

TRANSSEXUALITY FROM ISLAMIC PERSPECTIVE

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TRANSSEXUALITY FROM ISLAMIC PERSPECTIVE

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Kolej Universiti Islam Malaysia

Academic project report submitted in partial fulfillment for the  
BACHELOR OF SYARI'AH AND JUDICIARY

Perpustakaan KUIM



1000012354

GIFT / DONATION SUMBANGAN IKHLAS WITH BEST COMPLIMENTS	
FROM	Fak. Syariah dan Undang-Undang
DATE	2004
ACC. NO	0000019415

Faculty of Syari'ah and Law  
KOLEJ UNIVERSITI ISLAM MALAYSIA  
KUALA LUMPUR

March 2004

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I hereby declare that the work in this academic project is my own except for quotations and summaries, which have been duly acknowledged.

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## ACKNOWLEDGEMENTS

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allah, the Compassionate, the Merciful

Praise is to Allah Almighty, the Cherisher and Sustainer of the Universe. May the peace and blessings of Allah Almighty be upon Muhammad, the Seal of the Prophets. In completing this academic project report I have contracted many debts. I am grateful to many people without whose sincere help and encouragement, I would not be able to complete this research.

Firstly, I wish to acknowledge the help I received from Tuan Syed Salim Syed Shamsuddin, who supervised my academic project report and for whose unremitting efforts and encouragements no words of mine could adequately express my gratitude. I received useful suggestions for its improvement and his valuable comments.

I would like to express my thanks to the lectures and staff of the libraries of Islamic University College of Malaysia, National Islamic University Malaysia, University of Malaya and Malaysia National Library for their assistance and their willingness to help me with their expertise.

In particular my thanks are to my parents; my father, En. Abdullah bin Hamat and my patient mother, Puan Anisah binti Mat who persuaded me to learn and always emphasize the importance of education as a means of achieving a happy life.

I would like to express my gratitude to my loving husband, En. Wan Suhaimi bin Wan Alias, who extended his full support during this project and my thanks also due to my brothers and sisters, especially Puan Maznah binti Abdullah because helped me to pursue lifelong learning.

In conclusion, I must say that all merit of conveying the message of Allah in this project is entirely due to the bounty of Allah and if, in it, there are faults and mistakes they are entirely mine and I seek Allah's forgiveness for any such inadvertent error.

May Allah help us all to work together for His sake.

## ABSTRAK

Kajian ilmiah ini adalah untuk mengenalpasti permasalahan “*mak nyah*” di Malaysia, khususnya yang beragama Islam, serta untuk menganalisa faktor-faktor yang menyumbang kepada permasalahan ini. Untuk memperolehi data, beberapa teknik kajian telah di guna pakai iaitu kajian daripada perpustakaan dan juga kajian daripada internet. Hasil kajian ini, menunjukkan bahawa terdapat tiga faktor utama yang menyumbang kepada permasalahan ini iaitu; faktor biologi, faktor psikologi dan faktor sosial. Oleh yang demikian, beberapa penyelesaian telah di cadangkan bagi mengatasi masalah ini, yang mana ia melibatkan semua pihak terutamanya “*mak nyah*” itu sendiri, ibu bapa, masyarakat dan kerajaan.

## **ABSTRACT**

This academic project is to look into the problem of transsexuality in Malaysia, particularly to the Muslim societies, as well as to analyze the factors that contribute to the problem. Library research and internet browsing were tools employed for the purpose data gathering. The findings from this study show that there are three main factors contributing to the problem namely; biological factors, psychological factors and sociological factors. Therefore, several solutions are suggested to solve this problem which involve all parties, especially the transsexuals, parents, societies and government.

## ملخص البحث

يهدف هذا البحث إلى دراسة قضية المختئين في المجتمع الماليزي المسلم. وقد سعت من خلاله الباحثة إلى تحليل العوامل التي تقضي إلى ظهور هذه المشكلة. وكانت المكتبات وشبكة الأنترنت هي الموارد المستخدمة لجمع البيانات في هذا البحث. وقد تبين للباحثة بعد التتبع والاستقصاء لأطراف هذه القضية وجود ثلاثة عوامل أساسية مهمة تسهم في إفشاء هذا المرض النفسي، وهي العامل الجسمي الإحيائي والعامل النفسي والعامل الاجتماعي. ومن ثم، فقد اقترحت الباحثة في هذه الدراسة جملة من الحلول يجدر تبنيها من قبل جميع الأطراف: وخصوصا المختئين أنفسهم والوالدين والمجتمع والحكومة، لتتكاتف جهودهم لحل هذه المشكلة.

## TABLE OF CONTENTS

CONTENTS	page
AUTHOR DECLARATION	i
ACKNOWLEDGEMENTS	ii
ABSTRAK	iii
ABSTRACT	iv
MULAKHKHAS AL-BAHTH	v
CONTENT PAGE	vi
TRANSLITERATION	vii
ABBREVIATION	xi
<b>CHAPTER 1 : INTRODUCTION</b>	
1.1 Research Background	1
1.2 Statement Of The Problem	1
1.3 Objective Of The Study	2
1.4 Scope Of The Study	2
1.5 The Research Methodology	2
1.6 The Literature Review	3
<b>CHAPTER 2 : DEFINITION OF TRANSSEXUALITY</b>	
2.1 Introduction	5
2.2 Meaning Of Transsexuality	
2.2.1 Meaning In Literal Sense	8
2.2.2 Meaning In Legal Sense	9
2.3 Types Of Transsexuality	10
<b>CHAPTER 3 : FACTORS LEADING TO TRANSSEXUALITY AND ITS EFFECTS</b>	
3.1 Factors That Influence The Transsexuals	
3.1.1 Biology Influences	12
3.1.2 Social Influences	14
3.1.3 Psychology Influence	17
3.2 The Effects Of The Transsexuality	

