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An Obscure Perception of Transgender in Islam: A Case of Hijra in Bangladesh

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Abstract- Religion-related stigma and discrimination towards transgender are common phenomena in the current world. Despite the legal recognition of hijra, those people were denied basic civil and human rights such as marriage or inherent property rights. Like many colonized countries, Bangladesh legal system has its roots in British colonial legacy. But, in case of marriage or inherent property law, Bangladesh follows the religious law of Islam. The Quran or Hadith do not have a specific guideline concerning transgender, and the Muslim countries do not follow any homogenous law due to the contextual cultural construction. This paper argues, without addressing the cultural practices of Islam, the proper conceptualization of transgender identity is not possible. Although it is also the case, only the Islamic perspective, will give us a narrow understanding of hijras who are one of the transgender communities in Bangladesh. To do so, this paper will analyze the dynamic relation between Islam and transgenderism in Bangladesh with a special reference to sharia law and explore the asymmetrical power relations to construct the reality of the 'Trans' as well as the cultural perception of the hijra in Bangladesh.

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I. Introduction

Often religion has been used to legitimise the ostracism of trans-individuals. Stigma and discrimination against transgender by religious practices have been documented on many occasions. A range of factors contribute to this stigmatisation and accompanying discrimination, including religious beliefs and societal values and norms, which together shape people's attitudes and behaviours toward sexuality and sexual relationships (Ngcobo, 2007; Aggleton, 2009). According to James Beckford (2001: 233), 'religion is less as a social institution and more as a cultural resource susceptible to many different users. Religion is a cultural universal with both positive and negative influences on the course of human behaviour (Paloutzian & Park, 2005). It is one of the fundamental aspects of human experience which constructing and guiding the human behaviour across the globe. Religion may have no importance for some individuals and, for others, may be a source of agony or may complicate their sense of personal identity (Furness & Gilligan, 2010). Moreover, religion-related stigma and discrimination towards transgender are common phenomena in the current world. The spotlight on religion and homophobia as well as on Islam and violent radicalism has been a continuous issue in the transgender discussion (Shah, 2016). Also, the scholarship on how Trans-individuals conceptualize or enact religiosity and Islam is very limited. This paper will analyze the dynamic relation between Islam and transgenderism with a special reference to sharia law. Islam doesn't have a clear law for transgender. Consequently, Muslim countries do not follow any homogenous law, rather the national culture and politics influence the transgender legal system in the Islamic world. This article will explore the dynamic aspect of sharia law about transgenderism with a focus on hijra in Bangladesh. Hijra is identified as transgender individuals in Bangladesh. Hijra refers to the non-gender conforming individuals who are typically born as male or intersex and tend to perform, what is considered to be femininity. This article will also address the asymmetrical power relations to construct the reality of the 'Trans' as well as the cultural perception of hijra in Bangladesh.

a) Data collection, analysis and research ethics

All the research data has been collected from one-year long ethnographic field research among the hijra in Dhaka city, as a part of researcher's PhD project. Multiple qualitative tools and techniques have been used for data collection, including participant observation; narratives inquiry; in-depth interviews about the religious practices of hijra in Dhaka city. Data that has been collected by in-depth interview has been analysed by a six steps thematic analysis method. Auckland University of Technology Ethics Committee reviewed the study proposal and gave permission for its implementation and all the participants signed an informed consent form. All information that may have revealed the identity of participants was changed.

Except for the introduction and conclusion part, this paper roughly sketched in four different sections. In the first section of this paper, it would give a short introduction to the relationship between Islam and transgenderism, in the second part of the discussion, the theoretical dilemma of religion and transgenderism would be addressed. The third section would be concentrated on the discussion of transgenderism in the Islamic world. And, finally, the fourth section would present the religious practice of hijra in Bangladesh.

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II. Islam and Transgender

In the Islamic theology, the heteronormative conception of gender, i.e. male and female, has been classified as a 'dimorphic gender classification' (Sachedina, 2009: 191). Islamic theology has been given high importance to the intention of Allah. According to this tradition, Muslims must be satisfied with all form of human being which has been created by Allah even if it deviates from heteronormative sex. Moreover, any attempt to alter the physical form is considered as contempt of Allah's will. That is why; both *Qur'an* and *Sunnah* (the proverbs, practices, and lessons of the Prophet Mohammed) acknowledge the existence of transsexuals and characterize this category as intersex (Ishak & Haneef, 2012).

