



An Analytical Study Of Sex-Reassignment From The Perspective Of Shariah

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Abstract

The Science being blessings is an unavoidable phenomenon which is indeed a need of the day, however, some people make it as a source of curse and mischief for humanity as well as nature.

Keeping in view, Sex-Reassignment surgery may be a scientific achievement and a mean of gaining some materialistic benefits, nonetheless, it inherits certain evils both from social and religious point of view. Furthermore, there is need to argue whether or not everyone may be allowed to get their sex reassigned as per their whims. Similarly, what would be the status of intersex? Whether they be allowed to get their sex determined through sex-change operation or not? What would be physical, psychological, social and religious impacts of sex-reassignment? This research work has been taken into account to find out answers to these and some other related questions. The study shows that sex-reassignment is not only unlawful and impermissible for normal people as per Islamic Shariah but also inherits

certain physical, psychological, moral and social ills. Furthermore, it reveals that the same is allowed for intersex in order to determine their sex as per their dominant sex organ. This paper is hoped to be helpful regarding modern trends in medical science with reference to Islamic Shariah as well as legal perspectives.

Keywords: Sex-Reassignment, Gender-Reassignment, Intersex, Hermaphrodite, Sex-Change

Introduction:

Allah Ta'ala has created the world: its creatures, plants and animals with His power, knowledge, intention and wisdom as per his will. Furthermore, He has made human being in a beautiful shape and form. He has declared him the most honorable among all his creations, as the Almighty says: "لَقَدْ خَلَقْنَا الْإِنْسَانَ فِي أَحْسَنِ تَقْوِيمٍ"¹

Translation: Surely, We have created man in the best shape and form". He further says about him,

"وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ وَحَمَلْنَاهُمْ فِي الْبَرِّ وَالْبَحْرِ وَرَزَقْنَاهُمْ مِنَ الطَّيِّبَاتِ وَفَضَّلْنَاهُمْ عَلَى كَثِيرٍ مِمَّنْ خَلَقْنَا تَفْضِيلًا"²

Translation: Indeed, We honored the progeny of Adam, and bore them across land and sea and provided them with good things for their sustenance, and exalted them above many of Our creatures."

Nevertheless, the ungrateful man does not remain satisfied with the gift and destiny of Allah (SWT). He is deceived by Satan and tends to distort the nature. He tries to do anything which results in insulting and humiliating the humanity and which causes a lot of harm, not only physical but also spiritual as well as social.

Today, West is being blindly imitated and its living example is the current wave of gender reassignment, as many people in the Western world are currently seeking sexual satisfaction through sex-reassignment, i.e. male-to-female and female-to-male. Following their footsteps, the Muslims have also started a struggle for sex-change. Therefore, there is a need to research whether or not it is permissible according to the Qur'an and Sunnah, for Muslims? How many possible types of sex-reassignment are there in reality? What are the types where sex-reassignment is allowed and where not? What are the arguments of jurisprudents who allow or disallow it and its analysis?

The reality of sex-reassignment:

Sex-reassignment means, changing of the male genital organs to female genital organs and female genital organs to male genital organs, through surgery. In the first case, the doctor surgically removes the testicles and penis from a man who is completely male in terms of his organs and has no signs of feminism, and in its place makes a hole similar to a woman's vagina. Furthermore, he injects female hormones into his body, due to which his gait

becomes like a woman's, his breasts swell and his voice converts to a high pitched voice i.e. it becomes soft and gentler like a woman's one, as Dr. Zuhair al-Saba'i asserts:

”تحويل الذكر الكامل الذكورة إلى أنثى وذلك بـجب ذكره وإخصائه، ثم القيام بعملية جراحية لإيجاد فرج ومهبل، ثم إعطائه هرمونات الأنوثة كي تنمو أُنثاؤه، وينعم صوته، ويتوزع الدهن في جسمه على هيئة الأنثى“³

Likewise, the specialist doctors treat a woman (in all aspects) having no signs of masculinity, by surgically removing the breast's swelling, removing or closing the uterus, and using modern technology to replace the female genitalia with a male genital organ. An artificial device resembling penis is implanted, though the ability to copulate is produced in it, however, it does not have the ability to secrete semen and consequently, has no capability of reproduction. The doctors inject male hormones into the woman, which changes her gait like a man's gait, beard-like hairs start growing on her face, and her voice converts to low pitched voice i.e. it becomes rougher like a man's one, as described by Dr. Muhammad Al-Mukhtar:

”الأنثى إلى ذكر)يجرى استئصال الثديين، وإلغاء القناة الأنثوية ، وبناء عضوالرجل الذكر-وفى كلتا الحالتين يخضع الشخص الذى تجرى له الجراحة إلى علاج نفسى وهرمونى معين“⁴

Reasons for Sex-Reassignment:

Proponents of gender reassignment state many reasons for it, the most powerful reason among which states that some children psychologically, begin to take an interest in adopting the games, clothes, movements and gestures of children of the other sex from the age of two or three years. Their inner feelings and consciousness deny their sexual orientation and they psychologically, do not get satisfied with their current gender. In other words their inner self is not compatible with their apparent identity rather they seem contrasting, thus, when they grow up, they change their gender and/or sex in order to get psychological and sexual satisfaction respectively.

But the fact however, is that the lack of proper education and training, distance from religion, bad company and environment, deviance from sexual satisfaction as per natural way and fulfilling sexual desire against the rules of Shariah are some of the real causes that persuade a person to change its body as well as natural and real identity for attaining sexual satisfaction. Apart from these, the lust for acquiring financial means is also strong drive for some people to change its sexual orientation.

Arguments for Sex-Reassignment:

Numerous arguments have been given in favor of sex-reassignment. Some of these arguments are listed below.

1. The first argument is that a person who changes sex is psychologically under pressure, he sometimes even desires to commit suicide, therefore, he is helpless in this regard, so he should be given exemption and should be allowed to go through surgery for sex-change.

2. Changing sex is a treatment of psychological disorder. It is permissible and legitimate to treat it just like the treatment of other physical diseases. Jabir bin Abdullah (RA) narrates

that Ubai bin Ka'b (RA) fell ill, so the holy prophet (SAW) ordered a physician to treat him through cauterizing his arm-vein. ⁵

3. It is a necessity and because of the necessity there is scope for permission of prohibited actions, so this action should also be reviewed, as one the jurisprudential rules is: الضرورات تبيح

المحظورات ⁶ Translation: necessities permit prohibitions.

4. Changing the sex is permissible as there is no explicit text on its prohibition, and it is not included in the verse which prohibits the change of the creation of Allah (تغيير خلق الله), because this verse, refers to changing of religion, not the changing of the appearance.

5. The famous hadith in which "similitude" is cursed cannot be applied to sex-reassignment, because similitude means similarity in clothes, adornment, conversation and behavior.

6. Leaving the sexual patient in the same condition, will lead to bear severe psychological, physical and social harm, while there is a hadith "لا ضرر ولا ضرار" ⁷ translation: it is not permissible

to harm oneself or others. Similarly, according to one the jurisprudential rule "الضرر يزال" ⁸ translation: the harm shall be removed. Therefore, it is necessary to remove this harm from him.

Analysis of the Above Arguments:

1. According to the first argument, a person sometimes becomes so disturbed by psychological pressure that he loses control over himself. He is totally driven by impulse that is why he should be given exemption and permission must be granted to him or her for sex-change.

The argument is invalid because if severe psychological pressure is declared as a valid reason for the transformation of sex and consequently it is legalized on the aforementioned grounds, then all the crimes in the world should be reviewed, and their perpetrators should not be punished and condemned. When a murderer kills, he also commits this crime because of psychological stress or psychological disorder. He sometimes, is under such intense psychological pressure that he is forced to take an extreme step of killing his children and parents. Similarly, while committing adultery, the adulterer is unaware of the world and forgets the disrespect and severe punishment in the society to fulfill his lust. Same is the case with thieves and other criminals. So can these crimes be declared justified on the basis of above argument and its committers be set free? Can on the basis of this argument freedom be given of committing suicides? The answer is that psychological pressure and emotional desires neither can be considered as valid arguments for the justification or non-justification of something, nor is there any precedent for this in Islamic Sharia.

2. The gist of the second argument is that sex change is a treatment for a psychological disease and treatment is proven by numerous hadiths, and it is equivalent to the revival of a human soul.

The answer is that the treatment of mental illness is not prohibited in the Shariah, just as the treatment of physical illness is not prohibited rather it is recommended and Sunnah (the way of the prophet). However, psychological disorders may be treated psychologically and not by physical revamping through surgery. Changing the genital organs is actually a transgression of the creation of God and the texts of the Shariah. It is not only going against the nature, but also doing so is against human dignity. It itself is a combination of many diseases and problems. Experience has proven that the peace of such people leaves forever, and along with mental illness physical diseases also increase. Instead of getting peace of mind it becomes a cause of sever concerns, lots of physical and mental disorders, and anxiety. Furthermore, if things against nature and Shari'ah are allowed under the pretext of psychological treatment, then an adulterer and alcoholic is also a psychological patient, so will adultery and alcohol be allowed for their treatment and comfort? And will they be revived by alcohol and adultery?

