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Sexualities: Transsexualities: Middle East, WestAfrica, NorthAfrica

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Sexualities: Transsexualities: Middle East, West Africa, North Africa

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Introduction

Some societies recognize the existence of a third gender. The American anthropologist Gilbert Herdt (1994) introduced the term “third sex” or “third gender” in the 1990s, and in Quebec, the anthropologist Saladin d’Anglure (1985) applied the expression “third sex” after anthropologist Robert Ranulph Marett (Czaplicka 1914, 7, Saladin d’Anglure 2017, 50). This term is not used within societies as such but constitutes an anthropological category, as various emic terms are given to these individuals in different societies and during different historical periods.

Many terms have existed in the Muslim world for these third-gender persons, and they have varied through space and time. In addition to discussing these terms, this article will include a discussion of the social practices behind them, enriched by literary and cinematographic examples. Although these cultural realities appear different at first glance, they possess many similarities, especially regarding the figure of the “effeminate man,” which is the most common.

Recent medical advances have made it possible for individuals to take hormones and undergo sex-change surgery (Fortier 2014a, 2014b). Differences of opinion

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between Sunni and Shi‘i Islam with regard to transsexualism will be analyzed. The situation of trans people—an umbrella term that includes individuals who identify as cross-dressers, transvestites, transgender, transsexual, or nonbinary, among other terms—living in Muslim countries will be presented.

Homosexuality, Third Gender, and *Khuntha* in Islam

It is impossible to speak about “third gender” and transsexuality in Islam without addressing the homosexuality and intersexuality with which they are associated (Fortier 2017a, 123). To clarify these concepts, which are confused in Islam, it is first necessary to return to Islamic texts (Qur’an, Sunna, fiqh) and to the etymology of the terms.

The practice of naming masculine homosexuality in terms of anal intercourse is common in the Muslim world. The word for sodomy in Arabic, *liwāt* (Bosworth, Lewis, and Pellat 1986), as well as the term for one who engages in it, the sodomite or *lūṭī*, is related to the name of Lūṭ (Lot). This refers to the story found in both the Bible and the Qur’an according to which the people of Lot were destroyed by God, presumably for being devoted to this practice, which was considered an “abomination” (*fāḥisha*). The Qur’an (7:78–81) states: “And Lot, when he said to his people ... : ‘See, you approach men lustfully instead of women; no, you are a people that do exceed (*musrif*)’” (Arberry 1980, 181). Although some gay Muslim scholars, such as the American historian of religion Scott Kugle (2010), affirm that this Qur’anic sura (verse) does not refer explicitly to homosexuality, this interpretation is still not popular among the general public and religious scholars in the Muslim world. Kugle and others have argued that punishment was incurred by God because the people of Lot engaged in rape and mistreated their women.

The Qur’an provides a clear affirmation of sex difference, as exemplified in the verse (92:1–4): “That which created the male and the female” (Arberry 1980, 595). Khalīl b. Ishāq al-Jundī, an eighth/fourteenth-century Sunni jurist, speculates about the status of the *khuntha* (hermaphrodite) in the last lines of his *Mukhtaṣar* (“Compendium”), which is a reference for the Maliki school of jurisprudence (1995, 453). As it is obvious that there are no “true hermaphrodites,” or people born with a physical body fully combining both sexes, the term hermaphrodite is used here to translate the Islamic legal concept. To speak of “intersex” in such a context would be anachronistic because this term is new and related to the West. What seems to pose a problem for the Sunni jurist is not so much a person’s sexual ambiguity as their gender ambiguity.

The need to identify an individual’s gender identity derives from the fact that men and women do not enjoy the same legal rights, in particular regarding inheritance (Sanders 1991, 74–95). Thus Khalīl b. Ishāq al-Jundī (1995, 453) tries to define the sexual characteristics of the person—the position of the urinary lacuna, the quantity and flow of urine, the thickness of the beard, the emission of sperm, and the appearance of menses and breasts—in order to determine whether

the hermaphrodite is a man or a woman. But if it is impossible to decide this at puberty, Khalīl b. Ishāq al-Jundī asserts that the *khuntha* has the right in inheritance to half a man's share and half a woman's (ibid.). The *khuntha* is thus considered, in this context, as half man and half woman, belonging to both categories. In this case, there is indeed the recognition of a third gender. Islamic jurisprudence does not refer to an emasculation that would make the hermaphrodite body feminine; there is no need to mono-gender this hermaphrodite body (Fortier 2014a). But Khalīl b. Ishāq al-Jundī recognizes it as a bi-gendered body with a special legal status different from that of men and women. Although it is not well known, this Islamic jurist creates a third legal status for hermaphroditism—that is, for what we would call intersex (Fortier 2017c).

Medinese Effeminates (*Mukhanaths*)

Already in Medina at the time of the Prophet, in the first/seventh century, the classical Arabic term *mukhannath*, meaning “the effeminate,” was known through a hadith stating that Muhammad “cursed effeminate men (*al-mukhannathin mina al-rijal*) and mannish women (*al-mutarajjilat min an-nisa*)” (Nawawy 1991, 435). The etymology of this term refers to sweetness, curvature, and languidness, qualities that were considered specific to women (Bouhdiba 1979, 55). We find the same Arabic trilateral root *kh-n-th* in the word *khunthā* which designates the “hermaphrodite” in Muslim jurisprudence (*fiqh*).

This hadith provides evidence of the existence of men exhibiting effeminate behavior. The *mukhannath* did not necessarily cross-dress but demonstrated erotic movements and feminine ways of speaking (Lagrange 2008). As American historian Everett Rowson affirms: “There is considerable evidence for the existence of a form of publicly recognized and institutionalized 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” (1991, 671). They also practiced music, singing, and dancing (ibid., El-Feki 2013). In addition, these effeminate men could marry and have children (Mezziane 2008, 218), insofar as they were obliged, like everyone else, to perform their social and religious duties relating to marriage and reproduction (Fortier 2001, 2007, 2010b, 2011, 2013a, 2013b), even if they were not interested in women sexually.

