



Ludovic-Mohamed Zahed

Homosexuality, Transidentity, and Islam

A Study of Scripture
Confronting the Politics of
Gender and Sexuality

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*A Study of Scripture Confronting the Politics of Gender and
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Ludovic-Mohamed Zahed

Foreword by Jan Jaap de Ruiter

Translation and Afterword by Adi S. Bharat

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Table of Contents

| | |
|---|----|
| Acknowledgments | 7 |
| Foreword <i>Jan Jaap de Ruiter</i> | 9 |
| Introduction | 11 |
| I. The Qur'anic Ethics of "Nature": Gender, Sexuality, and Diversity | 19 |
| 1a. Human Nature: Mirroring the Will of God | 19 |
| 1b. Condemnation of "Immoral" Practices | 22 |
| II. Distressing Qur'anic Verses? | 25 |
| 2a. The Original Sodomy: Forbidding Ritual Rape | 26 |
| 2b. The Absence of Female Homosexuality in the Qur'an | 29 |
| 2c. Positive Representations of Gender Minorities in the Qur'an | 30 |
| III. The Prophet: A Living Incarnation of Qur'anic Ethics | 33 |
| 3a. Was the Prophet Homophobic and Transphobic? | 33 |
| 3b. The Status of <i>Mukhannathun</i> : "Effeminate," Trans, or Gay? | 36 |
| 3c. The First "Sodomite": Neither Gay nor Trans, but a Rapist | 39 |
| IV. Islamic Apocrypha Advocating the Stoning of "Sodomites" | 45 |
| 4a. The Sectarian Ideology of Fatwas Associating "Sodomy" with Apostasy | 45 |
| 4b. A Former Mukhannath's Internalized Homophobia and Misogyny | 49 |
| 4c. What the Different Islamic Schools of Thought Advocate | 52 |
| V. Postcolonial Orientalisms | 55 |
| VI. "Abnormals": From Cultural Diversity to Dogmatic Uniformity | 61 |
| VII. Towards a Structural Reevaluation of Cultural Values | 65 |
| VIII. Pan-Arabist Literary and Identity Censorship | 75 |
| IX. Orientalist Shi'ism and Literary Homoeroticism | 81 |

| | |
|---|-----|
| X. Homonationalism and Performative Sexual Categorization | 87 |
| XI. A “Crisis” of Categories, Geopolitics or Civilization | 101 |
| Conclusion | 107 |
| Afterword | 117 |
| <i>Adi S. Bharat</i> | |
| Bibliography | 121 |
| Index | 129 |

List of Figures

| | | |
|----------|---|----|
| Figure 1 | Hadith classification. According to five main criteria | 34 |
| Figure 2 | Chains of narration of apocryphal <i>hadiths</i> concerning <i>mukhannathun</i> | 38 |
| Figure 3 | Chains of narration of apocryphal <i>hadiths</i> condemning ‘sodomites’ | 41 |
| Figure 4 | Apocryphal <i>hadiths</i> concerning the execution or stoning of ‘sodomites’ | 48 |

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Foreword

Jan Jaap de Ruiter

If there is a God, he cannot be but good and wanting good, especially if it is he who created humanity. And if there are prophets who claim to have heard the voice of God and want to pass on his message, then they too cannot but strive after the best for all people. The diversity among people is enormous and the Qur'an expresses that perfectly in Sura ar-Rum (30:22): "And of His signs is the creation of the heavens and the earth and the diversity of your languages and your colours. Indeed in that are signs for those of knowledge."

Thomas Hobbes (1588-1679) has a different view of humanity, which he expresses by citing the Roman proverb *Homo homini lupus est*: "A man is a wolf to another man." Man is also someone who watches for opportunities to strike, to attack, and possibly to even kill another. The wolf does that by attacking the weak in the pack. In doing so, man tries to force the weak in society to conform to the rules of the dominant group and if the weaker ones do not obey, punishment follows in no small measure.

Homosexuals, lesbians, and transpeople have always existed in every community and in every society, in every part of the world. Often, they had to conceal their identity and adapt to the prevailing norms of their communities. Rarely could they really be who they were. This applies to all times and to all communities.

A true God and a true prophet, by their nature, love all people. They cannot be but like that, otherwise they would not be God and prophet. And that applies to the God of Islam and the Prophet of Islam. The history of Islam, however, is a sad one, for although it has known enlightened times, authoritarian patriarchal traditions were almost always dominant, and minorities, such as sexual ones, had to submit more often than not to the moods and caprices of their rulers.

However, the idea that a true God and a true prophet cannot but love all people never disappeared. That is why it is only natural that in the course of time people have risen to defend the cause of homosexuals, lesbians and transpeople within Islam. Ludovic-Mohamed Zahed is a convinced Muslim and homosexual, and he is not the only one; there are many like him – gay, lesbian, and trans Muslims. He too believes that his God and his prophet cannot do anything else, by their nature, than love all people, including the sexual minorities among them.

