

Transgender issues in the Middle East

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While there is much debate about the rights of women in the Middle East and the rights of gay and lesbian people have also begun to attract some attention, consideration of transgender rights is long overdue.

In a region where gender segregation is widespread and dress codes are sometimes enforced by law, the problems of transgender people are especially acute. When so much of the social structure is based around a clear-cut distinction between male and female, anything that obscures the distinction is viewed as a problem and sometimes even as a threat to the established order.

This collection of four articles (which first appeared at al-bab.com) aims to give a broad but detailed overview of transgender issues in the Middle East and, hopefully, stimulate some further discussion.

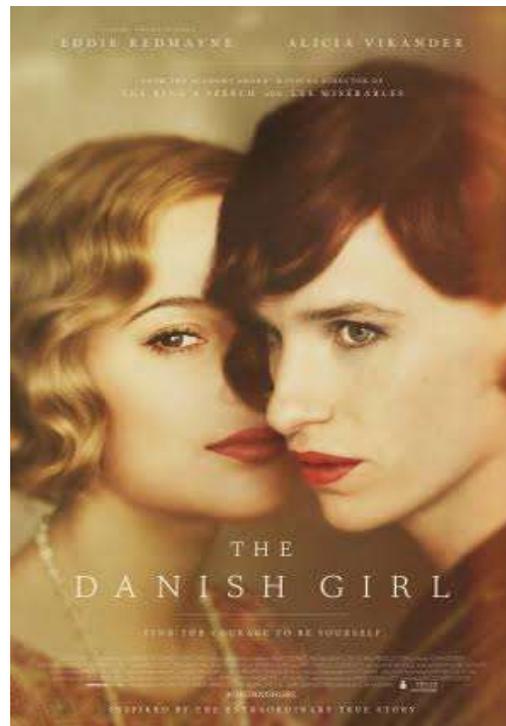
1. Crossing lines

In Qatar during the first few days of 2016 several cinemas began screening [The Danish Girl](#) – a film about a transgender artist. Almost immediately, complaints appeared on social media and the Culture Ministry, thanking Twitter users for their “unwavering vigilance”, [announced](#) that the film was now banned.

It had already been blocked by censors in the United Arab Emirates, Oman, Bahrain, Jordan and Kuwait. In Saudi Arabia the question of a ban did not arise, since in the interests of morality the kingdom has no cinemas.

Meanwhile, in a more positive development, a Lebanese judge ruled that a transgender man could [have his sex changed](#) in the official records. In some parts of the world this is a very straightforward procedure but in Lebanon it means going to court – in this case the Court of Appeal, since a lower court had already rejected the application. Transgender Lebanese are relatively lucky though. In most of the Middle East there is no established mechanism for registering a change.

Local activists welcomed the Lebanese ruling as a modest step forward for transgender rights in a



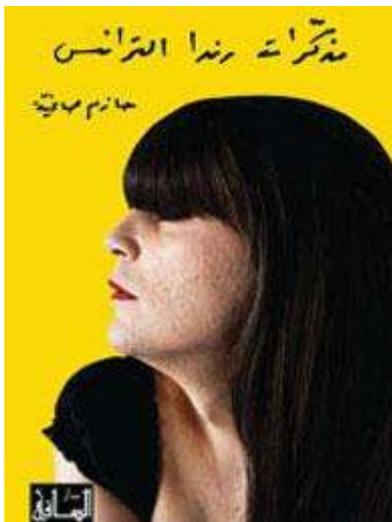
“Memoirs of Randa the Trans”

region where the crossing or blurring of gender boundaries usually meets with disapproval. Even in Lebanon, by no means the most prudish of Arab countries, more than 80% of the public regard anyone who cross-dresses as “a pervert”, according

to [a national survey](#), and 18% “would consider being physically or verbally abusive” if they encountered a man in the street dressed in women’s clothes.

While there is much debate about the rights of women in the Middle East – or rather, the lack of them – and the rights of gay and lesbian people have also begun to attract some attention, transgender rights are still largely ignored. That is an omission which needs to be addressed: when gender segregation is widespread and dress codes are sometimes enforced by law, the problems of transgender people are especially acute. When so much of the social structure is based around a clear-cut distinction between male and female, anything that obscures the distinction is viewed as a problem and sometimes even as a threat to the established order.

Given that background, it’s scarcely surprising that trans people in the Middle East generally keep a low profile, though there have been a few exceptions. One was Randa, a trans woman who fled from Algeria to Lebanon and whose [battles for acceptance](#) were recounted in a book, “Memoirs of Randa the Trans”, [published in Arabic](#) in 2010. Morocco also has a celebrated transgender belly-dancer known as [Noor Talbi](#). Most, though, remain anonymous and if they come to public attention it’s usually through conflict with the law.



Some terminology

“Transgender” (often shortened to “trans”) is a very broad term for a variety of situations and behaviours – and also gives rise to a lot of confusion. So before going any further it’s important to clarify some terms.

Transgender women are people who were designated male at birth but who identify and may present themselves as women. Conversely, **transgender men** are people designated female

at birth but who identify and may present themselves as men.

At birth, children are classified as male or female – usually based on examination of their genitals. This is recorded on their birth certificate and will normally remain unchanged throughout their life. However, external sex organs do not always give a clear indication and they are not the only factor in determining **biological sex**: unseen elements such as chromosomes, hormones and internal reproductive organs also play a part. People who are not clearly male or female used to be known as **hermaphrodites** though the preferred term nowadays is [intersex](#).

Aside from biological sex, **gender** is a social and cultural interpretation of what it means to be “masculine” or “feminine”. It has both internal and external components. **Gender identity** is a person’s internal, deeply felt sense of being male or female (or something in between, or neither). **Gender expression** is how people manifest characteristics that society has defined as masculine or feminine – through clothing, appearance, mannerisms, behaviour, etc.

A mismatch sometimes occurs between a person’s gender identity and the sex they were assigned at birth. This can cause discomfort or distress, often described as a feeling of being “a man trapped in a woman’s body” (or vice versa); it is a recognised medical condition known as [gender dysphoria](#), for which treatment is sometimes – though not always – appropriate.

The aim of any treatment for gender dysphoria is to minimise the mismatch. For some people it can mean changing their appearance (clothes, hairstyle, etc), adopting a different name and seeking to have these changes recognised both socially and officially. Sometimes this is accompanied by hormone therapy and may culminate (though not always) in **sex reassignment surgery**. Transgender people who have undergone surgery, or who are preparing for it or taking hormones, are often described as **transsexual**.

Aside from that, there are people who may be content with the sex assigned to them but whose gender expression does not conform with the usual expectations of their culture: men who are considered too feminine, women who are considered too masculine. There are others, too, whose gender identity is neither male nor female. Further complicating the picture, there are also cross-dressers: people – often heterosexual – who may be comfortable with their gender identity but get pleasure from sometimes dressing in clothes associated with the opposite sex.

Ideas about what constitutes “normal” male or female attire vary, of course, according to time, place and culture. One striking example is the men

of Habala in south-western Saudi Arabia who traditionally wear [head-dresses of herbs and flowers](#). To outsiders, including Saudis from other parts of the kingdom, this might look effeminate but for them it is normal male attire. Contrary to appearances, they also have a reputation as fierce fighters.



*“Flower man” from Habala
in Saudi Arabia*

The proper way to dress

Upholding “proper” dress codes is a particular concern of some Islamic scholars. In his book, “Lawful and the Prohibited in Islam”, Yusuf al-Qaradawi quotes the Prophet as saying that “a woman should not wear a man’s clothing or vice versa”. Qaradawi continues:

“The evil of such conduct, which affects both the life of the individual and that of the society, is that it constitutes a rebellion against the natural ordering of things. According to this natural order, there are men and there are women, and each of the two sexes has its own distinctive characteristics. However, if men become effeminate and women masculinised, this natural order will be reversed and will disintegrate.”

Examples of imitating the opposite sex “include the manner of speaking, walking, dressing, moving, and so on,” [according](#) to one Muslim website. While cross-dressing in an Islamic context might conjure up images of veiled men draped in black *abayas*, “scholars” of a particularly rigid-

minded disposition have laid down extraordinarily detailed rules about what constitutes masculine and feminine attire – rules which often have a dubious basis in scripture.

[According](#) to Muttaqun Online, which actually used the phrase “unlawful clothing” in its explication of the rules, men’s clothes should cover the whole body but not reach below the ankles, and must not be tight-fitting. White and green are good colours for men to wear but red is bad, unless mixed with another colour, and men should not tuck their shirt inside their trousers. Beards, unsurprisingly, are obligatory for men and must not be trimmed (though the moustache part should be cut). Religious considerations aside, Muttaqun cited health benefits for this, saying: “Medical reports reveal that the beard protects the tonsils from sunstroke”.

There are warnings on other websites against men wearing “feminine” types of cloth such as silk, or gold jewellery (though silver may be acceptable). Feminine dress [includes](#) male neck-chains, bracelets and earrings according to some.

In contrast to that, it’s worth noting that Egyptian cinema, which developed in the 1920s and is popular throughout the Arab region, has shown little inhibition about portrayals of cross-dressing in films. Disguising men as women, and vice-versa, creates situations that can be easily exploited for comic effect and can also be used for more serious purposes such as highlighting social inequalities between the sexes.

While some of this cinematic cross-dressing provided a convenient theatrical device, other examples were coded (if inaccurate) references to homosexuality. “Cinematic references to gays and lesbians abound,” Garay Menicucci [wrote](#) in an essay on homosexuality in Arab films. “The most ubiquitous coding for gay and lesbian cinematic imaging has been cross-dressing.” For the most part, though, these characters seem to have been included for entertainment value or decorative effect, rather than to make a point.

In [an interview](#) with the French newspaper, L’Humanité, prominent Egyptian film director Yousri Nasrallah commented:

Many popular films – mostly comedies – show homosexuals. Most often, effeminate characters, transvestites. This image of the homosexual is tolerated perfectly. It makes the public laugh and, in a way, confirms the ideas they have about virility. On the other hand, they are much more reticent when it’s about a ‘normal’ homo – loving and successful.

Enforced dress codes

Saudi Arabia has a long history of enforcing dress and behavioural codes through its religious police,

the Committee for the Promotion of Virtue and Prevention of Vice. While the excesses of the religious police have made them very unpopular inside the kingdom, the last 10-15 years have seen attempts to copy the Saudi approach elsewhere – moves which are probably a result of increased religiosity and the growth of identity politics.

