

## Sexual crossing in the perspective of Sharia and its controls between prohibition and conditional permissibility

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*Received: 24/05/2024*

*Accepted: 16./17/2024*

*Published: 17/07/2024*

### Abstract:

For long times, since the very beginning of life, it was believed that the human race could not be devoid of being male or female, and anything other than that would be only a mutation, as in the case of problematic hermaphrodite, and sexual relations only existed between them, and anything beyond that would only be an anomaly.

Recently, in the wake of manipulation and embellishment of terminology, homosexuality has emerged in the guise of the sexual revolution and has been wrapped in the garb of freedom, especially sexual freedom. Among its tools are the choice of sex and gender crossing. What was reprehensible for ages has become a reality and is being promoted and those who disagree with it are being harassed.

Therefore, it highlights the value of questioning about the nature of gender crossing, the religious rules about it, then the controls that limit it and the impact of that socially, religiously, and even legally and politically.

**Keywords:** gender crossing, anomalies; sexual revolution; sexual choice.

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## 1. INTRODUCTION

Allah Almighty created Adam in His image (the pronoun refers to Adam, peace be upon him) and created from him his spouse, Eve, and Allah fulfilled the decrees that the offspring would be from them on Earth. Time passed and the children of Adam increased and multiplied, and there were males and females. There was no way to achieve the goal of reproduction except by mating between them according to what Allah has prescribed.

In the time of the Prophet Lot (peace be upon him), common sense was not respected, as he sought the same sex and did not seek the other that is innate to him, and then he did not want to seek what Allah has written from the offspring by the aforementioned way, so that goal no longer exists, and Allah destroyed these people as they did not give up.

With the early beginnings of the twentieth century, a revolution appeared, like many others, which they called the sexual revolution, as if humanity did not practice sex and did not know it, so it became necessary for a revolution to change its reality to another better one, as they promoted, and that is nothing but a kind of manipulation of the terms and putting them together and wrapping them in what they think is good, but it was an invitation to orgy and debauchery, a monstrosity and derogation of nature and a call to release the less than animalistic sensuality to practice away from every obstacle they see.

The previous revolution was accompanied by social, religious, and political changes in the West, including freedom of expression, belief, and behavior. Ugly and despicable ideas emerged, including that man did not choose his gender or sexual inclinations, and that at least some of them occurred against his will and had to be kept up with.

This was accompanied by change, and we cannot say progress, in medical capabilities and practices. Then came cosmetic surgeries, sex change, and what they call gender crossing, which is crossing from an imposed gender to a chosen one through surgery and laws that permit it, along with the use of decorative means such as the media supported and motivated by desire or fear to encourage doing what Allah has forbidden and destroyed entire nations for doing so.

It is no secret that the matter we are dealing with is dangerous for society, whatever its components, and in Islam it is worse if it is tolerated, especially because of its attachment to health, security, and tranquility around which the entity of society and the state revolves, and its absence, or at least the disruption of order in it, and its connection to public morals and public order in general.

So this will be a research paper on the subject of gender crossing in Islamic law, especially as it relates to personal status and its control in terms of initial prohibition and conditional permissibility. We will try to discuss an important issue, which is the concept of

gender crossing and the provisions of Islamic law in terms of initial prohibition and the exception to the permissibility for specific cases, the correction (if it is allowed to say and no fear to be misconduct ) for a certain group, with controls for that.

We will address the topic according to an inductive approach based on what came from sources that were not legal because they were few and descriptive, in two parts, and the important factor between them is the sexual revolution and the systems that came before and after it.

## **2. The view of Sharia and law before the sexual revolution**

Revolution is what is meant by the radical change of all reality in all situations . In our case, it is everything that is attached to all sexual reality.

### **2.1 Islam's view of human sexuality and sexual practices**

Allah created Adam from the dust with His own hand in honor of him, then created from him his wife Eve, from his rib. Then created from them their offspring. Allah Almighty said: "O mankind, fear your Lord, who created you from one soul and created from it its mate and dispersed from both of them many men and women. And fear Allah, through whom you ask one another, and the wombs.

