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The Application of Sadd Al-Dharai' Approach as A Mechanism for The Management of Transgender Issues in Malaysia

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Abstract
In Islam, it is forbidden for a man or a woman to imitate the characteristics of the opposite gender, especially through gender reassignment surgery. These individuals are known as transgender. Malaysia is not exempt from transgender issues, as this group openly displays their identity and voices their concerns within society. The influence of transgender individuals spreads through various factors, especially social media, leading some susceptible members of society to imitate and become trapped in the transgender phenomenon. This scenario has drawn the attention of various relevant parties, such as JAKIM (Department of Islamic Development Malaysia) and State Islamic Religious Departments. Various approaches have been implemented to address this issue, but the impact has been less than satisfactory, as indicated by statistics released by JAKIM. In Islam, there is a specific approach to prevent actions that may have negative implications in the future, known as *sad al-dharai'* (blocking the means). Therefore, this study has three main objectives. First, to identify the factors influencing individuals involved in transgender issues. Second, to explain the concept of *sad al-dharai'* in Islam. Third, to analyze the application of sad al-dharai' as a mechanism for preventing transgender issues in Malaysia. To achieve these objectives, a documentary research method is employed. Documentary research is conducted to gather relevant data on transgender issues in Malaysia. Content analysis is used to interpret the collected data. The findings of this study indicate the need to strengthen the management of transgender issues in Malaysia, as it contradicts the teachings of Islam, the federal religion, and goes against local cultural norms and customs. The sad al-dharai' approach can serve as an important mechanism, particularly in preventing the initiation of transgender behaviors within families and society.
Keywords: Transgender, Sad Al-Dharai, Prevention, Management, Malaysia.

Introduction

The event that took place on March 13, 2023, has proven that transgender individuals in Malaysia are serious about expanding their influence in society. On that day, around 150 people gathered and marched from Sogo Complex to Dataran Merdeka to participate in the Women's March Malaysia 2023. Those involved in the gathering also had connections to the Lesbian, Gay, Bisexual, and Transgender (LGBT) community, as the LGBT flag was raised during the procession (Ahmad, 2023).

In reality, there are two main issues related to transgender individuals. First, transgender behavior is considered deviant from societal norms as a "normal" human being. Such behavioral deviations have negative effects on individuals and society, including the health and well-being of the community. Second, transgender behavior is considered a violation in Islam, as Islam prohibits individuals from imitating the opposite gender in terms of appearance, behavior, and other aspects.

Various forms of prevention and rehabilitation efforts have been implemented by transgender management, including non-governmental organizations. However, these efforts have yielded limited results and are relatively rare, as the number of transgender individuals continues to increase each year. Furthermore, the number of community members supporting them has also increased. This situation is concerning because the influence of transgender individuals is spreading, leading to the indirect normalization of transgender behavior.

Islam is a religion that provides a comprehensive and perfect way of life. Therefore, when society faces social problems, Islam offers several approaches to address them directly or indirectly. This is evident from the transformative impact of Islam when it emerged in the Arabian Peninsula, changing the immoral lifestyle of pre-Islamic Arab society into a society with moral values.

Islam has introduced approaches to address social problems, such as the concept of "sadd al-dharai'." It has been proven that social issues can be reduced and resolved by using the sadd al-dharai' approach.

Methodology

The article utilizes the method of documentation to obtain a clear understanding of the transgender issue in Malaysia and the approach of sadd al-dharai' in Islam. Classical and contemporary documents are also referred to gather data and obtain information related to transgender issues and sadd al-dharai'.

Based on the collected data, content analysis is conducted as the method of analysis. Content analysis is used to examine and interpret the information present in the documents. It is a systematic and objective research technique that draws conclusions from document-based data (Krippendorff, 2004). The results of this analysis indicate that the sadd al-dharai' approach is one of the effective approaches in preventing transgender issues in Malaysia.

Findings

The findings of this study can be divided into three main categories. First, the factors that influence individuals towards transgenderism. Second, the sadd al-dharai' approach in Islam. Third, the application of the sadd al-dharai' approach as a mechanism for preventing transgender issues in Malaysia.

Factors That Influence Individuals Involved in Transgender Issues

Most issues have underlying factors that contribute to the occurrence of those issues. This fact also applies to transgender issues. There have been several past studies that have identified factors that influence individuals involved in transgender issues.

According to Noremy et al (2019), natural personality factors are considered the main influencing factors on individuals in this issue. In other words, individuals with such personalities tend to associate with peers who share similar personality traits.