According to the Sunnah, intersex was defined by the prophet Muhammad while he was determining the sex of a child who was born with two different sex organs. Based on the organs for urinates, Muhammad came to the verdict that the child was Intersex, which is known as *khuntha* (hermaphrodite) in Arabic (Abu Dawud (n.d), Vol. 4: 228). On the other hand, the asexual male attendants who are free of sexual desires classified as *mukhannath* (effeminates men). *Mukhannath* refers to a man whose voice tone resembles woman's voice (Ibn Manzur (n.d), Vol. 2: 145). Based on the Islamic ethos, Hanafis and Hanbalis, two sects of the Islam, think *mukhannath* are two kinds. The first kind has no feelings or desire toward women. The *Qur'an* ordains them to guard their chastity from all males except those within the lawful family circle (*Qur'an* 24: 31). Also, they can freely enter women's quarter as they have no desire toward women and if they are not involved in any anti-social behavior. Though the second kind is physically same as the first kind, they are morally corrupted (*fasiq*), and thus, should be barred from interaction with women (Al-Sarakhsi,1986, Vol. 12: 382).

Nevertheless, Islamic tradition also noted 'Allah cursed the males who appear like females and the females who appear like males' (Karim, 1994, Vol. 1: 613). Therefore, Islam does not condemn all type of *mukhannath* and it is flexible while dealing with the biological type of transsexuals. Ibn Hajar (1372- 1449), a medieval Sunni scholar, explains this issue further. He said the prophetic tradition's condemnation is restricted to those who consciously depart from the norm of their set genders with which they are born, and it does not encompass cross dressing or so-called behavioral abnormality. Rather, they need to be supported to re-adjusts themselves to their assigned gender roles (Ibn Hajar, 1985, Vol. 10: 332).

III. Theoretical Framework

Religion has an authoritative encouragement over various aspects of our sexual and the private life. Sexuality and sexual practices have always been one of the religion's most significant areas of influences (Olson & Cadge, 2002; Petersen & Donnenwerth, 1998). Religion and religious doctrines construct the social norms regarding what constitutes ideal patterns of sexual intimacy and these ideological systems also outline the sexual custom which constitutes an appropriate sexual partner. Trans individual's choices partner, affection, intimacy and sexual identities challenge conventional norms. Religion and religious communities often have been hostile spaces, and their efforts to integrate religion and sexuality are often shaped by conflict (Greenberg and Bystryn, 1982; Goodwill 2000; Schuck and Liddle, 2001; Rodriguez and Oullette, 2000; Sullivan-Blum, 2004).

In the study of sexuality, institutional influence and control over sexual behaviour is a long- running theme (D'Emilio and Freedman, 1988; Laumann et al. 2004). On the contrary, scholarship emphasises the existence of rigorous institutional control over sexuality and religious institution forces whose mechanisms work to uphold particular configurations of power (Foucault, 1978; D'Emilio, 1983; Chauncey, 1994). This control continues in incidental ways, as the individual internalizes values and self-regulates to conform to normative, institutionally- sanctioned behaviour. Other scholars argue for the futility of institutional rules and emphasise the evasion or transgression of them through history, as well as the continued flagging of their socialisation powers in monitoring sexual behavior (D'Emilio and Freedman 1988; Joyner and Laumann 2001). According to Laumann and colleagues (2004) institutions such as religion is related to social networks, space and sex culture – that structure norms and regulate behaviour and sexuality is not the primary concern of religion or any other institution. It is policed only when it threatens to disturb the institutional order. This paper will follow Laumann's argument to explore the impact of socialisation, social network, space and culture in the religious practice of hijra in Bangladesh.

