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### The Acceptance of Effeminates During the Prophet's Time According to the *Ḥadīth*

Abdul Rasydan Bin Mohamad Rusli\*, Ahmad Sanusi Bin Azmi\*\*.

**ABSTRACT:** An effeminate is a male who acts in a manner of the opposite sex. The Qur'ān records that acts of homosexuality existed since the era of Prophet Lūṭ PBUH. During Prophet Muhammad's time, there were effeminates present who lived amongst the Muslim society. The act of transvestism, however, is forbidden in Islam. Allah and His Messenger provided us with guidelines on interacting with such behaviours. Furthermore, Islam also enlightens us on the status of this group of Muslims. Thus, this research explains the *ḥadīths* of Prophet Muhammad SAW and its directives in relation to effeminates. This research also thoroughly discusses the *fiqh* of the *ḥadīths* from the scholars' point of view. The researchers only discuss *ḥadīths* that are considered as *ṣaḥīḥ* and *ḥasan*. In conducting this research, the qualitative content analysis method was employed. This research will explain the acceptance of Prophet Muhammad PBUH and his companions towards the effeminates. It also elaborates the understanding of the *ḥadīths* according to the scholars. The researchers found that there are sixteen *ḥadīths* related to the effeminates, from which fourteen *ḥadīths* are *ṣaḥīḥ* and two *ḥadīths* are *ḍa'īf*.

**Keywords & Phrases:** *sīrah*, *ḥadīth*, effeminates; acceptance of others; transvestites.

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## Introduction

Allah SWT created every living thing in pairs - male and female. Both genders have been assigned their respective physical differences, behaviours, and instincts.<sup>1</sup> The Holy Qurʾān and the *ḥadīth* of Prophet Muḥammad PBUH indicate that there are only two genders – male and female – in the creation of all living things. However, effeminates believe that even they were born as males, but essentially, the instinct of the opposite gender is trapped inside their bodies.<sup>2</sup>

The existence of effeminates or transvestites is one of the alarming Islamic issues in the contemporary time. Although it is undeniable that effeminates were proven to have existed since the time of Prophet Lūṭ PBUH,<sup>3</sup> the widespread of effeminates in today's society is overwhelming. In Malaysia, effeminates live peacefully where their human rights are not violated. They are able to socialise freely among the community. Although the existence of this community is not welcomed by most Muslims as they are seen to have transgressed the religious boundaries, some are of the view that effeminates have the right to choose their way of life as a human being. However, human must be guided by revelation from Allah SWT. Allah says:

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِيَ الْأَمْرِ مِنْكُمْ فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا﴾

Meaning: You who believe, obey God and the Messenger, and those in authority among you. If you are in dispute over any matter, refer it to God and the Messenger, if you truly believe in God and the Last Day: that is better and fairer in the end.<sup>4</sup>

Prophet Muḥammad PBUH forbade imitating the opposite gender.<sup>5</sup> Prophet Muḥammad PBUH as reported from Ibn ʿAbbās RA said:

أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَعَنَ الْمُخَنَّثِينَ مِنَ الرِّجَالِ وَالْمُتَرَجِّلَاتِ مِنَ النِّسَاءِ.

<sup>1</sup> al-Qurʾān, al-Hujurāt 49: 13.

<sup>2</sup> Michael B. J. & Kiira T, "What many transgender activists don't want you to know: and why you should know it anyway," *Perspectives in Biology and Medicine* 50, no. 4 (2017): 521.

<sup>3</sup> Syed Azharul Asriq, *Nabi Lut melawan LGBT, Nabi Syuib melawan kapitalis* (Selangor: Must Read Sdn Bhd, 2017), 61.

<sup>4</sup> al-Qurʾān, al-Nisā' 4: 59.

<sup>5</sup> Rowson, E. K. "The Effeminates of Early Medina." *Journal of the American Oriental Society* 111 (4), 671–693. doi: 10.2307/603399

Meaning: Prophet Muḥammad PBUH cursed men who imitate women and women who imitate men.<sup>6</sup>

### 1. Definition of Effeminates

According to the Oxford Online Dictionary, an effeminate of a man or a boy indicates looking, behaving or sounding like a woman or a girl<sup>7</sup>. In Arabic, the term *mukhannath* is often used to refer to effeminates. The term is also the one used in the *ḥadīth* mentioned above. In another *ḥadīth* reported by al-Bukhārī, the effeminates are also referred to as *Mutashabbihūn* (those who imitate).<sup>8</sup>

Effeminacy may have existed since the time of Prophet Lūṭ PBUH with the practice of homosexuality. This phenomenon has been indicated briefly in the Holy Qur'ān. The Qur'ān did not refer to the effeminates as *mukhannath* as in *ḥadīths*, but they were referred to as *Qawm Lūṭ*. Allah mentions in the Holy Qur'ān:

﴿وَلُوطًا إِذْ قَالَ لِقَوْمِهِ إِنَّكُمْ لَأْتُونَ الْفَاحِشَةَ مَا سَبَقَكُمْ بِهَا مِنْ أَحَدٍ مِنَ الْعَالَمِينَ ﴿٦٨﴾ أَيْنَكُمْ لَمَّا تَأْتُونَ الرِّجَالَ وَتَقْطَعُونَ السَّبِيلَ وَتَأْتُونَ فِي نَادِيَكُمُ الْمُنْكَرَ فَمَا كَانَ جَوَابَ قَوْمِهِ إِلَّا أَنْ قَالُوا ائْتِنَا بِعَذَابِ اللَّهِ إِنْ كُنْتَ مِنَ الصَّادِقِينَ ﴿٦٩﴾﴾

Meaning: And Lot: when He said to his people, 'You practise outrageous acts that no people before you have ever committed. How can you lust after men, waylay travellers, and commit evil in your gatherings?' the only answer his people gave was, 'Bring God's punishment down on us, if what you say is true.'<sup>9</sup>

In the Qur'ān, Allah SWT informs us about the chronology of the people of Lūṭ. In sūrah al-Shu'arā', Allah SWT mentions the story of Lūṭ's people who did not fear Allah and engaged in homosexual acts. From verse 161 until 169, Allah SWT records the dialogue between the Prophet Lūṭ PBUH with his people who denied his teachings:

﴿إِذْ قَالَ لَهُمْ أَخُوهُمْ لُوطُ أَلَا تَتَّقُونَ ﴿١٦١﴾ إِنِّي لَكُمْ رَسُولٌ أَمِينٌ ﴿١٦٢﴾ فَاتَّقُوا اللَّهَ وَأَطِيعُوا أَمْرًا وَمَا أَسْأَلُكُمْ عَلَيْهِ مِنْ أَجْرٍ إِنْ أَجْرِيَ إِلَّا عَلَى رَبِّ الْعَالَمِينَ ﴿١٦٣﴾ أَتَأْتُونَ الذُّكْرَانَ مِنَ الْعَالَمِينَ ﴿١٦٤﴾ وَتَذَرُونَ مَا خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا بَلْ أَنْتُمْ قَوْمٌ عَادُونَ ﴿١٦٥﴾ قَالُوا لَئِنْ لَمْ تَنْتَهِ يَلُوطُ لَتَكُونَنَّ مِنَ الْمُخْرَجِينَ ﴿١٦٦﴾ قَالَ إِنِّي لِعَمَلِكُمْ مِنَ الْقَالِينَ ﴿١٦٧﴾ رَبِّ نَجِّنِي وَأَهْلِي مِمَّا يَعْمَلُونَ ﴿١٦٨﴾﴾

<sup>6</sup> al-Bukhārī, Muḥammad ibn Ismail, *al-Jāmi' al-Saḥīḥ al-Musnad al-Mukhtaṣar min Ūmūr Rasūl Allah wa Sunanibi wa Ayyāmibi* (Kaherah: al-Maktabah al-Salafiyyah, 2009), 4: 72 (5886).

<sup>7</sup> Oxford Learner Dictionaries, "Effeminate," accessed May 25, 2020. <https://www.oxfordlearnersdictionaries.com/definition/english/effeminate?q=effeminate>.

<sup>8</sup> al-Bukhārī, *al-Jāmi' Saḥīḥ*, 4: 72 (5886).

<sup>9</sup> al-Qur'ān, al-'Ankabūt 29: 28-29.

Meaning: Their brother Lot said to them, 'Will you not be mindful of God. I am a faithful messenger to you. Be mindful of God and obey me. I ask no reward from you, for my only reward is with the Lord of the Worlds. Must you, unlike [other] people, lust after male and abandon the wives that God has created for you? You are exceeding all bounds.' But they replied, 'Lot! If you do not stop this, you will be driven away.' So, he said, 'I loathe what you do. Lord, save me and my family from what they are doing.'<sup>10</sup>

Thereafter, Allah SWT destroyed Prophet Lūṭ's people and his wife who disobeyed Allah SWT. Verses 56 to 58 of sūrah al-Naml also depict the same story as mentioned previously. Allah SWT The Most Knowing says:

﴿فَمَا كَانَ جَوَابَ قَوْمِهِ إِلَّا أَنْ قَالُوا أَخْرِجُوا آلَ لُوطٍ مِّنْ قَرْيَتِكُمْ إِنَّهُمْ أَنَاسٌ يَّتَطَهَّرُونَ ﴿٥٦﴾ فَأَنجَيْنَاهُ وَأَهْلَهُ إِلَّا امْرَأَتَهُ قَدَّرْنَاهَا مِنَ الْغَابِرِينَ ﴿٥٧﴾ وَأَمْطَرْنَا عَلَيْهِمْ مَطَرًا فَسَاءَ مَطَرُ الْمُنذَرِينَ ﴿٥٨﴾﴾

