

Natural Change of sex in Islamic perspective

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Article History:	ABSTRACT
Received: 01 Nov, 2018	Contemporary Technologies are having an exceptionally deep influence on human beings for giving delight and satisfaction in one side, whilst they are creating many questions in their brains whether they can actualize and use them in their life. Natural Change of sex is among such concerns, which requires contention about their pragmatic adaptation. This article will highlight the need of natural sex change and Islamic concept regarding its validation
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1. Introduction

Radical changes have been brought by modern science in every field especially in the fields of medicinal discipline. The diseases which were never analyzed and cured in past are currently being dealt with effectively. Sex change through surgery for transsexuals is subsequently superb improvement and rational movement in the field of science. It saves the transsexuals from humiliating behavior of the people. They are ultimately, able to get their true sex by surgery. But some People are still reluctant to adopt this surgery because a number of questions i.e. Is it the altering in the creation of Allah? Does Islam allow such surgeries? If yes, to which extent? And if not why? etc.

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2. Description

Human being and ailments are going on side by side. Muslims always turn toward Holy Quran and Hadith of Prophet (ﷺ) in all aspects of their life including medical issues. The Holy Prophet (ﷺ) motivated his followers to seek medical treatment by declaring that there is no such disease on the planet which has not its treatment. He (ﷺ) said,

عن ابي هريره رضى الله عنه عن النبي ﷺ قال: ما انزل الله داء الا انزل له شفاء
(Bukhari, Sahih-ul-Bukhari)

“Hazrat Abu Hurairah (R.Allah) narrated that the Messenger of Allah (ﷺ) said, “There is no disease that Allah has sent down but He also has sent down its treatment” (Al-Bukhari).

This hadith validates that whole medicinal disclosures for the treatment of illnesses are occurring with the will of Almighty Allah. the Messenger of Allah (ﷺ) himself induced the people for the treatment of maladies by saying;

عن اسامه بن شريك رضى الله عنه قال قالت الاعراب يا رسول الله ﷺ! الا نتداوى قال- نعم يا عبادالله- تداووا، فان الله لم يضع داء الا وضع له شفاء- او قال دواء الا داء واحد- فقال يا رسول الله ﷺ! وما هو؟ قال الهزم.
(A. I. Al-Tirmidzi)

“Usama bin Sharik “said that desert Arabs asked the prophet (ﷺ) of Allah, would it be advisable for us to make utilization of restorative treatment? He (ﷺ) said O slaves of Allah! Make utilization of therapeutic treatment. For Allah has not made an ailment on the planet without a solution for it, except for one illness. They asked about that sickness, he answered "Old age." (A. I. Al-Tirmidzi). In Sunan Abu Dawud this hadith is stated with the addition of few words:

حدثنا حفص بن عمر النمري ، حدثنا شعب عن زياد بن علفة عن اسامه بن شريك رضى الله عنه قال اتيت النبي ﷺ و اصحابه كانما على رؤوسهم الطير- فسلمت. ثم قعدت. فجاء الاعراب من ها هنا و ها هنا، فقالوا يا رسول الله ﷺ انتداوى؟ فقال تداووا. فان الله عزوجل يضع داء الا وضع له دواء غير داء واجد الهزم

(A. I. Al-Tirmidzi)

“Osama bin Sharik narrated: I went to the Messenger of Allah ﷺ and his companions were sitting in the way that the birds were on their heads. I greeted and sat. The desert Arabs then arrived from here and there. They inquired O Messenger of Allah ﷺ Should we make utilization of restorative treatment? He replied, make utilization of medicinal treatment, for Allah has not made a sickness without its treatment, except for one ailment that is Old age. (Al-Sijistani).

On other occasion, the Messenger of Allah ﷺ encouraged for the treatment as; حدثنا يحيى بن بكير حدثنا الليث عن عقيل عن شهاب قال اخبرني ابو سلمة و سعيد بن المسيب رضى الله عنه ان ابا هريرة رضى الله عنه اخبرهما انه سمع رسول الله ﷺ يقول في الحبة سوداء شفاء من كل داء الا السام. قال ابن شهاب : والسام الموت والحبة السوداء الشونيز.

(Bukhari)

“Hazrat Abu Hurairah (R. Allah) narrated that I heard Allah’s apostle ﷺ says that there is curing in black seed for all diseases excluding “Sam” Ibne Shahab said that “Sam” is death and “Black seed” is black cumin. (Bukhari)

All these sayings of prophet ﷺ show that the cure of disease is prophet’s ﷺ Sunnah. Transsexuality is syndrome therefore a person can utilize the contemporary techniques of treatments. But no one should cross the limits set by Islam in this concern.

3. Natural Sex Change and Islam

Presently different procedures are used for sex change, i.e. hormonal treatment and sex reassignment surgery. Our main concern is sex reassignment surgery. It is the last stage which cannot be reversed. Hence Muslim world is worried about its uses. The real reason behind this solution is to restore the original appearance from a confused sexual identity that led to parental denial and harassments by law enforcing agencies etc. (mentioned in previous chapter).

This method was permitted by Imam Khomeini in Iran in 1963, by saying that there is no religious prohibition against corrective surgery (Tait). This fatwa proved very helpful for the people who were in troubled because of their wrong bodies. Later on many other fatwas came for this concern. Here are some of them which granted permission for sex change.

In 1988, when Sayyid cAbd Allah got his sex changed from male to female. It became the burning issue in Egypt. Sayyid Tantawai stated if the doctor testified that sex change surgery is the only cure against the disease then it is allowed. Be this transformation ought not to be made by the desire of a male to convert to a female. (Habib).