IV. Transgeder in Islamic World

Religion and religious ideologies perform a significant role in forming the self-identity of trans individuals. The heteronormative conception of gender is compatible with all major religions. Any nonconformity from the heteronormative conception of gender usually causes marginalization of that person or community, whereas any religion and religious ideologies should have played an important role 'innaturalizingnot-heteronormative' (Alipour, 2015). This marginalization process is not confined in religious spheres only. It also marginalizes them in social, cultural and employment spheres too. Like the government of many western countries and predominant Muslim countries also playing an important role in naturalising the trans person. Their understanding and policies are diverse. In

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this section, I will attempt to explore the identity crisis and religious predicament of the Trans individuals posed by legal system and culture with a particular reference to Iran, Pakistan and Bangladesh.

a) Influence of Byzantine, Persian and Mughal Norm and Culture

In many ways, Byzantine, Persian and Mughal empires perception of transgender have influenced modern day Iran, Pakistan and Bangladesh. These empires have not only acknowledged transgender, but also, they have given a unique role for transgender in a society which has a profound influence in the Indian subcontinent. Abu Dawud's account state that Muhammad has acknowledged the intersex. It is difficult to have a complete picture of transgender's life in Islamic rule. Nevertheless, different sources confirm that Byzantine Empire, possibly most earliest, has not only acknowledged transgender but also, they have employed them. Byzantines appointed Mamluk, a group of transgenders, as guards of their *Herem khana* (Ishak & Haneef, 2014). These guards of *Herem khana* were called 'Khawaja Sara'. Peter and Gotz (1990), have mentioned that Mamluk was appointed in administrative and legal positions too. To clarify, the transgenders who changed their gender identity through sex reassignment surgery and believed that they feel trapped in the body of the opposite sex are called 'mukhannath' (Ishak & Haneef, 2014).

Similar information we find from the Mughal and Persian history. The Mughal rulers employed 'eunuchs' as the guard of their harems, and royal palaces that played a significant role in the social reorganisation of transgender (Nanda, 1999: 23). Jaffery (1997) thinks the Hindu transgender castration process spread across the region during the Mughal rule. It is to be noted that in the Indian subcontinent for much transgender community castrations play a significant role in the process of their identity formation and this is also the case for Bangladesh and Pakistan.

b) Sharia Law

Sharia means "path" in Arabic and generally, sharia law conduct all the aspects of Muslim life, including life style, sexual orientation, conjugal relations and religious practices (Johnson & Lauren, 2014). It is primarily originated from the Quran and the Sunnah. Sharia law is also used to address new issues. Islamic Sharia does not function equally in all the regions; rather different sects of Islamic have various types of practices in acknowledging the transgenders (Jami, 2005). The Sunni believes that it is illegal for a man to dress like a woman (Sahi Bukhari, 1986). Furthermore, they also believe Muhammad had forbidden man to castrate (Sahi Bukhari, 1986). On the other hand, the Shias are more liberal in the case of castration and sex reassignment surgery. Their understandings in such matters are different from that of the Sunnis. Iran is a Shia majority country, and in their sharia law, the heteronormative conception of gender is dominant. A trans person has to identify himself/herself as a male or female. Because of this reason, the state offers free castration surgery for the transperson (Najmabadi, 2011). On the contrary, Bangladesh and Pakistan are Sunni majority countries and their governments have acknowledged transperson as the third gender. However, transpersons are not allowed to castrate by Pakistani State policy and Islamic Sharia law (Jami, 2005; Najmabadi, 2011). Bangladesh does not have a specific law regarding castration surgery. We should also bear in our mind that even though Pakistan and Iran are two neighbouring countries, but their laws are not only different for sectarian reason, but there is also a social and cultural reason. Social, cultural and legal system impacts dramatically in the formation of transgender social and sexual identity. That is why, the experience and situation of every transgender are not a homogeneous throughout Islamic world rather it depends on regional, cultural and historical contexts (Coway, 2002).

Besides Islamic Sharia, patriarchy also affects the identity formation of the transgenders. Patriarchy defines the male and female identities regarding some "norms" where the physical attributes, characteristics, and roles are fixed (Shams, 2000; Winter, 2002). Considering all these, a transperson always has to undergo dialectics in his/her identity formation (Shah, 2016). When a transperson beholds both 'Muslim' and 'transgender' identities, s/he is being marginalized through inter sectionality in social and sexual scopes, as well as in religious sphere (Crenshaw, 1993; Schnoor, 2006). Even though the transgenders always desire to form self-identity by involving themselves with social and religious ideologies but in reality, they become alienated from mainstream culture and religion. Such a marginalisation process usually causes a further struggle for the transgender (Alipour, 2015). Dante (2015) has pointed out that in contemporary social structure religions are supposed to be a protective factor rather those institutions becoming a hindrance for the transgender.