Indeed Allah is ever, over you, an Observer"<sup>1</sup> Then the offspring were only through the male and female couple, that is, the two types<sup>2</sup>, and many verses that indicate that the offspring are males or females, including, but not limited to, His saying, may He be glorified and exalted: "But when she delivered her, she said, " My Lord, I have delivered a female".

And the male is not like a female. And I have named her Mary, and I seek refuge for her in You and for her descendants from Satan, the expelled from the mercy of Allah"<sup>3</sup> .And He said: "Allah instructs you concerning your children: for the male, what is equal to the share of two females..."<sup>4</sup> And Glory be to the One who says:

"O mankind, indeed We have created you from male and female you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of Allah is the most righteous of you. Indeed, Allah is Knowing and Acquainted "<sup>5</sup> And many others.

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<sup>1</sup> The first verse of Surrah An Nissa.

<sup>2</sup> Abu al Mudhaffar Assamani, Interpretation of Qur'an, Madar el Watan Publishing Riyadh KSA, 2011, Ed 2, V 3, P 302.

<sup>3</sup> Verse 36 of Surrah Al Imran.

<sup>4</sup> Verse 11 of Surrah An Nissa

<sup>5</sup> Verse 13 of Surrah Al Hujurat.

The only way to ensure the continuity the offspring and legitimate reproduction is marriage according to Allah tolerant law. Islam does not allow any sexual relationship beyond marriage. Therefore, it forbids adultery , homosexuality and anything related to them. Here are two important issues that must be mentioned:

— “Creation” is in the command of Allah, and no creator other than Him can exist. Even the polytheists of Quraysh used to acknowledge that Allah created creation alone, without a partner or helper, and deduced the following,

— Satisfaction with what Allah has decreed in what we are dealing with male and female are satisfied, and no one has imagined the possibility of changing the reality of a created being. The main case is that the sex , either male or female, and anything that exceeds them is only a mutation and what is termed a problematic hermaphrodite, which we will talk about later.

## **2.2 Algerian law’s view of human sexuality and sexual practices**

The most prominent thing that can be referred to in our topic, especially what relates to the human race, is personal status, which does not deviate from what Islam has prescribed. Therefore, we find that the Family Law stipulates that marriage is a consensual contract between a man and a woman in a legal manner, and among its goals is the formation of a family based on love, mercy, cooperation, the protection of the spouses, and the preservation of lineages." Marriage is a contract concluded between a man and a woman in a legal manner. Its objectives include: forming a family based on love, compassion, cooperation, the protection of spouses, and the preservation of lineages<sup>1</sup>".

What can be learned from it is that the two parties to the contract are a man and a woman, and one of its goals is immunity and non-mixing of lineages, and immunity has two aspects, one of them is positive, pertaining to the chastity of the man and directing the instinct in the direction that is praiseworthy according to Sharia law, in order to achieve the goals and objectives of marriage.

It also has a negative aspect regarding the right to practice it, as the penalties in case of adultery change between the married person and the single, these penalties were severe in the first and light in the latter, and it goes without saying that there is no differences in the sharia between single and married in adultery both of them are adulterer, then it stipulated that marriage with more than one woman " Marriage with more than one wife is permitted within the limits of Islamic law, provided that there is a legal justification and conditions and an intention of justice are met. This is done after the knowledge of both the previous and subsequent wife, and each one has the right to file a lawsuit against the husband in the

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<sup>1</sup> Article 4 of Law 84-11 of Ramadhan9, 1404 Corresponding to June9, 1984 Containing the Family Code, O j 24.

event of cheating and to demand divorce in the event of dissatisfaction<sup>1</sup>. "be permitted within the limits of Islamic law, provided that the legal justification was provided and the conditions and intention of justice were present.