The figure of the Medinese *mukhannath* existed in the Persian, Ottoman, Arabic, and African worlds. Although this figure was referred to by a vernacular term specific to each society and historical period—with the exception of Iran, where until the nineteenth century the word *mukhannath* itself was used (Najmabadi 2005, 5)—these terms often have an Arabic root, indicating the Arab-Persian influence of the *mukhannath* figure throughout time and space. Furthermore, these various local figures shared characteristics similar to the *mukhannath*, such as being beardless. Facial hair was considered as an immediately perceptible element that

clearly demonstrated the physical difference between the sexes (Fortier 2010a, 95). The beard, and to a lesser extent the mustache (*shārib*) that is to some extent associated with it, were the visible marks of masculinity (Bourdieu 1972, 60 n4), and of the superiority that was attributed to men compared to women. Not to wear a beard could be considered a sign of effeminacy; a beardless man might be thought to fall short of the virile ideal. Another common feature of these different local figures was the practice of music, singing, and dancing, especially in ritual ceremonies, where they became objects of desire for men. The possibility of sharing both feminine and masculine spaces when such spaces were mostly gender segregated enabled them to act as matchmakers between men and women.

Afghan *Bacha Bereesh*

In Pakistan, Iran, Central Asia, and Afghanistan, there are *bacha bereesh* (“beardless boys,” in Dari or Persian dialect). A beardless boy is seen as “asexual,” feminine, and not totally masculine because facial hair is associated with masculinity, puberty, and sperm in many Muslim societies (Fortier 2010, 97–98). In Iran until the thirteenth/nineteenth century, beardless boys were also called by a specific name: *amrads* (Najmabadi 2005, 15). They were objects of adult male desire, and their beauty was praised in homoerotic poems and painted in Persian miniatures (ibid.). In Afghanistan, according to Tiruvaloor Viavoori (2018, 5), they were outlawed under the Taliban regime as they were identified as homosexuals, but after the US invasion of Afghanistan in 2001, the traditional *bacha bereesh* witnessed a resurgence.

Afghan *bacha bereesh* wear make-up and cross-dress to dance in front of mature men during marriages or other private ceremonies. During their dancing performances, they wear belts around their waists to highlight their swaying hips, together with arm and ankle bracelets bearing little spherical bells that give rhythm to their movements. The men present during these private parties compete in poems and money to acquire the most handsome boy of the evening, who is considered the object of desire. This activity is called *bacha bāzī* (lit., boy game, from *bacha*, “child,” and *bāzī*, “game”), and the men who play are called *bacha bāz* (De Lind van Wijngaarden and Rani 2011, 1064). In the Uzbek community of Afghanistan, this practice could also be called *bacabaozlik*, and the terms of address between an Uzbek dancing boy and his lover are *uka* (“younger brother”) and *aka* (“older brother”) (Baldauf 1990, 15).

In Afghanistan, pimps buy these boys from their parents when they are about eleven years old (Baldauf 1990, 15). Paradoxically, they sometimes offer to pay their dowry and wedding ceremony, because at puberty, *bacha bereesh* will stop their dancing performances to get married (ibid.). Pimps employ a master for one year to teach the *bacha bereesh* erotic songs and lascivious dances that they will perform in private circles in front of rich men who can pay for sex with them (ibid.). Although their consumption is forbidden by both Islam and the Afghan

state, hashish and alcohol circulate at these parties and are given to the young boys to disinhibit them. Far from being a shameful activity, having one's own *bacha bereesh* is a sign of prestige, honor, and wealth for a man in Afghanistan (ibid.).

The documentary film *The dancing boys of Afghanistan* (by the Afghan journalist and filmmaker Najbullah Quraishi, 2010), shows this reality—as does the novel *The kite runner* (by the Afghan writer Khaled Hosseini, 2003), which inspired a movie of the same title. Baldauf (1990) and Quraishi demonstrate the existence of a poetic tradition in Afghanistan that celebrates the beauty of boys as they dance during these private traditions, a tradition that includes references to romance and sexual pleasure. Young boys' beauty, in particular their hair and the way they dance, is praised in poems and songs, as is shown in these verses from Quraishi's documentary:

Now come and join the world of sin,
Enjoy a life like sugar,
Beautiful boys with no controversy.
At this party shake your head,
Beautiful boy, comb your hair and come to me.
We love your dance and hair,
The clothes on your beautiful body.

As in Arabic and Persian courtship poetry, the language of love is commonly one of passion (Fortier 2004a, 76, 2004b, 241), where the lover “becomes crazy” and can “die from love”: “I'll either reach my lover / Or drown in the river.”

The following poem, also featured in Quraishi's documentary, refers explicitly to the underage status of the boy and to the idea of meeting his father as if he were a girl to marry:

His body is so soft,

His lips are so tender.

He's touching the boy

With his cotton clothes.

Where do you live?

So, I can get to know your dad.

Oh boy! You've set your lover on fire.

A poetic joust to win the most beautiful *bacha bereesh* can arise between men on the occasion of these meetings, during which they express their feelings in a tender and sensual way by referring to the young man in terms of his physical characteristics—in the case of this excerpt from Quraishi's documentary, having a golden tooth:

One man says:

“The one with the golden tooth,

Where are you?

Why don't you come?

I want to put my head

On your tender breast.”

Another man says to challenge him:

“Oh, my beloved, my beloved, my beloved.

My beloved, let me hold you by myself,

Let me put my arm around you and kiss you.”

According to De Lind van Wijngaarden and Rani's research in Pakistan, the cultural difficulty for unmarried Pakistani men to have social or sexual relations with women seems to encourage such relationships and cultural practices as *bacha bereesh*. Male relationships with women

outside of marriage are strongly discouraged, while physical affection between males is socially tolerated. One of the boys they interviewed said clearly: “Sex with women gives children. Sex with men gives pleasure, so the difference is quite explicit” (2011, 1075).