Religious ideologies, state policies, law, social and religious institutions like schools, colleges, mosques, prayer halls, etc. influence and control the identity formation of transgender. But, legal system plays a vital role in acknowledging transgender's sexual orientation and gender identity, providing protection against hostility. However, in the Islamic world, Sharia law plays a significant role to construct the transgender identity and the following section covers the versatile practices of Sharia law among the Islamic countries in reference to Iran, Pakistan and Bangladesh.

i) Acknowledgement as Third/Other Gender

Sharia law of Iran does not recognize transgender as a separate gender, but both Bangladesh

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and Pakistan acknowledged transgender as 'other' or 'third' respectively whereas, transgender has not been acknowledging till today. In 2012, Supreme Court of Pakistan had declared transperson as 'third gender. That was a result of a long legal battle to include the third gender identity option on national identity cards. 11thNovember 2013 Bangladeshi cabinet passed a law which declared hijra, local term for transgender, as separate gender by following the other countries of south-east Asia. Nepal and India have given legal recognition to transgender before Pakistan. Pakistani Supreme Court has acknowledged transperson as 'third gender' on human rights ground thus the decision has not been given based on Sharia law. It is also true for Bangladesh. The state religion of Bangladesh is Islam, but Bangladesh government's decision to acknowledge transgender as 'other' gender is not based on Quran or Hadith. Rather, government has justified their decision by citing universal human rights principles.

ii) Inherited Property Rights

Islamic Property law has been followed by Bangladesh, Pakistan and Iran. According to the Quran, female gets half of male sibling of the inheritance property. Quran states-

> Allah chargeth you concerning (the provision for) your children: to the male the equivalent of the portion of two females, and if there be women more than two, then theirs is two-thirds of the inheritance, and if there be one (only) then the half. Quran, 4:11

Both Bangladesh and Iran are regulated by this principle. There are many cases in Bangladesh which show that the transgender are deprived of their inheritance property. Contrary to this, Pakistani Supreme Court has also declared the equal right to inheritance property for transgender. Meanwhile in Bangladesh, a war starts among the siblings for property. Hijras claim to have the portion of a son as they are born as men. On the other hand, all the male siblings are entirely against of this. Property creates a huge rift among the siblings. The flowing case might relevant to explain the fact. During my field work, I met with Sweety Hijra, (pseudo name), (50) who has filed a case on Human Rights Commission by demanding the portion of a son from her father's property as she was born as a male.

> Sweety (pseudo name) was born as a male. She went under a surgery and changed her identity. Everything was going alright in her life, but the problem arisen after mother's death. Her mother made a will where she divided her properties among her nine children, five sons and four daughters. She declared Sweety as her son and willed to give her the property portion of a son. But her brothers are against this will. They want to give Sweety, the property portion as a daughter to deprive her. The siblings started quarrelling and fighting. And then, Sweety filed an appeal on Human Rights Commission claiming the portion of a son as her mother willed before her death. According to her, 'I was born as a boy, my mother made her will claiming me as a boy, then why should I take less than I deserve? Why should I accept the portion of a daughter?' The case is still on process.

c) Right to marriage as Transgender

Like property law, Bangladesh, Pakistan and Iran are regulated by Islamic marriage law. Islamic marriage prohibits marriage between other than male and female. This law is still in practice among the Muslim countries. The state, according to religious views, promotes "normative belief" systems, where non-heterosexual conducts are considered as 'sins' and 'non-compatible' (Burke, 2016; Piller, 2016). Nevertheless, the state differs to some extent from religious ideologies in different contexts. Even if the state doesn't declare non-heterosexuality as sins, in its policy, it does not find such conducts acceptable. Hence, different Muslim states consider that homosexuality does not compatible with Sharia law, but they accept the situation and lifestyle of transgenders.