Meaning: The only answer his people gave was to say, 'Expel Lot's followers from your town! These men mean to stay chaste!' We saved him and his family- except for his wife: We made her stay behind and We brought rain down on them. How dreadful that rain was for those who had been warned.<sup>11</sup>

The Qurʾanic evidence shows that Islam never tolerates the homosexual practice. Although there are differences between homosexuality and effeminacy, the effeminacy may contribute towards homosexuality.<sup>12</sup>

## 2. Reported Ḥadīths which Are Related to Effeminates

There is a total of sixteen ḥadīths which are related to effeminates. Fourteen ḥadīths are *ṣaḥīḥ*, while the other two ḥadīths are *ḍaʿīf*. Some of the ḥadīths are repeated with different chain of narrators and some of them are stand-alone ḥadīths which only have one chain of narrators. The researchers focused only on the ḥadīths that are deemed as *ṣaḥīḥ*. While the *ḍaʿīf* ḥadīths will not be discussed by the researchers, but only quoted as per original Arabic text.

### 2.1 Ḥadīths Reported as Ṣaḥīḥ and Ḥasan

#### 2.1.1 Ḥadīths on cursing the effeminates

As mentioned previously, there is a ḥadīth that Prophet Muḥammad PBUH cursed any man who behaves effeminately and a woman who behaves manly:

<sup>10</sup> al-Qurʾān, al-Shuʿarāʾ 26: 161-169.

<sup>11</sup> al-Qurʾān, al-Naml 27: 56-58.

<sup>12</sup> Michael, "What many transgender activists," 521.

لَعَنَ رَسُولُ اللَّهِ ﷺ الْمُخَنَّثِينَ مِنَ الرِّجَالِ وَالْمُتَرَجَّلَاتِ مِنَ النِّسَاءِ.

This *ḥadīth* has been authenticated by all scholars who reported it. al-Bukhārī<sup>13</sup>, Abū Dāwūd<sup>14</sup>, al-Tirmidhī<sup>15</sup>, Aḥmad<sup>16</sup> and Ibn Ḥibbān<sup>17</sup> reported the *ḥadīths* in their books. All of the narrations originate from Ibn ʿAbbās RA. Ibn ʿAbbās was the only companion who narrated this *ḥadīth*. Besides, some of the scholars namely al-Bukhārī, Abū Dāwūd and al-Nasāʾī added further in their narration, that Prophet Muḥammad PBUH said, “Cast them out from your houses!”. al-Bukhārī also added that ʿUmar RA banished one of the effeminate.<sup>18</sup> But in the *ḥadīth* reported by Abū Dāwūd and al-Nasāʾī, they did not mention ʿUmar. Instead, they mention ‘there was a person.’

al-Bukhārī narrated the *ḥadīth* from Muʿadh ibn Faḍālah; who narrated from Hishām; from Yaḥyā; from ʿIkrimah; from Ibn ʿAbbās RA. Abū Dāwūd narrated from Muslim ibn Ibrāhīm; who narrated from Hishām; from Yaḥyā; from ʿIkrimah; who narrated from Ibn ʿAbbās RA. al-Tirmidhī reported the *ḥadīth* from al-Ḥasan ibn ʿAlī al-Khallāl; who narrated from ʿAbd al-Razzāq; that he narrated from Maʿmar; from Yaḥyā ibn Abī Kathīr and Ayyūb; from ʿIkrimah; from Ibn ʿAbbās. Ibn Ḥibbān said that he narrated from al-Ḥasan ibn Sufyān; from Muḥammad ibn ʿAbd al-Raḥmān al-ʿAllāf; from Muḥammad ibn Suwāʿ; from Saʿīd; from Qatādah; from ʿIkrimah; from Ibn ʿAbbās RA.

The narrations above show that al-Bukhārī, Abū Dāwūd and al-Tirmidhī narrated the *ḥadīth* on the authority of Yaḥyā, while Ibn Ḥibbān reported the *ḥadīth* on the authority of Qatādah.

Besides, al-Bukhārī also reported a *ḥadīth* which seems similar in meaning. He narrated from Muḥammad ibn Bashshār; who narrated from Ghundar; who narrated from Shuʿbah; from Qatādah; from ʿIkrimah; from the way of Ibn ʿAbbās RA:

لَعَنَ رَسُولُ اللَّهِ ﷺ الْمُتَشَبِّهِينَ مِنَ الرِّجَالِ بِالنِّسَاءِ، وَالْمُتَشَبِّهَاتِ مِنَ النِّسَاءِ بِالرِّجَالِ.

<sup>13</sup> al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, 4: 72 (5886).