De Lind van Wijngaarden and Rani remark that in Pakistan the boys are so dear to their “masters” that they are made part of their lives, and most of all they take them into their homes and lift the *purdah* (curtain) of their wives and daughters with them, and the boys eat their meals at the same table with them as if they were part of the family. The *bacha bereesh* phenomenon in Pakistan is changing under the influence of globalization, with the exploitation aspects becoming more important and a decline in the cultural element of the phenomenon (2011, 1071).

Homosexual Unions in Siwa Oasis (Egypt)

Historically, gender segregation in the Siwi-speaking Berber society of the Siwa Oasis, Egypt, has been very strict—no man can see the face or hear the voice of a woman who is not his wife, sister, or daughter (Fortier 2012b, 78). Women remained in their high house of clay (*karshif*) and only ever went out to visit female relatives or for women’s ceremonies, and then they are dressed in a cotton veil (*tarfutet*) that covers them completely from head to foot, leaving only one eye uncovered (ibid.). Control of women is still so strong in Siwa that no relation between the sexes is possible before marriage. Men aged between 12 and 24 constitute an age class called *zaggalas* (club bearers). Fortier argues that because of this extreme segregation between the sexes, *zaggalas* often engage in same-sex relations (Fortier n/p). Until the thirteenth/nineteenth century, the fortified village of Shālī in Siwa was forbidden to the members of this age class (Fakhry 1990). As they are supposed to be incapable of controlling their sexual desire, they would create disorder (*fitna*) if they entered this village, where only women, girls, children, and married men lived (Fortier 2012b, 78). Gardens that are located away from houses are their domain (Battesti 2006a, 159).

Every garden is the property of a married man, and it was a tradition that each man would take a young *zaggala* to help him in the farming of dates and olives but also as a sexual partner (Fortier n/p). The *zaggala* then became “his boy” (*akubi*) (ibid.). This kind of relation could lead to unions legitimized by the boy’s father, to whom the owner of the garden paid a dowry superior to that given for a girl (ibid., Steindorff 1901, 12). Until 1928, it was not unusual for this agreement, which was sometimes called a marriage contract, to be written down, but after King Fu’ād I visited the oasis in that year, it became completely forbidden (Fakhry 1990 42). However, such agreements continued, but in great secrecy, and without being written down (ibid.). In Siwa society, not only women (Lévi-Strauss 1969) but also men can be exchanged by men, given that a father can decide to unite his son temporarily with a man in exchange for a dowry. Homosexual relations between *zaggalas* and owners are socially legitimate as long as they are framed by the payment of a dowry to the father (Fortier n/p). But if a boy is forced to have sexual intercourse

without his consent, he could complain to his father, who would call upon the intermediation of the shaykh of the Arūsiyya brotherhood (*ṭariqa*), so that the offender would compensate the father and promise not to do it again (ibid.). Nowadays this kind of relation still exists, but the owner of the garden pays the *zaggala* directly for his work and sexual services (ibid.).

These practices entailed anal sex (*atchouki*) (Cline 1936, 43), a sexual act that married women were presumed not to practice because it was not related to procreation. Furthermore, men regarded women to be essentially for sexual reproduction and young boys for sexual pleasure (Fortier n/p). Sexual roles within these homosexual relations were clearly defined: the owner was active (*tiwyi*) and the *zaggala* passive (*guayashik*) (Ford and Beach 1951, 132). The *zaggala*, by being passive, was supposed, like a woman, to be penetrated and was not expected to have an orgasm. In sexual relations, either homosexual or heterosexual, pleasure was thus considered possible only for the one who was active (ibid.).

The most desirable young men were those who had curves, particularly around the bottom—the male body part considered the most erotic by other men—and also those with chubby cheeks and round, hazel eyes (Ford and Beach 1951, 132). Although there is no particularly important poetic tradition in Siwa, a Siwi poet named Youssef Ahmed described in the 1980s the beauty of a young man, in particular his eyes, but also the shape of his flanks when they were revealed by his *jalabiyya* (long garb like a dress worn by men) (Fortier n/p). Although this poem is in the Berber language, similar to classical Arabic poetry, the first name of the beloved is pronounced Bid'allah (or “God’s slave” in Arabic):

Bid'allah, whose eyes are like a calf (Bid'allah tawan naghi),

His jalabiyya lifted up when he rode his bike towards Lamraghi (ishumar yuna Lamraghi).

In a longer version of this poem, collected by Fathi Malim (2001, 101), it is written, as in the Arabic poetry (Fortier 2018, 56): “O beautiful boy, you are the remedy of our sufferings.”

Masculine sociability in the garden was accompanied by the consumption of hashish and date alcohol (*'aragui*) (Battesti 2006b, 168). Boys sang and forced their voices at some moments as if they were shouting like women (Fortier n/p). Some lined their eyes with kohl (ibid.). Some wrapped a scarf around their hips to emphasize their feminine swaying and began to dance by making graceful gestures with their arms in the style of women, and others joined and danced together, smiling and touching each other (ibid., Ford and Beach 1951, 132). At one moment during the dance, they made certain movements peculiar to men, throwing themselves on the ground and moving their bottoms in rhythm as if they were mimicking a sexual act (Tsai 2013). Until the 1980s, the *zaggalas* cross-dressed in the streets during marriage ceremonies until they reached the age of 18 and were ready for their own marriage (Fortier n/p). Siwa was relatively

isolated and very remote. When a road was constructed in the 1990s, it began to open up to tourism. From then on, because of its homosexual tradition, gay tourists started to come and even settle in Siwa, with certain consequences on the life of their inhabitants in many aspects related to sexual commodification of young men's and boy's bodies (Fortier n/p).

Turkish *Köçeks* and Egyptian *Khawals*

The Turkish word *köçek* is derived from the Persian word *kuchak*, meaning “little,” “small,” or “young.” The *köçek* of the eleventh/seventeenth century was a handsome young boy who cross-dressed in feminine attire and was employed as an entertainer for dancing (Popescu-Judetzu 1982, 48, Van Dobben 2008, 43). Before that, male dancers were called by the Arabic/Persian term *raqqāṣ* (dancer), suggesting an Arabic or Persian influence of this third-gender figure. The culture of the *köçeks*, which flourished from the eleventh/seventeenth to the thirteenth/nineteenth centuries, had its origin in the customs of the Ottoman palaces, and in particular in the harems (Van Dobben 2008, 43). *Köçeks* were allowed into the harems because they were not yet considered men (ibid., 48). Their performances took place on the occasion of wedding or circumcision celebrations, feasts, and festivals, as well as for the pleasure of the sultans and aristocracy.

