

LGBTQI

THE ISLAMIC PERSPECTIVE

A Publication of :



Islamic Scholars
NETWORK

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Preface

All praise is due to Allah ﷻ We praise Him alone and seek His help and forgiveness. We seek refuge in Him from the mischief of ourselves and our actions. We send peace and blessings upon His beloved Messenger, Prophet Muhammad ﷺ who is the best example in all aspects of life and whom we try to emulate. *Alhamdulillah*, it is due to the sheer Mercy and Blessing of Allah ﷻ that this humble effort has come to fruition.

The LGBTQI movement is far from one which requires any introduction. The weight of their influence and the passion with which they promote their teachings and doctrines is felt from an international level to a domestic one. No country nor house is void of their mentioning - either in a positive manner or negative. Having said that, it is of paramount importance to understand what is the Islamic perspective of such doctrines and teachings.

As Muslims, it is necessary that we adopt a clear position regarding our beliefs, since this defines us as Muslims, especially in matters that may subsequently affect any established law of our religion. In fact, Allah mentions in Surah Ahzab verse 36: “And it is not for a believing man or a believing woman, when Allah ﷻ and His Messenger have decided on a matter (for them), that they should have any choice in that matter”. In other words, as servants of Allah, when He ﷻ and His Messenger ﷺ passes a decree concerning any matter, we as insignificant creatures of His, do not possess the rights and authority to state otherwise. If we do so, it is tantamount to rebelling against Allah Himself, and as such, that person cannot be called a Muslim. With this in mind, the Islamic Scholars Network (ISN) felt the pressing need to research, compile and publish a booklet addressing this extremely important issue.

Alhamdulillah! It is now in your hands. It is structured in such a way that it educates Muslims as well as non-Muslims about the correct Islamic perspective on the LGBTQI ideology and movement. We have furnished it with Quranic and Prophetic texts, scientific facts, surveys, and studies which gives the reader a clear understanding of the

topic at hand. Though we wanted to produce more information in this publication, we felt it was sufficient to publish for the immediate and pending need.

We thank Allah ﷻ for giving us the opportunity to be a means of guidance, to be able to uphold the teachings of Islam and for the ability to carry out this effort. The ISN would like to acknowledge and thank all those who played an active role in bring this booklet to fruition. Those involved in the research, both Islamic and academic, also in compilation and editing and those advisors and well-wishes whose support cannot be overlooked. May Allah ﷻ crown their efforts with His acceptance and reward them with the best in both worlds Aameen.

Dhul Q'ada, 1433 | June 2022

www.islamicscholars.net



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

﴿كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ وَتَنْهَوْنَ عَنِ الْمُنْكَرِ وَتُؤْمِنُونَ بِاللَّهِ﴾

You are the best nation produced (as an example) for mankind, you enjoin what is right and forbid what is wrong and believe in Allah ﷻ. [Quran 3:110]

Introduction

Islam is a complete and comprehensive way of life. It encompasses every aspect related to human life. Its laws and injunctions are filled with divine justice and wisdom. From amongst the higher objectives of Shariah, it is idyllic and helps in preserving society in a long-term level.

Islamic Ethics and values will always outweigh that of modern society. We live in a world where people are continuously fighting for “rights” and “freedom of choice”, but to what extent do we accommodate this individualistic reform and what effect will conforming to such behaviour have on our society and the family unit in the long term? Such evidence in the modern world is not able to be provided, however the Shariah has already mentioned the impact and reality of these actions on an individual and societal level, with the required evidence to prove its success.

What is Shariah?

Allah ﷻ Himself has laid down, for us, laws, as a guide to know what will either harm or benefit society. These laws are soundly based on the Holy Quran, *Sunnah* of the Prophet ﷺ, *Ijma* and *Qiyas*. All these elements come together as a whole system and encourages a moral code of ‘prevention over cure’. We are taught that life is not all about pursuing worldly desires and pleasures. This can lead to detrimental consequences, which include, being lost in the glitz and glamour of the world, and not being focused on our real purpose in this life.

Islamic guidelines (Shariah Law) are established to preserve an entire socio-cultural and economic structure and a self-sustaining family unit. As a result, this ensures that the social, ideological and cultural stability of society is a success. These guidelines bring stability, peace and comfort and help to benefit, whereas specific actions that causes harm are clearly defined and prohibited.

The peace and stability offered when one is in a stable family unit, operates to strengthen and fortify the family at a communal level, which is essential for spiritual growth. It is

imperative that we look at the devastating effects which can occur with the refusal to adhere to these guidelines and the impact that it may have on the eventual collapse of the family unit and of society, in general.

Looking at the worldly view

The International Federation for Family Development (IFFD, N.D) states “Children growing up in healthy, married, two-parent families are more likely to lead happy, healthy and successful lives than those who have not experienced the same level of family security and stability.”

Created by the Almighty

Allahﷻ created the anatomy of a woman different from that of a man and has assigned to each, their roles, and functions for the continuation of mankind as a species. Men and women have a natural attraction towards each other, and this is the system that Allahﷻ has made for humans to love, live and procreate.

Human beings do not exist in isolation, rather we all function as a societal whole, therefore, any changes to the functions of the human society as we know it, can have a detrimental effect on how we function even at a daily level. A holistic approach must be adopted to rid society of such harms to preserve it.

Sexual Orientation

Human Rights Campaign defines sexual orientation as: “An inherent or immutable enduring emotional, romantic or sexual attraction to other people.¹”

The ideologies of the LGBTQI, an acronym describing groups of people who want to choose their sexual orientation that consist of: L- Lesbian, G- Gay, B- Bisexual, and T- Transgender, Q-Queer/Questioning, I- Intersex. In reality they don’t accept their physical and mental make-up as created by Allahﷻ and are solely focused on their personal desires whilst destroying the natural system of human reproduction, morals and values which are universally accepted in most faiths and religions.

The LGBTQI movement promotes sexual behaviours contrary to the natural way ordained by the Creator, reducing humans to a level below animals. Islam has given rights to each human being and has legislated laws for the protection of these rights. If

¹ <https://www.hrc.org/resources/sexual-orientation-and-gender-identity-terminology-and-definitions>

these rights go unprotected, this is undoubtedly a crime against humanity and a clear violation of human rights, beginning at the level of the child.

Born This Way

The LGBTQ uses “born this way” argument as their mantra in advocating the ideology of sexual orientation trying to gain acceptance. They use it as an attempt to deflect criticisms and to justify their unnatural behaviour. They argue that the allegedly naturally born LGBTQ person ought to engage in LGBTQ behaviour and that is natural for him or her.

The fact of the matter is that, until today, there has not been any conclusive scientific evidence to support such a claim. On the contrary, studies dispel the notion that a single gene or handful of genes makes a person prone to same-sex preference. In a study carried out by Mayer, L. and McHugh, P. (2016), titled ‘Sexuality and Gender: Findings from the Biological, Psychological, and Social Sciences’ states that there isn’t any scientific evidence to support the ‘born this way’ idea. Furthermore, Reardon (2019) show that in one of the largest studies done to date, comprising 500,000 participants, there wasn’t any significant linking of genes to any ‘one’ sexual orientation. The reality is that these behaviours are a result of choice, boredom, vice, a derogatory lifestyle and satanic influences.