3. According to third argument changing the sex is a necessity, and on the basis of the necessity, prohibited actions are also permitted, so it should also be declared permissible on the basis of the necessity. The answer to this argument is there is no need of sex-reassignment as through it the anxiety does not end, rather it increases. Such people suffer from anxiety and sexual angst more than before. Moreover, it is not a disease which endangers the life of a person or to worry about the loss of an organ so that prohibited treatment may be granted permission. There is no danger to his or her life or any organ-damage, but on the contrary, one's organs are damaged on the name of such treatment.

4. The fourth argument proclaims that there is no explicit text on the prohibition of sex change, and it is not correct to argue from the verse (تغيير خلق الله), because in this verse, the word "creation" is meant for the change of "Deen", and not the change in appearance. The answer to this argument is that there are several texts and arguments on its prohibition, which are hereby explained in detail. Saying that in this verse, "خلق" means religion and not appearance is a proof of ignorance from the context of the verse. It has been told earlier in the verse about Satan, that "I will command them, they will tear off the ears of the cattle". There, the ears of the chattels are referred to, which are obviously apparent organs, therefore, it is clear, that the appearance of the creation is meant in the verse. The said verse is: "وَأْمُرْهُمْ فَلْيَبْتَئِكُوا آذَانَ الْأَنْعَامِ وَلَا مَرْهَمَ فَلْيَغَيِّرَنَّ خَلْقَ اللَّهِ".⁹ translation: And I will order them to cut off the ears of cattle, and I will order them to change the creation of Allah.

Similarly, claiming that sex-change is not a change of the creation of Allah Almighty, but changing the condition of the patient, is an argument of low understanding, because even a common man can understand that when female's genital organs are replaced with male's genital organs and vice versa, this is certainly a change in the creation of Allah Almighty and not a change in the condition of the patient. Moreover, after changing the sex, the man will perform the responsibilities of woman and the woman will perform the responsibilities of man, including the appearance of clothing, posture, and changing all other related things,

which is in fact changing the creation of Allah and “imitation of the opposite sex”, and is impermissible and haram according to Shariah.

5. The fifth argument asserts that “تشبه” (imitation) refers to similarity in dress, adornment, conversation and behavior, it does not mean changing sex, so it is not included in the threat of imitation promised in the hadith. The answer is that “تشبه” (imitation) has been cursed and the word occurred in the hadith of Bukhari is extended and not restricted, therefore, there is no reason to confine it to the aforementioned four things.

6. The sixth argument asserts that leaving the sexual patient in the same condition, means that he has to bear severe psychological, physical and social harm. Therefore, it is necessary to remove this harm. The answer is that such people are not as harmed in staying with their real sex as compared to the physical and psychological harm in changing their sex. Allah Almighty has blessed each sex with proportional organs which performs its function accordingly. As there is difference in the length and width of the hands, feet, joints and face of women and men and the operation process is restricted to certain limited parts of the body, therefore, by changing sex, a third type comes into existence which becomes neither a perfect man nor a perfect woman, and thus goes through physical harm. Likewise, though the sex is changed driven by impulse, it also results in psychological harm as the person is not accepted in the society and becomes victim to inferiority complex later on. It not only becomes a bad example for the society but also has collective bad effects on it.

In short sex-change is only a method to fulfill one's sexual desire, which is a lame excuse for transgressing the limits of Allah, distorting the nature, giving preference to whims over Shari'ah, and bypassing the religious injunctions. It is neither psychological pressure, disease, necessity, nor physical or mental harm. It is simply a distortion of nature and a failed attempt of sexual gratification by illicit means.

Arguments against Sex-Reassignment according to Islamic Shariah:

The scholars who do not accept sex-change as permissible assert that Allah Almighty has made some of the human beings male and some female by His will. One should be satisfied with the distribution of Allah and must remain in the same sex that Allah has created him or her with. Changing it is forbidden and impermissible in Islam in ordinary situation and is in fact an objection over Allah's creation. Their arguments are mentioned below:

1. Changing the sex is misguidance, deception, changing the creation of Allah Almighty, befriending the devil and following his ways, which is a business of loss in this world and the hereafter, as the Holy Quran says:

And I will lead them astray, and I will give them desires, and I will order them to cut off the ears of cattle, and I will order them to change the creation of Allah, and the person who makes Satan his friend is in a clear loss.¹⁰

In this verse, the condemnation of the actions which the devil has embellished to misguide and mislead people has been described, which includes changing the divine creation as well.