<sup>14</sup> Abū Dāwūd, Sulaymān ibn al-Ashʿath, *al-Sunan* (Beirut: Dar al-Risalah al-ʿAlamiyah, 2009), 7: 291 (4930).

<sup>15</sup> al-Tirmidhī, Muḥammad ibn ʿIsa al-Sulami, *al-Jāmiʿ* (Beirut: Dar al-Garb al-Islami, 1996), 4: 487 (2785).

<sup>16</sup> Ibn Ḥanbal, Aḥmad, *al-Musnad* (Cairo: Dar al-Hadith, 1995), 3: 50 (2291).

<sup>17</sup> Ibn Ḥibbān, Muḥammad al-Tamīmī, *Ṣaḥīḥ Ibn Ḥibbān* (Beirut: Dar al-Maʿrifah, 2009) p. 1534 (5750).

<sup>18</sup> al-Bukhārī, *al-Jāmiʿ Ṣaḥīḥ*, 4: 72 (5886).

The *ḥadīth* stated that the Prophet Muḥammad PBUH cursed men who imitate women and women who imitate men. The *ḥadīth* is reported as authentic by al-Bukhārī with reliable narrators and unbroken chain.<sup>19</sup>

As a summary, the researchers' finding shows that there is a total of six *ḥadīths* reported by al-Bukhārī, Abū Dāwūd, al-Tirmidhī and Ibn Ḥibbān in their books with different chain of narrators, but from the same companion who is Ibn 'Abbās RA. All of the *ḥadīths* are considered *ṣaḥīḥ* (authentic) by the scholars.

### 2.1.2 *Ḥadīths on Casting Away Effeminates from Houses*

This *ḥadīth* is related to an effeminate who spoke with 'Abd Allah ibn Abī Umayyah in Ummu Salamah's house. After Prophet Muḥammad PBUH heard the conversation, he told Ummu Salamah to not let the effeminate come into her house again. The *ḥadīth* is reported as follows:<sup>20</sup>

... فَقَالَ الْمُخَنَّثُ لِأَخِي أُمِّ سَلَمَةَ عَبْدَ اللَّهِ بْنِ أَبِي أُمَيَّةَ: إِنَّ فَتَحَ اللَّهُ عَلَيْكُمُ الطَّائِفَ غَدًا، أَذَلِكَ عَلَى ابْنَةِ عِيْلَانَ، فَإِنَّهَا تُقْبَلُ بِأَرْبَعٍ وَتُذَبِّرُ بِثَمَانٍ. فَقَالَ النَّبِيُّ ﷺ: ((لَا يَدْخُلَنَّ هَذَا عَلَيْكُمْ)).

The *ḥadīth* reported that there was an effeminate that sat among the wives of Prophet Muḥammad SAW. As in this *ḥadīth*, Ummu Salamah narrated that the effeminate was talking about the physical characteristics of a woman in Ṭā'if to her brother 'Abd Allah ibn Abī Umayyah RA. The prophet heard what the effeminate said before telling Ummu Salamah to not let the effeminate enter the house anymore. Muslim also stated that from that particular time, the wives of Prophet Muḥammad PBUH started to wear veils when talking to effeminates.<sup>21</sup>

al-Bukhārī narrated the *ḥadīth* from 'Uthmān ibn Abī Shaybah; who narrated from 'Abdah; from Hishām ibn 'Urwah; from his father; from Zaynab binti Abī Salamah; from Ummu Salamah.<sup>22</sup> The second chain of al-Bukhārī is reported from al-Ḥumaydī; who heard from Sufyān; from Hishām; from his father; from Zaynab binti Abī Salamah; from Ummu Salamah.<sup>23</sup> The third chain of al-Bukhārī is narrated from Mālik ibn Ismā'īl; who narrated from Zuhayr; from Hishām ibn 'Urwah; from his father; from Zaynab binti Abī Salamah;

<sup>19</sup> Ibid., 4: 71 (5885).

<sup>20</sup> al-Bukhārī, *al-Jāmi' Saḥīḥ*, 3: 395 (5235).

<sup>21</sup> Muslim, Ibn al-Ḥajjāj al-Naysabūrī, *al-Musnad al-Saḥīḥ al-Mukhtaṣar min al-Sunan* (Riyadh: Dar Taybah, 2006) p. 1041 (2181).

<sup>22</sup> Ibid., p. 1041 (2181).