3.2.1 Effects In Socialization	20
3.2.2 Effects In Changing The Name And Gender	21
3.2.3 Effects In Employment	21
3.2.4 Effects In Marriage	23
3.2.5 Effects In Having Children	23
3.2.6 Effects In Medical Benefits	23
3.2.7 Effects In Financial Policy	24
3.2.8 Effects In Having A House	25
3.2.9 Effects In The Religious Matters	25

#### **CHAPTER 4 : ISLAMIC VIEWS AND SOLUTION OF THE TRANSSEXUALITY**

4.1 Islamic Views Or The Fatwa	26
4.2 Possible Solution Of The Issue	
4.2.1 Biological Aspect	34
4.2.2 Psychological Aspect	35
4.2.3 Sociological Aspect	36

#### **CHAPTER 5 : CONCLUSIONS AND SUGGESTIONS**

5.1 Conclusions	39
5.2 Suggestions	41

<b>BIBLIOGRAPHY</b>	<b>42</b>
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## ARABIC WORDS TRANSLITERATION SYSTEM

## TRANSLITERATION TABLE

## 1. ALPHABET

<u>Arabic</u>	<u>Latin</u>	<u>Transliteration</u>
ء	,	fa`r
ب	b	burd
ت	t	tall
ث	th	thawb
ج	j	jidār
ح	h	halīb
خ	kh	khādim
د	d	dīk
ذ	dh	dhahab
ر	r	rafīq
ز	z	zamīl
س	s	salām
ش	sh	sha`b
ص	s	sakhr
ض	d	dayq
ط	t	ṭāzij
ظ	z	zalim
ع	°	°aql
غ	gh	Ghulām
ف	f	fīl
ق	f	qalb
ك	q	kalām
ل	l	Lubb
م	m	māl
ن	n	najm

ه	h	hawl
و	w	waraq
ي	y	yamm

## 2. Short Vowel

<u>Arabic</u>	<u>Latin</u>	<u>Transliteration</u>
_____	a	katāba
_____	i	‘alima
_____	u	ghuliba

## 3. Long Vowel

<u>Arabic</u>	<u>Latin</u>	<u>Transliteration</u>
ا, ي	ā	‘ālim, fatā
ي	ī	‘alīm, dā‘ī
و	u	‘ulum, ad‘u

## 4. Diphthong

<u>Arabic Letter</u>	<u>Latin</u>	<u>Transliteration</u>
و	aw	nawm
ي	ay	layl
ي	iy	Shafi‘iyy (ending)
و	uww	‘uluww (ending)

#### 4. Exemptions

5.1. Arabic letter ء (hamzah) found at the beginning of a word is transliterated to the letter “a” and not to ‘.

Example: أكبر transliterated to: akbar (not ‘akbar).

5.2. Arabic letter ة (ta’ marbutah) found in a word without which is coupled with another word that contains ال (al) at the beginning of it is transliterated to the letter “t”.

Example: مكتبة الإمام transliterated to : maktabat al-imām

However, if the Arabic letter ة (ta’ marbutah) found in a word with ال (al), in a single word or in the last word in a sentence, it is transliterated to the letter “h”.

Example: المكتبة الأهلية transliterated to : al-maktabah al-ahliyyah

قلعة

qal‘ah

دار وهبة

dār wahbah

## ABREVIATIONS

AS	alayh al-salam
n.a.	no author/no artist
n.d.	no date/no year
n.pb.	no publisher
n.pl.	no place
pp.	pages
p	page
RA	radiya Allah anhu / anha / anhum
SAW	salla Allah <sup>ʿ</sup> alayh wa sallam
SWT	subhanahu wa ta <sup>ʿ</sup> ala
vol	volume

## CHAPTER ONE

### INTRODUCTION

#### 1.1 Research Background

Transsexuality is not a new issue today. We are always hearing about that such as in television, in radio, in Internet or in local newspapers. Until now, the transsexuals are very alien to us because they are different from normal people, even though they are part of us. This is because they seem to have the opposite gender from their physical body. In another word, they are thinking that they are having the wrong body for their gender.

Transsexuality also termed 'Gender Dysphoria' is a new reaching the point of being reasonably well understood, though many myths and general foolishness about the subject still abound. Gender Dysphoria, literally a misery with regard to gender, is the condition of being in a state of conflict between gender and physical sex. A transsexual is a person in which her sex related structures of the brain that define gender identity are exactly opposite the physical sex organs of the body.<sup>1</sup>

#### 1.2 Statement Of The Problem

Transsexuality is a very hot issue and it is become a dilemma for the society today. The transsexuals like a minority people that we do not care about. They make problems and they also solve the problems by themselves. At the same time, it becomes a social problem and if we are neglecting about that, it will give many implications to the society such as in the religion, moral, social, economy and the others. The transsexuals like cancer in our society. They had changed their sex or gender. The men want to be women, and the women want to be men. They like to change and get an opposite sex. The question arised here is what is the Islamic point of view towards this situation, whether they are accepted or not. Therefore, the Islamic

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<sup>1</sup> n.a.20 August 2003. "transsexual". [transsexual.org/What.html](http://transsexual.org/What.html).

opinion on the transsexuality is the main focus in this study in order to know how Islam manages the problem that is deteriorating in our society lately.

### **1.3 Objectives Of The Study**

The objectives of this study are as follows:

- 1) Tries to clarify the meaning of transsexuality and also help the society to understand what transsexuality actually is.
- 2) To describe what are the factors of the problem.
- 3) To expose to the society what is the Islamic point of view about the transsexuality and to show them what is the truth behind the issue.
- 4) To examine how far Islam has solved this critical problem.