2. It is evident from numerous verses that giving man and woman the shape and form is by the command and will of Allah¹¹. Therefore, changing the form and gender given by Allah, transforming a man to a woman and a woman to a man, is in fact interfering in the creation and craftsmanship of Allah and is a sort of objection upon his creation.

3. Sex of the human being is ordained by Allah Almighty and has been determined through divine scheme. Changing the law (scheme) of Allah Almighty is forbidden and a cause of inviting the divine punishment, just as the Jews violated the law of not hunting on Saturday, Allah Almighty transformed them to "monkeys" as Quran describes: "وَلَقَدْ عَلِمْتُمُ الَّذِينَ اعْتَدَوْا مِنْكُمْ فِي

"¹²السَّبْتِ فَقُلْنَا لَهُمْ كُونُوا قِرَدَةً خَاسِئِينَ | Translation: And indeed you know very well those who transgressed in the matter of Saturday, so, We said to them that they should become despicable monkeys.

4. Changing sex is a means of the culmination of human race and creating disorder on the earth which is forbidden as after changing the sex, though sexual intercourse is possible, however, the chain of birth and procreation ends. Allah Almighty says:

وَإِذَا تَوَلَّى سَعَى فِي الْأَرْضِ لِيُفْسِدَ فِيهَا وَيُهْلِكَ الْحَرْثَ وَالنَّسْلَ وَاللَّهُ لَا يُحِبُّ الْفُسَادَ"¹³

1 3 " Translation: And when he takes over,

he strives in the land to make mischief therein and destroy the crops and the offspring, and Allah does not like mischief.

5. Curse has been sent on those who personate as opposite sex according to the hadith. Hazrat Ibn Abbas (RA) said in this regard:

لعن النبي ﷺ المتشبهين من الرجال بالنساء والمتشبهات من النساء بالرجال¹⁴.

Translation: the Prophet (SAW) has cursed men who imitate women and cursed those women who take the form of men. This hadith has made it cursed and haram for men to adopt the appearance of women and vice versa. Change of sex is a means and source for this personation and the means of haram is also haram: "وسيلة الحرام حرام"¹⁵. Therefore, sex reassignment will also be cursed and forbidden (haram).

6. Abdullah bin Masud (RA) said. "Allah curses ladies who practice tattooing and who get themselves tattooed, and those who remove the hair from their faces and who make artificial spaces between their teeth in order to look more beautiful whereby they change Allah's creation." His saying reached a lady from Bani Asad called Um Yaqub who came to him and said, "I have come to know that you have cursed such and such (ladies)". He replied, "Why should I not curse those whom Allah's Messenger has cursed and whom are cursed in Allah's Book". The lady said, "I have read the whole Qur'an, but I did not find in it what you say." He said, "Verily, if you had read it (the Qur'an), you would have found it. Haven't you read? "And whatsoever the Apostle gives you, take it and whatsoever he forbids you, abstain from it". She replied, "Yes, I did," He said, "Verily, Allah's Messenger forbade such things." "She said, "But I see your wife doing these things?" He said, "Go and watch her." She went and watched her but could not see anything in support of her statement. On that he said, "If my wife was as you thought, I would have not kept her in my company¹⁶."

In this hadith, Allah has cursed the women who practice tattooing and who get tattooed, pluck the hair of their eyebrows, and who make artificial spaces between their teeth for the sake of beauty, and has declared it as, changing the creation of Allah. If such minor changes have been cursed then one can measure the severity of changing the organs prearranged by Allah. Tafseer al-Qurtubi writes in its interpretation that there are numerous hadiths cursing those who perform the above mentioned acts. These acts are among great sins and thus forbidden in Shariah. Though the jurists have a slight difference of opinion upon the reason behind its forbiddance, as some say that this is deception, while some other say, it is changing the creation of Allah, however, they are agreed upon its being forbidden in Shariah.¹⁷

7. It is narrated from Hazrat Ibn Abbas (RA) that the Messenger of Allah (SAW) cursed effeminate men (مخنث) and women who adopt a masculine appearance (مترجلات), and ordered: drive them out of your homes.¹⁸