The *köçeks* were recruited from among the ranks of the non-Muslim subject nations of the Ottoman Empire, such as the Jews, Romani, Greeks, Albanians, Armenians, and others (Van Dobben 2008, 45). A *köçek* began training around the age of seven or eight and was considered accomplished after about six years of study and practice. A dancer's career would last as long as he was beardless—a characteristic already noted in other cultural contexts—and retained his youthful appearance (Shay 2005, 56, 2014, 25). The *köçek*'s style of music and dance imitated that of female entertainers and the outward appearance and behavior of women (Shay 2014, 30). In the first part of their performances, the dancers would move to slow music using a veil or a shawl (Van Dobben 2008, 48). The second part would be livelier, and the dancers would shimmy their shoulders and hips (ibid.). Ottoman miniature paintings from the tenth/sixteenth to twelfth/eighteenth centuries show young boys around the age of ten or twelve with long hair, dancing in small groups and playing wooden clappers with their hands (ibid.).

European observers who saw the *köçeks* described them as suggestive, sensual, and attractive, affecting the movements and looks of women, and their dancing as “sexually provocative” (Boone 2014, 102). The *köçeks* were available sexually, often to the highest bidder, in the passive role (Ze'evi 2006, 86). In certain levels of Ottoman society, homoerotic sexual attraction was not a taboo subject (Van Dobben 2008, 32). With the suppression of harem culture at the end of the thirteenth/nineteenth century, *köçek* dance and music lost the support of its imperial patrons and gradually disappeared (Schmitt 1992, 84–85).

In accounts comparable to those of the Ottoman *köceks*, there were *khawals* in Egypt until the early thirteenth/nineteenth century (Boone 2014, 188). *Khawals* were effeminate young male dancers who performed with castanets. Their hands were painted with henna, their long hair dressed in braids, their facial hair plucked, and their faces decorated with make-up, especially kohl. According to Hanna (1988, 42), they cross-dressed and had the mannerisms of women dancers (*ghawazee*). In the streets, when not engaged in dancing, they often even veiled their faces, not from shame, but merely to look like women. They performed at functions such as weddings, births, circumcisions, and festivals. They were perceived as sexually available; their male audiences found their ambiguity seductive (Hanna 1988, 57–58). *Khawal* refers in dialectal Egyptian Arabic to their passive sexual role in anal sex.

Indian and Pakistani *Hijras*

Hijra (Punjabi, *khusra*), used in India and Pakistan, is an Urdu term of Arabic origin (Jaffrey 1996, 25) meaning someone who has emigrated or left his tribe or social group, which suggests the Arabic/Persian influence of such a third-gender figure. In Pakistan they are also known as eunuchs or *khwāja sara* in *urdu*, as they had been part of the Mughal court and harem (Frembgen 2011). *Hijras* can be of any religion: Muslim, Hindu, Sikh, or Catholic, but a lot of *hijras* are Muslims, especially in Pakistan but also in India, for example in Hyderabad, where the anthropologist Gayatri Reddy (2005) did her fieldwork.

Hijras perceive themselves as a distinct community with a special identity: “neither man nor woman” (Nanda 1990, 49–53). They are born as male and stand out through their female dress (*sari*) and effeminate behavior (Reddy 2005, 51). Some boys are taken or recruited from poor families by *hijras* at the age of six to be castrated at the age of fifteen or sixteen (Jaffrey 1996, 25, 37), and some *hijras* voluntarily choose this identity and castration (Reddy 2005, 75, 95, Revathi 2010, 22, 85).

When a young *hijra* leaves his family, he severs links with his caste, enters a new household, receives a new name, and is sometimes ritually initiated, through the removal of his genitals (Reddy 2005, 56–57, Frembgen 2011). Nowadays, some *hijras* are not castrated and may decide at some moment in their life to undergo this ritual to be reborn as a “real *hijra*” (Reddy 2005, 92–93). The ritual of emasculation involves the complete removal of the penis and the testicles (*ibid.*, 94). Traditionally, this emasculation was performed by *hijras* known as midwives (*daiammās*), but most *hijras* nowadays go to biomedical doctors (*ibid.*).

Hijras belong to a guru, who often exploits and controls them and sometimes abuses them physically (Reddy 2005, 159). A new entrant into the *hijra* community in India goes through a ritual (*ibid.*, 157–60). In Pakistan, in the presence of a larger group of *hijras*, the left nostril of the female-dressed disciple is pricked with a needle by her guru and a black thread is passed through (Frembgen 2011). The new disciple is then presented with shawls and money to buy bangles by

all those present (*ibid.*). Within the caste hierarchy of the *hijras*, those gurus with the largest number of disciples (*chelas*), and the most beautiful, female-looking among them are ranked in the highest positions (*ibid.*). It is considered essential for a guru to perform the pilgrimage to Mecca, after which he only wears white, or at least no loud colors (*ibid.*). In India, *hijras* wear green saris, the color of Islam for special occasions, and even burqas over their saris (Reddy 2005, 104).

Hijras in India and in Pakistan want to look as much like women as possible (Reddy 2005, 124). For this purpose, they adopt feminine names, wear saris, adornments, jewelry, and heavy make-up, and put henna on their hands. They speak in loud and high-pitched voices like women. They walk in a sensual way, adopting an exaggerated feminine hip-swaying walk (*ibid.*, 131). They sometimes make obscene gestures, which women cannot perform because of modesty. The physical feminization of their bodies is often limited to plucking their beards, shaving their bodies, and growing their hair long (*ibid.*, 126–28). Today, however, most of them take female hormones to develop breasts (Lal 1999, 128, Reddy 2005, 127).