### **1.4 Scope Of The Study**

The scope of the study is concerned about the transsexuality from the Islamic perspective. In light of this, there is need for more exposure in Islam to explain about that to the society and to make they understand about this issue at this moment. This study also is to expose to the society about the factors that contribute in this issue. This study also describes how Islam solved this issue in the future to benefit to all society.

### **1.5 The Research Methodology**

This study adopts descriptive method in order to discover the views of Islam on the issue of transsexuality. The researcher therefore bases her study on library as well as Internet research for the sake of collecting data and information, which are appropriate to the topic.

## 1.6 The Literature Review

There are lots of sources that discussed this topic, such as books, articles and Internet sites. Nevertheless, the researcher approached this problem from Islamic perspective.

Wan Azmi Ramli in his book entitled *Petaka Abad ke-21*<sup>2</sup>, found that transsexuality is one step further than transvestitism where the person believes that he belongs to the opposite sex despite evidence to the contrary. The person usually has an overwhelming desire to have surgical sex change; otherwise he would feel that he is a female trapped in a man's body or vice-versa. There is no sexual gratification from cross-dressing, but the person wears the dress of the opposite sex. Thus, a male who desires to have a sex change to be female only has sexual relationship with a male. The writer also added that the transsexuals do not accept the "fatwa" which states that Muslims are not allowed to changed their sex. Meanwhile, the respondent of the transsexuals said that he agreed with that statement. The writer also said that majority of the Muslim transsexuals were exposed that the main problem to them is in the pray situation. They do not know that what are the right conditions and the right clothes to wear. But, at the same time, there is minority of them does not think that they were in problem especially in their religion. Nevertheless, in this book, the writer does not give the meaning of transsexuality in detail. Also, he does not state the types of transsexuality. It just focuses on the general introduction and the "fatwa" of this problem.

Mohd Amin H.A Shariff in his book entitled *Perkembangan Remaja-Pandangan, Pemahaman dan Interpretasi*<sup>3</sup>, stated that transsexuals is a familiar condition in the societies. Currently, teenagers were exposed to become transsexuals. They are sure that their souls inside the wrong bodies. Psychologically, they are sure that they are women, although their bodies are men. So, they want to be women and changed what they want to change to become women. Here, the writer said that Islam does not allow the Muslims to do sex change operation (sex reassignment surgery) to become a

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<sup>2</sup> Wan Azmi Ramli.1998.*Petaka Abad ke-21*.n.pl.n.pb.p.395.

<sup>3</sup> Mohd Amin H.A Shariff.1998.*Perkembangan Remaja-Pandangan,Pemahaman dan Interpretasi*.n.pl.n.pb.

woman. Teenagers are easily exposed to be a transsexual. However, the writer does not include the causes of this problem and the effects of this problem to the society.

The Bacaria newspaper in the article *Fenomena Akibat Dajjal*<sup>4</sup> summarizes that, in Islam there are four categorizes of transsexuals; they are man, woman, *khunsa* and *mukhannas* or *mukhannis*. The groups of *khunsa*, in Islam they are allowed to do a sex-change operation so that they can be men or women with some elaborations. Meanwhile, Islam does not allow to the *mukhannis* or *mukhannas* to do that. In 1983, the Council of Royal stated the *fatwa*, which stated that the sex-change operation is *haram* in Islam. However, this article does not identify clearly about this problem. It just told about the categories of transsexuals in Islam. This article did not mention about the point of view from the professionals and experts in this problem and how Islam solves this problem to the benefits of Muslim at large.

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<sup>4</sup> n.a.2003. "Fenomena Akibat Dajjal".*Bacaria*.23 Julai.p.19.

## CHAPTER TWO

### DEFINITION OF TRANSSEXUALITY

#### 2.1 Introduction

Transsexuals, known locally as “*mak nyahs*” are one of the hottest issue today. It is very big problem in our society, especially the Muslim society. It also a moral disease, which will contribute to the increasing number of problems to our society. It seems to be a cancer whereby it can kill everybody silently. Nobody does not know that it can contribute more to social ills, especially to our Muslim society, nation and religion.

In Malaysia, the medical professionals and the academic community generally accept the definition of transsexuals as that exposed by Western scholars. The term “transsexuals” can refer to both male transsexuals, that is males who want to be females in every aspect, and the female transsexuals, that is females who want to be males in every aspect.

A male to female transsexual, for instance will be treated with estrogen, have his male genital amputated, and finally have a “vagina” constructed. Some transsexuals may also undergo cosmetic surgery, to enlarge breasts, decrease the prominence of the Adam’s apple and change facial features.

All these are done with the intention of turning the man into the woman he believes he is. But is this really possible? Should this person now be regarded as a woman, or does gender reassignment cause more problems, than those it purports to solve?

People, who choose to have gender reassignment surgery, are often said to have a strong belief that they are trapped in the wrong body. That is, that they are ‘emotionally’ and ‘psychologically’ of the opposite gender, and that a biological error has occurred.

Such a belief suggests that gender, like sex, is innate. To suggest that a person may be born with a gender, or even that they have developed a gender which is completely removed from their biological sex, is to ignore the roles of sex based conditioning and experience, in shaping one's gender.

Transsexuals therefore differ from transvestites who are males who cross-dress as females. The transsexual community in Malaysia uses the term "transsexual", because the ultimate goal of the majority of them is a sex change operation or sex reassignment surgery (SRS).

However, in Malaysia, "transsexuals" generally refer to male transsexuals. Although there are also female transsexuals around. The number of female transsexuals is, however, very small compared to male transsexuals. The local term for male transsexuals is "*mak nyahs*" ("*mak*" means mother). This term refer to those who have not undergone sex change operations as well as to those who have.