It has also been stipulated that every marriage to a forbidden woman<sup>2</sup> (not all women are fit to be married to her) is annulled before and after consummation, and entails proof of lineage and the necessity of *istibra*<sup>3</sup>.

What can be learned from the above is that even if the matter relates to marriage within the usual frameworks, the woman must be among those who are permissible, as some of them are permanently inviolable, such as mothers, daughters, and others, and some of them are temporarily inviolable, such as married women.

As for relationships other than marriage, they are reprehensible and not permissible, starting from the point of view of Sharia law and ending in terms of custom and legislation, and for example, "Anyone who commits a public act indecent will be punished by imprisonment from two months to two years and a fine of 500 to 2000 DZD."

If the public indecent act of homosexuality is committed against a person of the same sex, the penalty shall be from six months to three years and a fine of 1,000 to 10,000 DZD."<sup>4</sup>, and many other provisions in the Penal Code are included.

### **3. The social and legal outlook after the sexual revolution in the West and its impacts**

Transition and transformation changes are constantly appearing and changing society's view and behavior, and a great delusion has appeared, as stated in the impact of changing names and aspects and covering the ugly ones with good in order to make them palatable, and that is not changing the reality of the matter, but merely promoting its counterpart. Therefore, we will address the view of society and the law in the West regarding the human race in the period that followed the sexual revolution and some of its impact on gender transition and what conditional status is permissible.

#### **3.1 The social and legal view of human sexuality after the sexual revolution**

The human view of some matters, although many accept it, is something that cannot

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<sup>1</sup> Article 8 of the same Law (84-11).

<sup>2</sup> Article 34 of the same Law (84-11).

<sup>3</sup> *Istibra* arab word means in Sharia knowing that the womb is empty or not.

<sup>4</sup> Article 333 of Order 66 -156 Containing the Penal Code of June 8, 1966 Amended by Law 82 -04 of February 13, 1982, O J 7.

always be accepted by others, but can be reviewed, and this is what the sexual revolution brought about. Therefore, we will discuss the sexual revolution, and the influence of Western society on it, after that the legal system in a second section.

### **3.1.1. Definition of the sexual revolution and its influence on Western society**

The British philosopher Jeremy Bentham (1748-1832 AD), the founder of the doctrine of utilitarianism, is considered the one who sparked the first spark of the sexual pornography revolution. He was not an ordinary philosopher or legal thinker, for the ideas he put forward, the roles he played, and the investigations, articles, and theses he left behind on religion, morality, sex, law, economics and politics; It made him the most dangerous philosopher of the 18th and 19th centuries.

None of the British philosophers received as much attention and reverence as he did in Britain<sup>1</sup>. He opposed one-male and one-female relationships within the framework of marriage. Instead, he called for everything that was blatant and contrary to common sense and acceptable society. Among what he called for, he called for irregular sexual activity, the goal of which is to satisfy one's instincts. Nationality within narrow limits does not amount to the group benefiting from it, but rather being harmed by it.

As a summary of the sexual revolution in the West, it was only an additional brick in the building blocks of a lax society in which both parties to the marital relationship do not have any powers resulting from marriage. After the church was calling for the bestiality of the sexual act and its incompatibility with monasticism at least, so the monk is far from it and the whole world has witnessed the scandals.

Nationality throughout the years of the beginning of the 21st century, and the crimes of monks and rape against young children, which was the reason for the unprecedented resignation of the Pope. Then they invented monogamous marriage and lifelong marriage in the Catholic view, and the resulting disintegration and extramarital relationships. On top of all of this came the revolution, in which we do not believe. With the credibility of the description or the content, to make matters worse, they called for liberation, according to their belief, from every restriction, the first of which was marriage, so they refrained from it and searched for everything that was strange and shocking to what people knew.

There is no surprise in this, since where does a person find pleasure in practicing an act, and without legal or economic consequences, he often performs it?