Freedom of Choice

Nowhere in the world is freedom of choice absolute, freedom is always restricted to the laws that govern a people or place. As human beings, to an extent, we have a level of freedom in the choices we make. However, our freedom of choice does **not constitute legitimacy** because we used our ability of choice. If a person chooses to have sexual relations with his mother, daughter or sibling, with their consent, would the act be legitimate? The laws of the state consider such acts as criminal offences and, as such, its perpetrators are penalized. According to the laws of Islam and all other monotheistic religions, LGBTQI relations are no different and thus should be treated in a similar manner.

Islamic Perspective

Question

What is the ruling regarding same-sex marriages, in light of the Shariah? Can you provide evidence from the Quran and *Sunnah*? What is the ruling regarding a person who commits the action?

Answer

The lawful and unlawful is strictly based on the laws of the divine Shariah. The Prophet ﷺ said: "that which is lawful is clear and that which is unlawful is clear, and between the two of them are doubtful matters about which many people do not know". However, this matter is known to those Scholars who are firmly grounded in knowledge of the Shariah. Legislation is the sole right of the Shariah. Scholars are not lawmakers or legislators. Their role is simply to explain, and make clear to the people, the laws of the Shariah based on the correct understanding of the Holy Quran and Hadith. As for same-Sex relations (Homosexuality and Lesbianism), it is clearly prohibited in the Shariah.

Evidences of its Prohibition

The evidences for its prohibition are numerous and are explicit. Some of these evidences are as follows:

﴿وَالَّذِينَ هُمْ لِأُزْوَاجِهِمْ حَافِظُونَ﴾
﴿إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ فَإِنَّهُمْ غَيْرُ مَلُومِينَ﴾
﴿فَمَنْ ابْتَغَىٰ وَرَاءَ ذَلِكَ فَأُولَٰئِكَ هُمُ الْعَادُونَ﴾

Translation: And they (the believers) are those who guard their private parts, except with their wives or those 'bondwomen' in their possession, for then they are free from blame. But whoever seeks beyond that are the transgressors. [Quran 23:6-8]

In the Shariah, the only lawful means whereby an individual can fulfil his or her sexual desires is through marriage, furthermore Shariah declares all other forms of sexual relationships or gratification as unlawful. Regarding marriage, the Shariah only recognises the legitimacy of marriages of the opposite sex (with rules and regulations). As for same-sex marriages, the Shariah strictly prohibits it and does not recognise its legitimacy. Therefore, if a person were to contract a marriage with someone of the same gender that marriage will be invalid and thus all relations committed will be regarded as *Zina*; adultery and fornication.

﴿وَلُوطًا إِذْ قَالَ لِقَوْمِهِ أَتَأْتُونَ الْفَاحِشَةَ مَا سَبَقَكُمْ بِهَا مِنْ أَحَدٍ مِنَ الْعَالَمِينَ﴾ ﴿إِنكُمْ لَتَأْتُونَ الرِّجَالَ شَهْوَةً مِنْ دُونِ
النِّسَاءِ بَلْ أَنْتُمْ قَوْمٌ مُّسْرِفُونَ﴾

Translation: And (remember) Lut (a.s), when he said to his people: “Do you commit such a fahisha (indecent) as none preceding you has ever committed in the ‘Aalamin (mankind and jinn)? You approach men lustfully (for your sexual desires) instead of women. Truly, you are a nation who exceed (in transgression). [Quran 27:54-55]

The verse explicitly indicates that the *fahisha* (indecent) committed by the people of Lut (A.S) was homosexuality. Furthermore, the prohibition of this fahisha (homosexuality) is expressively clear as Allah ﷻ describes its perpetrators as sinners and transgressors of His bounds.

﴿قُلْ إِنَّمَا حَرَّمَ رَبِّي الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا وَمَا بَطَّنَ﴾

Translation: My Lord has only prohibited **Fawahish** (pl. of fahisha), (acts of indecent) that which is (committed) in secrecy and that which is (committed) openly. [Quran 7:33]

Certainly, Allah ﷻ has made prohibited all forms of fawahish (acts of indecent). All acts of indecent are explicitly prohibited by the Shariah which is called *Zina*.

﴿وَلَا تَقْرُبُوا الزَّوَاجَ إِذَا كَانَ فَحِشَةً وَسَاءَ سَبِيلًا﴾

Translation: And do not come near to adultery; surely it is a fahisha (act of indecent) and an evil pathway. [Quran 17:32]

Allah ﷻ in this verse states that *Zina* is evil, and *Zina* is “**fahisha**” which are all explicitly forbidden in all forms i.e. Adultery, fornication, homosexuality, lesbianism, etc.

Verses of the Quran clarify other Verses”². Allah ﷻ states that the action of the people of Lut (A.S) i.e., homosexuality is “fahisha” which He explicitly mentions in this verse as *Zina*.

² أصل مقرر عند المفسرين، يسلك السبيل القويم في بيان المعاني فيفسر القرآن بالقرآن أو بالحديث أو بأقوال الصحابة، ويستأنس بأقوال التابعين والمجتهدين، وذلك أن القرآن يفسر بعضه بعضاً فما أُجمل في موضع فُصِّل في موضع آخر، وقد تخصص آية عموم آية أخرى، تفسير البغوي - طيبة (9/ 1) روح البيان (398/ 4) يقول الفقير قد تقرر ان القرآن يفسر بعضه بعضاً

﴿وَاللَّاتِي يَأْتِيْنَ الْفَاحِشَةَ مِنْ نِّسَائِكُمْ فَاَسْتَشْهِدُوْا عَلَیْهِنَّ اَرْبَعَةً مِنْكُمْ﴾

Translation: Those women who commit fahisha [i.e., unlawful sexual intercourse] bring against them four [witnesses] from among you. [Quran 4:15]

Similarly, in this verse, based on the above principle, the word fahisha means *Zina* as is the view of all the Scholars.

Homosexuality and Lesbianism being acts of *Zina* (adultery and fornication) is also found in the Ahadith of the Prophet ﷺ.

The Prophet ﷺ is reported to have said:

لَا تُبَاشِرُ الْمَرْأَةُ الْمَرْأَةَ إِلَّا وَهُمَا زَانِيَتَانِ وَلَا يُبَاشِرُ الرَّجُلُ الرَّجُلَ إِلَّا وَهُمَا زَانِيَانِ

Translation: No two women commit the act of lesbianism except that they are adulteresses and no two men commit the act of homosexuality except that they are adulterers.³

The Prophet ﷺ is also reported to have said:

السَّحَاقُ بَيْنَ النِّسَاءِ زِنًا بَيْنَهُنَّ

Translation: Lesbianism among women is equal to *Zina* (adultery).⁴

Thus, if a man has sexual relations with another man, both are adulterers, similarly, if a woman has sexual relations with another woman, both are adulteresses.

In summary, it is clear from the Shariah that all forms of illicit sexual relations are regarded as *Zina* (adultery) whether it be between the opposite genders or the same genders (i.e., homosexuality and lesbianism).