The first real move the Malaysian government took to addressing transsexual issue was in 1998 when Datuk Abu Hassan Omar was the Welfare Minister. A transsexuals association, called the Federal Territory "*Mak Nyahs*" Association was registered at the same time and it conducted dialogues with Ministry officials but ended up with little success.<sup>5</sup>

The Minister of Woman and Family Development Ministry, Datuk Shahrizat Abdul Jalil, said she would take up that issue under her wing and give more dignity to the group, which, according to a recent survey, numbered about 50,000 in the country. She also added that she was so scared, referred as her reason that this problem may contribute more social implication in the future.<sup>6</sup>

Male transsexuals in Malaysia accept this term. In fact, it was coined by the male transsexual community in 1987 when they tried to set up a society but was

<sup>5</sup> Farid Jamaluddin.21 January 2001. "Transsexuals: Declare Us As Women". <http://www.thestar.com.my/news/story.asp?file.p.2>.

<sup>6</sup> *Ibid*.p.1.

denied by Registrar of Societies. This term, “*mak nyahs*”, was considered preferable to terms like “*pondan*” or “*bapok*”, which generally refer to men, who are effeminate and, therefore, could also include homosexuals.<sup>7</sup>

As for the female’s transsexuals, they are usually known as “*tomboy*”. Another term for female transsexuals is “*abang*” (meaning brother or man). They are less noticeable than the male transsexuals who cross-dressing, since jeans and T-shirts are part of the male attire in Malaysia.<sup>8</sup>

In Malaysia, “*mak nyahs*” are labeled as sexual deviants and are generally shunned by society. It has been estimated by IKHLAS (Pink Triangle), a non-governmental organization in Malaysia, which gives HIV/AIDS awareness information to “*mak nyahs*”, that there are about 10,000 “*mak nyahs*” in the country. About 70% to 80% are Malay, the rest made up of Chinese, Indian and other minority ethnic groups.<sup>9</sup>

Malay makes up 50% of total population; the Chinese, the Indian and other minority ethnic groups make up 27.5%, 7.8% and 14% respectively (Department of Statistics Malaysia, 1995). Islam is the religion of the Malay population and is the official religion of Malaysia; the majority of “*mak nyahs*” are Muslim.<sup>10</sup>

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<sup>7</sup> Yik Koon Teh. September 2001. “*Mak nyahs (Male Transsexuals) in Malaysia: The Influence of Culture and Religion on Their Identity*”. <http://www.symposion.com/ijt/ijtvo05no0304htm.p.2>.

<sup>8</sup> *Ibid.* p.2.

<sup>9</sup> *Ibid.* p.2.

<sup>10</sup> *Ibid.* p.2.

## 2.2 Meaning Of Transsexuality

### 2.2.1 Meaning in Literal Sense

The meaning of transsexuality in literal sense is a condition in which a person experiences a discontinuity between their assigned sex and what they feel their core gender is. For example, a person who was identified as “female” at birth, raised as a girl, and has lived being perceived by others as a woman, may feel that their core sense of who they are is a closer fit with “male” or “man”.

If this sense is strong and persistent, this person may decide to take steps to ensure that others perceive them as a man. In other words, they may decide to transition to live as the sex that more closely matches their internal gender.<sup>11</sup>

In another definition, transsexuality is a people, which not feel comfortable with his natural gender or in psychology aspect namely, as a “Gender Dysphoria”.<sup>12</sup> “Gender Dysphoria” is when a person (male or female) “maintain a deep conviction over many years that his or her gender, or inner identity, in incongruous with his or her sexual identity”.<sup>13</sup> A transsexual is a person who sough “ treatment” for gender dysphoria through gender reassignment or as it is more commonly known a “sex change”.

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<sup>11</sup> n.a. 2004. “The Transsexual Person in Your Life”. <http://www.tsfaq.info/resources.html>.

<sup>12</sup> n.a.2003. “Mak Nyah,Pondan,Lelaki lembut”.*Karang kraf*.September.pp.20-26.

<sup>13</sup> Jessica Whyte RMIT.2004. “The Tiresias Factor: Men and Transsexualism”.<http://members.tgworld.org/seabrook/tiresias/jwhyte.htm//bibliography.p.1>.

### 2.2.2 Meaning In Legal Sense

Transsexuality in legal meaning is the condition of wanting to change one's gender to better match one's sex. These revised legal definitions recognize the emerging scientific reality that sex is in the brain, and not the body. Transsexuals do not really change their sex; they are born with that.<sup>14</sup>

Instead, transsexuals aim to change the erroneous sex labels that were assigned to them at birth. The only way to change those labels is to change the basis, upon which those labels were applied, namely, the outward expressions of sex.<sup>15</sup>

This means that to change a sexual label, one must change their gender; from behaviour to anatomy, since gender is the outward expression of ones sexual identify. Hence, transsexualism is really a misnomer and transgenderism is a more scientifically accurate term.<sup>16</sup>

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14 Martina Aliana Rothblatt. August 1993. "International Conference on Transgender Law and Employment Policy".<http://www.transgencare.com/guidance/resources/index.htm>.p.2.

<sup>15</sup> *Ibid*.p.2.

<sup>16</sup> *Ibid*.p.2.

### 2.3 Types Of Transsexuality

In Islam, gender can be divided into four groups; male, female, “khunsa”, and “mukhannas” or “mukhannis”. “Khunsa” are basically hermaphrodites. “Mukhannis” and “mukhannas” are males whose behaviour is similar to that of females. “Mukhannis” want a gender identity that is different from that with which they were born. They loathe their male identity and want to be female. In contrast, a “mukhannas” is one who is effeminate, but does not to change sex.