Their activities consist in begging on the streets and singing and dancing during festivities such as the birth of a son, the ritual circumcision of a boy, and especially weddings and engagements, even if not officially invited to do so, to ensure fertility and good luck (Reddy and Nanda 2009). Singing and handclapping is accompanied by the playing of a small drum. The language of these fertility songs is often rude and full of sexual innuendo. When a new house is built or a new shop is opened, they will also appear and perform, playing an auspicious role by blessing and bestowing fertility. People will give them money when they ask for it, because they fear their power to curse and thus to confer inauspiciousness. If somebody dares to turn them away without giving any money, they will clap their hands loudly in strong rhythms and shout abusive curses to frighten him (Reddy 2005, 55). *Hijras* are believed by Muslims, Hindus, Sikhs, Catholics, and others in South Asia to have sacred powers.

In addition to these rites of passage, *hijras* are also invited to private, male-only parties where they sell sex. Some eke out a living in circuses, dancing in the “well of death” surrounded by motorbikes roaring round the vertical walls of the drum. According to their customary rules, *hijras* in Pakistan have to hand over one-third of their income and gifts such as jewelry and sweets to their guru (Frembgen 2011). Some have lovers or “husbands” that they meet sometimes (Reddy 2005, 64). Like wives, they generally perform women’s work for their “husband”: cooking, sewing, cleaning, and passive sex (*ibid.*, 74).

In Pakistan, the right to include “T” for trans on their identification document was acquired by the *hijras* in 2010—after the Indian state of Tamil Nadu, which approved it in 2008, but before Nepal, which approved it in 2011. In 2018, the Pakistani parliament passed the Transgender Persons (Protection of Rights) Act, which established broad protections for trans people. They may choose to self-identify as male, female, both, or neither. They may express their gender

according to their own preferences, and they can have their gender identity of choice indicated on their identity documents. The act defines a “transgender person” as someone with a “mixture of male and female genital features or congenital ambiguities,” or a male who “undergoes genital excision or castration,” or, more broadly, “any person whose gender identity and/or gender expression differs from the social norms and cultural expectations based on the sex they were assigned at the time of their birth,” which allows people to self-identify as such. Discrimination based on gender identity in employment and public housing is forbidden under the new law. Nevertheless, this legal recognition does not change the reality of wide social stigma.

Omani *Khanith*

The Norwegian anthropologist Unni Wikan (1977, 1982) has described the *khanith* in Oman. The Omani Arabic term comes from the classical Arabic trilateral root *kh-n-th*, a root that also provides the words *khunthā* and *mukhannath*, as we saw above. Like the *mukhannath* of Medina, *khanith* are not cross-dressers, because wearing women’s clothes, including the mask (*batula*) and the veil that women commonly wear, could get them into trouble (Wikan 1982, 43).

Omani *khanith* behavior falls between that of men and women (Wikan, 1982, 27.). According to Wikan, although the facial expressions, voice, laughter, movements, and swaying walk of the *khanith* imitate those of women, *khanith* wear clothing that is a mixture of men's and women's styles. They wear the ankle-length tunic of men but are belted tightly at the waist as women would do. Men generally wear white clothing, women wear brightly colored, patterned clothes; *khanith* wear unpatterned colored clothes. Men wear their hair cut short and women wear it long; *khanith* wear their hair mid-length. Men comb their hair back from their faces, whereas women comb it diagonally from a center parting; *khanith* comb theirs forward from a side parting and oil it in the manner of women (ibid.). It is important to note that these descriptions of the behavior and styles of men, women, and *khanith* as described by Wikan refer to the overall dominant trends of the period he wrote in and have probably shifted tremendously over the years.

Thus, the *khanith* demonstrate their intermediate gender role in many aspects of their public self-presentation. They are regarded by Omanis as neither men nor women, but with characteristics of both. *Khanith* are born as boys; they have male genitals and do not, like the *hijras*, practice castration. *Khanith* have masculine names and are referred to in the masculine grammatical gender form. Under Islamic jurisprudence they have all the rights of a man. They also worship in the mosque with men.

In other ways, however, *khanith* are like women. Their appearance is judged by standards of female beauty: white skin, shiny black hair, large eyes, and full cheeks. In Omani society, where women are in seclusion (*pardah*) and men and women are strictly segregated in social interaction, *khanith* are classed with women for many social purposes. They visit with women

where other men would not be allowed to do so, and they may walk down the street arm in arm with a woman. They do women's work in their households and are complimented and feel flattered by attention to their cooking and housekeeping abilities. And in this society, where eating is considered an extremely intimate act, they eat with women. Furthermore, on festive occasions they join the women in singing and dancing, and they can also play a matchmaker role between men and women. And significantly, only they, and never other men, are allowed to view the face of a bride on her marriage night.

As they are not subject to the feminine codes of modesty, they do not cover their hair (Fortier 2017b, 241) like women. And because their mobility is not controlled like that of women, they can freely move around outside their houses, though only during the day. As they are not considered men, they do not sit down with them in public and do not play musical instruments reserved for men. But they can sing, dance, and prostitute themselves for men. According to Wikan's research into their activity as prostitutes, they take the passive sexual role associated with being a woman. Indeed, in Oman one of the important distinctions between a man and a woman is that men take an active, penetrative role in sexual intercourse, whereas *khanith*, like women, are viewed as passive receivers. Because it is the active role in sexual intercourse that is the essential characteristic of a man, *khanith* are not men.

The most important reason *khanith* are considered "not men" has to do with the fact that in Oman, the definition of a man centers on sexual potency, demonstrated through marriage. On the morning after a wedding there must be public verification of the consummation of a marriage, by showing a bloody handkerchief which proves that the bride is a virgin. It is only by this public demonstration of his ability to perform sexual intercourse in the male role, as penetrator, that a person is validated as a man (Fortier 2012a, 61).

This definition of masculinity, however, makes it possible for a *khanith* to become a man. If he chooses to marry, and if he can demonstrate publicly in the approved way that he is indeed potent in the masculine sexual role, a *khanith* moves into the category of man. He is recognized as a man only if, once married, he manages to deflower his wife. That means that masculinity in this society is defined mainly by sexuality, and in this particular case by penetrative sexuality.