No one doubts that marriage balances in the interests of the individual and society, at least because of the reversal of roles in it. Today, a man is a husband, and tomorrow he may

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<sup>1</sup> Mahmoud abdehadi, Article published on Aljazeera net titled who is behind the sexual pornographic revolution, viewing date april 30, 2024 at 22:55.

be a brother or a father, and that is due to what he owes. A barrier today is a benefit tomorrow.

In the arab world we can talk about two models, the first one is Qasim Amin because of his precedence in the field of the so-called revolution off liberty of woman and because he is a man and his influence, the second one is Nawal Al-Saadawi because of her ideas and because of she was a woman.

Qasim Amin (1863-1908) lived in an era of major events and major ideas. He lived through backward Eastern colonialism and then Western colonization of the Arab nation; He was influenced by the freedom ideas of the French Revolution and disbelieved in patriarchal society<sup>1</sup>.

If the year 1872 was the year of the call for women's education, then the year 1897 is the year of the call to unveiling and releasing them from the masculine society.<sup>2</sup>

He left many books like ; The New Woman (1900), and The Liberation of Woman(1899)

His ideas are bricks in the wall of sexual revolution,

It is less severe than it is in the West, but it remains shocking in Eastern society, like Arab societies.

As for Nawal Al- Saadawi (1931-2021) the case is not far from the liberation of woman but her ideas if we can say that are more than shocking because looking to the title of one of her books like: El-Ilah submits his resignation at the summit meeting, we can draw an idea about her, more than ten books their titles contain the word woman or sex...

Nawal Al-Saadawi points out that the feminist vision, in its first inception, aims to demolish the pillars of sexuality that establish the principle of distinction between males and females. The best evidence of this is the special system that the family constitutes. Therefore, feminism criticizes the role of women that is limited to childbearing and motherhood only<sup>3</sup>. For more than half a century, the writer and writer has not stopped raising controversy between a few who support her positions and many who see what she is calling for as madness and corruption and corruption. Her life has been a series of battles and she has been accused of contempt of religions.<sup>4</sup>

In regard Islamic Feminists use verses from The Quran to support gender parity and

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<sup>1</sup> Mustapha Madi,(Qasim Amin The Intellectual and the Woman's Issues), Revue Es-Ila wa Roa,University of Algiers2, V 2, N 4, P32.

<sup>2</sup> Previous Reference, P 41.

<sup>3</sup> Rima Laoues, (Reflections of Western Fiminist Theory in the Writings of Nawal Al-Saadawi is a modal Arab Critic), Contemporary Studies, University of Algiers2, 2020, V 4, N 1, P 133.

<sup>4</sup> Previous Reference, P 138.

revise males false interpretations of some Quranic passages<sup>1</sup>

Many times we read in their books poor bad language that good taste does not like.

He kept on repeating : Slut, Bitch...

We note that the writer avoided mentioning the intended dysphemism not to offend the arab reader and mentioned the word Mara and the three suspension points which is a technique of euphemism, because the arab reader does not accept reading such abusive words<sup>2</sup>, we can mention here some of her books Woman at Point Zero (1977), the Naked Face of Arab Woman (1977), the Female is the Origin, Sex and Power.

### **3.1.2. The legal view of the human race in the Western legal system**

We will take the following example to demonstrate the strangeness of Western legal thought and the extent to which it is influenced by theories, theses, and the delusional reality of superficial ideas on the subject of marriage, for example, where the Civil Code states (personal status in Western systems is not separated from the Civil Code as in cases of Arab and Islamic countries ) we can read in the French law, Marriage is concluded between two people of different or same sex<sup>3</sup>.

It is noted that the French legislator drifted into the shallowness of human intellectual distortion, such that he considered marriage to be possible between two people of different sexes.

I wish he had approved the provision for a man and a woman, but rather between two people of different sexes. Then he misled the legislation by stipulating the permissibility of same-sex marriage to what they call today homosexuals, and they were never what they say, but rather active the action of the people of Lot peace be upon him.