﴿وَلَا تَنْكِحُوا مَا نَكَحَ آبَاؤُكُمْ مِنَ النِّسَاءِ إِلَّا مَا قَدْ سَلَفَ إِنَّهُ كَانَ فَاحِشَةً وَمَقْتًا وَسَاءَ سَبِيلًا﴾

تفسير المنار (1/ 20) إِنَّ الْفُرْأَنَ يُفَسِّرُ بَعْضُهُ بَعْضًا، وَإِنَّ أَفْضَلَ قَرِيْنَةٍ تَقُوْمُ عَلَى حَقِيْقَةٍ مَعْنَى اللَّفْظِ مُوَافَقَتُهُ لِمَا سَبَقَ مِنَ الْقَوْلِ، وَاتِّفَاقُهُ مَعَ جُمْلَةِ الْمَعْنَى، وَاتِّبَافُهُ مَعَ الْقَصْدِ الَّذِي جَاءَ لَهُ الْكِتَابُ بِجُمْلَتِهِ تَفْسِيرُ الْأَلُوسِيِّ = رُوحُ الْمَعَانِي (9/ 208) فَإِنَّ الْقُرْآنَ يَفْسِرُ بَعْضُهُ بَعْضًا وَلَا يَنْبَغِي أَنْ يَعْدَلَ عَنْ تَفْسِيرِ بَعْضِهِ بَعْضًا مَا أَمَكْنَ نَفَحَاتٍ مِنْ عُلُومِ الْقُرْآنِ (ص: 125) شُرُوطُ الْمَفْسَرِ وَأَدَابُهُ ثَالِثًا (الشَّرْطُ الثَّالِثُ): أَنْ يَطْلُبَ تَفْسِيرَ الْقُرْآنِ بِالْقُرْآنِ، فَإِنَّ بَعْضَ الْقُرْآنِ يَفْسِرُ بَعْضَهُ، فَمَا أَجْمَلَ مِنْهُ فِي مَوْضِعٍ، فَإِنَّهُ قَدْ فَصَّلَ فِي مَوْضِعٍ آخَرَ، وَمَا اخْتَصَرَ مِنْهُ فِي مَكَانٍ فَإِنَّهُ قَدْ بَسَطَ فِي مَكَانٍ آخَرَ مَفْرَدَاتِ الْقُرْآنِ لِلْفَرَاهِي (ص: 29) أَجْمَعَ أَهْلُ التَّأْوِيلِ مِنَ السَّلَفِ إِلَى الْخَلْفِ أَنَّ الْقُرْآنَ يَفْسِرُ بَعْضُهُ بَعْضًا، وَأَنَّهُ هُوَ أَوْثَقُ تَعْوِيلًا وَأَحْسَنُ تَأْوِيلًا

³ [Majma'uz Zawaaid, #13222]. Allamah Haithami said: Imam Tabrani has narrated it in his [Jami'ul] Kabeer and Awsat from his shaykh Ali ibn Sa'eed Al-Razi and there is some weakness in him. [All] the other narrators are reliable.

⁴ [Majma'uz Zawaaid, #10600] Allamah Haithami says: Its narrators are reliable.

Translation: Do not marry the women whom your fathers have married except what transpired before (it was made prohibited) for certainly it is fahisha (act of indecency), abominable and an evil path. [Quran 4:22]

In this verse Allah ﷻ clearly prohibits the marriage between a man and his father's ex-wife. Relations from such a union is fahisha (zina). Similarly, all forms of unlawful marriage relations not endorsed by the Shariah is fahisha (zina). This is the case even if all the other conditions for a valid marriage exist.

﴿.. فَإِذَا تَطَهَّرْنَ فَأْتُوهُنَّ مِنْ حَيْثُ أَمَرَكُمُ اللَّهُ إِنَّ اللَّهَ يُحِبُّ التَّوَّابِينَ وَيُحِبُّ الْمُتَطَهِّرِينَ﴾

Translation: And when they (the wife) have purified themselves, then go unto them where Allah ﷻ has ordained for you (referring to Al-Farj i.e., the female pudendum). [Quran 2:222]

The Prophet ﷺ also stated:

مَلْعُونٌ مَنْ أَتَى امْرَأَةً فِي دُبْرِهَا

Translation: Accursed is that person who enters his wife from her anus.⁵

The Prophet ﷺ also stated

لَا يَنْظُرُ اللَّهُ لِرَجُلٍ جَامَعَ امْرَأَتَهُ فِي الدُّبْرِ

Translation: Allah ﷻ will not look (with mercy and compassion) at a man who has sexual intercourse with his wife via her anus.⁶

Allah ﷻ has made the action of anal sex with one's wife totally prohibited. If this action is totally prohibited within a lawful union which the shariah fully recognises its legitimacy, then what about those unions which are not recognised by the Shariah?

The Prophet ﷺ also stated:

قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: مَنْ وَجَدْتُمُوهُ يَعْمَلُ عَمَلِ قَوْمِ لُوطٍ، فَاقْتُلُوا الْفَاعِلَ وَالْمَفْعُولَ بِهِ

Translation: Whomsoever you find committing the action of the people of Lut (A.S) i.e., homosexuality, kill both parties (the penetrator and the penetrated).⁷

⁵ [Abu Dawud, #2162]

⁶ [Tirmidhi, #1165, Bashir Awwad Ma'ruf edition]

⁷ [1] (2593) رواه أحمد (2732)، وأبو داود (4462)، وابن ماجه (2561)، والترمذي (1456)، وأبو يعلى (2463)، والبخاري (2593)

NB: This address is to the Islamic Judge in an Islamic in a country governed by Islamic law.

The Prophet ﷺ also stated:

قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: أَرْجُمُوا الْأَعْلَى وَالْأَسْفَلَ، أَرْجُمُوهُمَا جَمِيعًا

Translation: The Prophet ﷺ said [regarding those who practice homosexuality]: Stone the upper and the lower, stone them both.⁸

The Prophet ﷺ also stated

أَنَّ نَبِيَّ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: لَعَنَ اللَّهُ مَنْ عَمِلَ عَمَلِ قَوْمِ لُوطٍ، لَعَنَ اللَّهُ مَنْ عَمِلَ عَمَلِ قَوْمِ لُوطٍ، ثَلَاثًا

Translation: May Allah's ﷻ curse (wrath and punishment) be upon those who commit the action of the people of Lut (A.S). (He ﷺ said this three times).⁹

The Prophet ﷺ also stated:

قَالَ ﷺ لَا يَنْظُرُ الرَّجُلُ إِلَى عَوْرَةِ الرَّجُلِ، وَلَا الْمَرْأَةُ إِلَى عَوْرَةِ الْمَرْأَةِ، وَلَا يُفْضِي الرَّجُلُ إِلَى الرَّجُلِ فِي ثَوْبٍ وَاحِدٍ، وَلَا تُفْضِي الْمَرْأَةُ إِلَى الْمَرْأَةِ فِي الثَّوْبِ الْوَاحِدِ

Translation: It is prohibited for a man to look at the private parts of another man and similarly it is prohibited for a woman to look at the private parts of another woman and it is prohibited for a man to be alone (or lie) with another man under one garment, and it is prohibited for a woman to be alone (or lie) with a woman under one garment.¹⁰

Therefore, it is clear from the above texts that fahisha, in all its forms, is totally prohibited and warrants punishment.¹¹

⁸ [Sunan Ibn Majah, #2562, Shaykh Shua'yb Arnaut edition]

⁹ [Musnad Ahmad 1/317, #2915]. Shaykh Shua'yb Arnaut says: Its sanad is jayyid [good].

¹⁰ [Sahih Muslim, #338]

¹¹ However, not all sexual relations outside of marriage (fahisha) are regarded as *Zina* which warrants Hadd (Islamic decreed punishment) rather, only those illicit sexual relations involving a man and a woman (where penetration via male and female sexual organs occurred) will necessitate Hadd. As for the other forms of fahisha (i.e. homosexuality and lesbianism), Hadd would not apply even though it is equally sinful. This is left up to the discretion of the Khalifah
NB: The punishment given by the Imam may be harsher than the Hadd of *Zina*.