Mulla Ali Qari (RA), says that Mukhannath (مخنث), are those men who imitate women in their behavior, clothes, henna application (make-up), voice and appearance, conversation and gestures. This act is prohibited because it is forbidden by Allah Almighty and is equal to change the creation of Allah. On the other hand Mutrajilat (مترجلات) are women who choose to resemble men in their behavior, appearance and voice etc.¹⁹

The above-mentioned hadiths make it clear that taking a slight and apparent resemblance of a man to a woman and vice versa is the cause of God's curse and is forbidden. Changing the sex is greater and complete resemblance, so how can it be lawful in Sharia's perspective?

8. Body mutilation (cutting off various parts of the dead body of the enemy, such as nose, ears, lips, etc.) is forbidden, as Mulla Ali Qari (RA) asserts that mutilation means cutting off limbs. Cutting off the limbs of a living Muslim without any " والمثلة: بضم الميم أى: وعن قطع الأعضاء".²⁰

genuine reason would be forbidden in the first place. The holy prophet (SAW) has forbidden Looting (زُهْبَة) and mutilation of bodies (مِثْلَة).²¹

9. During the operation for sex change, one has to repeatedly expose the private parts of the body without any valid reason, to the doctors, which is unlawful and haram. Hazrat Ali (RA) narrated that the prophet (SAW) said: do not open your thighs and do not look at the thighs of anyone; living or dead.²²

10. There is psychological, physical and social harm in sex change, as mentioned earlier. It is therefore, necessary to avoid it by following the hadiths of the Prophet (SAW). The Prophet (SAW) has said: it is not permissible to harm oneself or others.. Translation: "لا ضرر ولا ضرار".²³

Operation of Intersex (خنثى) and its Status:

A person who has both male and female genital organs or has no organ at all with a hole at the place of urination is called Khuntha (intersex or earlier called hermaphrodite). Transforming such person to either male or female through performing an operation has

some detail which is as follows. If any of the male or female symptoms are dominant, then according to that, the sex of such person would be decided as either male or female. The less dominant organ would be considered as vestigial organ. If such person urinates with penis he would be considered as male. Similarly if she urinates with vagina, she would be considered as female. If such person urinates with both the organs then importance would be given to the organ starting it earlier. If it could not be decided through symptoms then such person is called Khuntha Mushkil (خنثى مشكل).²⁴

The ruling for the former is that the jurists have allowed about a person whose organs are not fully visible or who has both types of symptoms, that his organs would be completed through surgery. If the male-symptoms predominate, the feminine-organs should be removed and if the feminine-symptoms are there and dominant, then the masculine-organs should be removed, so that his either sex is determined. On the contrary, for the later one the operation should not be rushed, because sometimes the symptoms of one side begin to appear or get dominant with the passage of time. This person however, would also be operated once his or her either sex becomes clear or gets dominant over the other.

Opinions of the Contemporary Jurists about Sex-Change:

Almost all the muftis (jurists) of the day have declared sex-change as impermissible and haram for normal people. Some of their fatwas are briefly mentioned here. Jamia Binuria Karachi has written in response to a question: "In the case of a woman becoming a man or vice versa, it is absolutely haram and impermissible and it is necessary for the Muslims to avoid it"²⁵. Mufti Mahmoodul Hasan wrote: "How would it be correct to change the characteristics of male to female and/ or to change the attribute of female form to male form? The specific purpose of the creation of both the sexes is lost in it and spitefulness of the change of creation of Allah is evident from the Holy Qur'an"²⁶. Jamia Uloom-e-Islamiyya Binuri Town Karachi's Dar-e-Ifta has written in response to a query: "Every person must live in the same sex as Allah has created him or her, changing it is illegal and haram"²⁷. Dar-ul-Ifta Jamia Qasmia Madrasa Shahi Moradabad, India, while answering this issue, writes: "Trying to change the sex of a man or a woman is absolutely forbidden and a source of curse".²⁸ Similarly, "Majjama al-Fiqh al-Islami Makkah Mukarramah" (مجمع الفقه الاسلامى بمكة) (المكرمة) has also declared it impermissible and forbidden in a resolution:

الذكر الذى كملت أعضائه ذكوره، والأنثى التى كملت أعضاؤها أنوثتها، لايجل تحويل أحدهما إلى النوع الآخر، ومحاولة التحويل جريمة يستحق فاعلها العقوبة لأنه تغيير لخلق الله، وقد حرم سبحانه هذا التغيير".²⁹

Translation: for the male whose masculine organs have been completed and the female whose feminine organs have been accomplished it is not lawful to change it to the other sex. Its attempt is a crime and is subject to punishment as it is change in the God's creation which has been forbidden by Shariah.