This gender identity is not definitive or fixed. When he asked about the gender role of a particular individual, Wikan (1977) was occasionally told "X was once a *khanith*, but now he is a man." And a *khanith* who becomes a man can become a *khanith* again, if his spouse dies, for example. This contrasts with the Western social and legal idea of fixed and irreversible gender identity, because a person can have been a boy and subsequently become a *khanith*, and then become a man, and even, although this is rarer, become a *khanith* again.

Mauritanian *Gūrdigan*

The figure of an effeminate man exists in the Moorish society of Mauritania under the Wolof term *gūrdigan*, which means “man-woman.” It is composed of the term *gūr*, meaning “man,” and *digan*, meaning “woman.” One of the physical signs indicating femininity in this society, as in other societies discussed above, is the absence of a beard. The term for beard (*lahya*) in Moorish society, whose members speak an Arabic dialect called *ḥassāniyya*, is used to designate a man by metonymy. And the local expression for a man without a beard is related to the fact of being effeminate, *mistandhi*—from the Arabic *nisāʿ*, “woman.” Furthermore, not only do *gūrdigan* shave their beards, but as women, they epilate their forearms (Fortier 1998, 212).

In addition, they possess certain characteristics of women like corpulence, in a society that practiced force-feeding until the 1970s (Fortier 1998, 209). They make effeminate gestures like hand movements and hip-swaying. They play an important part in marriage ceremonies, where they play tom-toms (*tbal*) and dance. They frequent feminine salons and play the role of entertainers and matchmakers between men and women. Although they do engage in same-sex acts, in a country like Mauritania where homosexuality is a taboo subject, some are married.

Gūrdigan also exist in Senegal (Broqua 2017). More generally, there are similar figures in other African countries (Murray and Roscoe 1997): *tché-té mouso-té* (“neither man nor woman”) in the Dyula of the Ivory Coast, *kodjo-besia* (the term *besia* evoking “the feminine inside the masculine”) in Ghana (Geoffrion 2013), *mke-si mume* (lit. the woman is not the man) in the Kiswahili of the African east coast (Gueboguo 2006), and the *dan daudu* (“the sons of Daudu”) in Hausa, referring to men who act as women and have sexual intercourse with other men in Nigeria (Gaudio 2009).

Afghan *Bacha Posh*

If men who tend to be perceived as women exist in these societies, the opposite is much rarer. *Bacha posh* (lit. dressed up as a boy, in Dari or dialectal Persian) are Afghan girls who, from the age of about eleven, are obliged by their parents to dress like boys, have their hair cut short, and go without the scarf that other girls wear (Nordberg 2014, 9). They can behave like boys, play sports outside the house, and do not need to perform domestic chores like other girls (ibid.). For parents who only have girls, having one of their daughters pretend to be a boy, allowing her to go out more freely in the masculine public place (Fortier 2012b, 73–74), is important as it provides the family with help in work or shopping. They can also escort their mothers to places they she could not go without their husbands or sons. Thus *bacha posh* are widely accepted in society as they are seen as a solution to the problem of not having a boy in the family (Nordberg 2014, 7).

The *bacha posh* conform to parents' expectations, but as soon as the girls begin to have feminine physical attributes, their masculine way of life is supposed to end, and they return to the feminine domestic place to marry and procreate (Nordberg 2014, 7). Women raised as a *bacha posh* often have difficulty making the transition from life as a boy and adapting to the traditional

constraints placed on women in Afghan society. Many girls do not want to go back once they have experienced freedom as a boy. Some of them decide to confront family pressure and keep their menswear, like Ukmīna Manoori (2014). Manoori had an extraordinary male destiny: she waged war against the Soviets, assisted the mujahidin, and ultimately became one of the elected council members of her province (ibid.).

This practice has been the subject of numerous films, including *Osama* (an Afghan movie by Siddiq Barmak, 2003); the documentary film *Bacha Posh, you will be a boy my daughter* (by the French journalist Stéphanie Lebrun, 2012); and *Breadwinner* (an animated drama film by Nora Twomey, 2017, based on the best-selling eponymous novel by the Canadian writer Deborah Ellis, 2015).

The *Mustarjils* of the Marsh Arabs

In *The Marsh Arabs*, Wilfred Thesiger writes about women called *mustarjils*, an Arabic term meaning “becoming man,” among the ethnic group of Ma’dān (2007, 165) in the south of Iraq, in the Tigris and Euphrates delta. The Ma’dān said they became men because they were “women with men's hearts” (ibid.). This expression, which means that women have the character and behavior of men, also exists in the Piegan society of Canada (Lewis 1941, 174), but the anthropological context is very different, because in the Piegan case it concerns menopausal widows with the status of a man who can marry a woman (Héritier-Augé 1985, 16), whereas Ma’dān women with “men's hearts” were young and unmarried. A member of this community told Wilfred Thesiger (2007, 165):

A *mustarjil* is born a woman, Amara explained. “She cannot help that; but she has the heart of a man, so she lives like a man.”

“Do men accept her?”

“Certainly, we eat with her and she may sit in the *mudhif* [men’s meeting house]. When she dies, we fire off our rifles to honour her. We never do that for a woman. In Majid's village there is one who fought bravely in the war against Haji Sulaiman.”

“Do they always wear their hair plaited?”

“Usually they shave it off like men.”

“Do *mustarjils* ever marry?”

“No, they sleep with women as we do.”

Once, however, we were in a village for a marriage, when the bride, to everyone's amazement, was in fact a *mustarjil*. In this case she had agreed to wear women's clothes and to sleep with her husband on the condition that he never asked her to do women's work. The *mustarjils* were much respected.