However, a group of Islamic clerics, named Tanzeem Ittihad-i-Ummat, declared that any act intended to "humiliate, insult or tease" transgender individuals should be considered a crime under Islam. Furthermore, they also noted-any transgender with "visible signs of being a male" can marry a nontransgender woman or a transgender woman with "visible signs of being a female." But a transgender person with "visible signs of both genders" cannot marry anyone, the fatwa stipulated (Solanki, 2016; Sahi, 2016). Although Pakistan is not regulated by fatwa, fatwa usually plays an important role in making public acceptance.

However, this situation is different in Bangladesh and any type of religious fatwa does not have any influence in the legal system. There is nothing written about the transgender marriage system in the constitution. Therefore, trans woman can get married with another man as a woman. And, the religious practice is comparatively unbound in the case of trans marriage.

d) Access to Religious Institutions

Religious ideology also influences the experience of a transgender about his/her self-identity and the formation of it (Shah, 2016). Even if a Trans person is a believer of Islam but various countries declines to accept their identity in the name of Islam. Trans persons are not allowed to enter into the mosques and other religious institutions with their actual gender identity. Although, it should be mentioned here that *Ibn-Rushd-Goethe-Mosque* in Berlin has opened their door for transgender, gay and lesbian over recently (Kinkartz, 2017). This is the very first mosque that allowed Trans person to enter and to pray. But this is not a common picture. Transgender activists in Islamabad, Pakistan are planning to build a new mosque which will welcome people regardless of their gender or sexual identity

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(Beirut, 2016). Whereas in Bangladesh, despite acknowledging transgender as the third gender, no such plan has announced or taken for hijras. Therefore, transgenders are forced to perform religious rituals in personal place, because the collective performance of religious rituals is limited for them by different religious rules (Dante, 2015). Hence, the transpersons feel separated from religious institutions, and such separateness reproduces their social inferiority, as well as alienates them from mainstream religious practice and in many ways forces them to practice personal religion (Pitts, Smith & Mitchel, 2008).

However, during the fieldwork, I have found many hijras to perform their prayer in their own place and they usually do not go to the mosque. However, some hijras go to the mosque by hiding their hijra identity in Friday to take the Jumma prayer. In Bangladesh, Muslim males are regularly going to mosque for their prayer. There are few mosques for women and only during the Eid celebration; the number of Muslim women goes to the mosque for their prayer. Moreover, no Muslim women are allowed to go to the regular mosque. But, in the case of a Tran's person, it seems very fluid and it depends on personal relations, network and the dress-up, rather than the sexual identity. To explain the facts, the following case might useful.

> Shimla (Pseudonym) is a self-declared hijra guru, she is 32 years old and she has many hijra dispels. She was born in old Dhaka city and she used to live in the area, where she was born as a boy and now she is a hijra as she has not had the penis anymore. She cut off her penis and imposes a silicon boob for being a hijra. The local folk used to know her as boy ten years ago, and now all of the people accept her as a hijra. She has a good connection with the local folk and the council members. All of her relatives are very influential in the area; she goes to the regular mosque by wearing a male dress and takes her *"namaj"* prayer with the other males regularly. No one has any objection for her presence in the mosque. She said, "This is all about the dress, each dress and get up has a particular meaning, when I will go for a dance program, I will not wear a casual dress. And, when I am going to sleep, I will not wear a party dress, so obviously, when I am going to take my *"namaj",* I will dress like a man as I born as a male. Even, I will cover my silicon boobs, and take my prayers like a man. So, we could stand in the front raw to perform our prayer beside a man. And, during the praying time, I would wear pyjama-Panjab and put on a turban. So, no one would raise a voice about my presence in the mosque. If we consider ourselves in *"sadrali"* (When a hijra use to wear a male dress is called sadrali") during the "*namaj"* and Hajj period, we can easily maintain our religious life"
>
> She also continued, "if I can manage a certain amount of money, I would perform the Hajj because we hijra has a dream to perform the Hajj in our life time to shift our identity from a hijra to a haji. And, during the Hajj time, hijras perform the Hajj like a man not as a woman, because Allah created hijra as a man and all the muslim hijra breaking Allah's rules by changing the gender identity. Therefore, in the Hajj, a hijra always beg for his forgiveness for changing her congenital gender identity with a belief that he will give her the mercy. And, therefore, during the hajj time, we should perform the Hajj like a man because we are born as a man. Why do we act or dress like a hijra while performing Hajj? We would never be going to perform Hajj like a hijra. Rather; we would act and dress like a man at that time by shaving our head and wearing the male cloths. All of us know that every task demands individual cloths. For an instance, the dancers use dancing costumes while he/she is performing only but never wears the same dress on his or her date. Likewise, if we want to perform Hajj, we have to perform it like a man to get an access to that sacred place. For me, it is all about the dress to be with Islam, nothing else".