المبسوط للسرخسي (9/ 78) وَالَّذِي وَرَدَ فِي الْحَدِيثِ «إِذَا أَتَى الرَّجُلُ الرَّجُلَ فَهُمَا زَانِيَانِ» حَاجَزٌ لَا تَنْبُتُ حَقِيقَةُ اللَّغَةِ بِهِ وَالْمُرَادُ فِي حَقِّ الْإِنِّمِ، أَلَا تَرَى أَنَّهُ قَالَ «وَإِذَا أَتَتْ الْمَرْأَةُ الْمَرْأَةَ فَهُمَا زَانِيَتَانِ» وَالْمُرَادُ فِي حَقِّ الْإِنِّمِ دُونَ الْحَدِّ، كَمَا أَنَّ اللَّهَ تَعَالَى سَمَّى هَذَا الْفِعْلَ فَاحِشَةً فَقَدْ سَمَّى كُلَّ كَبِيرَةٍ فَاحِشَةً فَقَالَ {وَلَا تَقْرَبُوا الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا وَمَا بَطَنَ} [الأنعام: 151]

Question

Can a person be a homosexual or a lesbian etc and be a Muslim at the same time?

Answer

According to the principles of Shariah, if a person commits an unlawful act, he will be sinful, but remains in the fold of Islam. Thus, if a person commits the act of homosexuality or lesbianism, he/she would have committed a **major sin**, however that it would not take them out the fold of Islam.

Allah ﷻ mentions:

﴿إِنَّ اللَّهَ لَا يَغْفِرُ أَنْ يُشْرَكَ بِهِ وَيَغْفِرُ مَا دُونَ ذَلِكَ لِمَنْ يَشَاءُ﴾

Translation: Surely Allah ﷻ does not forgive that anything should be associated with Him (in worship), and He forgives what is besides this to whom He pleases. [Quran 4:48]

Imam al Tahawi (R.A) states in his renowned treatise on theology outlining the beliefs of *Ahlus Sunnah wal Jama'ah*

وأهل الكبائر من أمة محمد صلى الله عليه وعلى آله وسلّم في النار لا يُخلّدون إذا ماتوا وهم مؤخّدون وإن لم يكونوا
تائبين بعد أن لقوا الله عارفين

Translation: Those who committed major sins from the *ummah* of Muhammad ﷺ will not remain in the fire of hell forever if they die upon Tawheed provided that they died and meet Allah ﷻ as believers, affirming His oneness even if they have not repented.¹²

If, however, a person commits the unlawful act of homosexuality or lesbianism, **negating its prohibition and believing it to be lawful**, then what is the ruling?

Imam al Tahawi (R.A) states in his renowned treatise on theology;

ولا نُكفّر أحداً من أهل القبلة بذنب، ما لم يستحلّه

Translation: We do not declare any of the Muslims to be disbelievers because of any wrong action (they have done), **as long as they do not consider that action to be lawful**.¹³

Imam Abu al Hasan al Ashari (R.A) states:

¹² شرح الطحاوية ت الأرناؤوط (2/ 524)

¹³ شرح الطحاوية ت الأرناؤوط (2/ 432)

ونقول إن من عمل كبيرة من هذه الكبائر؛ مثل الزنا، والسرقه وما أشبهها، مستحلا لها غير معتقد لتحريمها؛ كان

كافراً¹⁴

Translation: We say, if a person commits a major sin from amongst sins e.g. *Zina*, stealing and the likes thereof, considering it to be lawful, negating its prohibition, then he is a Kafir (disbeliever).

Negating what has been made prohibited by the Shariah is definitely a major sin. The Jurists however have stated that a person would not be deemed to have left the fold of Islam unless he negates a prohibited action of a specific nature.

The Jurists of Islam have stated that if the nature of the prohibited act meets the following conditions, its negation will constitute Kufr (as in the case of *Zina*, *Khamr* (wine) etc. These conditions are:

1. *Qati' al-Thubut* (قطعي الثبوت) i.e. expressly established and *Qati' al-Dalalah* (قطعي الدلالة) i.e. expressly indicative without ambiguity and is not interpreted or understood otherwise.
2. Necessarily known of the religion i.e. those prohibited aspects of Islam that were passed down generation after generation, in such a manner that these aspects being prohibited in Islam are agreed upon and are undeniable.
3. Its prohibition is clear to the general masses (scholars as well as laymen).¹⁵

¹⁴ وقال أبو الحسن الأشعري - رحمه الله تعالى - في الإبانة: وندين بأن لا نكفر أحدا من أهل القبلة بذنب يرتكبه؛ كالزنا، والسرقه، وشرب الخمر، كما دانت بذلك الخوارج وزعمت أنهم كافرون. ونقول: إن من عمل كبيرة من هذه الكبائر؛ مثل الزنا، والسرقه وما أشبهها، مستحلا لها غير معتقد لتحريمها؛ كان كافرا

¹⁵ إكفار الملحد في ضروريات الدين (ص: 7) وذهبت الحنفية بعد هذا إلى أن إنكار الأمر القطعي وإن لم يبلغ إلى حد الضرورة كفر. صرح به الشيخ ابن الهمام في "المسيرة" وهو متجه من حيث الدليل ثم إن الأمر الشرعي الضروري قد يكون التعبير عنه وتفهمه للناس سهلاً، ويشارك لسهولة في الخواص والأوساط والعوام، فإذا تواتر مثل ذلك عن صاحب الشرع وكان مكشوف المراد لم تتجاذب الأدلة فيه وجب الإيمان به على حاله بدون تصرف وتعجرف الدرر المباحة في الحظر والإباحة لخليل بن عبد القادر الشيباني الشهير بالنحلاوي ص 56

والكفر ثلاثة أنواع... الثالث: حكمي وهو: ما جعله الشارع إمارة التكذيب، كاستخفاف ما يجب تعظيمه من الله تعالى، وكتبه، (وملائكته)، ورسله واليوم الآخر، وما فيه (من الحشر، والصراط، والميزان، والجنة، والنار، وغيرها)، والشرعية، وعلومها، وسبب يدن الإسلام، أو الحق تعالى، أو النبي صلى الله عليه وسلم، أو إنكار شيء من الأشياء المعلومة من الدين بالضرورة، مما ثبت بالقرآن الكريم، وكان قطعي الدلالة، أو بالنسبة المشهورة، المتواترة كذلك، وليس فيه شبهة، أو بإجماع جميع الصحابة المتواتر، إجماعاً قطعياً قولياً غير سكوني، أو أنكر وجود الله تعالى، أو اعتقد بتأثير الأشياء بنفسها، وطبعها، بدون إرادة الله تعالى، أو أنكر وجود الملائكة، أو الجبري، أو السماوات أو اعتقد جل الحرام لعينه، وكانت حرمة دليل قطعي - كشرب الخمر - أو استخف بحكم من الأحكام الشرعية التقرير والتجبر علي تحرير الكمال بن الهمام (3/ 114)

وَجَعَلَ الشُّبْكِي لِمُنْكَرِ الْمُجْمَعِ عَلَيْهِ غَيْرِ الْمَعْلُومِ مِنَ الدِّينِ بِالضَّرُورَةِ ثَلَاثَ مَرَاتِبٍ: مُنْكَرُ إِجْمَاعٍ ذِي شُهْرَةٍ فِيهِ نَصٌّ كَجَلِّ الْبَيْعِ فَفِي جَمْعِ الْجُمُوعِ كَافِرٌ فِي الْأَصَحِّ وَقَالَ فِي شَرْحِ مُخْتَصَرِ ابْنِ الْحَاجِبِ وَلَا رَيْبَ فِي كُفْرِهِ لِتَكْذِيبِهِ الصَّادِقِ، وَمُنْكَرُ إِجْمَاعٍ ذِي شُهْرَةٍ لَا نَصَّ فِيهِ قِيلَ لَا يُكْفَرُ؛ لِأَنَّهُ لَمْ يُصَرَّحْ بِتَكْذِيبِ الصَّادِقِ إِذِ الْفُرْضُ أَنَّ لَا نَصَّ فِيهِ، وَإِنَّمَا كَذَّبَ الْمُجْمَعِينَ وَالْأَصَحُّ يُكْفَرُ؛ لِأَنَّ تَكْذِيبَهُمْ يَتَضَمَّنُ تَكْذِيبَ الصَّادِقِ الْمَوْسُوعَةِ الْفَقْهِيَّةِ (3/ 236)

