorality, it works as a hindrance from moral growth and produces ethically disabled people. Indeed, just as a muscle that is never exercised or as

a mind that is never trained, moral conscience cannot develop without practice and trial. It needs dilemma and moral deliberation to grow. Gender segregation therefore turns

out to be a barrier to religious education and ethics. Indeed, such an environment does not give the believer the chance to test his/her moral strength and try his/her conscience; neither does it grant him/her the chance

to prove just, responsible and morally straight. In religious ethics, the moral trial is supposed to be part of the test of humanity. Gender segregation policy aims to eliminate moral drama, though essential to the human condition, and tries to make human beings live in utopia. As Izetbegovic argues, "drama is the highest form of existence that is possible in our universe," while "utopia is a dream or a vision of a paradise on earth."<sup>(35)</sup> Trying to establish utopia in this life denies God's design for mankind. As opposed to utopia, drama partakes in a religious worldview, inasmuch "freedom is the essence of a drama," while "order and uniformity are the two essential things in a utopia."<sup>(36)</sup> In itself,

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the utopian attempt is at once totalitarian and anti-religious, inasmuch it tries to do away with drama and deprive human beings of their chance to construct a conscience and thus become properly human. Finally, gender segregation does not lead humanity to its potential nobility and moral excellence. The segregationist approach underestimates the willpower of believers, who are not granted any trust and who are thereby not encouraged in the construction of such virtues as self-control and civility. In his commentary to the Talmud, Emmanuel Lévinas argues that the Torah metaphorically identified what separates human beings from evil to a sheer delicate rose-made borderline.<sup>(37)</sup> This means that Abrahamic ethics views human beings as able to develop sufficient moral strength and righteousness to keep themselves clear of evil even though across a thin, flimsy and fragile line. Segregation does not teach men and women to confront and master their own desires, and it does not train them towards self-control. On the contrary, it weakens their willpower and resistance to drives and desires.

**In the Islamic conception, initial difference and diversity within mankind is not to be interpreted as a divine punishment, as in the biblical episode of the Tower of Babel, rather, it is meant to be God's blessing to humanity**

It creates a moral disability. The lack of habit of mixing with the other gender increases their vulnerability to temptation and blurs their sight when faced with a human being of the other gender. It focuses their attention on sexual identity instead of engaging in an ethical human relation. As Emmanuel Lévinas argues, the best way to encounter another human being is to not even notice the colour of his/her eyes, as this is already the beginning of the objectification of the other.<sup>(38)</sup> Gender segregation, on the contrary, results in the objectification of the person encountered (when of the other sex) and bars any deep human interaction. Segregation makes men and women prone to stop at the surface and view a person of the other gender as a potential object of desire, namely only as a threat to their inner peace and as a gateway to sin and evil. It becomes the negation of human relation and the negation of religious ethics.

### **The Islamic ethics of gender mixing**

On the contrary, mixed environment in

education, at work and in civil society seems to fit better with Islamic ethics. Indeed, mixed education encourages intellectual stimulation, circulation of ideas, mutual knowledge and provides better equality in terms of access to knowledge and

education. Mixed environment at work means better emulation and intellectual stimulation. Mixed work and civil society environment may create a spirit of camaraderie, solidarity and fraternity, regardless of gender and beyond the artificial divide brotherhood-sisterhood. This mixed environment helps to know and understand difference and diversity and creates a deeper sense of humanity, emphasizing inclusion instead of exclusion. God's call to mankind, regardless of gender, does not say otherwise: mutual knowledge and interconnection is God's wish for humans (Q. 49:13).<sup>(39)</sup> Believers, created "from a single (pair) of a male and a female" and made by God into "nations and tribes," should strive to get to know one another better and endeavour to understand each other better, beyond apparent barriers and alienations of class,

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race, age and gender. Islamic ethics calls for a constant effort towards overcoming apparent barriers between people. In truth, this constant work upon one's own prejudices is the main Jihad. In the Islamic conception, initial difference

and diversity within mankind is not to be interpreted as a divine punishment, as in the biblical episode of the Tower of Babel, rather, it is meant to be God's blessing to humanity, providing humans with enough diversity to help them become deeper and more ethically accomplished persons in the process of their mutual coming together. Likewise, gender difference is meant to be God's blessing, inasmuch as it should invite both men and women to discover and get to know the other gender, as an apprenticeship of otherness, and eventually find out the profound unity of humanity beyond the apparent gender barrier. Islamic ethics calls for such an odyssey through otherness and difference, and it is this journey that makes believers wiser and deeper and human beings reach a state of human nobility. By artificially separating people and not

allowing men or women to freely mix with the other gender, gender segregation makes believers miss out on one of the main points of their human lives, namely the odyssey through otherness, the discovery of the non-self, and the ethical growth of their souls.