Islam permits “khunsa” (hermaphrodites) to undergo a sex change operation (with some elaborations and conditions) so that the person can be either a female or a male. However, Islam forbids a “mukhannas” and “mukhannis” who are males to behave like females in terms of cross-dressing, wearing make-up, injecting hormones to enlarge their breasts, and undergoing sex change operations.<sup>17</sup>

The two main reasons given by the majority for not having the operation done were they could only have the operation performed overseas, usually in Thailand or Singapore, as the “*fatwa*” had prohibited such operations being carried out on Muslim transsexuals in Malaysia.<sup>18</sup>

It would be very costly to have it done overseas, and most of them could not afford the cost. The non-Muslim “*mak nyahs*” could have the operation in Malaysia but for the fact that there is no trained surgeon in this area. Therefore, they too would have to go overseas to have it done.<sup>19</sup>

Secondly, many of the Muslim respondents had promised their parents, especially their mothers, who had accepted them as “*mak nyahs*”, that, in return, they would not undergo the operation. This was because, if they had undergone the sex

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<sup>17</sup> Yik Koon Teh. September 2001. “mak nyahs (Male Transsexuals: in Malaysia: The Influence of Culture and religion on Their Identity”. <http://www.symposium.com.ijt.ijtvo05no0304htm.p.3>.

<sup>18</sup> *Ibid*.p.6.

<sup>19</sup> *Ibid*.p.6.

change operation, it would pose a problem for them to be buried as a male or female according to the Muslim rites.<sup>20</sup>

The Muslim burial rites state that only a female can bathe the body of another female; this would not include the “*mak nyahs*” even though they may have undergone the sex-change operation. “*Mak nyahs*” with the sex-changed female organ also not be bathed by a male.

Religion is the main factor that discourages Muslim “*mak nyahs*” from having the sex-change operation. This could also be the reason why many of the respondents could accept their penis; financial constraints stopped the non-Muslim “*mak nyahs*” from having the operation. It also appears that non-Muslim “*mak nyahs*” have fewer problems with their family members compared to their Muslim counterparts.

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<sup>20</sup> *Ibid* p.6.

## CHAPTER THREE

### FACTORS LEADING TO TRANSSEXUALITY

#### 3.1 Factors That Influence The Transsexuals

No one knows the answer to this question, although there are many researches currently in progress investigating. There are mainly three factors that influence the related individuals to be transsexuals. Among the theories are being investigated are biological factor, sociological factor, and psychological factor. These factors contributed more problems to the society and it was identified that contribute to the transsexual's problem.

##### 3.1.1 Biology Influences

Biological influence is the main factor to this problem. How many influences do biological factors have on the behaviour of male and female? To answer this question, we must refer to genetic and hormonal influences. Genetic and hormonal influences may contribute to the transsexuals. These influences are as an evident that transsexuals were influenced by these factors.

During the prenatal period, the hormones are wrong. Before consequences, some mothers who had problems carrying pregnancies to term were given drugs containing progestin, which are converted to the male hormone testosterone by the body.

Marriages with the same relatives are contributed to this problem. The problem will happen when the married couples have the same problems hormones or we call that as a Congenital Adrenal Hyperplasia (CAH). Previous research recorded that the

married couples have more than 25% risks of this problem once pregnancy or by another word CAH comes from the ancestors.<sup>21</sup>

Other children with a condition known as CAH have a genetic defect, which causes their adrenal glands to produce unusually high levels of androgen from the prenatal period onward. These conditions usually have no effect on males; but female fetuses are often masculinized so that, despite their XX genetic endowment and female internal organs, they were born with external genital that resembled those of a boy.

Genetic factor also may contribute to same sex differences in personality, cognitive abilities, and social behaviour. For example, suspects that several of the developmental disorders more commonly seen among boys may be X-linked recessive traits for which their mother is carrier (genetic [XX] females would have to inherit a recessive gene from each parent to show the same disorder).

Furthermore, timing of puberty, a biological variable regulated in part by our genotypes, has a slight effect on visual or spatial performances. Both boys or girls who mature late tend to outperform early matures of their own sex on some visual or spatial tasks, allegedly because slow maturation promotes increasing specialization of the brain's right hemisphere, which serves spatial functions.<sup>22</sup>

These factors produced to transsexual's problem. If there are many girl's genetic in their body, so that, they are grown as a girl. Transsexual are innocent because they don't want to become as a transsexual, but the biological factor was influence in their genetic and hormones.

Some theory said that it had an incorrect in programming the baby's brain in prenatal period. It was happen when a boy was programmed with a girl's brain. While she or he born, it seems a normal but when he or she was grow up, at that time, we can know that she or he is a transsexual.

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<sup>21</sup> Salina Abdullah.2004. "Rawatan Hormon Bantu Normalkan Khunsa".*Berita Harian*.29 January.p.13.

<sup>22</sup> Jacques P. Thiroux.2001.*Ethics Theory and Practice*.n.pl.n.pb.pp.247-248.

So, when they are growing up, they are like to a transsexual because their genetics and hormones influence them to become a boy or a girl. This factor influences their emotion, identity and gender orientation whereby they are like to be a girl and like suppose to a girl.

Boy likes to wear a girl clothes and a girl likes to wear a boy clothes. This is because of biological factor and personality's emotion.<sup>23</sup> We are not denied that they feel that they are trapped in the wrong body because the hormones and genetic are carry them to be a transsexuals.

So, even though genes and hormones determine their biological sex and may have some influence on outcome of gender typing, the self-concept is also important to determine that they are girls or boys.

Once a child is born, social factors immediately come into play. Parents and other people label and begin to react to the child based on the appearance of his or her genitals. If one's genitals are abnormal so that he or she is mislabeled a member of the other sex, this incorrect label can effect his or her future development. For example, if a biological male were consistently labeled and treated as a girl, he would, by age 2 to 3, acquire the gender identity of a girl.