With regards to homosexuality and lesbianism, both of which are *Zina* in themselves or forms of *Zina*, meet the above-mentioned conditions. Therefore, anyone who negates its prohibition and regards it as lawful, leaves the fold of Islam. This is regardless of whether he commits the act or not. Thus, advocates of homosexuality and lesbianism, cannot be Muslim, it is principally impossible. If, however, as stated earlier, he or she commits the act due to weak Iman, knowing that it is wrong (without regarding it as lawful), then they will be regarded as sinners and remains in the fold of Islam.

Important Points

- Since the ideologies of the LGBTQ movement have managed to influence members of the Muslim community, to the extent that some have even become advocates of it, a person may regard the act of homosexuality and lesbianism to be lawful due to his ignorance to the laws of the Shariah. If that is the case, such a person will not be regarded as being out of the fold of Islam. However, if after being presented with clear proofs and evidences, and thereafter he rejects it and still considers it to be lawful, this person will now become an apostate.
- Apostasy, or leaving the from the fold of Islam, destroys all the good deeds of a Muslim performed prior to becoming an apostate. An apostate is a Kafir, in fact, from the worst types of *Kuffaar*. *Kufr* is the gravest and worst of sins, it is the greatest atrocity that a human being can ever commit. Disbelief is the most detested action in the sight of Allah ﷻ, it is an act which is unpardonable in the court of Allah ﷻ. If a person dies in such a state, he is destined to the fire of

"الاستيخلال: اغتبار الشيء خلافاً، فإن كان فيه تحليل ما حرّمه الشارع فهو حرام، وقد يكفر به إذا كان التحريم معلوماً من الدين بالضرورة فمن استحل على جهة الإعتقاد محرماً - علم تحريمه من الدين بالضرورة - دون عذر: يكفر وسبب التكفير بهذا: أن إنكار ما ثبت ضرورة أنه من دين محمد صلى الله عليه وسلم: فيه تكذيب له صلى الله عليه وسلم، وقد ضرب الفقهاء أمثلة لذلك باستيخلال القتل والزنى، وشرب الخمر، واليسخر الدر المختار وحاشية ابن عابدين (رد المحتار) (2/ 5)

وقد صرح بعض المحققين من الشافعية بأن من أنكر مشروعية السنن الراتبة أو صلاة العيدين يكفر لأنها معلومة من الدين بالضرورة وسيأتي في سنن الفجر أنه يخشى الكفر على منكراها. ثلث: ولعل المراد الإنكار بنوع تأويل وإلا فلا خلاف في مشروعيتهما. وقد صرح في التحرير في باب الإجماع بأن منكر حكم الإجماع القطعي يكفر عند الحنفية وطائفة. وقالت طائفة لا، وصرح أيضاً بأن ما كان من ضروريات الدين وهو ما يعرف الخواص والعوام أنه من الدين كوجوب اعتقاد التوحيد والرسالة والصلوات الخمس وأحوالها يكفر منكروه، وما لا فلا؛ كفساد الحج بالوطء قبل الوقوف، وإعطاء السدس المجدة ونحوه أي بما لا يعرف كونه من الدين إلا الخواص حاشية العطار على شرح الجلال المحلي على جمع الجوامع (2/ 238)

(خاتمة: جاهد المجمع عليه المعلوم من الدين بالضرورة) وهو ما يعرف منه الخواص والعوام من غير قبول للتشكيك فالتحقق بالضروريات كوجوب الصلاة والصوم وحرمه الزنا والخمر (كافر قطعاً)؛ لأن جحده يستلزم تكذيب النبي - صلى الله عليه وسلم - فيه البحر المحيط في أصول الفقه (2/ 219) أن مناط التكفير غير مناط القطع، فكم من قطعي لا يكفر منكروه بل لا بد أن يكون مجمعا عليه معلوماً من الدين بالضرورة

Jahannam (Hell) for eternity. If such a person dies, it will not be permissible to perform *Janazah Salaah* upon him/her nor will it be permissible for him/her to be buried in a Muslim cemetery. If, however, such a person repents and re-accepts Islam, Allah ﷻ The Most Merciful will forgive all his sins on the condition that the rewards for his deeds performed prior to apostasy will not be returned.

- It is strictly prohibited for a person to deem a Muslim as a Kafir without having full knowledge and understanding of the factors that nullify Iman and its impediments (i.e. despite the presence of these factors that nullify Iman), the presence of impediments will prevent the ruling. Declaring a Muslim to be a disbeliever is indeed a major sin. The Prophet ﷺ said: When a man calls his Muslim brother a disbeliever, it returns to one of them.¹⁶ (i.e. if the addressee is not deserving of it, the effects of that statement will return unto the one who initiated it).

Transgenders, Transsexuals and Intersexes in Light of the Shariah

Allah ﷻ states in the Quran:

﴿وَأَنَّهُ خَلَقَ الذَّكَرَ وَالْأُنثَى﴾

Translation: And that He (Allah ﷻ) created pairs; male and female. [Quran 53:45]

Islam explicitly affirms that there are only two genders in humankind; male and female, a human being can either be a male or female (not both and nothing else). Furthermore, Islam does not differentiate between gender and sex.

The terms transgender and transsexual are used interchangeably, though there may be some distinctions between them.¹⁷ These terms (transgender and transsexual) are used to describe those who deviate from the natural way in which they were created. They assume a gender different from their gender at birth i.e. male or female.

¹⁶ [Sahih Muslim, #60]

¹⁷ Historically and medically, the term transsexual was used to indicate a difference between one's gender identity (their internal experience of gender) and sex assigned at birth (male, female, or intersex). More specifically, the term (transsexual) is often (though not always) used to communicate that one's experience of gender involves medical changes, such as hormones or surgery, that help alter their anatomy and appearance to more closely align with their gender identity. (Healthline, 2019)

NB: Transgenders or transsexuals are not to be confused with intersexes (hermaphrodites) as the former are individuals born with typical male or female anatomy unlike intersexes (which will be discussed later in this article). Transgenders or transsexuals are, in reality, *Mukhanath* (men who resemble and imitate women) and *Mutarajjilat* (women who resemble and imitate men).

Transgender is a mental illness and abnormality caused by various external factors.

A person's decision to undergo gender transitioning, whether medically or socially, can be the result of two factors:

1. Gender dysphoria- previously called gender identity disorder. This is a term that describes a sense of unease that a person may have because of a mismatch between their biological sex and their gender identity.¹⁸ Gender dysphoria is a mental illness and disorder that needs to be treated at the very onset.

The Shariah categorises each individual as a man or a woman and for each are specific rights and duties. Transgender has no place in Islam. A person suffering from gender identity disorder should seek professional assistance and guidance, both medically and spiritually.