<sup>23</sup> Ibid., p. 157 (4324).

from Ummu Salamah.<sup>24</sup> Muslim narrated the *ḥadīth* from 'Abd ibn Ḥumayd; who narrated from 'Abd al-Razzāq; from Ma'mar; from al-Zuhrī; from 'Urwah; from 'Ā'ishah RA.<sup>25</sup>

In the chapter on Clothing, Abū Dāwūd also narrated the *ḥadīth* from Muḥammad ibn 'Ubayd; who narrated from Muḥammad ibn Thawr; from Ma'mar; from al-Zuhrī; from Hishām ibn 'Urwah; from his father; from 'Ā'ishah RA.<sup>26</sup> The second chain of Abū Dāwūd was narrated from Muḥammad ibn Dāwūd ibn Sufyān; from 'Abd al-Razzāq; from Ma'mar; from al-Zuhrī; from 'Urwah; from 'Ā'ishah RA.<sup>27</sup> The third chain of Abū Dāwūd was narrated from Aḥmad ibn Ṣāliḥ; from Abū Wahb; from Yūnus; from Ibn Shihāb; from 'Urwah; from 'Ā'ishah RA.<sup>28</sup> The fourth chain of Abū Dāwūd came from Maḥmūd ibn Khalid; from 'Umar; from al-Awzā'i; from al-Zuhrī; from 'Urwah; from 'Ā'ishah RA.<sup>29</sup> All of the chains of narrators mentioned are *ṣaḥīḥ*.

All of the narrations reported are *ṣaḥīḥ* and narrated either by Ummu Salamah or 'Ā'ishah RA. al-Bukhārī recorded this *ḥadīth* three times in his *Ṣaḥīḥ al-Bukhārī* with a different chain of narrators in each *ḥadīth*. All of the *ḥadīths* reported by al-Bukhārī were from Ummu Salamah RA. In *Ṣaḥīḥ Muslim*, the same *ḥadīth* was recorded from the way of 'Ā'ishah RA. Muslim reported only one *ḥadīth* in his book. Abū Dāwūd recorded the *ḥadīth* four times in his book, with different chains of narrators. All of the *ḥadīths* reported by Abū Dāwūd came from the way of 'Ā'ishah RA. There is a total of 8 chains of narrators reporting this particular *ḥadīth*.

## 2.2 Reported *Ḥadīths* Which Are Regarded as Weak

Ibn Mājah reported a *ḥadīth* on the punishment for calling a person an effeminate or a homosexual. The *ḥadīth* read:

"إِذَا قَالَ الرَّجُلُ لِلرَّجُلِ يَا مُخَنَّثٌ، فَاجْلِدُوهُ عَشْرِينَ، وَإِذَا قَالَ الرَّجُلُ لِلرَّجُلِ يَا لَوْطِي، فَاجْلِدُوهُ عَشْرِينَ."

The *ḥadīth* was reported by Ibn Mājah from 'Abd al-Raḥmān ibn Ibrāhīm; who narrated from Ibn Abī Fudayk; that he narrated from Ibn Abī Ḥabīb; from Dāwūd ibn al-Ḥuṣayn; from 'Ikrimah; from Ibn 'Abbās RA.<sup>30</sup> This *ḥadīth* is weak since there is a narrator

<sup>24</sup> Ibid., p. 72 (5887).

<sup>25</sup> Muslim, *al-Musnad al-Ṣaḥīḥ*, p. 1041 (2181).

<sup>26</sup> Abū Dāwūd, *al-Sunan*, 6: 201 (4107).

<sup>27</sup> Ibid., 6: 202 (4108).

<sup>28</sup> Ibid., 6: 202 (4109).

<sup>29</sup> Ibid., 6: 202 (4110).

<sup>30</sup> Ibnu Mājah, Muḥammad ibn Yazīd, *al-Sunan* (Cairo: Dar al-Hadith, 1998) p. 420 (2568).

by the name of 'Abd al-Raḥmān ibn Ibrāhīm. He was a weak narrator according to al-Dāruquṭnī.<sup>31</sup>

Apart from this *ḥadīth*, there is another *ḥadīth* recorded in *Jāmi' al-Tirmidhī*.<sup>32</sup> This *ḥadīth* also came from the way of Ibn 'Abbās RA, in which Prophet Muḥammad PBUH was reported to say:

"إِذَا قَالَ الرَّجُلُ لِلرَّجُلِ يَا يَهُودِيَّ، فَاضْرِبُوهُ عَشْرِينَ، وَإِذَا قَالَ يَا مُجَنَّثٌ، فَاضْرِبُوهُ عَشْرِينَ، وَمَنْ وَقَعَ عَلَى ذَاتِ مُحَرَّمٍ، فَاقْتُلُوهُ."<sup>33</sup>

The above *ḥadīth* was considered weak by al-Tirmidhī because of a narrator by the name of Ibrāhīm ibn Ismā'īl. Besides al-Tirmidhī, Ibn Ḥibbān, Ibn al-Jawzī,<sup>33</sup> al-Mubārakfūrī,<sup>34</sup> al-Albānī, also deemed this *ḥadīth* weak. This *ḥadīth* has a different chain of narrators compared to the *ḥadīth* reported by Ibn Mājah. Hence, it is considered as different *ḥadīth*. Both *ḥadīths* cannot be used as evidence due to their status.