Shimla also state that, In 'Hijragiri', the title 'Hajji' is of high reverence, for an example, when Shima hijra (Pseudonym) becomes Shima Hajji, she gets respect and honor. Whenever any Hijra performs Hajj, he becomes very popular among the Hijras. Performing Hajj makes the hijra leader more powerful. Also, in our hijra profession, we used to perform Hajj to achieve dignity among the other hijras. Everyone admires her. For this reason, sometimes, non-Muslims like Hindus even prefer to perform Hajj. In Bangladesh, there are few hijras, who took birth in a Hindu family but performing Hajj to get the dignity among the other hijra. And they are doing so just to be considered as Hajji. Being a hajji increases their importance amidst people the mainstream society gives respect to the hijra as well.

V. The Religious Practices of Transgender in Bangladesh

In Bangladesh, Trans woman are generally known as a "hijra". Hijra refers to the non-gender conforming individuals who are typically born as male or intersex and tend to perform, what is considered to be femininity and hijra is one of the sexual minority groups who are treated as a taboo. They are socially stigmatized in their everyday life. The majority numbers of citizen in Bangladesh are Muslims. And, Bangladeshi society does not stigmatized hijra because of religious ideology rather the male-female regulative gender norms create a boundary between the society and hijra. However, religious identity and religious practices sometimes create an access to enter them into the mainstream society. The following case study might help us to analysis the fact; how religious practices can be helpful for the Trans person to have access in the mainstream society.

> Priya (Pseudonym), 26 years old hijra, who ran away from her home because of the torture of her family. She was born as a boy but at the time of her adolescence period, both she and her family noticed the changing behavior of Priya. She was not like the other boy and used to love to wear and groom herself as a girl. And, like the other

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families, her own family treated her as a curse and she left her family and came to Dhaka city to join the hijra community. She has been living with the hijra community since last seven years. And, as she never considered herself as man, she went for emasculation and did her sexual reassignment surgery. While she was talking about her religious practices, she shared her following experience.

Once, while she was fasting during the Ramadan, she was waiting in the traffic signal to cross the road. As hijra used to collect money from market and traffic signal, one of a police surgeons thought, she was there to seek money from the passerby. Suddenly, one of the gangers reported the surgeon that his mobile phone was stolen and without wasting any time, the surgeon comes to Priya and started to check her body and told her to open her skirt. He suspected that Priya might keep the mobile under her skirt. She requested him not to pull her dress in front the public and the surgeon replied her "you, hijra, always put off your clothes and try to scare people to seek the levy and now you are doing a drama. You must have hidden the mobile under your skirt." And he forced her to pull off her skirt. After searching, he did not find any mobile over there.

Priya feel embarrassed and angry with the surgeon and loudly said that, "I am a Muslim and I was performing my fasting, as you made me pull off my skirt during the Ajan time, you broke my fasting and Allah will not forgive you ever for doing this sin" Priya's speech made the sergeant shocked and replied her "Are you a Muslim? Are you fasting? Please forgive me. I was doing my duty, but I should not forget my religious identity. A Muslim cannot treat another Muslim like the way I did. It was my fault; Ii admire that, I committed a sin and treat you like the other hijra who pull off their clothes for few amounts of money. You are a true Muslim, I am a Muslim too, and it was my duty to help you to continue the fasting. But I did a sin. I never thought a hijra can do fasting. You have changed my view about hijra from today. Accept my apology, please forgive me, I will not forgive me ever if you do not allow me to have a dinner with me. Priya was happy for the changing behavior of the surgeon and after that incident the surgeon also help her to take a prayer into the central mosque which she was never imagine in her life. Priya said that, "this is the religion which can give us the opportunity to live under a same roof. I have been always live a disrespectful life and by performing this religious ritual, and for the incident, I got some respect ever in my life from others.