In 2007, the Kuwaiti parliament amended Article 198 of the country's penal code so that anyone "imitating the opposite sex in any way" could face up to a year in jail and/or a fine of 1,000 dinars (\$3,500). The way this came about is quite revealing. In 2006 Waleed al-Tabtabai, an Islamist MP, formed an ad-hoc committee in parliament for the "Study of Negative Phenomena Alien to Kuwaiti Society".

Although the committee was supposedly only carrying out studies it proposed a host of "morality"-related measures in parliament, including the amendment to Article 198. Many of these were vigorously resisted by more liberal members but in the vote on criminalising imitation of the opposite sex the 40 MPs present agreed to it unanimously. "The issue," Human Rights Watch commented in a subsequent [report](#), "was seen as insignificant in the larger political battle."

The effect if this was to criminalise all transgender Kuwaitis. Although the health ministry had recognised Gender Identity Disorder (now known as gender dysphoria) as a medical condition there was no way that trans people could change their legal identity. Thus, even people who had undergone surgery were deemed to be "imitating the opposite sex".

A further problem was that the law made no attempt to define "imitating the opposite sex": it was basically left to the discretion of the police. Within a couple of weeks at least 14 people had been arrested in Kuwait City and thrown into prison for the new offence. Several were picked up at police checkpoints, one in a coffee shop and two more in a taxi. A Kuwaiti newspaper said the "confused" men were "deposited in the special ward" of Tahla prison, and that prison guards shaved their heads "as a form of punishment". Citing friends of the accused, Human Rights Watch [said](#) three of them had been beaten (one of them into unconsciousness), and all denied access to lawyers.

Shortly afterwards, the United Arab Emirates followed Kuwait's example with its own war against "imitating" the opposite sex. In 2009, Dubai [launched](#) a public awareness campaign under the slogan "Excuse Me, I am a Girl", which cautioned against "masculine" behaviour among women and aimed to steer them towards "femininity". The impetus for this was a moral panic which swept through several Gulf states at the time regarding the *boyat* phenomenon.

Boyat (the English word "boy" coupled with an Arabic feminine plural ending) became a general term for women or girls displaying masculine traits in their dress or behaviour. Some identified as lesbian or transgender but others did not and in some respects *boyat* seem to have been a kind of youth subculture. Most importantly, though, they were deliberately challenging traditional gender norms, which helps to explain why they caused so much alarm.

The region's largest round-up of *boyat* appears to have taken place in Saudi Arabia in 2013 when the religious police [raided](#) a party at a hotel in the eastern city of Khobar. According to the authorities it had been organised "under the cover" of a graduation party, with about 100 young women attending, and included a contest for the best-looking *boya*. The police seized a crown which had been due to be presented to the contest winner, along with a large quantity of energy drinks and "Satanist" items. Reports said a man and a woman who organised the party were arrested but most of the girls were handed over to their parents.

In Dubai's anti-*boyat* campaign, plainclothes policewomen were deployed in shopping malls to watch for violations of female dress codes and, as might be expected, there was much public agonising over what made once-sweet young girls behave in this way. Dubai's police chief [blamed](#) co-educational schooling while others blamed inadequate parenting. These debates usually took place against a background of very confused ideas about gender and sexuality, often equating cross-dressing with homosexuality and failing to distinguish between cross-dressing and transgender.

The crime of cross-dressing

In 2010, Dubai launched another campaign – this time encouraging the public to report cross-dressing "crimes". [According](#) to officials, it was prompted by cross-dressers "becoming bold in public places" such as toilets and beauty parlours. A police official urged people to dial 999 if they spotted anyone cross-dressing. It didn't matter whether the cross-dressing was causing a problem or not, the official said, because "dressing up as women in public places is violating the laws".

The AUE's prohibition on cross-dressing was also listed in a "[code of conduct](#)" for tourists issued by the Abu Dhabi tourist police (in 12 languages) in 2012. A few years earlier Dubai police had [arrested](#) 40 "cross-dressing tourists" of unspecified nationality. It is unclear what happened to them.

Press reports from the Emirates show a variety of cases since the crackdown on cross-dressing began:

- A 45-year-old Indian man was convicted of cross-dressing and using mascara at the Mall of the Emirates in Dubai. The man, a manager with a property firm who also worked in the film industry, [claimed](#) he was rehearsing for a Bollywood film role which required him to dress as a woman.

The man was given a six-month suspended jail sentence and fined Dh10,000 (\$2,700). A report in Gulf News [said](#): “The judge suspended his imprisonment because it's his first offence and it [is] believed that he won't repeat the crime.”

- A 22-year-old Emirati student was convicted of “consensual homosexual sex, cross-dressing and insulting a religious item or creed”. He was arrested at Dubai airport on his way to Europe in the company of his partner, an Emirati man who had previously been convicted of homosexuality. Prosecutors said the student featured in pornographic material found on his laptop. [A report](#) in The National said:

“Public Prosecution records state that ‘the suspect has circulated materials which defy decency by posing in a provocative manner using women's make-up in his underwear and at times in swimsuits revealing his buttocks, and, at times, wearing female clothes and accessories’.

“He was also convicted of insulting a religious creed or item after prosecutors said that he circulated images on the net of himself dressing up in a 'hijab' while reading the Holy Quran. ‘He has insulted the Islamic creed by wearing female make-up, accessories and a hijab-like veil while sitting in front of the Holy Quran and acting like he is praying,’ the indictment sheet said.”

He was initially sentenced to three years in jail but this was [reduced](#) to one year on appeal.

- A 30-year-old Egyptian man was [acquitted](#) of cross-dressing in Dubai International City. Police claimed he had been wearing a bra and panties – which the man denied, saying they were in a bag that he had found outside his house.

He told the judge: “I swear to God that I am not a pervert ... your honour, I was born a man and am proud of my masculinity. I do not mind undergoing any biological test to prove my manliness, if that is what it takes to convince the court that I am a normal adult.”

Dubai Misdemeanours Court decided there was not enough evidence to convict the man. Prosecutors later appealed against his acquittal

and the appeal court's decision appears not to have been reported.

- A beautician from the Philippines was sentenced to two years' jail, followed by deportation, after being [convicted](#) in Dubai of “cross dressing, pretending to be a woman, tricking a woman into undressing in front of him, assault and practising medicine without the proper permits”. There are indications from the press reports that the person was transgendered rather than just a cross-dresser.

The case came to light after a female inspector, posing as a customer, visited the beauty salon. According to The National, the inspector assumed the beautician was a woman “as he had long hair, wore women's clothes, perfume and make up, and had manicured hands. He had also been taking breast enlargement tablets”.

Following the undercover visit, the inspector reported the salon to the police for various breaches of the regulations, and the police arrested the beautician. [According](#) to another report, “one of the beautician's fellow employees told the officers of his true gender”.



Police photo of man arrested for “violating public decency”

- An Indian man (above) was arrested for “violating public decency” after being found in a “women only” park in Sharjah wearing a black abaya. He was reported by a woman who noticed his moustache.
- A Filipino man was arrested at a shopping mall in Abu Dhabi, allegedly dressed in women's clothes and holding a handbag.

A report in The National [said](#): “Store workers were making fun of him when one took offence and called the police. When officers arrived, the Filipino denied being dressed as a

woman. Police then searched his bag and found make-up.”

It's notable that these cross-dressing cases targeted men, or possible trans women, rather than *boyat*. In its report on Kuwait, Human Rights Watch commented that *boyat* tended to be arrested “for crimes such as public disturbances or aggression, rather than for imitating a member of the opposite sex” and the same may have applied in the Emirates. This would be consistent with [a press report](#) in the UAE which portrayed *boyat* as female bullies operating in gangs who preyed on other girls and even threatened to rape them.

“Sometimes their self esteem comes from being predators by being really strong like males,” a professor of psychology was quoted as saying.

Government campaigns against gender “transgression” also give legitimacy to action by individuals and organised vigilantes. The most notorious example of this was Iraq where militias held sway in many parts of the country after the overthrow of Saddam Hussein. Although men suspected of being gay were often the target, enforcement of gender stereotypes seemed to be at least as important a factor. The most trivial details of appearance, such as the length of a man's hair or the fit of his clothes, could determine whether he lived or died.

“Murders are committed with impunity, admonitory in intent, with corpses dumped in garbage or hung as warnings on the street. The killers invade the privacy of homes, abducting sons or brothers, leaving their mutilated bodies in the neighbourhood the next day,” Human Rights Watch said in [a report](#) issued in 2009. The campaign was thought to have begun in Sadr City, the Mahdi Army's stronghold in Baghdad, but also spread to Kirkuk, Najaf and Basra.

The militia killings tapped into social anxieties about “traditional” values and cultural change, HRW said. “These fears, springing up in the daily press as well as in Friday sermons, centre around gender – particularly the idea that men are becoming less ‘manly’, failing tests of customary masculinity.”

Challenging the norms

There is no doubt that transgender people, and others in the Middle East who visibly challenge gender norms, have touched a raw nerve. Researcher Rasha Moumneh [views this](#) in the broader context of social change:

“As women in the Gulf become more visible, both socially and politically, and as migrants bring with them different ways of living, the region's governments are stepping up their gender policing. To allay fears among conservative elements, they are regulating more

tightly what is deemed acceptable behaviour for men and women ...

“In times of social strain, gender and sexuality often become the focal point of broader anxieties, a phenomenon evident in media frenzies, new proposed legislation, and the brutality of the police and the impunity with which they act against an already vulnerable population.”

Historically, Muslims in various parts of the world have dressed in a variety of ways. In the old days, communities were fairly isolated. This allowed each to have its own distinct customs and traditions. Within each community, though, people would tend to dress similarly, for reasons of practicality rather than religious dogma; they would wear whatever was available locally, and choice was limited. There might be the odd eccentric who dressed differently, but they could be tolerated because no one seriously considered them a threat to the “Islamic” way of life.

Since then, television, foreign travel and the like have brought increased contact, not only between different Islamic traditions, but between different cultures. Young people pick up fashion trends from elsewhere and experiment with them, while more conservative folk – usually the literal-minded religious sort who believe anyone who disagrees with them will end up in hell – are appalled at what they see and feel threatened by the disregard for their authority.