2. Takhannuth and Tarajjul- Effeminate man and Masculine woman. These are evil desires that propel a man to behave and act like a woman in speech, appearance, behaviour, posture, voice, dressing and movements etc. and likewise, for a woman to imitate and behave like a man.

The Messenger of Allah ﷺ declared:

لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْمُتَشَبِّهِينَ مِنَ الرِّجَالِ بِالنِّسَاءِ، وَالْمُتَشَبِّهَاتِ مِنَ النِّسَاءِ بِالرِّجَالِ

“Allah ﷻ curses men who imitate women and women who imitate men.”¹⁹

He ﷺ also said:

لَعَنَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْمُحَنَّثِينَ مِنَ الرِّجَالِ، وَالْمُتَرَجِّلَاتِ مِنَ النِّسَاءِ

“May Allah ﷻ curse the effeminate man and the masculine woman.”²⁰

The Messenger of Allah ﷺ said:

¹⁸ NHS (2019).

¹⁹ [Bukhari, #5885]

²⁰ [Bukhari, #5886]

لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الرَّجُلَ يَلْبَسُ لِبْسَةَ الْمَرْأَةِ وَالْمَرْأَةَ تَلْبَسُ لِبْسَةَ الرَّجُلِ

"Allah ﷻ curses a woman who wears either men's clothing and a man who wears a woman's dress."²¹

Therefore, the concept of transgenders or transexuals is totally prohibited and has no place in Islam. In all conditions, it is prohibited for a person to undergo any form of gender transition, whether medical or social.

Medical transition for men suffering from this mental disorder, includes:

- hormone therapy (to create feminine characteristics such as less body hair, breasts, redistribution of body fat toward hips and breasts, etc.)
- breast augmentation (implants)
- orchiectomy (removal of testes)
- laser hair removal (to remove hair from the face or other parts of the body)
- tracheal shave (making the Adam's apple smaller)
- facial feminization surgery (create smaller, more feminine facial features)
- penile inversion vaginoplasty (making of a vagina by inverting penile skin)

Medical transition for women suffering from this mental disorder includes:

- hormone therapy (to make masculine characteristics such as a deeper voice, facial hair growth, muscle growth, redistribution of body fat away from hips and breasts, not getting a period, etc.)
- male chest reconstruction, or "top surgery" (removal of breasts and breast tissue)
- hysterectomy (removal of internal female reproductive organs such as the ovaries and uterus)
- phalloplasty (construction of a penis using skin from other parts of the body)
- metoidioplasty (surgery that causes the clitoris to work more like a penis, along with hormone treatment to make the clitoris grow larger)²²

NB: Not all transgenders may choose to undergo medical transition. Some may transition medically by doing one or only a few of the procedures listed above. Some may take hormones and decide not to have any surgeries, or just choose one kind of surgery or none of the others. Some may choose to transition socially and not medically.

²¹ [Abu Dawud, #4098]

²² Planned Parenthood. (n.d.).

It is important to understand that our body belongs to its Creator, Allahﷻ the Almighty, and must be treated (whether alive or dead) in accordance with the laws of its Creator. Thus, it is totally prohibited for a person to medically transition into the opposite gender from which he or she was created. Even if a person undergoes medical transition to the extent that he or she totally resembles the opposite gender in appearance and anatomy, he or she will still be attributed to the original gender at the time of birth. Therefore, in the case of a transgender woman (a person who was born as a male), the laws of Islam which are specific to a male will apply to the transgender woman. Similarly, in the case of a transgender man, the laws of Islam specifically related to a woman will apply to the transgender man. This is the ruling is regardless if the person transitioned medically or socially.

In understanding the severity of the matter, sins and transgressions can be grouped into two categories:

1. **Short-lived and curtailed**, which are restricted to a specific place of time. The perpetrator sins once committing the atrocity.
2. **Prolonged and extended** which is not restricted to specific place or time. The perpetrator is continuously sinning every moment of his life, every breath that he takes until he repents. An example of this is gender transition (transgender) wherein the sin is not restricted to a specific time or place, rather it extends to all times and all places especially in the case of medical transition.

The curse of Allahﷻ is upon that individual perpetually until he repents. Therefore, the only solution is for such individuals to repent sincerely before Allah and rectify themselves.

Allahﷻ mentions:

﴿إِلَّا الَّذِينَ تَابُوا مِنْ بَعْدِ ذَلِكَ وَأَصْلَحُوا فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ﴾

Translation: Except those who repent afterwards and mend their ways; then, Allah is All-Forgiving, Very Merciful. [Quran 3:89]

Such individuals must not only repent from their heart, but their repentance must be apparent in that they rectify their actions, behaviour, appearance etc. as well.

Intersexes (*Khuntha*) are mentioned in the books of Islamic Jurisprudence, but do not refer to transgenders and transsexuals. Intersexes, are a rare phenomenon in which a person is born having both male and female anatomy.²³

Intersexes may be divided into two categories: Unambiguous intersexes and ambiguous intersexes.

1. **Unambiguous Intersex:** The Jurists of Islam have outlined rules and principles by which the gender of this type of intersex may be determined. After the gender is determined they would be identified by that assigned gender in all aspects. Furthermore, there is no harm if such individuals to undergo medical treatment/surgery to enhance their assigned anatomy and remove blemishes and defects. This is known as Gender reassessment Surgery.
2. **Ambiguous Intersex:** This type is termed by the Jurists of Islam as *Khuntha Mushkila*. It refers to that *Khuntha* (intersex), whose gender is difficult to determine as the signs of masculinity and the signs of femininity are equal in all perspectives. The details of which are mentioned in the books of Islamic Jurisprudence.

Other Rulings Pertaining to Transgenders

Marriage

Islam only permits the marriage between a man and woman. As stated above Islam does not recognise the transition of an individual from one gender/sex into the other (except in genuine cases relating to ambiguous intersexes). Thus, it will be totally prohibited for a transgender woman to marry a man and vice versa. All relations resulting from such union will be regarded as *zina* (adultery, fornication, homosexuality and lesbianism).

Seclusion

Even though Islam does not recognise the transition of one gender into another, it will be necessary for Muslim women to observe Hijab²⁴ in the presence of transgender men (even

²³ A 2018 review reported that the number of births with ambiguous genitals is in the range of 0.02% to 0.05% Selma Feldman Witchel (2018). "Disorders of Sex Development". Best Practice & Research. Clinical Obstetrics & Gynaecology

²⁴ The concept of Hijab does not only refer to a woman covering her body in a specific manner, but also refers to modesty and chastity in a woman's conduct and behaviour before members of the opposite sex, it is a concept that promotes privacy for females and prohibits loose intermingling etc.

though their original gender is female). Similarly, is the case of transgender women i.e. it is necessary for Muslim women to observe Hijab in their presence.

Salaah

In principle, there are no differences in the method of performing Salaah between a male and a female (except in certain postures, where a woman is required to perform it in a manner which is more concealing and less revealing, the details of which are mentioned in the books of Islamic Jurisprudence). However, with regards to the *awrah* (concealed parts of the body), there is a difference and its rulings must be observed for the Salaah to be valid. Furthermore, it will not be permissible for a transgender man to stand in line with the men as their Salaah will be nullified. Also, it will not be permissible for a transgender woman to intermingle or be in seclusion with men due to evident *fitnah* and corruption. Hence, they should not be allowed in our places of worship, homes and gatherings.

Inheritance

A transgender will be entitled to inheritance. Shares will be based on the original gender assigned at birth i.e., based on the gender they were born as.