One of the most eloquent examples of God's confirmed will to break up gender segregation and, with it, women's historical marginalization and exclusion from knowledge, including religious knowledge, civil society and power, can be found in the Qur'ān. Hanna and Zachariah's decision to send Maryam as a child to the Temple of Jerusalem, so that Hanna's promise to God would be kept and Maryam would receive a broad and proper religious education, meant that it was God's sign and will to promote not only girls' education, but also the break-up of gender segregation and exclusion. Indeed, in spite of the strong opposition of the Jewish priests presiding over the Temple of Jerusalem, Zachariah insisted to bring Maryam to the Temple, become his tutor on the site, and provide her with religious education, which was obviously unheard of at

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the time, and viewed as a transgression of the Jewish law according to the way it was officially understood at the time. The Priests of the Temple were shocked at the idea that a girl could live within the precinct of the Temple and receive an education, let alone a religious one. A few signs from God demonstrate the divine insistence on educating Maryam in the Temple. When Hanna had made this vow to God to dedicate her child (whom she thought would be male), she had not meant to break the Jewish law of the Temple; however, though answering Hanna's prayer, God knowingly decided to make the child a girl nevertheless (Q. 3:36); this is a sign in itself. Another sign is God's insistence on choosing Zachariah as the tutor of Maryam in the Temple, therefore insisting that she should be welcomed and properly guided in the Temple: as was the custom at the time, reeds or "arrows" were thrown into the water as a means to cast lots and the owner of the last remaining pen would be elected as Maryam's tutor (Q. 3:44). Lastly and more importantly in terms of opposition to gender segregation, after many years spent within the

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precinct of the Temple, Maryam, as a young woman, was asked by God's angels to enter the sacred prayer room of the Temple (the mithrab) and join the male priests in prayer, to the dismay of the latter: "O Mary! Worship thy Lord devoutly: Prostrate thyself, and bow down (in prayer) with those who bow down." (Q. 3:43)<sup>(40)</sup> As Maryam enacted the angels' instructions, her mixing with the male priests in prayer was viewed as a preposterous blasphemy, because of her womanhood and because of the gender mixing in the same sacred space, probably liable to death penalty at the time; however, God gave a clear sign that her mixing with male priests in the most sacred space of the Temple was the sheer compliance with God's will. This verse is indeed loaded with teaching: it sets the tone towards gender mixing, even in the course of the most sacred ritual of worship and in the most sacred sanctuary. The Qur'an relates this particular aspect of Maryam's life in the Temple with a view to make gender mixing lawful and desirable and emphasize gender equality as the obligation and responsibility of worship is similarly equal.

### **Conclusion:**

Gender segregation turns out to be in

blatant contradiction with Islamic ethics, namely with such Qur'anic principles as justice, equality, effort towards mutual knowledge, understanding, interconnection, interaction, social cooperation, and the fulfillment of each person's potential for the benefit of society. It is usually an answer to fears of change and societal disruption, and it generally fosters a culture a gender suspicion and discord, let alone the encouragement to jealousy and the sense of ownership it provides to spouses, mainly husbands toward their wives.

Gender segregation policy also proves to be the negation of religious education, in the sense that it prevents moral conscience from being developed in human beings. It aims to delete moral dilemma instead of providing guidance to grow moral strength, self-discipline, self-reflexive attitude and thoughtful wisdom. Gender segregation policy does not try to educate ethically responsible souls; instead it removes temptation and thereby leaves believers in a state of constant immaturity and lack of responsibility. In that sense, it hinders human beings from becoming properly human, reaching higher standards of ethics and fulfilling their mission as believers and as God's thinking creatures capable of moral deliberation and discernment.

In the name of Islamic ethics, gender

segregation in Islam should be critically approached and considered as a dangerous means of psychological, moral and social destruction that produces gendered forms of seclusion, apartheid and discrimination. Muslim scholars should try and make sense of such meaningful leaps into the idea of gender mixing as Maryam's symbolical entrance into the male-dominated sanctuary of Jerusalem Temple. They should also draw conclusions from the full participation of early Muslim women converts and emigrants (to Abyssinia and later to Medina) in the social, political, educational life of the first Muslim community, let alone their participation in the major battles

in the Prophetic period. Gender mixing allows for increased women's agency in public and social spaces. Therefore, gender mixing may be much more Islamic, inasmuch mixed environment, in public spaces such as work, educational institutions or other hubs of civil society, may create a spirit of camaraderie, solidarity and fraternity, regardless of gender and beyond the artificial divide brotherhood-sisterhood. This mixed environment helps to know and understand difference and diversity and creates a deeper sense of humanity, emphasizing inclusion instead of exclusion, in keeping with the major tenets of Islamic ethics.

