

ISLAM'S PERSPECTIVE

People and society usually have different standards for treating people according to their biological sex, which is assigned at birth. Although these standards vary according to the culture and customs of each society, such stereotyping is mostly problematic, especially for those whose biological sex is incompatible with their gender identity.

Biological Sex

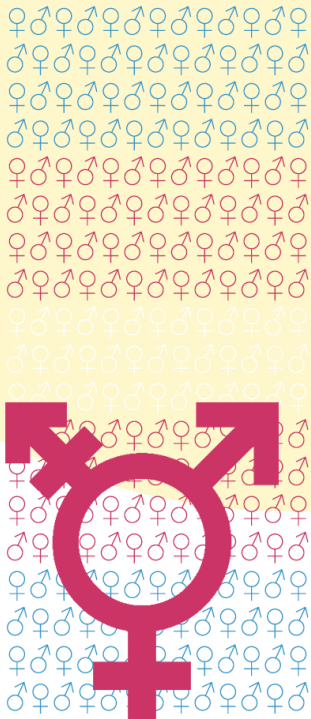
The sex that's determined by the biological factors of an individual such as genes / chromosomes / hormones / genitals.

Gender Identity

The individual's internal sense of belonging (or not belonging) to a certain gender.

Gender identity may coincide with the biological sex or align with it in varying degrees, regardless, it gets categorized into the gender binary (the concept of masculinity and femininity in society). For those who do not conform to the rules of this binary live a completely different experience, and these people are labelled «**Transgender**».

Transgender: People whose gender identity does not align with their biological sex.



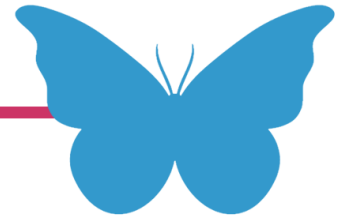
The sense of incongruence with one's biological sex has always existed, even before records and documentation existed. However, the first documented note was in 1864, when the German writer and activist Karl-Heinrich Ulrich used the term 'Urnings' to describe a female soul in a male body.

Attitudes varied between the rejection and condemnation of transgender individuals, and between the tolerance for their existence and providing healthcare for them. An example of this is what happened in 1918 with Alan Hart, the first transgender man to undergo gender-reassignment surgery at the age of 27, and Nora Richer, the first transgender woman to undergo a gender-reassignment surgery in 1922.

The situation continued as it was until 2013, when the term 'gender identity disorder' was removed by the mental health field from the DSM, where 'gender identity disorder' became no longer a mental illness. And in 2018, the World Health Organization (WHO) removed 'gender dysphoria' from the 11th edition of the International Classification of Diseases (ICD 11). It replaced the term "gender identity disorder" with "gender incongruence of adolescence and adulthood" and "gender incongruence of childhood" and removed it from the "mental disorders" section.

Transgender individuals in Muslim societies nowadays face many challenges, including legal restrictions in some countries and difficulty changing identity papers, as well as abuses during the transition process or even penalization for it. Some of these countries are relying on allegations of religious reference to justify their anti-transgender (transphobic) behavior, among them is that gender reassignment surgeries for transgender people contradict the religion under the pretext that it is changing God's creation.

Do Transgender people "change God's creation"?



The most common allegations by Muslims who reject gender reassignment surgeries, and those who believe that it is *Haram* (a religious taboo), are that it's changing the creation of God and the nature that the body was created as. This claim ignored and marginalized the need for the psychological well-being of individuals.

Gender identity (an individual's sense of belonging or not belonging to a particular gender) cannot be changed and is not just a mood, a choice, or a temporary feeling. It has a biological basis associated with the brain ¹. There are several theories that explain gender dysphoria, one of which explains that the genitals and brain acquire male or female traits at different stages of growth in the uterus, which may cause a mismatch between the brain and the genitals if hormonal disorders/imbalance happened in the womb ². So according to this theory, a person who lives with gender dysphoria also carries with them the characteristics of the other sex from birth, as well as the physical features of their specific assigned sex at birth.

This would make the coexistence with or ignoring the gender dysphoria impossible. And since changing a person's gender identity is also impossible, the best option is to change the body to match the person's gender.

Religion didn't exist to make things hard for people in this world. The Messenger of Allah said: "Indeed, this religion is easy, and no one will ever overburden himself in religion, except that it will overcome him."

Saheeh hadeeth, narrated in (Saheeh al-Bukhaari, 39) and in (Saheeh Muslim, 2816).

This hadith explicitly forbade the rigidity in religion, and for burdening oneself, and others, what they cannot bear. If it has been proven that transgender individuals never chose to change God's creation and nature, but rather a feeling that they had originally been created with, then the Quranic verse that forbids changing God's creation does not include or refer to them.

Terms

Transgender: An umbrella term describing anyone whose gender identity does not align with their birth-assigned sex.

Cisgender: Someone whose gender identity aligns with their birth-assigned sex.

Trans man: Someone who was assigned female at birth but identifies as man.