Parallel with this is an international situation where many in the Middle East – rightly or wrongly – feel they are under siege from the west and respond to it, as a form of self-defence, by asserting supposedly traditional “Islamic values”. In reality, some of these values may not be as traditional as people imagine but they tend to be highly visible, and strict enforcement of male and female codes of behaviour and dress is one of them.

Viewed in that light, adherence to the codes becomes the sartorial equivalent of patriotic flag-waving, and anyone who doesn't conform is regarded as betraying the cause. The rules promulgated by “traditionalists” today are a far cry from what was originally a simple injunction on Muslims to assume a modest appearance. In extreme cases, they also reflect an extraordinarily superficial approach to religion where there's more concern over a man who is “improperly” dressed than a one who takes bribes at work and beats his wife at home.

2. A history of ambiguity

Ambiguities surrounding sex and gender have been recognised in many parts of the world over many centuries, and the Middle East is no exception. One of the most important deities of ancient Mesopotamia, in modern-day Iraq, was [Ishtar](#), a goddess who represented both sexual attraction and war. Though female, Ishtar was sometimes depicted with a beard.

Little is known about the cult of Ishtar (also called Inanna in the Sumerian language) but a British Museum publication [says of her](#):

She had the power to assign gender identity and could 'change man into woman and woman into man'. Men called *kurgarrus* were followers of the cult of the goddess, and seem to have been considered woman-like men in some way ... In one epic poem, the *kurgarrus* are people ...

*Whose masculinity Ishtar has turned into
femininity to make the people reverend,
The carriers of dagger, razor, scalpel and
flint blades,
Who regularly do [forbidden things] to
delight the heart of Ishtar.*

While their gender was obviously regarded as in some way irregular, they were nevertheless part of the divinely ordained world order and of state religion.



A Mesopotamian goddess, possibly Ishtar

When Islam emerged in the seventh century CE, rules for relations between the sexes started to become more formalised. Nevertheless, it was accepted that not everyone fitted neatly into a clear male/female binary. Rather than denying the existence of such people or treating them as an obstacle to social order, early Islam found ways of accommodating them – ways that did not threaten the system and even, to some extent, helped it function more effectively.

A verse in the Qur'an ([24:31](#)) acknowledges that not all men have the same sexual desires or capabilities. It begins by saying Muslim women should guard their modesty and not display their beauty to other men but then goes on to list men who are exempted from this rule: husbands, fathers, brothers, etc, plus – in the words of Yusuf Ali's translation – male servants who are "free of physical needs". Although the Arabic wording is rather cryptic the underlying principle is clear: it refers to men who, for whatever reason, can be expected not to take advantage of women sexually.

There were three types of people recognised as being outside the usual male/female binary: those whose sex was anatomically uncertain (traditionally known as hermaphrodites though the preferred term nowadays is "intersex"); eunuchs (castrated men); and *mukhannathun* – men who were regarded as effeminate.

The 'hidden sex' of a *khuntha*

A statement in the Qur'an that God "created everything in pairs" ([51:49](#)) forms the basis of an Islamic doctrine that everyone is either male or female – there can be no halfway house. The question this raised was what to do about children born with ambiguous genitalia since, according to the doctrine, they could not be sex-neutral.

Islamic jurists resolved this problem by concluding that such children must have an underlying "hidden" sex which was waiting to be discovered. The problem then was how to discover it, and the jurists devised elaborate rules for doing so which might seem comical today. Paula Sanders describes them in her study of [Hermaphrodites in Medieval Islamic Law](#).

In establishing principles for ascertaining the sex of a *khuntha* – a person whose sex was unclear – a remark attributed to the Prophet about urine and the differing inheritance rules for men and women proved especially helpful. He is reported to have said that inheritance is determined by "the place of urination" (*mabal*, in Arabic).

To the jurists, this suggested a way of discovering a *khuntha*'s "hidden" sex. Thus the 11th-century Hanafi scholar al-Sarakhsi explained that a person who urinated "from the *mabal* of men" should be considered male and one who urinated "from

the *mabal* of women” would be female. But the jurists also considered other eventualities, as Sanders explains:

If, however, the child urinated from both of the orifices, then the one from which the urine proceeded first was primary. If it urinated from both simultaneously, some said that primacy would be awarded to the organ from which the greater quantity of urine proceeded. Abu Ja'far al-Tusi, the Shi'a jurist, added another criterion: “If the onset of urination from [the *mabals*] is simultaneous, then [the sex of the child] is considered on the basis of the one that urinates last.”

If sex could not be ascertained during childhood there was still hope of clarifying the matter at puberty, with the development of secondary sex characteristics – beard, breasts, menstruation, ejaculation, etc. Failing that, the person became legally classified as *khuntha mushkil* (a “problematic” or “ambiguous” hermaphrodite) and the focus shifted away from body parts and towards accommodating the *khuntha* within a social system that was highly gendered.

In communal prayer, for example, it was established that a *khuntha mushkil* should stand behind the rows of men and in front of the rows of women. Sanders explains: “Should it [the *khuntha*] turn out to be a man, he would simply constitute the last row of men; should it turn out to be a woman, she would be the first row of women.”

As a precaution against invalidating the prayer, al-Sarakhsi advised that a *khuntha* should be veiled (in case the person's “hidden” sex was female): “If it is a man, his being veiled is not forbidden in prayer, and if it is a woman, she is obliged to be veiled in her prayer.”

Similar rules applied after death. In the unlikely event that a man, a woman and a *kuntha mushkil* were buried in a common grave, the man's body was to be placed closest to Mecca, followed by the *kuntha* and then the woman, with a partition of earth separating them.

For inheritance purposes, however, the *khuntha* was treated as female, and Sanders comments:

“The concern with maintaining both the boundary and the sexual hierarchy intersected with another concern that informed the negotiation of the jurists: protecting the male domain from intrusion ... The supremacy of male over female was always asserted, and the superior position of the *khuntha* to women in prayer and burial customs was a way of maintaining the hierarchy in which men were, in relation to women, the superior party.

“When in doubt, the rule seemed to be to accord the inferior status to hermaphrodites. What was important was that access to the higher status

of men be successfully protected. The rules assured that no hermaphrodite would attain the status accorded to men unless it could be demonstrated that he was, indeed, a man.”

Eunuchs: crossing and guarding boundaries

Unlike a *khunta*, the original sex of a eunuch (*khasi* in Arabic) was not in doubt. He was a man, but one who had been castrated, usually by the removal of his testicles. His penis might be removed too, though apparently that was less common.

Because eunuchs were assumed to be sexually inactive they were allowed access to the women's quarters, as permitted by the Qur'anic verse quoted above. As a result, they acquired an important role in Muslim households that were wealthy enough to employ servants.

Since Islamic jurists disapproved of castration when performed by Muslims it is thought that eunuchs were usually acquired for non-Muslims as slaves. This might imply they had low status but their emasculation meant they were considered “safe” sexually and some of them certainly held positions of trust and influence. Baki Tezcan [describes them](#) as “emasculated guardians of political, sacred and sexual boundaries”.



Castration

Explaining the duties of the supervising eunuch in a Muslim household, Taj al-Din al-Subki, a prominent scholar during the Mamluk era, wrote:

“He is the one who is concerned with women. It is his duty and right to cast his eyes upon their affairs and to advise the master of the house [concerning them]. He must inform him [the master] of any suspicion which he himself is unable to clear, and he must prevent agents of debauchery such as old women and others from gaining access to the women [of the household].”

There is a story involving the Prophet, his concubine Marya, and a eunuch. Marya had been

sent to the Prophet as a gift from the Byzantine Patriarch of Egypt. This aroused jealousy among the Muhammad's wives and so Marya was installed separately from the Prophet's household, on the outskirts of Medina where the Prophet used to visit her.

When Marya became pregnant and gave birth to a son rumours circulated that the Prophet was not the child's father and suspicion pointed towards Marya's Egyptian servant. The Prophet sent Ali (his cousin and son-in-law) to investigate. Doubts about the child's paternity were resolved when Ali reported that the servant was a eunuch with neither penis nor testicles.

From the Umayyad period, and for several centuries afterwards, eunuchs also served in the palaces of Muslim rulers – again, presumably, because of the trusted status resulting from their emasculation. Others served as guardians of holy places in Jerusalem, Najaf (Iraq), Mecca and Medina. A few were reported to be [still serving](#) in Medina as recently as 2001, though their numbers had dwindled to 13 and there had been no new appointments since 1984.

***Mukhannathun*: the effeminate men of Medina**

A third group who fell outside gender norms but proved more difficult for Islam to accommodate were the effeminate men known as *mukhannathun* (singular: *mukhannath*). In a paper on [The Effeminates of Early Medina](#) published by the American Oriental Society, Everett Rowson writes:

There is considerable evidence for the existence of a form of publicly recognised and institutionalised effeminacy or transvestism among males in pre-Islamic and early Islamic Arabian society. Unlike other men, these effeminates or *mukhannathun* were permitted to associate freely with women, on the assumption that they had no sexual interest in them, and often acted as marriage brokers, or, less legitimately, as go-betweens.

They also played an important role in the development of Arabic music in Umayyad Mecca and, especially, Medina, where they were numbered among the most celebrated singers and instrumentalists.

According to one description, the *mukhannathun* were men who resembled or imitated women in the "languidness" of their limbs or the softness of their voice. It's unclear whether they also adopted a feminine style of clothing and, during the first century of Islam they were not associated with homosexuality (though later they were). They had a reputation for frivolity – which met with disapproval from devout Muslims – and some of

them were renowned for making witty quips at the expense of the powerful or the pompous. The *mukhannathun* were generally not considered respectable and insulting someone by falsely calling him *mukhannath* was an offence punishable with twenty lashes.

In the [hadith](#) it is said that the Prophet cursed effeminate men (*al-mukhannathin min al-rijal*) and mannish women (*al-mutarajjilat min al-nisa'*) – a remark which is widely quoted today and provides a religious basis for laws against cross-dressing in numerous Arab countries.

However, reports from the hadith (collections of words and deeds attributed to the Prophet) need to be treated with caution: they have been handed down over generations and may have become garbled in the re-telling. Elsewhere in the hadith the Prophet is said to have condemned "men who imitate women" (*al-mutashabbihin min al-rijal bil-nisa'*) and "women who imitate men". This may be a report of a different remark, or perhaps just a second version of the remark quoted earlier – which would raise the question of which version is correct.