It seems that it was the choice of these women to become men. Thesiger also cites the case of a man in Ma'dān society who dressed as a woman, practiced women's activities, and wanted to be castrated. The work of a couple of German anthropologists, Sigrid Westphal-Hellbush and Heinz Westphal (1962), is consistent with Thesiger's observations about *mustarjils*. They affirm that many *mustarjils* declare their decision to lead a manly life after puberty, and this decision is generally accepted without opposition from the community. The young girl, if she has not already begun to live like a boy, henceforth dresses as a man and procures weapons for herself to take part in hunting and war campaigns. But the acknowledgment of a *mustarjil* as a man refers exclusively to her lifestyle, as her status is still that of a woman, for rules of inheritance, for example. As Thesiger wrote, she cannot marry as a man but only as a woman to assume her maternal and procreative role, and she cannot return to her former manly life after that.

Sex Change or Reassignment Surgery Across the Region

In the West, terms to designate transsexuality have been developed only recently, more precisely in the nineteenth century. They are a recent development also in the Muslim world. According to Massad (2007), local activists, under the influence of international LGBTQI associations, have translated the Western term "transsexual" into Arabic as *mutaḥwwīl*, derived from the verb *taḥwwīl*, meaning "to transform or shift shape."

In Egypt, after the case of a student of al-Azhar University who had undergone surgery in the 1980s, in 1988 the Grand mufti (the highest government-appointed religious authority) of Egypt, Muḥammad Sayyid Ṭanṭāwī (d. 2010), issued a fatwa. Although the fatwa concerned a transgender person, in fact it authorized surgery not for transsexual people but for intersex individuals, because it concerned an operation aiming to "reveal the male or feminine organs hidden for purposes of treatment":

The rulings derived from these and other noble hadiths on treatment 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 treated, except by this operation. (Skovgaard-Petersen 1997, 318, see also Alipour 2017a, 95, and Tolino 2017, 235)

Consequently, surgery understood as uncovering an already existing nature (some would label it “intersex”) was legalized, whereas surgery arising from one’s personal desire to change sex was considered illegal. Intersex surgery is practiced in certain countries, like Egypt (Skovgaard-Petersen 1997, 320) or Tunisia (Redissi and Ben Abid 2013, 239), shortly after the birth of the child, as is the case in numerous Western countries, where it is, however, condemned by intersex associations on the basis that it violates the right to bodily integrity and individual autonomy (Fortier 2017c, 95).

The context behind the Egyptian fatwa helps to explain Ṭanṭāwī’s position. The case concerned a medical student at al-Azhar University originally named Sayyid who became Sally. Egyptian doctors decided to operate on her after having detected his “psychological hermaphroditism” (*al-khunūtha al-nafsiyya*) (Dupret 2001, 54, 2013, 266). This concept seems to be connected to the Muslim notion of physical hermaphroditism discussed above. Here, however, it was applied not to the anatomical plan but to the psyche. The equivalent in the West would be the psychiatric category of gender dysphoria developed by the psychiatrist Norman Fisk in 1970 (Fortier 2014b, 275, Fortier and Brunet 2012, 82), a condition that has since been removed from the categories of psychological disorders.

After Sally’s surgery, al-Azhar sued the doctors, on the grounds that they had practiced harmful mutilation (Skovgaard-Petersen 1997, 322). The mufti argued that the suffering of a transsexual person could be cured by psychological treatment rather than by surgery, which attacked the body’s integrity. Additionally, al-Azhar accused the doctors of having performed this surgery on her so that she could maintain legitimate homosexual relations as a transsexual. The doctors responded to this accusation by declaring that they had submitted her to an anal examination proving that she did not practice anal intercourse. This anal examination is also practiced by Egyptian police on presumed homosexuals to prove their “crime of sodomy,” even though there is no law specifically banning homosexuality in Egypt.

However, the Egyptian court agreed with the doctors, and Sally obtained her legal gender identity change, as identity cards in Egypt cannot be modified until successful completion of the sex change surgery. Despite this, the al-Azhar faculty of medicine, which is gender segregated, refused either to readmit Sally to the masculine section or to transfer her to the feminine section (Skovgaard-Petersen 1997, 323–25), so she lodged a complaint against al-Azhar for discrimination with the International Court of Justice of The Hague. It was only after a ruling of the Administrative Court that al-Azhar’s decision was revoked and Sally was allowed to take her final exams at any university (*ibid.*, 331).

More generally, in 2013, the Egyptian Medical Syndicate issued a new code of ethics that permitted trans people who could prove they have “gender identity disorder” to have “sex reassignment surgery.” Applicants are required to have carried out the relevant medical and hormonal checks and must have had a minimum of two years of psychiatric consulting, at the

end of which they obtain a report from the psychiatrist to confirm they have “gender identity disorder.” The committee that approves sex change surgery consists of five members, two psychiatrists, a urologist, a specialist in heredity and chromosomes, and a member of the al-Azhar board. “Sex reassignment surgery” is possible in Egyptian government hospitals, such as the Cairo University Hospital, free of charge. However, this is probably because al-Azhar often refuses to perform transsexual surgery. And some trans people do not come forward because they “fear the stigma of homosexuality” (Islam 2015).

Although Sunni Islam forbids the castration of eunuchs, Ottoman harems, which existed from 1300 to 1922, avoided the prohibition by performing this practice on slaves sold in Turkey by non-Muslims, in particular Christian or Jewish traders. The fact that they were castrated allowed them to guard the women in the harems without the risk of reproduction. Even there, eunuchs were characterized by their lack of facial hair and their feminine corpulence, and they also played the role of matchmakers between men and women (Cheikh Moussa 1982, 415).

In Turkey, where Islam is not the state religion, transsexual surgery performed within the framework of a medical protocol, which can end in a change of legal gender identity, has been practiced since 1988 (Zengin 2014, 57). It was not the case before this date, as is shown by the example of the transsexual singer Bülent Ersoy (b. 1952), who was affectionately nicknamed the “diva” or “oldest sister” by the Turkish public. Since 1988 as a result of this legislative change for transsexuals, she took advantage to return to her country to perform; she had been forbidden from doing so until that point after undergoing sex change surgery in London in 1981. Zeki Müren, a cross-dressing singer and actor (d. 1996), was very popular in Turkey; a museum is dedicated to him in Bodrum (Stokes 2010).