Zahed plunged into the religious tradition of Islam, into the Qur'an, into everything Islamic scholars have had to say about the subject of

homosexuality and transgenderism in Islam. He analysed Islamic scriptures and the various dominant interpretations of them and concluded that it is indeed possible to simultaneously be gay and Muslim. In an impressive and inimitable way, he puts his analyses on this subject into words in this book. He knows what he is talking about and does not shy away from any argument or discussion.

However, the conclusion that Islam indeed legitimizes the option of being homosexual, lesbian or transgender and Muslim at the same time is hardly shared by the vast majority of Muslims in the world. That is where the challenge lies: convincing Muslims all over the world that the Prophet himself had no qualms over the fact that in his time there also existed Muslims who loved members of the same sex. This is, for example, beautifully expressed in a hadith narrated by Anas bin Malik in which the Prophet, when asked for advice, encouraged a man to declare his love for another man.

The history of Islam is clouded by Western colonialism across the world in the nineteenth century. Victorian prudery, which laid the basis for laws against homosexual acts, spread across Africa and Asia with fatal consequences. The creation of a separate medical criterion for “homosexuals,” including them as such in a separate category, has been disastrous for gay people because they became as such an even easier prey for the dominant wolves in the pack. Furthermore, the term also contradicts the sliding scale that human sexuality is. Zahed also explores this dark side of history.

I am not a religious person. I am not a Muslim. However, I do practise meditation and I am attracted to Islamic Sufism. At the same time, I admire masculine beauty, and it was therefore such a happy coincidence to read in the book that in some Sufi traditions of Islam, where beauty is central, the beauty of young men inspired Sufis.

What I found even more beautiful is the idea that *mukhannathun*, effeminate men, were part of the Prophet Mohammed’s household. The Prophet’s principle was that every person, male or female, should be judged on whether he or she performs the prayers and behaves as a good Muslim. The rest, including one’s sexual nature, are side issues. In this, the Prophet presented himself as a true prophet of the true God.

Zahed’s work follows the belief in a God and a prophet who embrace all people. It is my hope that Muslims all over the world open their hearts to their homosexual, lesbian and transgender brothers and sisters, so that God’s will on earth, in this respect, is realized even further.

Jan Jaap de Ruiter

Introduction

Abstract

This chapter presents the author's empirical research and political activism, in order to introduce clearly the methodology of the subsequent chapters, which draw on a variety of ethnographic, scriptural, historical and secondary academic sources.

Keywords: participative anthropology, methodology, political activism, empirical sources

Listen to this famous story about a man being lashed in punishment. During the first ninety-nine lashes, he never let loose even one moan of pain, but when he was lashed with the final hundredth stroke, he moaned in deep agony. The people who had gathered around asked him about this strange behaviour. The man replied, "During the first ninety-nine lashes, the beloved one for whose sake I have been lashed was present near me in the circle of on-lookers; only when he turned away from me [at the moment of the final stroke] did I suddenly feel pain!

– Ibn 'Aṭā' Allāh (2005, p. 65)

I am a gay and feminist French Muslim. Born in Algeria in the late 1970s, I grew up during the Civil War in the 1990s. Ten years ago, I decided to challenge publically the widely held notion that same-sex desire and Islam were an impossible pair, that these different aspects of our identities were incompatible. Indeed, expressions of same-sex desire have always been part of Arab-Muslim cultures throughout history, as academics like Khaled El-Rouayheb (2005a) have demonstrated. Despite this historical fact, today, in France, gay teenagers are almost fifteen times more likely to commit suicide than their straight counterparts (Cover, 2012). Deeply troubled by this statistic, and conscious of the added difficulties faced by queer Muslims, I decided to create an association in support of queer

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French Muslims, which was launched in 2010, called HM2F (Homosexuels musulmans de France).¹

Eventually, this also led me to start an inclusive mosque in Paris – the first of its kind in Europe. This was a project born out of a long, personal journey. As a teenager adhering to a conservative interpretation of Islam, I memorized half the Qur'an. The beauty of its texts, which I found steeped in universalism, enthralled me. Then, at the age of seventeen, I began to come to terms with the fact that I was gay. After more than fifteen years of reflection on gender, sexuality, and the place of minorities in Islam, I now understand that the Qur'an does not explicitly refer to "homosexuality," nor does it refer to women as "inferior," nor to Jews as our enemies. Indeed, the strict, dogmatic interpretation of some verses of the Qur'an is no longer tenable, especially in the eyes of progressive Muslims across the world (even if we remain, for the time being, a minority).