Whatever the Prophet's actual words, this is nowadays interpreted as a general indictment of effeminate men and masculine women but other evidence from the hadith suggests he never took action against them as a group. He does seem to have punished a few individual *mukhannathun*, though not necessarily for reasons connected with effeminacy.

One story concerns a man who had decorated himself with henna (normally a practice among women):

A mukhannath, who had dyed his hands and feet with henna, was brought to the Prophet.

The Prophet asked, "What is the matter with this one?"

He was told, "O Apostle of God, he imitates women."

He ordered him banished to al-Naqi' [a town about an hour's walk from Medina].

They said, "O Apostle of God, shall we not kill him?"

He replied, "I have been forbidden to kill those who pray."

This is the only story involving the Prophet where feminine behaviour by a man seems to have been the issue, and there is not enough detail to be sure whether henna was the problem or whether the man had been trying to pass himself off as a woman. If the latter, it's easy to see why the Prophet might have decided to banish him: given the restrictions on contact between the men and women, people who disguised themselves as the

opposite sex were probably engaged in some subterfuge.

Another story tells of the Prophet chastising a *mukhannath* who was also a singer, and in this case the issue was not the man's effeminacy but his singing – an activity associated with immorality. The man reportedly came to the Prophet and said:

“O Apostle of God, God has made misery my lot! The only way I have to earn my daily bread is with my tambourine in my hand; so permit me to do my singing, avoiding any immorality.”

To this, Muhammad is said to have replied:

“I will not permit you, not even as a favor! You lie, enemy of God! God has provided you with good and permissible ways to sustain yourself, but you have chosen the sustenance that God has forbidden you rather than the permissible which He has permitted you.

“If I had already given you prior warning, I would now be taking action against you. Leave me, and repent before God! I swear, if you do it after this warning to you, I will give you a painful beating, shave your head as an example, banish you from your people, and declare plunder of your property permissible to the youth of Medina.”

Because the *mukhannathun* were assumed not to be interested in women they could be granted access – like the eunuchs – to places where men were not normally allowed. This gave them a role as matchmakers but also earned them a reputation as facilitators of illicit trysts and adulterous affairs.

Matchmaking is the subject of another story (which appears in the hadith in several versions) where one of the Prophet's wives overheard a *mukhannath* recommending a woman to her brother with the words that “she comes forward with four and goes away with eight”. This is understood to mean that she had four wrinkles or folds on her belly, with ends that wrapped round to her back where they appeared as eight.

The *mukhannath's* description resulted in the Prophet expelling him from the household and possibly banishing him into the desert. The reason seems to be that the *mukhannath* had been paying too much attention to women's bodies (considering that *mukhannathun* were not supposed to be interested in them), or perhaps that passing this rather prurient description to another man defeated the purpose of keeping women in seclusion. Either way, it is clear that the *mukhannath* was punished for what he did, not for who he was. In fact, this story provides the strongest evidence from the hadith that Muhammad did not punish *mukhannathun* as a group; the implication of the story is that the *mukhannath* would have continued having

access in the household if he had not caused offence with his description of the woman.

For a time, the *mukhannathun* of Medina and Mecca enjoyed what Rowson describes as a position of exceptional visibility. This seems to have come to an abrupt and possibly violent end under the Caliph Sulayman (who reigned 715-17 CE). There are conflicting accounts of what happened but there is little mention of them in the sources until they re-appear during the Abbasid period, especially in Baghdad. By then, perceptions of them had changed. Rowson comments:

“A crucial factor was the sudden emergence of (active) homoerotic sentiment as an acceptable, and indeed fashionable, subject for prestige literature, as represented most notably by the poetry of Abu Nuwas.

“Increased public awareness of homosexuality, which was to persist through the following centuries, seems to have altered perceptions of gender in such a way that 'effeminacy', while continuing to be distinguished from (passive) homosexual activity or desire, was no longer seen as independent from it; and the stigma attached to the latter seems correspondingly to have been directed at the former as well, so that the *mukhannathun* were never again to enjoy the status attained by their predecessors in Umayyad Medina.”

The erotic dancers of Cairo

Jumping ahead to the 19th century, we find the *mukannath* traditions of Medina still alive among the erotic dancers of Cairo, some of whom were distinctly androgynous.



Ghawazee: female dancers

In his book, “[An Account of the Manners and Customs of the Modern Egyptians](#)”, the British orientalist Edward Lane gave a disapproving account, starting with the female dancers known as Ghawazee:

The Ghawazee perform, unveiled, in the public streets, even to amuse the rabble. Their dancing has little of elegance; its chief peculiarity being a very rapid vibrating motion of the hips, from side to side.

They are never admitted into a respectable harem, but are not unfrequently hired to entertain a party of men in the house of some rake. In this case, as might be expected, their performances are yet more lascivious than those which I have already mentioned ... I need scarcely add that these women are the most abandoned of the courtesans of Egypt.

According to Lane, many Egyptians had moral qualms about female dancers flaunting their bodies in this way but could ease their consciences if the dances were performed by feminine-looking men. These male dancers were known at the time as "*khawwal*" – a term used in Egypt today to refer to effeminate gay men. Lane's account continues:

Many of the people of Cairo, affecting, or persuading themselves, to consider that there is nothing improper in the dancing of the Ghawazee but the fact of its being performed by females, who ought not thus to expose themselves, employ men to dance in the same manner; but the number of these male performers, who are mostly young men, and who are called "*Khawals*", is very small. They are Muslims, and natives of Egypt.

As they personate women, their dances are exactly of the same description as those of the Ghawazee; and are, in like manner, accompanied by the sounds of castanets: but, as if to prevent their being thought to be really females, their dress is suited to their unnatural profession; being partly male, and partly female: it chiefly consists of a tight vest, a girdle, and a kind of petticoat.

Their general appearance, however, is more feminine than masculine: they suffer the hair of the head to grow long, and generally braid it, in the manner of the women; the hair on the face, when it begins to grow, they pluck out; and they imitate the women also in applying kohl and henna to their eyes and hands. In the streets, when not engaged in dancing, they often even veil their faces; not from shame, but merely to affect the manners of women.

They are often employed, in preference to the Ghawdzee, to dance before a house, or in its court, on the occasion of a marriage-fete, or the birth of a child, or a circumcision; and frequently perform at public festivals.

There is, in Cairo, another class of male dancers, young men and boys, whose performances, dress, and general appearance are almost exactly similar to those of the *Khawals*; but who are distinguished by a

different appellation, which is "*Gink*"; a term that is Turkish, and has a vulgar signification which aptly expresses their character. They are generally Jews, Armenians, Greeks, and Turks.

Oman: the man in a pink dishdasha

In her book, [Behind the Veil in Arabia](#), Norwegian anthropologist Unni Wikan describes a chance encounter in Oman during the 1970s:

I had completed four months of field work when one day a friend of mine asked me to go visiting with her. Observing the rules of decency, we made our way through the back streets away from the market, where we met a man dressed in a pink dishdasha, with whom my friend stopped to talk. I was highly astonished, as no decent woman – and I had every reason to believe my friend was one – stops to talk with a man in the street ...

No sooner had we left him than she identified him. "That one is a *xanith*," she said. In the twenty-minute walk that followed, she pointed out four more. They all wore pastel-coloured dishdashas, walked with a swaying gait, and reeked of perfume. I recognised one as a man who had been singing with the women at a wedding I had attended recently. Another was identified as the brother of a man who had offered to be our servant – an offer we turned down because of this man's disturbingly effeminate manners.



Wikan's photo of a *xanith/khanith* in Oman

There were said to be about 60 *xaniths* in Sohar, the town where Wikan was doing her field work, among an adult male population of around 3,000 –

two per cent of the total. There were also an unknown number of former *xaniths*, since it was possible to abandon the role as well as adopting it.

Since the ambivalent gender role of the *khanith* allowed them easy access to both male and female spheres they were highly employable as servants. They also worked as singers and, reportedly, by providing sexual services to men.

Wikan's discovery proved controversial at the time, mainly because she went on to talk speculatively about "transsexualism", transvestism, homosexuality and a "third gender role". This led to some heated and equally speculative debate about the origins and exact nature of the *xaniths* in an anthropological journal with the strangely inappropriate title "Man". Wikan's critics variously questioned whether the *xaniths* were really Omanis, suggested they were the descendants of slaves or linked them to institutionalised prostitution in East Africa.

However, a closer look at the social history of Arabs and Islam would have made much of that debate unnecessary. Wikan's term "*xanith*" is actually a quirky transliteration of *khanith*, derived from the Arabic trilateral root *kh-n-th* – a root which also provides the words *kuntha* and *mukhannath*. Thus, linguistically at least, there is no reason to regard the *xanith/khanith* of Oman as a foreign intrusion; they appear to be located firmly within Arabic-Islamic tradition.

Describing their appearance, Wikan writes:

[The *khanith*] is not allowed to wear the mask [face covering], or other female clothing. His clothes are intermediate between male and female: he wears the ankle-length tunic of the male, but with the tight waist of the female dress. Male clothing is white, females wear patterned cloth in bright colours, and *xaniths* wear unpatterned coloured clothes.

Men cut their hair short, women wear theirs long, the *xaniths* medium long. Men comb their hair backward away from the face, women comb theirs diagonally forward from a central parting, [*khaniths*] comb theirs diagonally forward from a side parting, and they oil it heavily in the style of women. Both men and women cover their head, *xaniths* go bare-headed.

Perfume is used by both sexes, especially at festive occasions and during intercourse. The *xanith* is generally heavily perfumed, and uses much make-up to draw attention to himself. This is also achieved by his affected swaying gait, emphasised by the close-fitting garments.

His sweet falsetto voice and facial expressions and movements also closely mimic those of women. If *xaniths* wore female clothes I doubt

that it would in many instances be possible to see that they are, anatomically speaking, male not female.

This dress code appears to have been developed with some precision and perhaps socially negotiated over time to place the *khanith* somewhere between male and female but without going too far in a female direction since, as Wikan points out, "cross-dressing" in Oman could be punished by imprisonment and flogging.

In legal terms the *khaniths* were regarded as men and referred to by others with masculine pronouns. Some also married, though after doing so they would be bound by the rules of gender segregation. The usual reason given for marriage was to have someone care for them and keep them company in old age. (Wikan adds: "*Xaniths* fetch their brides from far away, and marriages are negotiated by intermediaries, so the bride's family will be uninformed about the groom's irregular background.")