It may also be strange if we say “I wish the French legislator only acknowledged marriage between people of the same sex, and thus human society would end for them, because there is no offspring without a man and a woman, and instead of the decline taking place little by little, it would be all at once.”

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<sup>1</sup> Rawiya Kouachi,( An Arab Feminist's Indirect Perpetuation of Western Stereotypes About Muslim Woman Nawal Al- Saadawi woman at point zero), Letter and Social Sciences, University of Setif2, V16, N 4, 2019, P 209.

<sup>2</sup> Koudja Baya, (Fiminist Translation Applied Specimens of Nawal Al-Saadawi and Ahlam Mostaghanemi's Novels), Altralang Journal, Princess Nourah Bint Abdulrahman University, V 1, n 2, December 2019, P 125.

<sup>3</sup> Book One, Persons, from Article 7 to Article 515- 13, title 5 Marriage, from Article 143 to 227, section One Type and Conditions Required for Conducting a Marriage Contract amended by Law 2013-404.

Legislating same-sex marriage has become a measure of the maturity and civilization of societies, and all of that boils down to accept differences in sexual styles and inclinations from normal to homosexuality and considering it, in the harshest sense, as a pathological condition that must be accepted and dealt with in a humane manner.

### **3.2 sexual transition and a conditional case with controls to activate it**

The so-called sexual revolution did not stop at borders, even if it was not basically acceptable, but it expanded and yielded bad and bitter fruits once including sexual crossing, so we will discuss its definition and then its legitimacy first , and the situation that can be legislated and then its controls second.

#### **3.2.1. Definition of gender transition and Islamic law's ruling on it**

Talking about gender began in the study of Western feminist organizations, especially at Population Conferences in Egypt and China<sup>1</sup>.

The nineteenth century witnessed several works calling for improving the status of women. At that time, the term feminism appeared in 1895. This situation participated in the production of gender, which became a device that contributes to the theoretical analysis of society and the relations of domination between the sexes, and how to engineer the social space<sup>2</sup>, We have mentioned the above to see the fraud by changing the expressions and terminology, but gender is the search for the abolition of the social and human gender and that there is no difference between men and women, whatever the standard, and then persisting in abolishing the differences, arriving at the idea of gender crossing, which means changing the human sex and the transition of the individual from male to female or vice versa.

All of this met with feminist ideas and also with a huge (if only it were not) medical development driven by flimsy reasons and covering the impossible with the palatable.

It is no secret to every rational man that there is no crossover here. Rather, it is a term used to mean transitioning from male to female or vice versa, as long as medicine can do that and the individual's will exists. But what cannot be hidden or overlooked is the following points:

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<sup>1</sup> Aseel Abdullah Al sarayrah, Awareness of the Gender Role and its relationship to self-efficacy Among Children of Late Childhood, Master's Thesis, College of Graduate Studies, Mu'tah University, p 1.

<sup>2</sup> Laila Karidi, ( The Concept of Gender and the Problem of Translation, Social Empowerment Journal, Algiers University 2, V 2, Issue 4, December 2020, P 40.

\_ The individual is a created being and as such he has a choice in this matter and cannot choose

\_ The individual can use the rights that emanate from ownership, such as use, exploitation, and disposal, in the case of owning a thing, which is acceptable here, as the individual does not own himself, but rather it is a trust for him as a whole and all his members to benefit from what Allah has permitted and to carry out the purpose created for him.

What can be inferred here is the Almighty's saying: "And I will mislead them, and I will arouse in them sinful desires, and I will command them so they will slit the ears of cattle, and I will command them so they will change the creation of Allah. And whoever takes Satan as an ally instead of Allah has certainly sustained a clear loss"<sup>1</sup> The meaning here is that changing Allah's creation from maleness to femaleness, or vice versa, is the work of Satan.