### 3.1.2 Social Influences

Although biological forces may steer boys and girls toward different activities and interests, the social influences are also important. Girls were born with the internal reproductive organs of a normal female even though their external genetalia resembled a penis and scrotum. These children are sometimes labeled boys at birth and raised as such until their abnormalities are detected.<sup>24</sup>

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<sup>23</sup> n.a. 2003. "Mak nyah,Pondan,Lelaki Lembut".*Informasi*.Karang kraf.September.p.22.

<sup>24</sup> Jacques P. Thiroux.2001.*Ethics Theory and Practice*.npl.npb.p.249.

Transsexualism could be more complex phenomenon that needs the explanation of environmental factors as well as social factors. Research has shown that the transsexual phenomenon cannot be adequately explained by social factors. Likewise, this research could not pinpoint any specific causal social factor or factors.<sup>25</sup>

Actually, this factor comes from their parents, that is to say, how their parents teach their children in home and outside the home and also how to be a man or a woman actually is. Parents are responsible to teach their children's attitudes. This is important because parents are very closely person with their children. They know what are their children need to be.

Parents are responsible to painting their children's brain and attitudes since their baby was born. Because, if they ignored about that, in the future, their children will know who they are, either man or woman and later, they make their own identity through their emotion.<sup>26</sup>

Some parents don't know how to teach their children since they were small. They not make separation between a boy and a girl. Parents may often contribute to sex differences in ability and self-perceptions by treating their boys and girls differently. They teach the same lesson to them. Occasionally, they give the same toys to their children even if their sexes truly different and encourage them to wear the cross-dressing.

Some factor is maybe no man or woman in family, so he or she are easily to be transsexual's person. This factor also contributes to this problem whereby the family has more men than women or women more than men.

Some parents provides during the first year with gender-appropriate clothing, toys and hairstyles. Many of girls were tomboys who often played with boys and who preferred boy's toys and activities to traditionally feminine pursuits.<sup>27</sup>

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<sup>25</sup> Yik Koon Teh. September 2001. "Mak nyahs (Male Transsexuals) in Malaysia: The Influence of Culture and Religion on Their Identity." <http://www.symposium.com/ijt/ijtvo05no0504htm.p.10>.

<sup>26</sup> n.a. 2003. "Mak nyah, Pondan, Lelaki Lembut". *Informasi*. Karang kraf. p.27.

<sup>27</sup> Jacques P. Thiroux. 2001. *Ethics Theory and Practice*. n.pl.n.pb.p.248.

The parents cannot do that because if they are teaching like that since the age 1 year until the age of 7 years, maybe, the children will have a transsexual's problem because that period of time is so long and not impossible if their children want to be a transsexual's person.

Another factor that also contribute to this problem is an environment factor. This factor actually comes from the societies and friends. These groups of people are more influence the people to become as a transsexual. Relationship with friends is very important after parents.

Sometime, it will be very close like a brother and a sister. Parents should know who are children's friends and also must be careful to choose friends to their children because friends give more influence to this problem in the society.

Parents have responsibility to choose what are their children should to do and also they must give the good learning since they were child. After they are adult, they choose to live separately from the family when they got the job or go to study. When they live with her or his friends that have an identity as a transsexual, she or he was easily trapped in this problem and often they are trust her or his friends other than his family.

The moral support they received when they started cross-dressing came mainly from their "*mak nyahs*" friend.<sup>28</sup> When they meet his friends who have the same identity as a transsexual, she or he has no shy to change themselves to be a transsexual. If this problem was happen to the family, the parents must understand and try to change their children by giving an advice and counseling.

When they live in the transsexual's group, she or he was easily to influence them to be a transsexual and at the same time, she or he can feel that his feeling is

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<sup>28</sup> Yik Koon Teh. September 2001. "Mak nyahs (Male Transsexuals) in Malaysia: The Influence of Culture and Religion on Their Identity". <http://www.symposium.com/ijt/ijtvo05no0304htm.p.5>.

different with his identity. Occasionally, they feel confused whereby their feeling was more to be a woman or a man and like to be a friend with different gender.

In silent situation, she or he likes to wear a woman or a man dresses and makes a transsexual's group. Their feelings are very high when they were adult and they accept the gender hormones in the wrong body and then they feel like a woman even if his identity is a man.<sup>29</sup>

The society also influence to this problem now a day. Society doesn't want accept them as a transsexual and they considered that a transsexual is a strange person. The society always looks them at a negative aspect and never looks them at a positive aspect.

This situation will give more pressure to them till encourage them to do something out of norms of life. When they reach at one situation, which they feel comfortable with the gender that they like to be, maybe they will make a surgery and change themselves.<sup>30</sup>

Pressure by the society will exist a transsexual's group because they know that the person which have the same gender like them have same feelings and thoughts. When they in-group, they can share the problem and solve it together.

Occasionally, the society was confused to label and categorized them whether they are women or men. It is because physically, they like a man, but at the same time their acting and feelings like a woman.

### 3.1.3 Psychology Influences

The last factor that influences the people to be a transsexual is the psychological factor. This factor is how the parent teaching their children since they were born until their children are adult.

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<sup>29</sup> n.a.2003."Mak nyah,Pondan,Lelaki Lembut".*Informasi*.Karang kraf.September.pp.26-27.

<sup>30</sup> Ibid.p.27.

Most of transsexuals started cross-dressing between the ages of 11 to 12 years old. They generally cross-dressed at home or in the house of another “*mak nyahs*” friend. Only 16% received moral support from family members, of which their mother seemed to give them the most support. This dispels the Malaysian myth that the people become “*mak nyahs*” because family members encourage them, particularly mothers, to cross-dress when small.<sup>31</sup>

The parents should know their children’s attitude and their feeling. Since they were child, if their child has a girl’s attitude, they must change that attitude by the relationship and the condition around them.