Wikan's account leaves unanswered questions about how and why some men chose to become a *khanith*: to what extent they may have been motivated by sexual orientation or gender identity, or how many of them simply viewed it as an occupation. The key point, though, is that while they existed outside the usual boundaries of male and female they were nevertheless accepted as part of Oman's social fabric.

A gun-toting Iraqi woman

In contrast to effeminate men, recorded examples of "masculine" women – a female equivalent of the *mukhannath* – are comparatively scarce, perhaps because they were not considered worthy of note. But the *boyat* (tomboys) who have [caused so much consternation](#) in Gulf states during the last few years are clearly not the first of their kind. In the mid-1950s, while studying the Marsh Arabs of southern Iraq, German ethnologist [Sigrid Westphal-Hellbusch](#) and her husband, Heinz, discovered a class of women known as *mustergil* – a term which implies "becoming a man" or behaving like a man:

Many *mustergil* declare their decision to lead a manly life after their first menstruation ... This decision is generally accepted without opposition by the community. The young girl, if she has not already begun to live like a boy, henceforth dresses as a man, sits together with the men in the meeting house, takes an active part in her own life, and procures weapons for herself to take part in hunts and war campaigns ...

The acknowledgment of a *mustergil* as a man refers exclusively to her manner of life. She can never quite gain the status of a man, since no

real estate can be bequeathed by her and any potential wealth she acquires is governed by the rules of inheritance for women, which differ from those for men.

Certainly it does happen that a *mustergil*, after some years of manly living, decides to marry ... A *mustergil* marrying by her own choice, must completely break with her past; none of her former relationships in the men's world survive, and, should her marriage take an unhappy course, she cannot return to her former manly life, for she is now, like other wives, bound to the marriage.

On the other hand, a wife can take up a manly life after the death of her husband. Such cases arise if a wife is willing to struggle alone with her children and to accept a man's responsibilities along with a woman's. For men's work she would then adopt male clothing, obtain weapons for her protection, and thus be tolerated in the men's world, especially if she proves to be self-reliant and gains the respect of her neighbours.

Writing* about the *mustergil*, Westphal-Hellbusch draws a very depressing picture of life as a marsh Arab woman in the 1950s – a life of exclusion and inferiority, of early (and often unhappy) marriage where her worth is measured by the number of male children she can produce. “It is not surprising,” Westphal-Hellbusch says, “that the wives become nagging, embittered, unobliging, and ugly inside and out; calm, affable wives are an infrequent exception.”

There were thus plenty of reasons why a woman might choose not to marry and become a *mustergil* instead. Possibly this institutionalised form of gender-bending served as a social safety valve: allowing the most disaffected women to adopt a male lifestyle (so long as they also accepted the responsibilities of manhood) may have helped to protect this highly patriarchal system from serious challenges.

However, Westphal-Hellbusch notes that there were “frequent cases” of women adopting a male role out of economic necessity rather than choice, citing the story of a labourer who at first sight appeared to be a young man but when examined by a doctor turned out to be female. The explanation given was that she was an only child who had taken up labouring to support her parents.

At the upper end of the social scale, though, Westphal-Hellbusch became acquainted with a female poet “from one of the richest sheikh families of lower Iraq” who had apparently chosen to live as a man for different reasons:

First, she is moderately deformed and very small, which was surely a major hindrance to marriage, although she does not speak about it; and second, she hates her father because of

certain personal experiences; on this she speaks and produces poetry at every opportunity.

The woman, who was not identified by name and claimed to be one of about 50 *mustergil* women in her clan, carried a rifle and revolver in her village but dressed as a man only from the neck downwards. On her head, a hijab covered her long hair. Westphal-Hellbusch explained:

She retains these outward marks distinguishing her sex because she prays to Allah every day and has to do so as a woman or else her prayers would be of no consequence ...

She is an actively religious person [judging by her location, presumably Shia] and has irrevocably decided to deny her family any part of her inheritance after her death by donating her land and possessions to a high religious official who will then do good deeds for the poor in her name.

The woman seemed to have adopted God as a surrogate father-figure because of a turbulent family background which included the murder of her mother by the family of her stepfather. This had led her to hate men in general but, in Westphal-Hellbusch's words, “did not dissuade her from being like a man; indeed, she wanted to be more like a man”. In this she had been remarkably successful, achieving the highly unusual feat (for a woman) of having her family land signed over to her: “It is a source of great satisfaction to her that the land legally belongs to her; she is a man.”

* The article by Westphal-Hellbusch was originally published in German as “Transvestiten bei Arabischen Stämmen”, *Sociologus*, n.f. 6, 1 (1956), Berlin. The English translation quoted here appears as a chapter in [Islamic Homosexualities](#), by Stephen Murray and Will Roscoe, New York University Press, 1997.

3. Making the transition

Sayyid Muhammad Abdullah was a 19-year-old medical student at al-Azhar university in Egypt. In 1982, complaining of extreme depression, he sought help from a psychologist who concluded that he was suffering from *al-khunutha al-nafsiya* (literally, “psychological hermaphroditism”) – a condition which nowadays would be called [gender dysphoria](#).

After treating him unsuccessfully for three years the psychologist decided the best course of action would be male-to-female sex reassignment surgery. A second opinion from another psychologist concurred with this and Sayyid was referred to a surgeon.

After a year being treated with hormones and experimenting with dressing as a woman, he consented to the operation and unwittingly triggered one of the biggest public controversies in Egypt during the 1980s.

The main cause of this furore was that before the operation Sayyid, in physical terms, was indisputably male. Had there been doubt about his biological sex, the religious issues involved would have been a lot simpler.

In previous centuries Islamic scholars had devoted much thought to the question of *khunthas* – people of indeterminate sex. They had concluded that God created everyone male or female, and that a *khuntha* must be a male or a female whose true sex is hidden. In order to apply the gender rules of Islamic society it was therefore desirable to “uncover” a *khuntha*’s hidden sex, and in modern times reassignment surgery began to be viewed as one religiously-permissible way of doing so.

Although there was clearly a mismatch between Sayyid’s male body and his female gender identity, he was not a *khuntha* in the familiar sense and the concept of gender dysphoria proved difficult for many people to accept..

Regardless of that, the operation went ahead and Sayyid re-emerged as Sally, with a newly-constructed urinary orifice and vagina. But problems began when she tried to return to al-Azhar for her final exams, since the university’s medical faculty was gender-segregated. The dean of the faculty refused to re-admit her to the male section and also refused to transfer her to the female section – at which point the story surfaced in the Egyptian press.

As far as al-Azhar was concerned, Sally was still a male, but a male whose body had been “mutilated” by the operation. Al-Azhar duly reported Sally’s surgeon to the Doctors’ Syndicate and the Public

Prosecutor, accusing him of “inflicting permanent disease” on a patient.

The Doctors’ Syndicate – a body dominated at the time by Islamists – decided the operation had been an assault on the principles, values, ethics and religion of Egyptian society, and duly struck the surgeon off its register. It also imposed a fine of LE300 (about \$90) on the anaesthetist who had helped the surgeon.

Sally’s case also re-ignited old Islamic debates about “necessity” versus “choice”. While operating on someone with indeterminate genitals could be considered necessary in order to uncover their “hidden” sex, Sally’s dysphoria raised the question of whether her gender was a matter of choice – in which case her operation could be deemed as interference in what God had created.

Such views are still very prevalent in the Middle East today. For example, in the Lebanese [survey](#) mentioned earlier, a small majority (55%) thought operations were acceptable “if there is a medical or biological (hormonal) condition” but the vast majority (83%) considered them unacceptable if “based on one’s personal choice”. (That survey, incidentally, used a representative sample which reflected the views of Lebanese Christians as well as Sunni and Shia Muslims.)

It should be noted in passing, however, that this insistence on surgery being “necessary” in order not to conflict with the Creator’s intentions tends to be applied selectively. Cosmetic surgery is very popular in Lebanon, for instance, and one of the most frequently-performed but unnecessary operations in Egypt is female genital cutting.

Where gender dysphoria is concerned, when people claim to be a woman trapped in a man’s body (or vice versa) it’s almost impossible for others to understand exactly how they feel. One reaction is to say they should try harder to control their feelings; another is to suspect they are making the whole thing up, possibly for some devious purpose.

In Sally’s case, al-Azhar basically accused her of lying. According to a professor of physiology at the university, she was motivated not by strong feelings about her gender identity but by “sodomistic inclinations”. If true, this would have meant she had subjected herself to three years of psychotherapy, a year of hormone treatment and a major operation simply in order to have sex with men (an activity which in any case is not specifically forbidden under Egyptian law).

Evidence of her “sodomistic inclinations” was not forthcoming, though the authorities did look for it. At one point during the furore Sally was anally examined on behalf of the Public Prosecutor but her anus showed no signs of having been “recently” or “continuously” sodomised.

The Grand Mufti intervenes

The conflict over Sally was eventually defused, though not entirely resolved, by a fatwa from Egypt's highest religious scholar, Muhammad Tantawi, the government-appointed Grand Mufti. Six months later, the Public Prosecutor dropped charges against the surgeon and stated that Sally's operation had been carried out according to the rules. After a further delay of almost a year, Sally finally received a certificate officially recognising her as a woman. Al-Azhar continued to hold out against readmitting her to the medical faculty but a court eventually granted her the right to take her final exams at a different university.



Grand Mufti Tantawi: his fatwa defused the situation but avoided key questions

Tantawi's fatwa is an important document which has often been cited since in connection with reassignment surgery. It has been [translated into English](#) by Jakob Skovgaard-Petersen, a Danish academic who at the time was researching the relationship between religious authorities and the Egyptian state. (The discussion of the Sally affair above is based mainly on Skovgaard-Petersen's account of events.)

The mufti's fatwa gives clear authorisation of reassignment operations ... subject to certain conditions. In a key paragraph it says Islamic sources "grant permission to perform an operation changing a man into a woman, or vice versa, as long as a reliable doctor concludes that there are innate causes in the body itself, indicating a buried [*matmura*] female nature, or a covered [*maghmura*] male nature, because the operation will disclose these buried or *covered* organs, thereby curing a corporal disease which cannot be removed, except by this operation".

The fatwa adds that while it is "permissible to perform the operation in order to reveal what was hidden of male or female organs" when "a trustworthy doctor advises it", it is "not permissible to do it at the mere wish to change sex from woman to man, or vice versa".