### Notes

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- 1 A mahram, in Islamic sharia legal terminology, is a man who is not licit for a woman to marry and with whom sexual intercourse would be considered incestuous, such as her father, uncle, brother, nephew...etc (referring to verse 24:31). Current usage of the term covers a wider range of people and mostly deals with the dress code practice of hijab, but also with the permission for a woman to travel. As a consequence, a mahram will not be considered as a stranger to her.
  - 2 On the Qur'anic call for gender equality, see such verses as 33:35, 16:97, 4:124, 3:195, 40:40, 57:18

(Q.).

- 3 Shaikh Sami al-Majid, "Prohibition of Free-Mixing between Men and Women", IslamCan.com.
- 4 Nevin Reda, "Women in the Mosque: Historical Perspectives on Segregation", *The American Journal of Islamic Social Sciences* 21:2, p.77.
- 5 Nevin Reda, "Women in the Mosque: Historical Perspectives on Segregation", *The American Journal of Islamic Social Sciences* 21:2, p.77.
- 6 This is according to Shariah rules relating to mixing between the sexes: "In Islam, the basic principle of the interaction between men and women is segregation. This means that in all areas of life and in all places whether private or public, contact between men and women is generally prohibited." ("Islamic Revival", 23 July 2006).
- 7 Ibn Kathir, *Tafsir, L'Exégèse du Coran*, p.949-950.
- 8 Allamah Sayyid Sa'eed Akhtar Rizvi, *Hijab: The Dress of Modesty in Islam, Part 1*. Available online at: <http://www.al-islam.org/hijab-saeed-akhtar-rizvi/2.htm>
- 9 Qur'an 24:30 and 24:31, translated by Yusuf 'Ali.
- 10 Qur'an 24:31, translated by Yusuf 'Ali.
- 11 In her study on the issue of gender equality in the Qur'an, Asma Lamrabet (*Femmes et Hommes dans le Coran: Quelle égalité?*) argues that there has been a historical shift from the idea of the *khimār* (or *khumur*) to the idea of the *hijāb* that entails the notion of separation and gender segregation.
- 12 Asma Lamrabet, *Femmes et Hommes dans le Coran : Quelle égalité ?*, Beyrouth -Paris : Dar

- Albouraq, 2012, pp.165-69.
- 13 "It is not fitting for a man that Allah should speak to him except by inspiration, or from behind a veil (hijab), or by the sending of a Messenger to reveal, with Allah's permission, what Allah wills: for He is Most High, Most Wise." (Q. 42:51, translated by Yusuf 'Ali).
- 14 "Relate in the Book (the story of) Maryam, when she withdrew from her family to a place in the East. She placed a screen (hijaban) (to screen herself) from them; Then We sent to her Our angel, and he appeared before her as a man in all respects." (Q. 19:16-17, translated by Yusuf'Ali).
- 15 Hadith narrated by Ibn Abbas, in Al-Bukhari, Sahih, Vol. 4, Book 52, Number 250.
- 16 This hadith can be found in Al-Muwatta', Sunan al-Tirmidhi, Sunan al-Nasa'i and Sunan Ibn Majah. A similar idea can be found in the following hadith: "The Prophet (pbuh) said: 'It is better for one of you to be pierced by a steel pin in his head than to touch the hand of a strange woman.'" (Al-Albani classifies this hadith as a "good" hadith in Ghayah al-Maram (n° 403)).
- 17 Quoted in Musnad Ahmad, Sunan al-Tirmidhi, Sunan Abi Dawud, and Sunan al-Nasa'i with a supposedly sound chain of transmission.
- 18 Person: a being characterized by consciousness, rationality, and a moral sense, and traditionally thought of as consisting of both a body and a mind or soul. (Collins Discovery Encyclopedia, 1st edition © HarperCollins Publishers 2005).
- 19 Fethi Benslama, La psychanalyse à l'épreuve de l'Islam, Paris : Aubier-Flammarion, 2002.
- 20 See al-Muwatta, collected by Imam Malik ibn Anas.
- 21 Al-Tirmidhī, Sunan, Hadith 1331, narrated by Abū Saīd al-Khudrī.
- 22 Annemarie Schimmel, Meine Seele ist eine Frau, Munich : Kösel Verlag Gmbh & Co., 1995.
- 23 "And when the woman saw that the tree was good for food, and that it was pleasant to the eyes, and a tree to be desired to make one wise, she took of the fruit thereof, and did eat, and gave also unto her husband with her; and he did eat." (Genesis 3:6, The Holy Bible, authorized King James Version)
- 24 All modern studies on assaults and sexual abuse show, on the contrary, that more of these are committed by close relatives within the family and not by strangers. For example, statistics show that 95.8% of violence against women in Morocco is caused by the victim's close relatives, mostly by husbands. (Statistics according to figures released by the State Secretary in charge of the Family, Childhood and the Disabled. December 2005 to October 2006).
- 25 See the 2011 Global Rights Report : "MOROCCO: Challenges with addressing domestic violence in compliance with the Convention Against Torture 47th Session of the Committee Against Torture" (31 October – 25 November, 2011); Joint Written Statement submitted pursuant to ECOSOC Res. 1996/31 by THE ADVOCATES FOR HUMAN RIGHTS and GLOBAL RIGHTS, non-governmental organizations in special consultative status, in collaboration with an alliance of Moroccan NGOs. Moroccan Haut Commissaire au Plan, "Principaux