I also realized that neither homophobia nor misogyny conform to Islamic ethical values, as defined, for instance, by women scholars such as Kecia Ali (2010). I wanted to share, with as many people as I could, my reflections on the matter that were born out of my search for a peaceful, inclusive spiritual path. I wanted to do this by drawing on both scripture and the experiences of queer Muslims. This is why I founded a place of worship where people would always be welcomed as brothers and sisters, whatever their sexual orientation, gender identity, or ethnicity. Numerous men, women, transpeople supported my project and parents confided in me that they did not want to leave their children the legacy of an exclusionary Islam.

My plan was not, strictly speaking, to open a "gay mosque," as many in the media dubbed it at the time, or even to celebrate gay marriages. My project was simply to renew hope within our community. Congregational prayer, practised in an egalitarian setting and without any form of gender-based discrimination, is one of the pillars of our progressive, reformist representation of Islam. American and Canadian progressive Muslim vanguards had already put this into practice. In North America, Christian congregations or even private companies often assist progressive Muslims, letting them use a portion of their premises for Friday prayers, as in the case of Muslims for Progressive Values (MPV).² In France, we initially benefited from the support of a beautiful Zen Buddhist temple in eastern Paris, but, due to threats and political violence, and not wanting to compromise the security of the

1 For a discussion of the specific vulnerabilities faced by queer French Muslims vulnerability, see Zahed 2017a.

2 <http://www.mpvusa.org/>.

Buddhists who welcomed us, we quickly had to look for a more viable solution in the long-term. Two years ago, we finally opened the only inclusive Islamic centre in France, located in downtown Marseille: the CALEM Institute, a centre devoted to research, publications, trainings and group meditations.³

In the course of my grassroots activities and my research, I am often approached by people, including queer Muslims themselves, who, having heard everything and its opposite about homosexuality and Islam, come to me in search of a general understanding of the topic within the Islamic tradition. Thus, the first part of this book provides an overview of Islamic scriptural sources that deal with the diversity of sexualities and genders. I clarify certain relevant theological concepts that might appear arcane and esoteric to the uninitiated. In addition, the second part of this book keys in my analysis of scripture to the various social histories and sociopolitical dynamics of Arab-Muslim societies and diasporic communities in relation to gender and sexuality.

It is important to note that Islamic scholars in the French-speaking world are at least a decade behind their English-speaking counterparts, especially in terms of the application of *ijtihad* (independent reasoning) to the question of gender and sexuality in Islam. First, this is because the latter are traditionally unafraid of “theory” or engaging with gender and sexuality as a legitimate object of study. Second, the history of Arab-Muslim immigration to the United States and Canada, in particular, did not occur the way it did in France, where unresolved postcolonial conflicts and Islamophobic discrimination remains a decades-old factor. Not to mention the difference in educational levels and socioeconomic class between French and American Arab-Muslims. My grandfather was the pride and joy of his family simply because he obtained a secondary school certificate. My own parents did not even have a baccalaureate (the equivalent of A-levels). Given the context of my familial history, my own academic trajectory can only be viewed as an immense privilege.

In the last 20 years, several academics have had a considerable impact on the study of gender and sexuality in Islam, such as Fatima Mernissi or, more recently, Amina Wadud. Perhaps the most prominent work on this topic has been Scott Siraj Kugle’s *Homosexuality in Islam* (2010). In the introduction, Kugle states that the main goal of his study is to “show that lesbian, gay, and transgender Muslims offer constructive critique of classical Islamic thought” (2010, p. 6). Kugle often uses first person plural pronouns when discussing the social group that he sets out to study, i.e. “lesbian,

3 <http://www.calem.eu/>.

gay, and transgender Muslims,” thereby acknowledging his own position as a gay Muslim. This is, in itself, noteworthy. Such an approach would be considered troubling, to say the least, in France, where the academic community remains relatively cautious, or even resistant, when it comes to the very idea of openly displaying one’s personal convictions in a study that ought to be “objective” and, therefore, devoid of any “political” positioning. In any case, Kugle adds that according to him:

The liberation theology approach of transgender, gay, and lesbian Muslims provides a profound interpretation of the Qur’an. Its central principle – striving for justice in solidarity with the oppressed – lets gay, transgender, and lesbian Muslims join a wider coalition of reformers. It lets them join all women, youth, racial minorities, and others who are marginalized or disempowered by the political-religious system that rules them. (2010, p. 35)

The secondary aim of his book is to establish *dialogue*, rather than to have the last word or to reject out of hand other approaches to the question. Indeed, through his study, Kugle seeks to construct a bridge between Islam as a tradition and Muslims as living beings.