This did not directly address the hotly-disputed question of whether Sally's surgery had been based on a "wish to change sex", or whether, in Islamic doctrine, gender identity can be allowed to overrule anatomy as the true indicator of a person's "hidden" sex. Tantawi's reference to "curing a corporal disease" suggests not, though his talk of "innate causes" may hint at other possibilities.

Centuries earlier, in discussions about the [mukhannathun](#), scholars had attempted to distinguish between innate (*khilqi*) effeminacy and effeminacy that was affected or acquired (*takallufi*). Unlike "affected" effeminacy, "innate" effeminacy was considered excusable so long as the person worked to overcome it, and Tantawi alludes to this in his fatwa:

"One who is like this out of a natural disposition must be ordered to abandon it, even if this can only be achieved step by step. Should he then not comply, but persist [in his manners], the blame shall include him, as well – especially if he displays any pleasure in doing so."

In citing this Tantawi seems to be suggesting that Sally's feminine feelings were innate and that she was right to seek treatment. However, the scholarly rulings could also be understood as pointing to a non-surgical kind of treatment – one that aimed to suppress her feminine feelings rather than altering her body to accommodate them.

In terms of tolerance for sexual diversity, the "innate-versus-affected" argument is something of a double-edged sword. When applied to homosexuality, for instance, it allows sympathy for those considered innately gay (so long as they try to be "cured") but allows no scope for broader acceptance and provides an excuse for punishing those considered to be wilfully gay. Similarly, it can become a tool for bringing transgender people into compliance with the established male/female binary.

Saudi Arabia: letting God decide

In 2004, Arab News reported that five Saudi sisters aged between 19 and 38 were [undergoing operations](#) to become men at King Abdul Aziz University Hospital in Jeddah. Three of the operations had already been completed when the story became public.

According to the surgeon in charge, they were not the first operations of this kind to be carried out in the highly-conservative kingdom and, unlike Sally's case in Egypt, news them caused no great controversy. However, in the Saudi cases there was no suggestion of gender dysphoria and the surgeon, Dr Yasser Jamal, clearly aware of the religious issues at stake, was reluctant even to describe the operations as "reassignment",

insisting instead on talking about “gender correction” and restoring patients to their “original sex”. Echoing Tantawi’s fatwa years earlier, he told Arab News:

“We are taking the person back to his or her original sex according to the intensive tests that are done, but we will not operate on people that are actually men or women to change them to the opposite sex just because they want to.

“If the [chromosome] test shows xx, the person is female, and if it is xy they are male. Also, tests are performed on the testicular or ovarian tissue as well as the patients’ internal organs – for example, does this person have a uterus? Then that is a strong indication that she is a female.”

Repeating the Islamic doctrine that every person is born male or female, Dr Jamal said the only problem that might cause sex “misinterpretation” was a defect in the external organs. He also suggested this misinterpretation might be the fault of “unqualified midwives assisting at home births”.

Misinterpreting the sex of new-born infants has been identified as a particular problem in Saudi Arabia, giving rise to increased demand for treatment as the children grow up. Citing research published in the Saudi Medical Journal, Scott Siraj al-Haqq Kugle [writes](#) that the single most important reason for misinterpretation was found to be the rather crude method used for determining an infant’s sex – by assessing whether or not the child had an “adequate penis”:

If a doctor examines an infant and determines, through cursory observation and stereotyped notions of genital normalcy, that the child does not have an “adequate penis” then the prevailing practice is to discount the child as male and declare the gender to be female. Female gender category is the default position if penile adequacy is missing or suspect, regardless of the possibility of the child growing up feeling “male” inside, having residual testes, or going through puberty with secondary sexual changes that might resemble male patterns.

This practice of registering infants as female if they did not appear to be a fully-developed male could easily result, later on, in internal conflicts with their assigned sex, for example when bodily changes occurred during puberty.

The researchers’ findings were published in 1995 and it is possible that practices have improved since then. Even so, infants whose sex was misinterpreted at the time would now be in their early twenties and, very probably, feeling the effects today. It may also be relevant to note that this research was carried out in the Eastern Province, a marginalised area which is home to many of the kingdom’s Shia minority, and it is

unclear to what extent the practices described were applicable in other parts of the country.

Although correction/reassignment operations do take place in Saudi Arabia, the researchers found doctors reluctant to perform surgery on patients “later in life” (presumably after puberty). Kugle continues:

The Saudi doctors cite the “complexity of surgical operations involved, the associated psychosocial problems to patients and parents of a late gender reassignment, and the cosmetically and functionally unsatisfactory nature of the resulting small penis” to justify the policy of discouraging sex-change operations.

In their view, society’s judgment is more valid than that of the patient: the change will be traumatic to family and community and the surgery will only produce a penis that society judges as small, inadequate, and fake. They do not value the patients’ own sense of oppression at being forced by family and community to live in the wrong gender, or the patients’ sense of liberation and tranquillity should they gain a body that accords with their internal gender identity, even if the genital structures are not large or functional by patriarchal standards.

This approach can be criticised as not sufficiently patient-centred but the Saudi doctors may have a point. Reassignment operations are irrevocable: once done, they cannot be undone. So it’s important to weigh up the pros and cons and consider what effect an operation will have on the patient’s quality of life. In the conservative societies of the Middle East the benefits are certainly debatable. An operation may not improve the chances of the trans person being accepted by their family or community and, as we shall see, may also give rise to new problems.

In 2014 the Saudi health ministry [announced](#) that all reassignment operations in the kingdom, in both private and public hospitals, would require the ministry’s approval in advance. While this would undoubtedly ensure that they complied with religious criteria, the edict seems to have been intended mainly to avoid family disputes. On the plus side, this would mean that patients could be sure of acceptance by their families after the operation. On the minus side, it would prevent patients from having surgery if their families disapproved.

The woman who changed the ayatollah’s mind

Before the Islamic revolution of 1979, only a small number of reassignment/correction operations had been carried out in Iran but since then they have become increasingly common. A BBC television

programme in 2005 [reported](#) that the leading Iranian surgeon in the field, Bahram Mirjalali, had done 320 operations in Iran during the previous twelve years. There have been repeated claims in the media that Iran now performs more such operations than any country other than Thailand.

This became possible mainly because Iran is a predominantly Shia country and the [Ja'fari school](#) of Islamic jurisprudence is less resistant than the Sunni schools to innovative rule-making. Another important factor, though, was a series of direct contacts between Ayatollah Khomeini, Iran's first Supreme Leader, and a trans woman called Maryam Khatoun Molkara.

There are records of operations being performed on [intersex](#) persons in Iran (those born with a reproductive or sexual anatomy which was not clearly male or female) as long ago as the 1930s. By the early 1970s this had been extended and at least two Iranian hospitals – one in Tehran and another in Shiraz – were also operating on non-intersex patients (i.e. those with gender dysphoria). In 1976, however, the Medical Association of Iran imposed restrictions, having decided that non-intersex operations were unethical. This early history is discussed (along with much else) by Afsaneh Najmabadi, a Harvard University professor, in her book, [Professing Selves: Transsexuality and Same-Sex Desire in Contemporary Iran](#).

Ayatollah Khomeini, then living in exile, had adopted a similar position: he saw no religious objection to surgery so long as it was confined to intersex cases. For Maryam Molkara, this offered no solution. Like Sally in Egypt, she was physically male but felt that she was really a woman and in 1975 she wrote the first of a series of letters to Khomeini, hoping to change his mind. In [an interview](#) with Guardian reporter Robert Tait she explained:

“I told him I had always had the feeling that I was a woman. I wrote that my mother had told me that even at the age of two, she had found me in front of the mirror putting chalk on my face the same way a woman puts on her make-up. He wrote back, saying that I should follow the Islamic obligations of being a woman.”

The ayatollah's reply was of little help and, following the revolution that saw Khomeini returned from exile and installed in power, Molkara was fired from her job, sent to a psychiatric institution and forced to have male hormone injections. Nevertheless, she continued lobbying senior religious figures, but to no avail.

Finally, she decided to confront Khomeini in person:

Donning a man's suit, she walked to Khomeini's heavily protected compound in north Tehran, carrying a copy of the Qur'an. In an additional

piece of religious symbolism, she had tied shoes around her neck. The gesture – redolent of Ashura, the Shia festival depicting the heroism of the third imam Hossein – was meant to convey that she was seeking shelter.

At first, it failed to provide her with any. As she approached the compound, armed security guards pounced and began beating her. They stopped only when Khomeini's brother, Hassan Pasandide, witnessing the scene, intervened and took Molkara into his house.

Molkara was eventually admitted into the Supreme Leader's presence – and duly fainted. Tait's report continues:

“I was taken into a corridor,” Molkara says. “I could hear Khomeini raising his voice. He was blaming those around him, asking how they could mistreat someone who had come for shelter. He was saying, 'This person is God's servant.' He had three of his trusted doctors in the room and he asked what the difference was between hermaphrodites and transsexuals. What are these 'difficult-neutrals', he was saying. Khomeini didn't know about the condition until then. From that moment on, everything changed for me.”

Molkara left the Khomeini compound with a letter addressed to the chief prosecutor and the head of medical ethics giving religious authorisation for her – and, by implication, others like her – to surgically change their gender. It was the fatwa she had sought.

However, Khomeini's decision left many unanswered questions regarding the practicalities – questions which Iranian religious scholars (most notably Hojatulislam Muhammad Kariminia) have since [explored in great detail](#): for example, whether married people need permission from their spouse before a reassignment operation, whether a marriage is automatically annulled afterwards and what should happen to the wife's dowry money or inheritance rights if she becomes a man. A philanthropic organisation known as the Imam Khomeini Charity Foundation also provides [financial help](#) towards the cost of surgery.

Individuals diagnosed as having gender dysphoria can be granted a certificate which allows them to cross-dress in public before undergoing surgery. This protects them from arrest for infringing Iran's gender segregation and dress codes. It also allows them to start hormone treatment.

At first sight these arrangements might look surprisingly enlightened, and to some extent they are – at least in comparison with most of the Arab states – but there are several reasons for concern. One is that people may be pressurised into operations they do not actually want. There are plenty of trans people who simply wish to be accepted as they are. Accepting people as they are,

though, is not usually the Iranian way. On transgender issues government policy and social attitudes in Iran are often far apart: official recognition of a change of sex doesn't mean it will be accepted by society.