### 3. Statistic of *Ḥadīths* Related to Effeminates

The researchers found that there are sixteen *ḥadīths* related to effeminates. There are six *ḥadīths* reported from the way of Ibn 'Abbās RA in which Prophet Muḥammad PBUH cursed one who acted effeminately, eight *ḥadīths* are reported from the way of Ummu Salamah RA and 'Ā'ishah RA forbidding effeminates to enter houses, one *ḥadīth* is related to the punishment for calling any Muslim as an effeminate or homosexual and one *ḥadīth* is related to the punishment for calling any Muslim as a Jew or effeminate. This is illustrated by the following chart:

<sup>31</sup> al-Dāruquṭnī, 'Alī ibn 'Umar, *al-Ilāl al-Wāridah fī al-Aḥādīth al-Nabawiyah* (Riyadh: Dar Ibn al-Jawzī, 2006) 14: 216.

<sup>32</sup> al-Tirmidhī, *al-Jāmi'*, 3: 129 (1462).

<sup>33</sup> Ibn al-Jawzī, 'Abd al-Raḥmān ibn 'Alī, *al-Mawḍū'āt min al-Aḥādīth al-Marfū'āt* (Riyadh: Adwa' al-Salaf, 1997), 3: 360.

<sup>34</sup> al-Mubārakfūrī, Muḥammad 'Abd al-Raḥmān, *Tuḥfāt al-Aḥwādī bi Sharḥ Sunan al-Tirmidhī* (Cairo: Dar al-Ḥadīth, 2000), 4: 392.

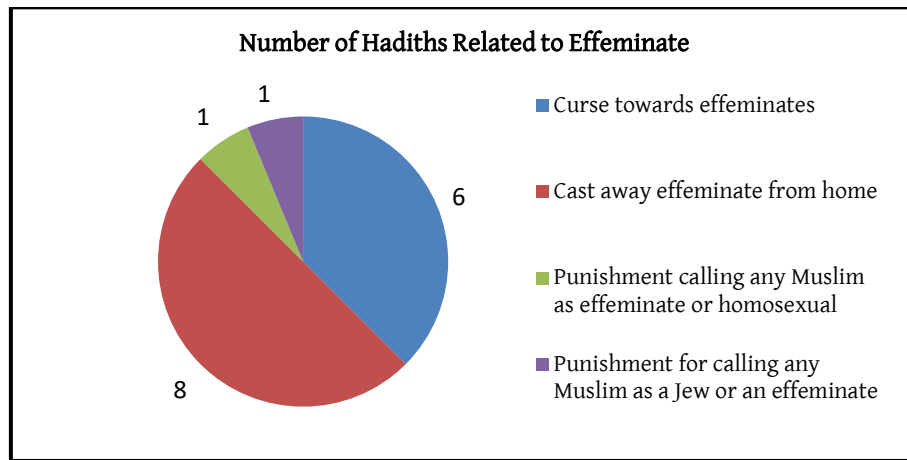


Chart 1: The numbers of *ḥadīths* related to effeminate

It is undisputable that Prophet Muḥammad PBUH cursed anyone who behaves like their opposite sex. The action of the Prophet and ‘Umar who chased out the effeminate from their houses support the *ḥadīth* mentioned. The banishment of the effeminate from houses was due to his observation of female physical body characteristics. This banishment, however, does not mean that any Muslims can call them with pejorative names. The prohibition from ridiculing the effeminate neither came from the *ḥadīth* narrated by Ibn Mājah nor al-Tirmidhī, but it is derived from the words of Allah SWT in the Holy Qurʾān:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَسْخَرُ قَوْمٌ مِّن قَوْمٍ عَسَىٰ أَن يَكُونُوا خَيْرًا مِّنْهُمْ وَلَا نِسَاءٌ مِّن نِّسَاءٍ عَسَىٰ أَن يَكُنَّ خَيْرًا مِّنْهُنَّ وَلَا تَلْمِزُوا أَنْفُسَكُمْ وَلَا تَنَابَزُوا بِالْأَلْقَابِ بِئْسَ الْأَسْمُ الْفُسُوقُ بَعْدَ الْإِيمَانِ وَمَن لَّمْ يَتُبْ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ﴾<sup>35</sup>

Meaning; Believers, no one group of men should jeer at another, who may after all be better than them; no one group of women should jeer at another, who may after all be better than them; do not speak ill of one another; do not use offensive nicknames for one another. How bad it is to be called a mischief-maker after accepting faith! Those who do not repent of this behaviour are evildoers.<sup>35</sup>

The *ḥadīths* reported from Ibn Mājah and al-Tirmidhī on the punishment for calling someone as an effeminate are not reliable. However, the Qurʾanic evidence informs us that verbally insulting others is prohibited in Islam.