Since the age of 3 or 4 years, the parents must be know that what an attitude of their children are, neither he more like to be a girl or not. If the parents living in the boy’s attitude environment, maybe it make it easy to influence the boy to that lifestyle. Don’t give the girl’s toys to a boy because it can be contribute to that attitude. If this situation is along, their feeling and attitude will change as a girl.<sup>32</sup>

Another factors that also contribute to this problem are lack of Islamic education and lack of attention by the parents. Islam is prohibited to be a transsexual. If they know that Islam was prohibited them to do that, they don’t do that and also be ware so that they are not fall down in this situation.

The parents also must be ware with their children’s acting and attitude. Parents are responsible to give more attention to their children and must be always give more guideline to their children in life. Parents must show them which one the way that their children should follow in life, whether the right way or the wrong way. If not, this problem is easier to influence their children.

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<sup>31</sup> Yik Koon Teh. September 2001. “Mak nyahs (Male Transsexuals) in Malaysia: The Influence of Culture and Religion on Their Religion.” <http://www.symposion.com/ijt/ijtvo05no0304htm.p.5>.

<sup>32</sup> n.a. 2003. “Mak nyah, Pondan, Lelaki Lembut”. *Informasi*. Karang kraf. September. p.23.

The media also give influence to the people to become transsexuals. Not only do children learn by observing other children and adult models with whom by interact, but they also learn about gender roles from reading stories and watching television.<sup>33</sup>

The world of television today it is similar to encourage people to do something possible in their gender. As an example, some television program or dramas are exposing the transsexual identity to the audience; for example, Sam's character in the Sitcom 2+1 in local television channel will encourage the audience to be like that.

These influences will contribute to more negative consequences and complications in every aspect of life such as in social, religion and marriage. Thus, this situation must be seriously faced and drastically solved. Otherwise, if we ignore about that and are only condoning the bad atmosphere, it can give more social implication to the next generation in the future. The social ills will increase such as the growth of homosexuals, prostitutions and severe diseases.<sup>34</sup>

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<sup>33</sup> David R. Shafeer. 1999/2000. *Social and Personality Management*. n.pl.n.pb.p.254.

<sup>34</sup> n.a. 2001. "Mak nyah, Pondan, Lelaki Lembut". *Informasi*. Karang kraf. September. p.24.

### 3.2 The Effects Of The Transsexuality

There are many factors and causes, which influence the people to be a transsexual such as biological factors, sociological factors and psychological factors. On the other hand, we do not deny that, at the same time, there are also many effects and implications to the transsexuals, the society and especially to Islam.

#### 3.2.1 Effects In Socialization

The social and religion problems such as appearance of the third gender, how they bring up their children, the child's behaviour whether as a girl or boy, the life's happiness in marriage, the ability to have a child and marriage with the same gender is lists of the implication of transsexual's problems.<sup>35</sup>

Previously, we had said that Muslim transsexual is prohibited to be a transsexual and they are not recognized in Islam and in society. Islam as the official religion in Malaysia, forced the *fatwa* to the Muslim transsexual and they can be sued under the Syariah Law and to the non-Muslim transsexual, they can be sued under the Minor Offences Act 1955.

Muslim transsexuals are scared to sit together with the society and live as a normal people because they feel that they are not freedom to do something like a normal people because since the *fatwa* was in force, they have no freedom to do indecent behaviour anywhere.

The police and the Islamic religious authorities have the power to catch them when they make something bad. The main reasons why the authorities caught them were because of cross-dressing, prostitution, and indecent behaviour during the police raid and operation, loitering and conducting and involving in beauty contest.

According to the previous research on the year 2000, more than 507 transsexuals told that the Islamic religious authority caught them because they were

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<sup>35</sup> Salina Abdullah.2004. "Rawatan Hormon Bantu Normalkan Khunsa".*Berita Harian*.29 January.p.13.

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cross-dressing in front of the society and also had bad action. So, it was clear that there are more problem and implication to them when they choose to be a transsexual.

### **3.2.2 Effects In Changing The Name And Gender**

The transsexuals are difficult to change their name and their gender. In 1996, the National Registrar Department (JPN) allows the transsexuals, who had done the transgender operation, to change their name and gender in their identity card without writing down the real name. As an example, Ahmad bin Hassan after he had an operation, he was known as Aini binti Hassan @ Ahmad bin Hassan in his identity card.

In 1996, this situation was changed. It is because since that year until now, a transsexual who had done an operation of transgender is not allowed to change his name without writing down together with the real name before in their identity card.

The reason is, if there are some problems happen in the government like in Islamic Religious Department, they are no need to refer to the JPN. This is because to protect them from marriage with the same gender because Islam prohibits it.

The transsexuals whose want to change their real name to the new name in the identity card, they must have a seal letter from the government doctor whereby he said that they have had the transgender operation. The letter from the private doctor is not allowed.

Perpustakaan  
Kolej Universiti Islam Malaysia

### **3.2.3 Effects In Employment**

The transsexuals are difficult to get an employment. On the year of 2000, 62% from 507 respondents said that they are difficult to get an employment. Many of them said that they are victims of discrimination because of their transgender. More of them returned to their identity as a man and also cutting his hair just to get a job.