Maryam Molkara with a previous passport showing her as a man

“After completing their transition,” [a report](#) by Human Rights Watch noted, “many transgender Iranians are advised to maintain discretion about their past.” And Robert Tait, when writing about Maryam Molkara, the trans woman who changed Khomeini’s mind, commented that “two security monitors in her living room attest to her vulnerability in a society still intolerant of sexual unorthodoxy”.

The reality of life for transgender people, according to one Iranian quoted by Human Rights Watch, is that society does not accept what the law allows:

“The problem is not only with the lack of legal protection but with family and culture ... Trans Iranians may be legal, but they are treated horribly. They can often not find work and society does not accept them ... There are few who are actually able to have surgery and get married, work, and be active citizens in society.”

Iran’s approach to gender dysphoria and sex reassignment has been a welcome development for trans people who want surgery but in [the words](#) of Afsaneh Najmabadi, it is “not an unproblematically positive development”: it is one aspect of a system which views any kind of sexual or gender nonconformity as “diseased, abnormal, deviant, and at times criminal”.

The Iranian government’s relatively sympathetic view of trans people contrasts dramatically with its criminalisation – and severe punishment – of homosexual activity. This creates a powerful incentive for gay people to legalise their position by registering – against their will – as transgender.

In theory there are mechanisms to prevent that happening. People seeking to register as transgender first have to go through several months of psychotherapy, along with hormone and chromosome tests. “The purpose of this process,” Rochelle Terman [writes](#), “is to distinguish and segregate ‘true transsexuals’, for whom same-sex desires are symptomatic of their transsexuality from homosexuals, for whom same-sex desires are symptomatic of moral deviancy, seeking to ‘game the system’.”

The reality, though, is that in Iran the difference between trans and gay is not well understood, even within the medical profession. One gay Iranian [described](#) his experience to Human Rights Watch:

“I went to a psychiatrist on my own who helped me. At first she said you are a trans person and you can easily change. I told her I am a man and I will not change. I like men but I want to be with men as a man not as a woman. I have no problems with my manhood. I knew I would never do this. Despite this, she never used the word ‘gay’. She just called me a ‘weak trans’.”

In 2014 the BBC told of another gay man who had [a narrow escape](#) from reassignment surgery:

Psychologists suggested gender reassignment to Soheil, a gay Iranian 21-year-old. Then his family put him under immense pressure to go through with it.

“My father came to visit me in Tehran with two relatives,” he says. “They’d had a meeting to decide what to do about me ... They told me: ‘You need to either have your gender changed or we will kill you and will not let you live in this family’.”

His family kept him at home in the port city of Bandar Abbas and watched him. The day before he was due to have the operation, he managed to escape with the help of some friends. They bought him a plane ticket and he flew to Turkey.

4. Struggles for recognition

Amal, a Kuwaiti woman, had been registered at birth as a boy, though she always felt and acted like a female. As a child, she loved to try on her mother's dresses and shoes. Her family, thinking this was just a phase, humoured her at first and even agreed to call her by a girl's name. But it wasn't a phase, and in 2001, at the age of 26, Amal travelled to Thailand for sex reassignment surgery.

Returning to Kuwait, however, she was suspended from her secretarial job with the education ministry, pending an official determination of her sex. Still in limbo three years later, she [went to court](#). Citing the [1988 ruling](#) by Egypt's Grand Mufti, her lawyer [argued](#) that Amal's case was "a case of illness, not a case of switching gender or as they call it in Kuwait a third-sex case".

The court accepted this and declared Amal to be a woman. But her life as a legally-recognised woman did not last long. The Kuwaiti government, encouraged by a group of Islamist lawyers and Amal's father (who complained that the case had brought shame on his family), launched an appeal and the lower court's decision [was reversed](#). In 2006, Amal made a final appeal to Kuwait's highest court – the Court of Cassation – but [without success](#).

Zainab Rabie was raised in Bahrain as a girl, though as medical reports later revealed, she had "obscure external genitals" and a preponderance of male chromosomes. As a child, she preferred playing with boys but nobody realised there was anything physically wrong. When her periods failed to start at puberty doctors suggested contraceptive pills might kick-start the menstrual cycle.

It was only at the age of 25, when she got married, that the truth began to emerge. "I actually found out on my wedding night and my husband took me to several hospitals where they ran checks on me and declared that I was actually a man," Zainab – now known as Hussain – [told](#) the Gulf Daily News. The couple separated shortly afterwards.

Following mastectomy, Hussain travelled to Thailand to complete reassignment surgery and the Bahraini government helpfully provided 5,000 dinars (just over \$13,000) to cover the cost. Hussain then applied through Bahrain's court system to be officially recognised as a man under his new name and in 2008 his application [was granted](#).

For Hussain's lawyer, Fawzia Janahi, media reports of the case had an extraordinary effect: she received [more than 100 enquiries](#) and eventually took on 50 new transgender cases in the Gulf region.



*Lawyer Fawzia Janahi:
dozens of new cases*

In 2014, Bahrain's High Administrative Court gave permission for two more trans men – again represented by Janahi – to begin the process of obtaining legal recognition. The procedure established by the court was that a medical examiner who would record "their current situation" before they travelled abroad for surgery.

"They will then be brought back to the examiner, who will inspect them for a last time before their medical documents are submitted to the court," Janahi [said](#). "The medical examiner does not choose if the two women will undergo a sex change operation, he only examines them and records their medical situation."

Bahrain, a repressive monarchy, spends vast amounts of money employing PR firms to polish its image in the west and the 2014 trans cases bolstered the picture of a progressive, liberal country (despite the fact the nine men [had been jailed](#) just a few years earlier for cross-dressing at a New Year party). Welcoming the court's decision, a Bahrain government propagandist in Washington [tweeted](#) "May Bahrain always continue to modernise and pioneer in the region, in all spheres", while Global Health MENA [hailed it](#) as a "win" for the Middle East.

But such cases actually do little more than illustrate the region's profound confusion. Transgender is primarily a social issue – a question of how societies should respond to gender non-conformity – but the preoccupation with sexual anatomy in the Arab countries leads to it becoming over-medicalised. That in turn leads Ms Janahi, the lawyer, to portray her clients as defective beings. "These people are seriously ill whether they

have a birth defect or [are] homosexual and they need to be treated,” she [told GDN Online](#), calling on the Gulf states to establish “at least one health facility specialised in sex change cases and even homosexuality cases”.

Legal confusion

Preoccupation with sexual anatomy also results in reassignment surgery becoming the sole criterion for changing a person’s sex in the official records – which is a completely wrong-headed approach. Firstly, many trans people look for acceptance without undergoing surgery, and shouldn’t be forced into doing so. Secondly, withholding legal recognition until surgery has been completed creates numerous problems while people are transitioning – a process that can take several years. In the Gulf states a transitioning person runs the obvious risks of arrest for cross-dressing or homosexuality, plus complications from the gender-separation rules.

In Bahrain, for example, trans man Hussain [complained](#) that while he was transitioning gyms refused to admit him either as a man or a woman, and he was suspended from work on the grounds that female employees “would be ashamed” if he joined them again as a man. Hussain also said he faced problems whenever he used the airport because he looked like a man but his passport still said he was a woman.

Trans people resort to the courts in the absence of national laws setting out administrative procedures for changing a person’s sex in the official records. This results in different courts making different decisions – decisions which often seem to be based on the personal opinion of an individual judge.

In Lebanon recently, a trans man diagnosed with gender dysphoria [won his case](#) in the appeals court after it had been rejected by a lower court. In the lower court’s opinion, changing the records to match his gender identity would have been inconsistent with what the court called his “reality”.

However, the appeals court came to the opposite conclusion: the judge ruled that he had the right to change his gender and also has a right to surgery since this would allow his “reality” and gender identity to match. A person’s right “to receive the necessary treatment for any physical and psychological illness is a fundamental and natural one,” the ruling said.

“What is important in the decision is that it was stated as a matter of fundamental rights. It was not stated as a matter of humanitarian policy or for clemency purposes,” Beirut lawyer Youmna Makhlof [told Reuters](#).

This particular ruling was also significant in that it came from the appeals court, creating a legal

precedent which can be cited in future cases. But while it’s certainly a step forward, it’s still no substitute for a consistent, government-organised recognition system, as LGBT activist Tarek Zeidan explained:

“This is one individual judge and one individual ruling. It doesn’t mean that there is legislation to make it legal, it doesn’t mean it is across the board, it just means that now it is slightly more likely, and that other judges can feel empowered by this and that it could become more and more of the norm.”

De-medicalising gender

Countries outside the Middle East have a variety of approaches. In Britain, for instance, sexual anatomy is ignored and the [main requirement](#) is a diagnosis of gender dysphoria by a professional working in the field. Applicants must also provide evidence that they have lived in their “acquired gender” for at least two years. Producing all the necessary documentation is a complicated business and processing applications can take a long time.

Britain’s exclusion of anatomical issues from the requirements was a step forward but it also raised questions about why gender dysphoria had to be included. Why not de-medicalise the process entirely and let people to assert whichever sex they felt more comfortable with?

The first country to adopt this radical idea was Argentina which introduced a [Gender Identity Law](#) in 2012 allowing people to have their sex changed in official records without government approval and without any medical requirements. The law stated:

“In no case will it be necessary to prove that a surgical procedure for total or partial genital reassignment, hormonal therapies or any other psychological or medical treatment has taken place.”

Since then, Ireland, [Malta](#), [Denmark](#) and [Colombia](#) have followed suit and introduced self-declaration systems. In Ireland, all it requires is a legally-notarised statement using [these words](#):

“I do solemnly and sincerely declare that I
(i) have a settled and solemn intention to live in the preferred gender of male/female (delete as appropriate) for the rest of my life,
(ii) understand the consequences of the application, and
(iii) make this application of my own free will.”

This is now regarded as the [gold standard](#) in gender identity law, though activists point out that it still assumes a male/female binary and makes no allowance for people who identify with neither sex. To quote one post in an internet [discussion thread](#):

“I myself am transsexual, but I do not live in a reality in which the world is divided into ‘male’ and ‘female’ biology. I identify as neither and do not want to be a man or a woman, nor any conflation of masculinity or femininity.”

Arguments such as this have raised questions about the necessity (or otherwise) of recording people’s sex in official documents. In Britain, for instance, there has been talk of [removing it](#) from passports and driving licences.