Then it is forbidden and a departure from Allah's will regarding the fact that creature was created male or female. The ancients did not have such a matter and it did not occur to them, except that they spoke in their works about changing Allah's creation.

A group said it is castration, eye gouging, and the cutting off of the ears, as Ibn Abbas, Anas, and Ikrimah said, and it is among livestock, and this is from Satan, so it is not permissible to sacrifice it. They did not differ regarding castration of human beings and its impermissibility because it is an imitation and change of Allah's creation, as well as cutting off all of their organs<sup>2</sup>.

They also said that castration in human beings is a sin, but as for animals they had not the same judgment<sup>3</sup>, it causes damage to them, and it is not permissible for a woman to change anything of what Allah created her to be, by adding or subtracting, seeking something better for a husband or someone else, whether her teeth have fallen out or had them cut off due to their length.

It is not permissible to shave a beard or mustache if it grows on her, because it is a change in Allah's creation, and it is permissible to cut off an extra member, such as the sixth finger, unless it is painful, and as was stated in the prohibition of the hyphen, the enlarged, the tattoo woman, and the tattooed<sup>4</sup>.

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<sup>1</sup> Verse 119 from surrah An Nisa.

<sup>2</sup> Al Qurtibi, Al jamia Liahkam Al Qur'an, Dar for the Revival of Arab Heritage, Beirut, Lebanon, 1965, Ed 2, Part 5 and 6, P 389.

<sup>3</sup> Ibn Al Arabi, Ahkam Al Qur'an, Dar El Fikr for Printing Pubilshing and Distribution, Beirut, Libanon, Part 1, 2005, P 631.

<sup>4</sup> Ibn Al Arabi, Previous Reference, Same page.

Did these scholars figures not know that there would be gender crossing at the beginning of the twentieth century?.

### **3.2.2. The problem of hermaphrodites and the ruling on gender crossing over them**

A hermaphrodite is one who has two vulvas and it is not clear whether he is a male or a female. This has become problematic because the verse on inheritance came about the creation being either male or female. They differed regarding its inheritance. They said by the intestines, then the priority of urine, then the majority of it.

They said by the ribs, and the discussion here is large<sup>1</sup>. They said that the hermaphrodite's share of the inheritance is the lesser of the two shares, male and female. And they said half of each... What concerns us here is that hermaphrodites are real, even if they are few. As for changing sex, it was not previously accepted except in recent times, and what can be said is that changing sex from hermaphrodite to male or to female is all about enabling him to have the same sex.

To hermaphrodite according to personal, medical, endocrine, and even social criteria, and not a complete crossing in the previous sense, but rather a correction (this is, so to speak, according to the law and if is not prohibited due to what could be understood as bad manners with the Creator).

It was stated in a fatwa by Ibn Baz, may Allah have mercy on him, that it is permissible to remove female signs from someone whose characteristics are male characteristics and vice versa<sup>2</sup>. As for sexual transit for someone who is not a hermaphrodite, according to the Sheikh, it is forbidden and reprehensible, and he added that according to them there is something greater, i.e. polytheism.

There is consensus among Muslims regarding what was mentioned above because it agrees with their belief.

The evidence shows that transgenderism has a complex of bio-psychological etiology, which lead to more investigation to improve the understanding among researchers and

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<sup>1</sup> Previous Reference, P 65 and 66.

<sup>2</sup>Binbaz.ogr.sa/fatwas21933L / Fetwa Ibn Baz 21933, Published in the Official Site, Date of Viewing May1, 2024, at 16 :53.

clinicians to better transgender health and well being and to a social acceptance of these people<sup>1</sup>.

If we conducted a survey on cases of gender crossing in Arab countries, we would find that perhaps most of them ended tragically, some of them in madness, some of them by suicide and we can state here the case of Hanan Al-Taweel the egyptian cinema star that enter mental hospital.