Gender-Specific Facilities

A person identified as transgender, should **not be allowed to use public facilities** designated specifically for females or males. This is irrespective of the person's original gender or transitioned gender. These measures are necessary to ensure the protection, privacy and safety of the general masses.

The only solution for individuals who are transgender are for them to be given their own facilities. If not, the privacy given to both men and women will be eroded. This leaves room for misconduct, spying, abuse, harassment, or other social ills such as rape or even murder. The freedoms and privacy of the many far outweigh that of the few.

In conclusion, it must be understood that gender transition (whether medically or socially) is **totally prohibited** and has no place in Islam. As such, a transgender must repent and abandon his/her evil traits and practices and adhere to the laws of Islam. In doing so, the following should also be done:

1. Engage in sincere repentance and make abundant supplication for guidance and steadfastness
2. Increase doing good deeds, Quran, *Zikr*, fasting, charity etc. seeking closeness to Allah ﷻ.
3. Seek professional aid and counselling from a Muslim psychiatrist and therapist.
4. Seek Islamic advice and teaching from Islamic Scholars
5. Endeavor to adopt the appearance and behaviour of the original gender (both medically and socially)
6. Seek the company of the righteous and upright ²⁵

Health & Mental Health Issues

While the Pandemic of the LGBTQI continues, hidden away from the eyes of society, underlying health conditions emerge and rapidly develop from sexually transmitted diseases, cancer, negative mental health issues and even to suicide.

This lifestyle increases the likelihood of adverse health consequences from sexually transmitted diseases to substance abuse which leads to different types of cancer, heart diseases amongst other conditions (CDC, 2019).

83% of men that classified themselves as gay, or bisexual, were found to have developed syphilis in 2014, while in 2018, most of the new cases of HIV infections recorded, 69%, were gay or bisexual (CDC, 2019). Women who are involved in this lifestyle are also not immune. The possibility of the development of HIV, as well as other infections, such as trichomoniasis and HPV, to name a few, is very high (Mayo Clinic).

In a report by the Substance Abuse and Mental Health Association (SAMHA) (2012), it was found that LGBTQI men & women were more likely to develop heart disease, cancer, fitness issues, while obesity was found in LGBTQI women. SAMHA (2012) goes on to state that LGBTQI persons are very likely to be involved in substance abuse by increased use of tobacco products, alcohol, marijuana and other drugs. Furthermore, Gonzales et. al (2016), found as compared to heterosexual counterparts, cancer, heart disease, stroke

²⁵ Darul Iftaa Marabella Trinidad and Tobago

and other health issues were more common due to the higher rate of substance abuse by those who identified as LGBTQI.

Mental health is another area of particular concern for this community. The UK based Stonewall Report (2018) showed data that LGBTQI people were more likely to face depression, anxiety, thoughts or even attempted to take their own life and even eating disorders. LGBTQI people are at a higher risk of experiencing common mental health problems than the general population.

The table below summarizes the issues faced by the LGBTQ community and the frequency of the likelihood of its occurrence:

LGBTQ ISSUES	FREQUENCY
Depression in the last year	52%
Attempted suicide	13% aged 13-24 years
Thoughts about suicide amongst transexual individuals	46%
Self-harm amongst non-binary individuals	41%
Consumption of alcohol on a daily basis	16%
Usage of drugs on a monthly basis	13% aged 18-24 years
Affected with anxiety	61%

(Stonewall, 2018).

If facing these mental issues and figures weren't enough, the CDC has also made mention of the suicidal tendencies in this community. The Report (2018) went on further to say that 46% of transgender and 31% LGBTQ people had thought about suicide. Likewise, The Trevor Project states that the contemplation of suicide is 3 times higher in the LGBTQI youths as compared to their heterosexual counterparts.

While institutes like the CDC and others in one breath carry out studies and publish information on all the adversities and harm of this lifestyle, in another breath they try to promote a healthier manner to carry on this despicable lifestyle by blurring and destroying real morals and values. Even if communicable diseases and sexual health was not a concern, substance abuse, heart disease, cancer as well as mental health and suicidal tendencies are other frightening health and mental health risks.

How can society religiously and morally condone, or even turn a blind eye to these heinous carnal acts, which give rise to all sorts of infections and diseases both physically and mentally. The well-being of society must prevail over the choice of the few.

Effects of Same-Sex Parenting

Compounding the above issues, Martin (N.D) states that loss of income, lack of family support, insults and even violence can create stress and anxiety in children who are in open same sex families. Furthermore, when such relationships have ended, the child becomes embroiled in emotional turbulence because of custody battles and seemingly losing a parent, unlike traditional relationships, where divorce does not stop one's mom or dad from parenting and being apart one's life. (Martin N.D)

The American Association for Marriage and Family Therapy (AAMFT) raises serious drawbacks, such as, restriction or denial of custody may occur based on a parent's orientation by the courts, discrimination, added intricacies with biological parents, discernment from extended family and even denying the child of a relationship with their parent or parents, homophobia or even violence (Linville, ND). Such issues eventually cause great strain on the household's health mentally, physically and emotionally.

While there isn't much evidence or studies to date, that can show negatives of LGBTQI parenting, what must be taken into account are the children. Children requires a stable, safe, loving, nurturing environment that they can grow both physically, emotionally and mentally. Why should children face the possibility of insults, violence, forceful separation anxiety from one's parent or parents, lack of support from extended family, and other physical health or mental issues in a home of the LGBTQI community?

Lower Birth Rate

To even further complicate issues, the drop in the fertility rate across the globe is worrying. Gallagher (2020), in a BBC article, states that this is due to women choosing education and their career, thus resulting in having less children. While there are no studies that directly show the relation of LGBTQI relations and low birth rates, it is a well-known fact that birth rates around the world have been in the decline.

Furthermore, Carrol and Schumm (2016) states that through LGBT relationships, a further a decline in birth rates will be seen in the next two generations. Carrol (2015) further states that the boundaries of procreation via marriage i.e., between a man and a woman is understood as a norm and applauded by society.

Same sex relationships have not been shown to affect birth rates, however, should these types of actions be sanctioned by those in authority, and become a social norm, it is feared that the birth rates throughout the world be decline even more and exacerbate the situation.

Remedies and Solutions

Clearly, Islam teaches about homosexuality and that one should detest this sin. To have hatred for this sin is compulsory but one should be careful **not to hate the sinner** for he can repent.

The Shari'ah does not permit these actions. One should remain free from all thoughts and actions that may lead a person to fall into this sin. If someone is tempted and becomes attracted to the same gender, they are not allowed to act on that impulse or desire. Rather they must control their gaze and control these emotions.

In the Holy Qur'aan, Allah ﷻ teaches us:

قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ ؕ ذَٰلِكَ أَزْكَىٰ لَهُمْ إِنَّ اللَّهَ خَبِيرٌ بِمَا يَصْنَعُونَ

‘O Prophet!’ Tell the believing men to lower their gaze and guard their chastity. That is purer for them. Surely Allah is All-Aware of what they do. [Surah al-Nur 30-31]

He shows us how to deal with such inclinations by commanding that we must lower our gaze. Lowering our gaze here means to turn away from that which tempts you and to literally lower your gaze. Any gender or age group that stirs inclination in a person should not be looked at, and you should not freely associate with them or have any private talks with them.

In the same verse, Allah ﷻ commands the believers to protect their private parts. *Tafsir* Mariful Qur'aan explains this to mean that all possible situations that would stir inclinations should be guarded against. For example, social media, print media, television and music or anything that would stir desires must be guarded against and avoided. One should always attempt to be of good character, modesty and dignity. This indeed best for us.