Kugle considers homosexuality as a fact of nature, rather than something that one adopts by choice:

This book asserts that some individuals are simply homosexual by nature rather than by choice. There has always been a very small minority of homosexual women and men in every human community, though societies define them in different ways, languages have different terms to describe them, and belief systems have different reactions to their presence. (2010, p. 2)

He goes on to add that, according to him, the Qur’an does not condemn same-sex acts, much less same-sex desire, in themselves:

Where the Qur’an treats same-sex acts, it condemns them only insofar as they are exploitative or violent. However, the Islamic tradition is based on more than the Qur’an. Later texts, such as hadith reports and fiqh decisions, stigmatize homosexuals and criminalize their relationships. The question is whether these negative assessments in oral tradition and jurisprudence are in accord with the Qur’an as scripture, and whether

these other non-scriptural sources of authority are authentic and reliable for Muslims. (2010, pp. 2-3)

This paradigm, described as a liberation theology of minorities, allows us to make a certain number of observations regarding, firstly, the effectiveness of systematic, objective, but alternative approaches, and secondly, the difficulties of politically engaged scholarship, and, lastly, the inherent limitations of the application of gender studies to religion. In the first instance, Kugle's book is undoubtedly one of the first to tackle the question of homosexuality in such a politically engaged manner, while also performing a meticulous analysis of Islamic scripture. Beginning with the very title, he conceptualizes homosexuality as, *a priori*, part of Islam. The focus is on homosexuality *in* Islam and not homosexuality *and* Islam. This minute detail marks an important difference between Kugle's project and that of other works that adopt a more dichotomous perspective on the question, considering, for example, that, within the self-representation of a gay Muslim, homosexuality and Islam cohabit in a more or less separate manner.

Kugle's reformist study has not gone without criticism, especially by conservative Muslim scholars and writers such as Mobeen Vaid. These critics cite methodological inconsistencies, misreadings and misrepresentations of traditional works, as well as the anachronistic transposition of modern categories onto classical Islamic sources, which, according to Vaid (2017, p. 45), "completely undermine" Kugle's arguments. However, the real challenge that Kugle's book faces is one that, according to Kugle himself, is shared by all reformist and progressive projects that are developed from within a religious tradition. The difficulty for such projects lies in separating what is imposed by culture, often as a function of decisive, but implicit, economic and postcolonial factors, from what is essential to faith. Additionally, such projects must also sift through what is essential to the faith of a given individual and what, over multiple, more or less conservative, generations, has come to be accepted as religious tradition. This is especially so given that, even when we consider it as the product of interpersonal interactions, culture cannot be entirely separated from religion and vice versa. Thus, one of the main secondary difficulties of such studies lie in the delimitation of prejudiced social representations linked to the patriarchy, which according to Kugle is "the ideology instituting the domination of elder heterosexual males over all others, specifically women of all ages, younger men, and minority males who do not accept patriarchal roles that reinforce male power." The deconstruction of a patriarchy thus defined appears to be the primary motivation in the approach taken by scholars like Kugle. It

would be this intimate enemy that would prevent conservatives from going beyond idolatrous tradition, just as patriarchy would prevent researchers from becoming more involved in these matters.

Nevertheless, Kugle acknowledges a few inherent limitations to this type of paradigmatic approach:

Whereas many Muslims will see [this book's] arguments as "radical," some progressive readers might see its arguments as "conservative." The book is conservative in that it assumes Islamic beliefs in existence of one God, the sacredness of the Qur'an as the speech of God, and the sincerity of the Prophet Muhammad's mission to spread its message [...]. There is another aspect of this book's argument that may seem "conservative" to some readers, especially those active in progressive politics and secular human rights. This book restricts its discussion to people who are homosexuals (lesbian or gay) and transgender. It presents a theory of sexual orientation and gender identity that accepts and assumes these categories. (2010, pp. 8-9)

Thus, Kugle recognizes the possible limitations inherent in both his uncritical adoption of certain core religious beliefs and his adoption of an essentialist (as opposed to a constructivist) perspective on gender and sexuality. Moreover, even though he notes that it is possible to find indirect references to bisexuality in the Qur'an, he does not engage with the question. There are, without doubt, yet other limitations to his study, but, at the very least, such a study allows us to retrace, in a systematic and systemic manner, the origins of scriptural sources related to the ethics of gender and sexuality in Islam.

Despite its shortcomings and the controversies that such an approach is likely to provoke today, the paradigm of a systematic and systemic theology has influenced an entire generation of citizens committed to the defence of human rights, including in France. Hence, more and more researchers see this alternative approach as legitimate and not something to be rejected out of hand as too "activist," "subjective," or tainted with personal religiosity. Indeed, wouldn't excluding religion from serious academic research leave the field open to unsavoury polemicists and preachers peddling rigid, extreme, political representations of identity?

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