As for the Algerian legislator there is no specific texts that shows his point of view and Whoever wants to practice the act of gender transition must have someone who performs these surgical operations, namely the surgeon. Therefore, it is necessary to refer to what regulates the medical profession, which is the Code of Ethics for the Medical Profession, which consists of 228 articles in which the term “patient” is frequently repeated. The important question that arises here is about the extent to which crossing gender people are considered sick ones in the medical sense.

What we believe by extrapolating the articles of the Code of Ethics is that the legislator did not have in mind such operations, or at least legislating them. Rather, in all articles, he used the term patient in the conventional sense, which is the one who receives treatment to get rid of a certain pain and recover from it, or even the one who undergoes an operation to correct a specific function. For an organ, either by amputating it because it causes increased pain, or perhaps by leaving it on the person will die, or by replacing it with another organ, or completely changing the sex with the operations that accompany it. This is far from the amputation that we mentioned previously, or even replacing one organ with another, because the person changes completely from being of the sex he was created to be of another sex that he wanted. This person is based on completely subjective considerations, most of which, if not all, are flimsy.

Among the previous code of ethics, we can provide the following text<sup>2</sup>: It is not permissible to perform any amputation or removal of a limb without a very serious medical reason, unless there is an urgent or impossible situation, except after informing the person concerned or his legal guardian and accompanying him.

It is quite clear that amputation here is different from amputation in gender crossing, for example, in terms of the result of changing or maintaining sex, and the goal is to preserve life in the first, while in the second it is to change sex.

We cannot talk about the view of the Algerian legislator without addressing the Penal Code, and from our examination of its articles, we do not find any explicit evidence that the

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<sup>1</sup> Aberrazak Korichi,( Gender Identity : Transgender), University of El Oued, Journal of Psychological and Educational sciences, 2020, V 6, N 3, P 409.

<sup>2</sup> Article 34 from Presidential Decree 92-276, 6 july 1992, Containing the Ethic for Medical Profession, O J 52.

act of gender crossing is punished, but we can talk about the result of gender crossing in what can be considered an anomaly<sup>1</sup>, which is punishable.

#### **4- Conclusion**

One of the misfortunes of this time is that concepts have changed and there have been many attempts to investigate what is accepted and self-evident, so everything has become subject to reconsideration, so man reaches bestiality on the one hand and shock in all fields, especially religious and social ones. Thus, gender crossing and sexual transformation from one sex to another appeared in our time for an unjustified and delusional reasons. However, there is rarely a reason, especially in problematic hermaphrodites.

One of the reasons for this was the large number of outbursts in waves that they said were intellectually enlightening and were nothing but regressive and oppressive to all humanity, such as the sexual revolution, sexual freedom, and absolute equality between the sexes, and among its results was gender crossing, for example, and the means of supporting them were directed media and funds distributed to spread and spread thought about its effectiveness and combating those who fight these trends. The fear is that Arab and Islamic societies will be affected by this, and they must be active whether we like it or not, but I wish the effect would be minimal.

From the above we address the following recommendations.

\_ Warning against Western thought, especially in topics related to this, especially among the rising generations, due to their great influence and lack of immunity through many means, including school curricula.

\_ Criminalizing the sexual crossing of anyone whose gender is revealed to be male or female, and criminalizing the perpetrator, the doctor, and the hospital institution, and whoever does so outside the borders of the country is prohibited from entering it completely because according to the current regulations, he left while he was of a certain gender and returned with another.

\_ It is permissible to correct or amend those whose gender is not clear and what is termed a problematic hermaphrodite, but according to controls, including internal controls, known from psychiatrists and sociological and medical theorists, and that is through endocrinologists in particular, and then those who are related, and analyzes and diagnoses

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<sup>1</sup> Article 338, Order 66-156 Dated on 8 June 1966, Containing the Penal Code Amended and supplemented, O J 49.

are not performed once, but more than that.

\_ Not to be drawn into the depravity of Western legislation under the pretext of following them for what is good or to ward off the evil that may be received from them.

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