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- résultats de l'Enquête Nationale sur la Prévalence de la Violence à l'Egard des Femmes (version française)", (January 2011), available at [http://www.hcp.ma/Conference-debat-consacree-a-l-etude-de-la-violence-a-l-egard-de-femmes-au-Maroc\\_a66.html](http://www.hcp.ma/Conference-debat-consacree-a-l-etude-de-la-violence-a-l-egard-de-femmes-au-Maroc_a66.html) (last visited October 6, 2011); see also, UN Women, "Moroccan Government Release Extensive Gender-Based Violence Study", (10 January 2011), available at <http://www.unwomen.org/2011/01/moroccan-government-releases-extensive-gender-based-violence-study/> (last visited October 6, 2011).
- 26 Ibid.
- 27 U.S. Department of State, Country Reports on Human Rights Practices, "2010 Human Rights Practices: Morocco", (April 8, 2011), referencing the Democratic League for Women's Rights (LDDF), available at <http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154468.htm> (last visited October 6, 2011).
- 28 Mohammed Arkoun, *The Unthought in Contemporary Islamic Thought*, Saqi in association with The Institute of Ismaili Studies, London, 2002.
- 29 Riffat Hassan, "Islam and Human Rights in Pakistan: A Critical Analysis of the Positions of Three Contemporary Women," pdf, p.12 of 31.
- 30 Ibid., p.12 of 31.
- 31 Ibid., p.12 of 31.
- 32 Ziba Mir-Hosseini, "Religious Modernists and the 'Woman Question': Challenges and Complicities," p.2.
- 33 Mortada Motahhari, *Les Droits de la femme en Islam*, translated from the English by 'Abbas Ahmad al-Bostani, Paris, Beyrouth : Dar Al-Bouraq, 2000.
- 34 As analysed in Simone de Beauvoir, *Le Deuxième Sexe : Les Faits et les mythes*, Paris : Gallimard, 1949.
- 35 'Alija 'Ali Izetbegovic, *Islam between East and West*, Plainfield, Indiana: American Trust Publications, 1984, 1993, p.162.
- 36 Alija 'Ali Izetbegovic, *Islam between East and West*, Plainfield, Indiana: American Trust Publications, 1984, 1993, p. 163.
- 37 Emmanuel Lévinas, *Quatre lectures talmudiques*, « Texte du Traité 'Sanhedrin' », p.170-77.
- 38 Emmanuel Lévinas, *Ethique et infini*, Paris : Librairie Arthème Fayard, 1982, p.79 : La meilleure manière de rencontrer autrui, c'est de ne pas même remarquer la couleur de ses yeux.
- 39 "O mankind ! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that ye may know each other. (...)" (Q. 49:13, translated by Yusuf 'Ali).
- 40 « Behold ! the angels said : 'Oh Mary ! Allah hath chosen thee and purified thee- chosen thee above the women of all nations. Oh Mary! Worship thy Lord devoutly: Prostrate thyself, and bow down (in prayer) with those who bow down.' (Q. 3:42-43, translated by Yusuf 'Ali).