In the same way, the muftis of “Al Lajna al Daima lil Ifta” (الجمعية الدائمة للإفتاء) of Saudi Arabia (Abd al-Aziz bin Baz, Abdul Razzaq al-Afifi, Abdullah Qaoud and Abdullah bin Ghadiyan) have also given the same verdict, as they say:

"إذ اثبت ذكورتك وتحققت: فإجرائك عملية لتتحول بما إلى أنثى (فيما تظن) تغيير لخلق الله، وسخط منك على ما اختاره الله لك".³⁰

Translation: when your masculinity is proved and has become definite then your operation to change it to femininity (as you intention) is a change in the creation of Allah as well as deviation from what Allah has chosen for you.

Rulings about Those Who Reassign their Sexes:

Though the reproductive organs are transformed through operation, however, in reality the man remains man and the woman remains woman, as it is not possible for a man who becomes a woman to menstruate or get pregnant. In the same way it is not possible for a woman who becomes a man to excrete sperm and consequently have children. Thus the rulings will be issued about them as per their previous sex, even after the change of sex through surgery. If a person was male before sex-change he would be declared as male. Similarly if the person was female before sex-change-operation she would dealt as female. Darul-Ifta of Binuri Town, Karachi, has a detailed fatwa regarding its rulings, which is summarized as follows: "The change of certain organs in the human body is not a change at all and it is not something which can be termed as sex-change as per jurisprudence's jargon. It however, can be termed as a sexual change that its effect is manifested only in the location of the specific organs and its usefulness and capacity, the result and purpose of which is nothing but unnatural method of sexual delight. Such an unnatural sex-change cannot change the original and natural sex and rulings about it. It is in fact an amputation of organs and not a complete sex-change. It however, is termed as sex-change figuratively and not in a real sense as the jurisprudential meaning of sex-change cannot be derived from chopping off of some specific organs and attaining some of the attributes of the opposite sex. Since Shariah does not consider it as sex-change in real sense, so the rules related to it will not change either."³¹

Results:

Following are the results of this research work:

1. Sex- change refers to changing sex from female to male and from male to female through surgery.
2. There are various reasons and causes behind sex-change including psychological disorder, sexual lust, and fashion as well as social and financial gains.
3. It is forbidden and impermissible for a normal human being to change his or her sex as per Islamic Shariah.
4. Sex and gender of people with defective composition, will be determined by their dominant sex-organ, if the masculine organ is dominant, then it is permissible for him to

become a man through operation. Likewise, if the feminine organ is dominant, then it is permissible for her to become a woman through surgery.

5. In case of Khuntha Mushkil (خنثى مشكل) the operation should not be rushed, because sometimes the symptoms of either sex begin to appear or get dominant with the passage of time. This person would also be operated once his or her either sex becomes clear or gets dominant over the other.

6. After the change of sex, the same rulings will be issued which were before the change. If the person was male before the operation he would be dealt as male. On the other hand, one would be dealt as female if she was female before the operation for sex-change. Shariah does not consider mutilation of certain organs as sex-change.

Summary:

Many people today, in the western world are in search of sexual satisfaction through sex-change, i.e. male to female and female to male. Some Muslims also by following their footsteps, have started a struggle for sex-change. The reality of sex reassignment is to change male genital organs to female genital organs and female genital organs to male genital organs through surgery for sexual gratification. Some westernized people proclaim it permissible by declaring it necessity and compulsion, however, the Qur'an and the hadiths prove its illegitimacy and prohibition. The jurists have also declared it haram (proscribed). It is lawful however, only for the intersex to determine their either sex through operation as per their dominant sex-organ. Though, change in sex organs takes place through operation, nonetheless, in reality the man remains man and the woman remains woman, as it is neither possible for a man who becomes woman to menstruate nor for a woman who becomes man through sex-change-operation to impregnate. Apart from these facts it also has a lot of physical, spiritual and social damages.

After the change of sex, the status of pre-sex-change-operation would remain intact, so if the person was male before the operation he would be dealt as male. On the other hand, one would be dealt as female if she was female before the surgery for sex-change. Shariah does not consider transformation of some organs as complete sex-change.

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