a) Alternative religious Practice

In Bangladesh, hijra also performed some different alternative religious practices. Most of the hijra use to visit the shrines, performing all the shrines rituals and give charity among the poor and helpless in the name of certain pirs. There are various shrines of different Pirs in Bangladesh. And, hijra become the disciples of any of these pirs. Specifically, they become the disciples of the 'Ahmed Ullah Maizbhandari' of Chattagram and Hazrat Shah Ali of Mirpur, Dhaka. They organize different kinds of Islamic programs, one of them is known as 'Orosh'. They donate money as much they can. They spend a lot on these purposes. They believe that through this charity, they can seek forgiveness to Allah. Many hijra consider themselves as sinners as they did the sexual reassignment surgery and do not follow their birth assign gender role. One of my participants Mahi (Pseudo name), 40 years, said, "To peruse this hijra life against the wish of Allah and it must be a sin. So the question is that will Allah forgive them ever for this sin? It is a common feeling among the hijras in Bangladesh and therefore, I have found many hijras uses to take dispel ship of certain pirs. Hijra has a belief that, to be a follower and dispel of such a powerful and spiritualistic Sufis, they can be righteous and ensure the heaven after their death. In this occasion, the following case might give us some lights of the alternative religious practices of hijra in Bangladesh.

Sumi (pseudo name) is 35 years old hijra. She was born as a man. After realizing the truth about herself, she went to India for her reassignment surgery. According to her, as a Muslim, she should not have gone through the surgery. She believes that, Allah will not forgive her ever for her sin. She has gone against Allah's will. As she is not allowed to enter into the mosque, she has become a disciple of a Hajrat Shah Ali. She said, 'All the hijra went against Allah's will as he has created us as a man. And, we hijra lived like a woman. All the hijra are sinner in this sense.My life is also like a sin. Allah has made me a man, but I have gone against his rule. I went against his order and will. A huge punishment is waiting for me after my death. There is no such reason for Allah to forgive me. That's why I became a disciple of Shah Ali. And, I belief, he will beg forgiveness to Allah on behalf of me and it will be the only way of my redemption of this impious life. And, I have seen when I donate money by the name of Allah, help the poor, I got respect and you might wonder, how many people like me. This religious practice gives me the opportunity to incorporate myself with the mass people whereas exclusion is an obvious part of a hijra life. I can still remember that day, when I first try to enter into the local mosque; many Muslims do not allow me to take my prayers in the mosque as I am a hijra. But now things have been changed, I use to go to the shrine and I took my prayers in the front line with others. When I went to the shrine, all the people, the shoppers, the beggars, the Clarks who work in the shrine welcomed me and showed their respect. I got that respect in the shrine, which you might not get over there. Because shrine is open for all, but the mosque is not.'

VI. Conclusion

To conclude, even though the gender roles of men and women are clearly stated in Islam, the role of transgenders are not defined at all. Byzantine, Persian and Mughal empires have influenced Iran, Pakistan and Bangladeshis perception of transgender. These empires have not only acknowledged transgender, but also, they have given a unique role for transgender in a society, which has a profound influence in the Indian

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subcontinent. But the sharia law is different from each other in those countries. Different states have different ways of addressing transgenders. In Iran bio medicine and sex change surgery are allowed for a transgender to choose to take either of male or female identity where as Bangladesh and Pakistan acknowledge transgender as third or other sex. The social and cultural factors also influence the identity of a transgender. Patriarchy also affects a transgender, and thus controls and defines a transperson's gender identity. So, it is impossible to study the status of the transgenders by only basing on the legal system, but it is true that it plays an important role in the formation of identity. Moreover, the discursive practice of Islam about the transgender and the religious practice of hijra are not homogenous and absolute. Therefore, Hijras in Bangladesh can able to capitalize the Islam and Islamic religious practice to eradicate their stigmatization sometimes. In consequence, the religious fluidity, Islamis religious rituals like Hajj, Ramadan and alternative religious practices can able to create an access for hijra to be a part of a mainstream society.

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