Hence, one must disassociate himself/herself from anyone who practices or encourages these abominable actions altogether. In situations where a person is surrounded, beyond control, by that which tempts them, then they should think of Allah's ﷻ rewards in abstaining from these sins.

Similarly, of great importance is making *Tawba* (repentance) and regret for any sins committed. Engage in abundant supplication and beseech Allah ﷻ for guidance and steadfastness. One should always put Allah ﷻ in front of him and be conscious that Allah ﷻ knows everything he does and thinks, and Allah ﷻ sees all. Develop that consciousness that we will all have to answer to Allah ﷻ for our Deeds.

A beautiful way of developing this consciousness is by learning and reciting the *Sunnah* supplications (*dua's*) for the different actions such as *dua's* for entering and leaving home, eating, drinking, seeking protection, etc. These *dua's* are short and can easily be learnt. By one reciting them throughout various activities of the day, then the consciousness of Allah ﷻ and *Taqwa* will increase. Regular counselling with a righteous *A'alim* (Scholar) is of utmost importance as association with the righteous creates piety and awareness of Allah ﷻ which strengthens a person's determination to refrain from sins. Being connected to the masjid and gatherings of knowledge will help motivate us upon goodness. Lastly, we should ensure all our obligatory Salaah are performed and increase upon optional deeds, as *adhkar*, charity, fasting, recitation of Quran, etc.

Guidelines to Muslims in safeguarding our *Ummah*

1. Good communication

There is no bond greater than that parent-child relationship. As Muslim parents, we **must nurture** our relationship with our children from a very young age by creating a deep, meaningful foundation and establishing open lines of communication. There is no substitute for the care and concern a parent will have for their child, they are, after all, our means of elevation in the *Akhirah*.

Raising pious and obedient children is not an easy task and requires great dedication, love, trust, tolerance and competent communication. If our child is in any difficulty or doubt, they must feel willing and comfortable to turn to us for help and guidance. We must create an effective environment of love and harmony, be lenient upon them if they happen to make a mistake in any matter. We must follow the *sunnah* of our beloved *Nabi*

ﷺ in his kindness and counsel towards the *Sahabah* (R.A). when matters came to him. We should work with them to resolve the matter and seek expert help where needed. We should not become so enraged or too ashamed to seek help, otherwise they may not rectify or resolve their problems. So many youngsters fall into depression and become lonely that they even develop suicidal feelings. They feel that there is no one for them to openly express their troubles, especially in this evil society of temptation.

Parents must always be on guard and aware of the company and friends, their children associate with, even be aware of what is being promoted at their schools. Many youths express their desire to get married but parents delay for petty excuses and end up in regret. If your son/daughter is mature enough and a suitable spouse is found, then why delay and at what cost?

2. Islamic Education

Education plays a crucial role in a person's life, and a good quality education has a major role in character-building and the overall personal development of a child. Well educated individuals bring positivity to society and encourage growth and development.

From the best forms of education is to teach our children proper values and morals of Islam at a tender age. It is very important upon parents to select a reliable Islamic Institute that will inculcate a strong foundation of Islam with correct beliefs and training.

Islamic Institutes must create curriculums that properly educate students on these sensitive topics considering the Holy Quran and Sunnah, to give the correct knowledge and guidance needed. Our teachers must also be open to discussions and ready to guide these youngsters, be equipped and ready to clear any doubts or misconceptions. Do not be hasty or arrogant if a general issue comes up but try to deal in the best manner to rectify the situation. We must not shy away and think such topics are insignificant or taboo, then whose ideology will they follow?

Today we have societies that promote "tolerance and acceptance for all genders and all sex orientations" because they say Allahﷻ is Most Merciful, so this falls under the umbrella of being merciful – May Allahﷻ save us from this. Parents themselves may not be able to provide the correct knowledge regarding these issues to their children, hence it is necessary to connect to reliable *Ulama* who will help guide them.

3. Alternative Environment

There is no doubt that our children are faced with many trials and struggles living in a western culture, where the norms and trends can create a sense of longing to 'belong'. We as parents and the Muslim community have been charged with the responsibility to combat these evils of society by providing *Halaal* alternatives for our children.

Keeping our children attached to the masjid and gatherings of knowledge will help safeguard them upon a support to excel as a Muslim and increase in good actions. We must replace the movies, parties, dating, arcades, etc. with permissible events. We cannot just place rules for our children on all the negatives and leave them without a solution. Parents must not be absent in the lives of their children and must fill in these gaps by creating their own social events in accordance with the Shari'ah. We do not take for granted that we can send our kids out with friends and turn a blind eye. Recently two young girls from practicing Muslim homes, both studying the Holy Quran and then leaving to study Arabic, only to return a year later as a "couple" and move in together, even adopting a "baby". This is indeed a horror for any parent. We no longer live in a world where, "as long as no opposite gender" is present, sadly even the same gender is of concern. We must keep a watchful eye on the friends and people we expose our children to, so we prevent any negative influence as evil is widespread.

4. No Compromise in Deen

Our purpose of creation is to worship Allahﷻ and our destination is the hereafter. Each aspect of Islam acts as a guide to prevent harms to ourselves and society, from separate sleeping arrangements to no sharing of blankets, or seclusion of two individuals. As long as we follow the ethics and principles taught to us in Islam, we have hope for our future in preserving our family life and safeguarding the Muslim community from the evil *fitnah* of the LGBTQI ideology and agenda.

As a community we must not allow such ideologies to be promoted in our institutions and Masajid. We draw the line at those who want to spread immorality and we remain vigilant upon eradicating this evil.

May Allahﷻ help us to educate our children upon the true teachings of Islam as a guide towards the path of righteousness. May Allahﷻ protect us against the trials of the times we live in and safeguard our children and the Muslim *Ummah*. May Allahﷻ show us

right as right and enable us to follow it and show us falsehood as falsehood and help us to avoid it. *Ameen*

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GLOSSARY

Adhkar- the remembrance of Allahﷻ very often with those legislated dua's or supplications

Akhirah- Arabic term for "the Hereafter"

Alhamdulillah- Arabic phrase translated to mean “praise be to the Almighty”

Ahlus Sunnah wal Jama'ah- the group of Muslims whose beliefs adhere to the Holy Qur'ān and Sunnah of the Prophet Muhammad ﷺ

Fitnah- a trial or test

Halaal- permissible; adherent to Islamic law

Ijma- consensus; agreement of the Muslim community

Janazah- a funeral

Kufr- disbelief

Nabi- a prophet

Sahabah- refers to the companions, friends and family of the Islamic prophet, Muhammad ﷺ

Salaah- the second pillar of Islam; prayer

Sunnah- the way of the Prophet Muhammadﷺ (peace and blessings be upon him), inclusive of the things he said, did, and approved of.

Taqwa- a term that refers to God-consciousness or piety obtained by fearing the punishment of Allahﷻ

Tawheed- attributing Oneness to Allahﷻ and describing Him as being One and Unique, with no partner or peer in His Essence and Attributes.

Qiyaas- analogical reasoning as applied to the deduction of juridical principles from the Holy Qur'ān and the Sunnah

Tafsir – term used to refer to a commentary or explanation of the Holy Qur'an.

Ulama- A body of Muslim scholars who are recognized as having specialist knowledge of Islamic sacred law and theology.

Ummah- the whole community of Muslims bound together by ties of religion.

Zina- Any form of sexual intercourse which is prohibited under Islamic law; adultery, fornication, prostitution, rape, sodomy, incest, and bestiality.

Zikr- to remind oneself about or remember the Almighty