The percentage of acceptable and rejected *ḥadīths* related to effeminate is shown as the pie chart below.

<sup>35</sup> al-Qurʾān, al-Ḥujūrāt 49: 11.

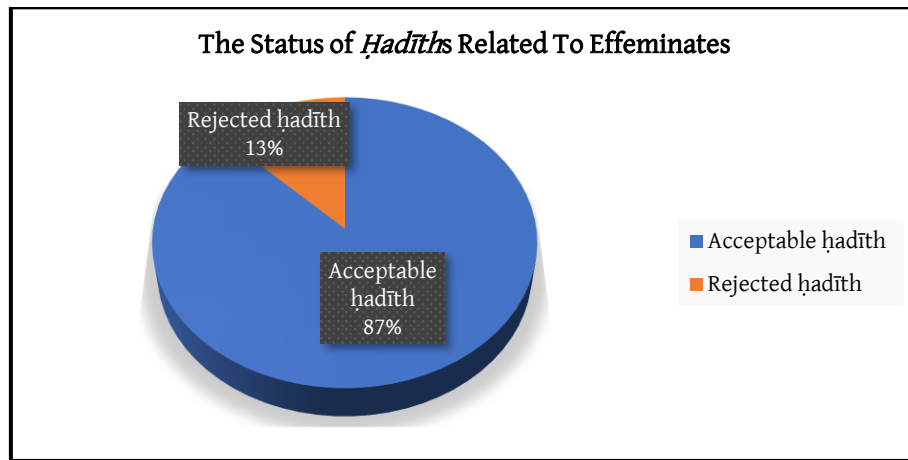


Chart 2: The status of *ḥadīths* related to effeminates

From sixteen *ḥadīths* discussed in the present study, 14 *ḥadīths* or 87% of the total *ḥadīths* discussed are authentic. All of the *ḥadīths* related to forbidding the effeminate from entering houses and the Prophet cursing effeminates are authentic. While the *ḥadīth* regarding the punishment for calling any Muslim as an effeminate or homosexual and the *ḥadīth* regarding the punishment for calling any Muslim as a Jew or an effeminate are weak, which consists of 13% of the total *ḥadīths* discussed in this research.

#### 4. The Lessons that Scholars Derived from Authentic *Ḥadīths* on Effeminates

The first *ḥadīth* on Prophet Muḥammad PBUH cursing effeminates was a general statement by the Prophet. The physical characteristics of the effeminates are not specifically mentioned by the Prophet. However, we can identify the physical characteristics of effeminates as they behave in a manner opposite to their gender. The acceptance of effeminates and the punishment for effeminacy are not mentioned in the first *ḥadīth*. Since there are Qur'anic verses and *ḥadīth* that curse effeminacy, it is sufficient to conclude that it is considered as a sin.

From the *ḥadīths* of *mukhannath*, the lessons that can be learnt are:

- a. Allah SWT and His Messenger curse the effeminates.

Allah SWT and Prophet Muḥammad PBUH curse any man who acts effeminately and any woman who behaves manly.

According to Ibn Ḥajar al-ʿAsqalānī, Muslim men are prohibited to dress and wear jewellery in likeness of the opposite sex. The dressing of male and female may vary depending on the culture. For instance, a female wearing a long sleeve t-shirt may be accepted by Malaysians, but not in Arabic continents. In Arabic continents, a female wearing a long sleeve t-shirt may be considered as

imitating men, which is not allowed based on the religious interpretation. Although there are some places where men and women dress in a similar fashion, the latter are obligated to cover their body in accordance with Islamic teachings.<sup>36</sup>

Besides, Ibn Hajar also discussed the ruling on imitating the voice of the opposite gender. He stated that when a person's natural voice is similar to that of the opposite sex, there is no burden of sin. But if it is done intentionally, then it is prohibited in Islam.<sup>37</sup> In a nutshell, Ibn Hajar highlighted that any intentional behaviour or action imitating the opposite sex is prohibited in Islam. As such, not all effeminates are blameworthy, but only those who intentionally behave as the opposite gender have committed a sin.

b. Constrain the influence of the effeminates.

The *ḥadīths* of the Prophet in which effeminates are casted away from houses are *ṣaḥīḥ*. The effeminate came to the Prophet's house and talked about the physical features of Ghaylān's daughter. Prophet Muḥammad PBUH being pious and polite, disapproved the way in which the effeminate spoke of the physical traits of a woman to others. This *ḥadīth* proves that some effeminates could be attracted to women, even though they act effeminately. As stated by 'Ā'ishah RA in her *ḥadīth*, Prophet Muḥammad's wives were initially allowed to take off their veils when communicating with effeminates, since they are categorised by the Prophet as the people of *ghayr uli al-irbah*.