In North Africa, as in Turkey, cross-dressing singers such as the Algerian rai singer Cheb Abdou are very popular—Algeria is a country where it is common to see cross-dressing dancers in marriage ceremonies with the *shikhat*, women musicians (Virolle Souibes 1995, 90). In Morocco, in public places such as Jāmaa‘ al-Fnā’ square in Marrakesh, it is common to see cross-dressers dancing with tambourines while wearing black veils (niqab) on their faces so as not to be recognized (Bailleul 2015).

In Morocco, sex-change surgery already existed from the 1950s to the 1970s, initiated by a doctor who had settled in Casablanca, Georges Burou (d. 1987). He operated on Coccinelle (Ladybird) (d. 2006), a famous French music hall star in the cabaret “Le Carrousel” of Pigalle in Paris, at a time when in France no surgeon would agree to practice sex-change surgery because it was illegal (Foerster 2006, 98, Pruvot 2007, 187).

Although transsexual surgery is forbidden in Sunni Islam, it is licit in Shi‘i Islam. In 1976, Iran’s medical council limited surgery to intersex cases (Najmabadi 2014, 49), but this situation changed after the revolution in 1979 (Saeidzadeh 2016, 251). Transsexual surgery was allowed in

1982 by a fatwa issued by the Supreme Guide of Iran, Ayatollah Khomeini (d. 1989), at the instigation of a trans woman. This woman, Maryam Khatoun Molkhara (Tait 2005), wrote repeatedly to the ayatollah to explain her situation, that of “a woman imprisoned in a man's body” (Fortier 2014b). She asked him to authorize sex-change operations, which he did by a letter that became a fatwa: “There is no Islamic obstacle to sex change surgery, if it is approved by a reliable doctor” (Saeidzadeh 2016, 252). Maryam Khatoun was immediately given an Iranian veil or chador to wear (Najmabadi 2014, 165), even though she had not yet undergone sex-change surgery.

In fact, Khomeini had issued another fatwa on this subject long before, in 1964, in his *Tahrir al-wasila*, translated and quoted by Mehrdad Alipour (2017a, 96, 2017b 170):

It seems that male-to-female sex-reassignment surgery is not forbidden (*ḥarām*) [in Islam] and neither is the reverse operation, nor is it forbidden for a *khunthā* (hermaphrodite/intersex) undergoing [this surgery] to be attached to one of the sexes [female or male]; and [if one asks] is a woman/man obliged to undergo the sex-reassignment surgery if the woman finds in herself [sensual] desires similar to men's desires or some evidence of masculinity in herself—or if a man finds in himself [sensual] desires similar to the opposite sex or some evidence of femininity in himself? It seems that [in such a case] if a person really [physically] belongs to a [determined] sex, sex-reassignment surgery is not an obligation (*wājib*), but the person is still entitled to change his/her sex into the opposite gender.

At the beginning of 1984, judicial and medical institutions started to regulate the process of gender transition under the supervision of Iran's judicial power (Saeidzadeh 2016, 251). Many people interpreted this gesture as a recognition of transsexuals, but others saw this practice as an avenue to normalize and reify heterosexuality instead (Jafari 2014, 33). In a country where homosexuality is illegal, the legality of transsexuality pushes certain effeminate gays and lesbians to become trans (Bahreini 2008). Obeying a rigorous medico-psychiatric protocol that ends in a legal change of gender identity ensures that the transsexual surgery is taken care of by the government (Saeidzadeh 2016, 254). But, after having obtained a medical certificate, it is possible to live as a transgender person without necessarily going for surgery, as Afsaneh Najmabadi writes: “Legal and religious authorities know fully well that many certified trans people do very little, beyond living transgender lives, once they obtain their certification: at most they may take hormones” (2014, 175).

In Iran, FtM (female-to-male) transsexuals are more readily accepted than MtF (male-to-female) transsexuals, because becoming a man is considered upward social mobility, given the superiority of men in society. On the other hand, even after transsexual surgery, MtF

transsexuals are perceived as homosexuals and called by the pejorative Persian *kunis*, which references sodomy. The suspicion of homosexuality behind transsexuality remains a constant.

Conclusion

The clear segregation between the sexes that exists in some Arab-Islamic societies facilitates the existence of in-between gender figures (*mukhannath*, *khanith*, eunuchs, *gūrdigan*, etc.). These individuals are characterized physically by their lack of facial hair and their round forms and feminine body movements. They can enter feminine spaces because of their capacity to sing, play, and dance, particularly at marriage ceremonies, and also because their supposed lack of virility does not risk spoiling the virtue of women or creating illegitimate children (*zinā*). The fact that they can share masculine spaces as much as feminine ones has made them favored matchmakers between men and women.

Furthermore, in certain societies, the social duty of virginity before marriage and the idea that men have irrepressible sexual desires favor premarital homosexuality, which is accepted because it helps to reduce the sexual desire for women that might threaten society, on condition that this homosexuality is practiced discreetly and not claimed as an identity (Murray 1997, Whitaker 2006). It is also tolerated insofar as it is only temporary, as men must perform their social duty by entering into marriage.

However, in certain societies, as in Siwa or Afghanistan, this homosexuality may continue after marriage, as women's main sexual role is restricted to procreation and producing sons. Some boys (*köçeks*, *khawals*, *bacha bereesh*) are dedicated through their cross-dressing to entertain men and to satisfy their pleasure in a relationship based on domination, not only through age difference (adult/beardless) but also through gender (virile man/effeminate boy), social position (rich/poor), sexuality (active/passive), and perspective (male gaze / being looked at).

This category of boys (*bacha bereesh*) or effeminate men (*hijras* or *kusras*) is the product of certain masculine erotic desires, which, far from being socially repressed, are legitimate and are even considered a sign of virile potency associated with social power. Furthermore, allowing sexual relations with these boys rather than with women is a way to avoid the dangers of adultery and illegitimate descent inherent to any relation with a woman. And because these effeminate men are not subject to feminine codes of modesty, they can show themselves more active than women in seducing men and engaging in certain sexual practices that women refuse.

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