Trans woman: Someone who was assigned male at birth but identifies as woman.

Gender expression: How a person behaves, appears or presents oneself with regard to societal expectations of gender.

Transition: Aiming to align one's gender identity with their external appearance, either by transitioning socially (e. g. name and expression) or physically (hormone therapy and/or surgery).

فَطَرَتِ اللَّهُ الَّتِي فَطَرَ النَّاسَ عَلَيْهَا لَا تَبْدِيلَ لِخَلْقِ اللَّهِ

1) Anatomy Does Not Determine Gender, Experts Say - The New York Times

2) Sexual differentiation of the human brain: Relation to gender identity, sexual orientation and neuropsychiatric disorders

“The Prophet (PBUH) damned (*Mukhannaths*) men who assume the manners of women and women who assume the manners of men”

The word “*Mukhannath*” nowadays is an offensive term, except that the Arabs have long used it, without offense. The “*Mukhannath*” in Arabic is a person who was considered a male at birth that has feminine characteristics, and it can include transgender women and gay men with feminine behavior. Some use this hadith to attest to the prohibition of gender transition.

This Hadith was narrated in different words and it is problematic. It uses the term (*Mukhannath*), which means (men who act like women in Arabic. If we follow the presence of *Mukhannath* people during the time of the Prophet (PBUH), we will find that they were present, and had permission to enter spaces of women.

One of them was the companion *Anjasha*; the Prophet’s servant, who was a camel rider, leading women, as the Prophet said to him: «**slowly O *Anjasha*, slow your ride leading the women**»¹. And it was stated in the Hadith of *Wathila ibn al-Asqa’* that *Anjasha* was a *Mukhannath*.

The Prophet (PBUH) never rejected transgender people at that time, but what happened was that one *Mukhannath* that was called “*Hit*” who was one of the people that would enter in spaces of women, described the body of a woman to a man. The Prophet, therefore, forbade his wives from allowing him to enter their spaces, saying in a Hadith narrated by (*Umm Salamah*), the wife of the Prophet, about him: «**Do not let him into your spaces**»².

The Hadith that has been circulating shifted from privatization to generalization, and some narrated it in the form of generalization, in order to prevent *Mukhannath* people in general from entering the spaces of women: «**Do not let them into your spaces**»³, then the narration shifted again to generalization to get them out of Muslim homes: «**Get them out of your houses**»⁴.

It did not stop there, and *Abdullah ibn Abbas* later narrated the story in a completely different way. He claimed that getting them out, in the previous narration, was linked to them having an inherent curse, in saying: «**The Prophet (PBUH) damned men who assume the manners of women and women who assume the manners of men, and said “get them out of your houses”, then said: the prophet got somebody out and Omar got another out**»⁵.

And by following the different versions of the story, we find that it was actually one person who violated the privacy of one of the women, and that it has nothing to do with gender identity. But as the story went out of the house of the Prophet and his wives, the Companions interpreted that as a general matter. Thus, *Abdullah ibn Abbas* understood that the issue of dismissal is a curse for transgender and gender-non-conforming people in general.

On the contrary, the acceptance that the transgender people had at different stages of the Islamic history is an evidence to the openness of Muslims in the previous eras and their approval of transgender people.

Narrated *Um Salama*: that while the Prophet was with her, there was an effeminate man in the house. The effeminate man said to *Um Salama*'s brother, '*Abdullah ibn Abi Umaiyya*, "If Allah should make you conquer *Ta'if* tomorrow, I recommend that you take the daughter of *Ghailan* (in marriage) for (she is so fat) that she shows four folds of flesh when facing you and eight when she turns her back." Thereupon the Prophet said (to us), "This (effeminate man) should not enter upon you (anymore)."

«Do not let him to your spaces»



«Do not let them to your spaces»



«Get them out of your houses»

1- Sahih Bukhari, 6210

2- Sahih Bukhari, 5235

3- Sahih Bukhari, 4324

4- Sunan Abi Dawood, 4929

5- Sahih Bukhari, 5886

Despite the negative attitudes of some Muslims towards transgender people, many Muslim countries allow gender transition, and on the religious level, several Islamic authorities have taken affirmative attitudes towards gender transition¹.

Official fatwas were issued by the Egyptian “Dar al-Iftaa” for transgender people to perform gender reassignment surgeries.

Iran's supreme leader issued a fatwa authorizing gender transition, and Iran is the second country in the world in reassignment surgeries.

And several other Islamic authorities, Sunni and Shiite, confirm that Islam does not prohibit gender transition.

1) Gender transitioning in Egypt: between the Iranian model and the right to be different

Though under different labels, the historical existence of transgender people was obvious in different Islamic eras. Acceptance and tolerance towards them were significant within the Muslim societies at the height of their prosperity, even in the life of the Prophet and within his home. Reflecting on these ages and the acceptance of transgender people at the time, the arguments and motives taken by some Muslims today as a reason for rejecting transgender people are flimsy and unfounded.