Although the status of the *ḥadīths* is undeniably authentic, there is no intention of the Prophet to command every effeminate to be banished out from their houses. This opinion is supported by al-Nawawī when he was asked, "Are we supposed to banish effeminates from houses?" However, al-Nawawī also reported a narration from al-Wāqidī and Abū Manṣūr al-Bardādī that the Prophet banished an effeminate to a place called *Ḥamrā' al-Asad*.<sup>38</sup>

al-Nawawī explained that the effeminate who was banished by the Prophet was the same person mentioned in the previous *ḥadīth*. The majority of the scholars believed that the effeminate's name is Hīt. Hīt was banished on three grounds. Firstly, the Prophet assumed earlier that he is among *ghayr uli al-irbah*, but he was not. Secondly, he illustrated the physical traits of Ghaylān's daughter to a man, which is prohibited in Islam. This prohibition is also applied to women who disclose their spouses' physical traits to other women. Thirdly, he was

<sup>36</sup> Ibn Hajar al-ʿAsqalānī, Aḥmad ibn ʿAlī, *Fatḥ al-Bārī fī Sharḥ Ṣaḥīḥ al-Bukhārī* (Riyadh: al-Maktabah al-Salafiyyah, 1997), 10: 332.

<sup>37</sup> Ibid.

<sup>38</sup> al-Nawawī, Yahyā ibn Sharaf, *al-Minhāj Sharḥ Ṣaḥīḥ Muslim ibn al-Ḥajjāj* (Cairo: Muassasah Qurtubah, 1994), 14: 234.

exposed to women's *'awrah* whereby he could inform others about it as he did earlier.<sup>39</sup>

Hence, the *ḥadīth* indirectly informs us that a ruler may decide on any measures that rationally benefit the people. In relation to this issue, Prophet Muḥammad PBUH banished the effeminate to avoid negative effects on society.

- c. The *fiqh* related to the effeminates can be learned from the *fiqh* for men.

The *ḥadīth* on banishing an effeminate is considered *ṣaḥīḥ*. The *ḥadīth* is reported by Muslim with the addition: "Then the wives of Prophet began to veil themselves when talking to effeminates".<sup>40</sup>

The wives of the Prophet were commanded by Allah SWT to veil themselves when communicating with men who are not their close relatives.<sup>41</sup> According to al-Nawawī, before this incident, effeminates were free to communicate with the Prophet's wives without any veil. This was because the society assumed that effeminates were of the *ghayr uli al-irbah*. After the Prophet heard the conversation between the effeminate and 'Abd Allah ibn Abī Umayyah, he realised that the effeminates are among *uli al-irbah*. The Prophet then ordered that effeminates should be treated as normal men. The prophet also commanded his wives to veil themselves when communicating or interacting with effeminates.<sup>42</sup>

- d. The prohibition of describing the *'awrah* of a person to others.

According to al-Nawawī, the *ḥadīth* of Hīt is a clear indication from Prophet Muḥammad PBUH that Muslims are prohibited from describing the *'awrah* of a person to others. In the *ḥadīth*, Hīt told 'Abd Allah ibn Abī Umayyah about the physical traits of Ghaylān's daughter. Prophet Muḥammad PBUH heard the conversation and banished Hīt from his house.

- e. A husband may forbid his wife from inviting any person into his house.

In the *ḥadīth* of Hīt, Prophet Muḥammad PBUH forbade his wives from allowing effeminates to enter their houses. As an extension of the lesson of the *ḥadīth*, a husband may forbid his wife from allowing any person to enter his house.

<sup>39</sup> Ibid., 14: 235.

<sup>40</sup> Muslim, *al-Musnad al-Ṣaḥīḥ*, p. 1041 (2181).

<sup>41</sup> al-Qur'ān, al-Aḥzāb 33: 53-54.

<sup>42</sup> al-Nawawī, *al-Minhāj*, 14: 234.

## Conclusion

In a nutshell, the *ḥadīths* on effeminates prove that they existed during the Prophet's time. Prophet Muḥammad PBUH had left a guide on how to treat effeminates. Although the effeminates are not to be discriminated, a Muslim ruler should introduce measures to curb the negative influence of effeminates in the society. Several limitations were set by the Prophet to avoid the widespread of effeminates' influences. Prophet Muḥammad PBUH banished an effeminate after the effeminate spoke of the *'awrah* of Ghaylān's daughter to 'Abd Allah ibn Abī Umayyah. The banishment of the effeminates from Madinah showed that the Prophet acted in the interest of the citizens. Ibn Shihāb al-Zuhrī, one of the prominent *ḥadīth* scholars, opined that effeminates are categorised among persons who may leave significant influence on others.<sup>43</sup> In this case, Islam has provided a moderate solution being the religion that brings mercy to all the worlds.

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<sup>43</sup> al-Bukhārī, *al-Jāmi' Saḥīḥ*, 1: 231 (695).

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