Swift and simple arrangements for self-declaration probably would not have been possible without moves towards greater equality between the sexes and the outlawing of gender-based discrimination: the less difference there is between the sexes in practical terms, the less it matters whether someone is male or female.

This, of course, is the direct opposite of the situation in much of the Middle East where strict gender divisions are not only still considered necessary but are actively defended. Viewed from the Middle East, the solution adopted by Argentina, Ireland, Malta, Denmark and Colombia looks suspiciously like allowing people to choose their sex – exactly what Grand Mufti Tantawi warned against in his [1988 fatwa](#).

But it’s not as simple as that. The idea that anyone might change sex on a “mere wish” (to use Tantawi’s phrase) grossly trivialises what it means to be transgendered. Nobody suddenly wakes up in the morning and thinks: “Today, I’m going to change my sex.” To imagine that anyone might do so shows a complete misunderstanding of the feelings caused by gender dysphoria and the stresses of transitioning.

However, the question of gender “self-declaration” is also wrapped up in more fundamental cultural issues. Personal “choice” – often equated with selfishness – is a problematic concept in traditional Arabic-Islamic societies where freedom of the individual tends to be subsumed by the perceived interests of family and the community. This applies particularly in the areas of sex, gender and marriage but in other areas such as career choices too.

Suppressing personal freedoms becomes especially important in societies where inequality and discrimination are institutionalised. The trick here is to convince people that such injustices are simply the natural order – and then get them to accept it. As usual with things that can’t be justified rationally, the easiest way to do this is to claim they were ordained by God.

Islam is by no means unique in this respect and a 19th-century [Christian hymn](#) originally intended for children instructs them to accept their lot:

*The rich man in his castle,
The poor man at his gate,*

*God made them high and lowly,
And ordered their estate.*

In Islam, the religious justification for telling transgender people to accept their lot hinges on [five words](#) in the Qur’an: *min kul shay’ khalaqna zawjayn* (“We created all things in pairs”). Extrapolating from this, scholars have concluded that God has assigned a sex – male or female – to everyone, even if it is not immediately apparent from looking at their body. In intersex cases, where the divinely-assigned sex is believed to be hidden, “uncovering” it through surgery is both permissible and religiously desirable. This also reinforces the idea of a clear-cut male/female binary by bringing the intersex person into conformity with established gender “norms”.

However, the insistence that God creates only male or female causes problems for others on the transgender spectrum: for those who identify as gender-neutral and those whose sexual anatomy is clear but conflicts with their gender identity. Sunni Islamic jurisprudence tends to view this as rejection of the sex assigned by God. Underlying that, there also seems to be an assumption that the evidence of anatomy is a more reliable indicator of God’s will than the evidence of psychiatry.

Shia jurisprudence, as practised in Iran, is better able to handle these issues, though the Iranian government’s enthusiasm for reassignment surgery seems more focused on maintaining gender “norms” than helping trans people to live more comfortably. As a side-effect of this, there are also suspicions that Iran is using reassignment surgery to “normalise” the sexual orientation of gay people.

Egypt steps forward and backwards

In Egypt, three decades after the [Sally case](#) caused huge controversy, the debate about reassignment surgery continues. Surgery in intersex cases – in religious terms the easiest to accept – has been allowed since 2003.

In 2013, the Egyptian Medical Syndicate issued a new Code of Ethics, which essentially recognised gender dysphoria as a medical condition – allowing people who had been diagnosed with it to have reassignment surgery in Egypt. Activists welcomed this as an important landmark, but there was a snag: the code also said operations had to be individually approved by a special committee within the medical syndicate.

Ten operations were approved in 2013 and 11 in 2014, but in 2015 the Egyptian Streets website [reported](#) that the committee had suspended further approval for dysphoria-related cases because of “misunderstandings” with al-Azhar, Egypt’s foremost religious authority. Al-Azhar was said to have expressed “unease” about surgery in this type of case and its representative had stopped

attending the committee's meetings. Around the same time, al-Azhar university suspended a female teacher after discovering that she had undergone reassignment surgery – surgery which had previously been approved by the medical syndicate's committee.

One of the more positive developments in Egypt during the last few years is that people with gender dysphoria can now get help free of charge at the government-run Al-Hussein Hospital. This includes both group and one-to-one therapy (see [BBC video report](#)).

Interestingly, according to medical sources cited by Egyptian Streets, almost all the reassignment surgery carried out in government hospitals is female-to-male. This may be because trans women are less willing to come forward, which one therapist attributes to fear of being tarred with “the stigma of homosexuality”.

If so, homophobia in Egypt has created a situation which is the reverse of that in Iran, where more than three-quarters of operations performed by the leading surgeon in the field are reported to have been male-to-female. This may be a reflection of the pressure on gay Iranian men to de-criminalise themselves through sex reassignment surgery.

However, another explanation for the low number of male-to-female operations in Egypt may be a lack of doctors who have the necessary expertise – with the result that those who can afford it often go to Thailand for surgery. Among trans people in Egypt, confidence in the medical profession is also pretty low. The Egyptian Streets article continues:

Dr Abdel-Rassoul [a urology consultant] maintains confidence in the surgical expertise available in Egypt but acknowledges that horror stories such as the male organ dropping off “can happen”.

He is more concerned by the refusal of most the medical profession in Egypt to accept GID [gender dysphoria] as a medical condition and considers this one of the biggest obstacles to improving treatment for GID patients. He says this is because “you meet people who are more religious than scientific even within the medical community.” Therefore “they keep away from issues that are controversial.”

This problem also extends to psychiatric services, where most psychiatrists in Egypt will do everything they can to change their patients' minds on gender reassignment, according to Dr Bahary [of Al-Hussein Hospital]. Methods used include putting patients on anti-depressants and anti-psychotic drugs. Failing this, there's the possibility of hospitalisation and electroconvulsive therapy for the patient.

They also often enlist the support of local religious leaders to apply pressure and some

advise their patients to “isolate themselves in a religious place and go into a deep, deep relationship with God”.

Meanwhile, during the last couple of years, trans people – and trans women in particular – have become caught up in the Sisi regime's crackdown on homosexuality. Although trans women and effeminate gay men tend to gather socially in the same sort of places and may be indistinguishable in the eyes of the public and the authorities, there are important differences between them: homosexuality is about sexual orientation, while transgender is about gender identity.

According to one report in mid-2015, more than 150 trans people had been arrested since the campaign began. Many of these cases have been documented by LGBT researcher [Scott Long](#) and the Egyptian news website, [Mada Masr](#). (Gay sex, incidentally, is not actually illegal in Egypt but the police get around that by charging them with the vague crime of “debauchery”.)

Egypt's targeting of trans women and effeminate men seems related to anxieties about masculinity, Long [told Global Post](#):

“It may be that ... the people who are in charge have a conception of what men should be that is shaped by the military experience and is not only very heterosexual but also macho. There's also a sense that youth in general have gone astray and that long-haired revolutionaries are part of a continuum with people who have forgotten how to behave in a manly way.”

Shielding the Gulf from trans people

In the Gulf states, another way of protecting Arab masculinity is to keep transgender foreigners out. Jen Janice, a trans woman working for a multinational company in the Netherlands, decided to stop off in the UAE on her way back from a business trip, in order to visit friends there.

Arriving at Dubai airport, she joined the queue for passport checks. “When it was finally my turn, the customs official studied my passport,” she [said](#). “He then called for help from [a] colleague.” Although Janice – originally from Singapore – was living as a woman, her passport showed her as male because she had not had reassignment surgery. The Emirati officials took her out of the queue and into a separate room. She continued:

“Another man joined them and together they started asking all sorts of questions. What I wanted to do in their country and why I looked the way I do? One of the officials just could not understand why I am a man but look like a woman ...

“When I asked if I could call one of my friends, they reacted rigidly that that was absolutely not

possible. They also asked me why I wanted to be a woman. They were very intimidating. On top of that, it was very humiliating that more and more customs officials came into the room just to have a look at me. They all started laughing/giggling.”



Jen Janice was refused entry to the UAE

At this point it dawned on her that she was not going to be allowed into the country.

“I was told officially that I would have to leave the country immediately. I felt dismayed and could have easily cried. My dignity was at stake. No reason was given as to why I had to leave.”

Keeping out the occasional traveller is one thing, but the Gulf states employ millions of expatriate workers – and who knows how many of them might be secretly transgendered? In 2013 the trans panic reached new heights when Arab News [reported a plan](#) to exclude transgender workers from the GCC countries (Bahrain, Kuwait, Oman, Saudi Arabia, the UAE and Qatar):

The Kuwait Ministry of Health has proposed tightening genetic tests for immigrant workers in order to prevent transgender migrants from entering the GCC job market.

Tawfiq Khojah, director-general of the Executive Office at the GCC Health Council, said, “The health checklist for migrant workers now contains a mandatory examination to determine gender.”

These constrictions are necessary to preserve Islamic principles, he added ...

Youssef Mendkar, director of the Public Health Department at the Kuwait Ministry of Health, confirmed that the proposal aims to prevent

transgender migrants from working in GCC countries.

Another report [quoted](#) Mendkar as saying that the screening process for expatriates might also be used to “detect” any who were homosexual. “We will take stricter measures that will help us detect gays who will be then barred from entering Kuwait or any of the GCC member states,” he said.

News of the screening plan provoked a [furious reaction](#) from activists and rights organisations, and also from a few GCC officials. Amid this furore Kuwait – which had put forward the plan – backed off, [saying](#) it was “a mere proposal”. But it also emerged that the Kuwaitis had not been proposing something totally new; they were seeking to extend what was an existing practice in some GCC countries – and make it mandatory for all of them. As one of the officials proposing the scheme [explained](#), more than two million expatriate workers had already been submitted to gender tests during the previous year.

Among those critical of the plan was Fawzia Janahi, the Bahraini lawyer who had made her reputation supporting transgender clients in the Gulf. Speaking to GDN Online, she [suggested](#) issuing trans people (though not gay people) with a special document that would allow them to travel:

“Homosexuality is allowed in Europe but in [the] Gulf is not acceptable. Kuwait should differentiate between people who are homosexual and transgender, as in the latter case they can get a medical report from concerned authorities that allows them to travel freely.”

Ms Janahi’s views about excluding gay people from the Gulf may be objectionable but at least she deserves credit for knowing there is a difference between homosexuality and transgender – which is more than can be said for many others in the region.