The jurists clearly said that a person cannot get sex reassignment surgery by his own will. The doctor must endorse it as a last alternative and assured that this is the only way of obtaining his factual sex. (J. Skovgaard-Petersen).

Dr. Sayyid Tantawai spoke in detail about sex change operation of Sayyid cAbd Allah, when the opponents and the in-favor people look for his fatwa concerning it. He said, "2" it's a really extreme decision. The adversaries and backings gave their contentions to fortify their case. Keeping in mind the end goal to understand it, we should

focus. The initial segment comprises of different Hadith which say that there is a cure for each sickness, and thusly likewise for hermaphroditism." (J. Skovgaard-Petersen). This is a standard verdict in Tantawai's therapeutic fatwas: for instance, in the fatwa from 1989 on organ transplantation (J. Skovgaard-Petersen, Sex change in cairo: gender and Islamic law).

Tantawai infers that hermaphroditism, if conceivable must be treated, if a medical specialist recommend that the surgery is the only solution he should take step for it. Here he puts forth a remarkable expression: if the doctor considers that a particular person is in disguise female or male and wishes to get his/her original nature by the help of surgery it is recommendable for such person. This reveals that each person has his/her genuine sex which might be hidden by appendages or organs of the inverse sex. The truth of the matter is dependably underneath. Tantawai therefore marks difference within external presence, that might be illusory whereas the internal appearance, is genuine. (Keddie).

Afterward, the Hadith which shows that Prophet ﷺ sent a doctor to a man to cut his vein, legitimate the removing of the organs through surgery. Consolidating this with ibn Hajar al-cAsqalani's declaration that the bisexual must endeavor to relinquish his state, Tantawai derives that it is passable to carry out surgical procedure to evacuate appendages or organs which don't have a place with the bisexual's actual sex. Tantawai finally narrates Hadith which says that the Prophet reviled bisexuals and excessively mannish females and ousted one of them from his home. This Hadith, in any case, is taken not to show a general revile on bisexuals, but instead a denial against playing out a sex-change operation for the sake of fun. It must be just as a treatment, curing bisexuals by uncovering their actual sex. (J. Skovgaard-Petersen, Sex change in cairo: gender and Islamic law).

Dr. Abdullah Al-faqih, issued a fatwa in 6 Zulhajj 1423, when a person sought direction about surgical treatment of his transsexual friend. He said, “We recommend the said person to visit a trustworthy medical center or reliable doctor to carry out the necessary medical checks for him. If results show that his reproductive system is natural, it is Haram for him to follow sex-change surgery, as it constitutes a form of change in Allah’s creation. We recommend you to resort to physical therapy or treatment by al-Ruqiah al-Shar’iah (Qur’anic recitals and Prophetic prayers). But, if outcomes of medical assessment show that you have a female reproductive system, then there is no haram in carrying out the sex change surgery.” (web).

Buenos Aires, Argentina, says, “I was born hermaphrodite. My diagnostic shows my masculinity. Am I obligated to operate? “Concerning it a fatwa was issued in 2009, which narrates, “If you are certain that you are a male, you should be treated as a male and it is not permitted for you to undergo any operation to change into a feminine. Though, you are allowed to undergo an operation to remove the features of womanliness.” (web).

In Eastern societies the hermaphrodite is spending a wretched life. They cannot do any job because people refuse to employ them. If they are surgically treated they can spend respectable life. Mohd. Al- Bakri said in his article in seminar held in Malaysia in 2011, "As indicated by Shariah, in these instances of Khuntha Musykil, surgical treatment might be performed if a valid doctor suggested to determine his original sex. So that he can be labelled a certain gender and capable to perform his or her obligations as a Muslim.” (Mohd. Al-Bakri).

A similar fatwa was issued by senior Ulama council in Saudi Arab which conclude, “The individuals with both masculine and feminine organs necessitate more investigation. If it diagnosed that a particular person has the signs of masculine comparatively, he can seek help from medical experts to take either hormones therapy or

surgical process accordingly, recommended by the doctor. Thus he will get rid of the ambiguity of gender be able to spend his life like a man or the other way around.” (Zainuddin).

Nasir Am Al Jurayyan, wrote in his article that the people having male and female organs at a time necessitate further investigation, and if the indication is more suggestive of a masculine sexual orientation, then it is allowable to deal the person medicinally (by hormones or surgery) to remove his ambiguity and to raise him as a male. If the indication is suggestive of a feminine gender, then it is permitted to treat her medically (by hormones or surgery) to eliminate her ambiguity and to raise her as a female. (Al Jurayyan). Prof. Khalid Al-Muslih said in his fatwa that a person can pursue sex reassignment surgery in order to gain his original gender identity. (Al-Muslih). Molana Muhammad Khan Sherani, Chairman “Islamic Ideological Council Pakistan”, stated regarding human sex change that it is decided unanimously that both man and woman are not allowed to change their sex. However, he said, if a person has both male and female features then he can be operated. But keep in mind that this operation must be according to the rules and regulations set by Islam. (Dawn).

4. Conclusion

Change of sex is a modern technique, helpful to those people who are born in wrong bodies with undeveloped organs. At first stage they should take hormones therapy to develop them. If the doctor feels the need of surgery they are permitted for it. If anyone is born with two genitalia, the doctor can remove that organ which is opposite to his internal system. Such type of surgeries is not called as sex change rather it is called the corrective surgeries hence allowed in Islam.

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