In the case of Take Sharon, 38, for instance. "She" started out selling cassettes, and then worked in a beauty salon, and then moved on to many different jobs. He turned to prostitution because he couldn't get a good-paying job. It was either he couldn't get the job or there was no job advancement because of the way he look.<sup>36</sup>

Problems surrounding this community are centered on their jobs because many of them are qualified for certain posts but are returned away because they are still considered 'male' in their identity. These people haven't been able to get employment because of the way they dress as they had been categorized as males in their identity cards.<sup>37</sup>

More than 50% have employ as a prostitute and more than 30% live in poorness that their income are less than RM 450.00. Generally, there are more than 65% works as a prostitute; more 25% work in the nightclub, at the beauty salon and just 2% works as a saleswoman in the food stall.

For an example, the case of Po Po (her nick name) took her life at 26. Rejected by her family, she became a teenage runaway. Without skill or qualifications, she turns to sex work to support herself, and to save enough money for a sex-change operation.<sup>38</sup>

In the day, she worked in a beauty salon as a shampoo girl, hoping to learn some skill that can eventually bring her out of prostitution. In addition to emotional pressure over the years, her friends say that she killed herself. Po Po's case conforms to statistics, that one out of 10 transsexuals surveyed in this country has attempted suicide.<sup>39</sup>

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<sup>36</sup> Ong Ju Lynn.2 October 2000. "Misconception About Transsexuals". <http://www.thestar.com.my/lifestyle/story.asp?file.p.7>.

<sup>37</sup> Farid Jamaluddin.2001. "Malaysia:Ministry to Treat Transsexuals With Dignity".<http://www.thestar.com.my/news/story.asp?file.p.3>.

<sup>38</sup> Ong Ju Lynn.2 October 2000. "Issues: Misconception About Transsexuals". <http://www.thestar.com.my/lifestyle/story.asp?file.p.6>.

<sup>39</sup> *Ibid*.p.6.

### 3.2.4 Effects In Marriage

The transsexuals are difficult to get married and Islam prohibits them to get married with the same gender. As mentioned just now, Islam strongly prohibits the transsexuals to marry another man. It is because in Islam they are still a man although they had done the sex-change operation. We do not deny that there are a few number of the transsexuals whereby they want to married with her 'boyfriend', so they must do the sex-change operation and recognize them with a new identity.

### 3.2.5 Effects In Having Children

The transsexuals are difficult to have an adopted child. Many of them want to have an adopted child. They are confident to be good mother although they are transsexuals. They said that the transsexuals are something natural and it wasn't happen by the social influence.

Someone who is successful to have an adopted child was reported that they have an adopted child as a child from a heterosexual marriage. The Malaysian Law prohibits them to have an adopted child and they receive so many discrimination when they have an intention to do that.

The sex-change operation is only change the physical organ from a penis to a vagina, but they are not changing all. Maybe they can do a sexual relationship with their partners, but they can't be pregnant and it is because their reproduces organ is still a man.<sup>40</sup>

### 3.2.6 Effects In Medical Benefits

The transsexuals also face some problems in medical benefits. Many of them take hormones to have a bigger breast, to get soft skin and so forth. They bought the hormones from pharmacies without a doctor's prescription. In fact, they have an

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<sup>40</sup> n.a.2003. "Mak nyah,Pondan,Lelaki Lembut".*Informasi*.Karang kraf.September.p.27.

information from their friend without knowing the effects from that hormone and how many dose they have to take for one time.

Few of them have an advice from the doctor; it is because the medical cost is so expensive. Now, the sex-change operation only can be done in Singapore and in Thailand. If they have more money, they can choose to make that operation in Europe. But, they still have problems because they haven't undergone any counseling program before and after the operation.

The first counseling program is so important because it can determine whether the operation is suitable for them or not. Meanwhile, the second counseling also important to make them feel more comfortable with a new identity. Some cases were happen to the transsexuals after they had done that operation. They get a mental problem because they failed to comfort themselves with a new identity.

If they want to make a medical check-up, they are prefer to go to the private doctor because they feel more comfortable although they must pay much money. They also can make a medical check-up in the government hospital because the cost is cheaper than that but, at the same time, they must meet society which don't like them anymore and always think them as a strange person. They feel that the people very hate them and they aren't happy when they go to the hospital because so many eyes look at them.

### **3.2.7 Effects In Financial Policy**

There is no financial policy to start the business. Most of them are like to make a business as a normal people and also they want to success in life. They know that they can't live like other people if they have no some financial.

Actually, they want to run away from this dilemma and they want to have some specialization such as in sewing, dancing, singing, ICT and so on. But, the financial is a big problem that they are facing and they don't know where they can find a supplier to get money and who wants to be their supplier to start the business.

The transsexuals have no special policy and the financial donation to begin their business. Their status is same with a poor people, and maybe they are lower than that people. It is because a poor people still have a financial donation by the government.

### 3.2.8 Effects In Having A House

The transsexual has the problem in having a house. It is difficult because nobody does not want to rent house or room to them. They are also difficult to buy house because some banks do not know whether they afford or not to pay the loan to them because many of transsexuals work as prostitutes and their income are not stable in the respective month.

### 3.2.9 Effects In The Religious Matters

In Islam, they also have problems. If they died, the society doesn't know how to deal with their bodies, whether to bury them as a man or a woman. This is because, if they had undergone the sex-change operation, it would pose a problem for them to be buried as a male or female according to the Muslim rites. The Muslim burial rites state that only a female can bathe the body of another female. This would not include the "*mak nyahs*" even though they may have undergone the sex-change operation. "*Mak nyahs*" with the sex-changed female organ could also not be bathed by a male.<sup>41</sup>

So, it is clear to show that the transsexuals are having more problems either to themselves or to their religion. In their outward appearance (*zahir*) were looked happy but in their inward essence (*batin*), their soul are very sad.

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<sup>41</sup> Yik Koon Teh. September 2001. "Mak nyahs (Male Transsexuals) in Malaysia: The Influence of Culture and Religion on Their Identity". <http://www.symposion.com/ijt/ijtvo05no0304htm.p.6>.