Environmental factors also contribute to this issue (Noremy et al., 2019). Other studies have also expressed similar views on this matter (Rahim et al., 2020). Environmental factors tend to look at an individual's upbringing and parental influence during their childhood. Parental upbringing is crucial as parents shape their children. If parental upbringing deviates from the child's natural gender, identity confusion may occur.

Furthermore, social media factors play a significant role in influencing individuals to be involved in transgender issues. It is undeniable that the advancements in technology have enabled the rapid spread of transgender ideologies without restrictions (Azizan et al., 2019).

There are websites related to the transgender community, such as TransGender Guide, which are accessible worldwide and offer various activities such as discussion forums, image galleries, transgender dating, cross-dressing guides, transgender nightclubs, and TG shopping (Ghazali et al., 2013).

In conclusion, these existing factors need to be consistently prevented and addressed to assist and guide individuals with inclinations towards transgender issues before they make the decision to embrace a transgender identity.

The approach of *sad al-dharai'* in Islam

Sad al-dharai'ah is one of the preventive approaches in Islam. Several scholars, such as al-Qarafi, Muhammad Hisyam, and al-Burhani, share the view that sad al-dharai'ah entails blocking what is permissible in order to prevent the occurrence of what is prohibited by Islamic law (Zulkifli, 2005).

Generally, sadd al-dharai'ah is defined as the prohibition of a permissible means that may lead to harm or negative consequences.
Scholars have outlined four types of al-dharai'ah in Islamic law that have different legal implications (al-Burhani, 1985).
Firstly, an action that is permissible but may lead to harm. For example, digging a hole in a dark pathway that may cause someone to fall into it. Such an action is prohibited because it is assumed that anyone passing through that path may fall into the well.

Secondly, an action that is permissible, and its harmful consequences are rare or unlikely to occur. For instance, it is permissible to grow grapes because it is rare for grapes to be processed into wine.

Thirdly, an action that is prohibited due to its potential for harm, even though the action itself may have some benefits.

Fourthly, an action that is prohibited due to its potential for harm and its actual occurrence of harm. For example, giving false testimony, which is prohibited to ensure a just outcome.

The approach of sad al-dharai'ah has been effective in preventing various issues. For instance, the prohibition of hanging Quranic verses in shops to prevent manipulation by non-Muslims and avoid confusion among Muslims (Omar & Hussin, 2020). This approach serves as a protective measure to safeguard the integrity of Islamic teachings and protect the community from potential harm or confusion.

Discussion
The application of the Sad al-Dharai approach as a mechanism for preventing transgender issues in Malaysia
The Sad al-Dharai approach is an appropriate Islamic approach for addressing transgender issues. This is because it serves as a preventive measure to avoid future negative implications. Al-Qarafi stated that Sad al-Dharai is a mandatory preventive step to be taken when something leads to negative consequences, as it directs individuals away from causing harm.

The implementation of Sad al-Dharai is seen as a crucial approach as a preventive mechanism, especially considering that the current management of transgender issues appears to be less effective and rare. By applying this approach, the factors influencing individuals involved in transgender issues (pre-transgender, meaning before transitioning) become more practical. This is in line with the Islamic recommendation of prevention being better than cure. The implementation of Sad al-Dharai will not have adverse effects on individuals; instead, it will bring harmony and improve tolerance in addressing the problem.

First: Not tolerating the demands of the transgender community.
Islam practices a tolerant approach within the religion and even extends tolerance to other religions in matters that do not contradict Shariah (Khambali & Haled, 2008).

Regarding the transgender community in Malaysia, they have certain demands such as transgender rights and equal rights for transgender individuals (Ismail & Nasri, 2019). However, currently, this group is advocating for transgender rights in the name of human rights to legitimize their actions. Implementing their demands will not bring them closer to religion; instead, it will strengthen the transgender movement and eventually influence more individuals to become transgender. Tolerating their demands is not a solution to this problem.

When considering tolerance towards the demands of the transgender community, the Sad al-Dharai approach (closing the doors of harm) needs to be taken into account in this situation. Baseless tolerance given to this group opens the door for others to change their gender freely.

Second: Prohibition of face-changing mobile applications
Technological advancements have led to various mobile applications, including face-changing apps that have become a phenomenon. One such application is the FaceApp, which was launched in 2017 and gained popularity in Malaysia in June 2020. This app allows users to modify their photos by making themselves look older, younger, or changing their gender according to their preference (Baharudin, 2020).

The issue arises regarding the ruling on using the FaceApp. According to fiqh (Islamic jurisprudence), something is deemed permissible unless there is evidence to prohibit it. In this case, the app cannot be directly linked to altering Allah's creation, as the prohibition on altering Allah's creation involves physical changes, while this app is merely an editing tool.

Prohibiting the use of this app using the Sad al-Dharai approach aims to close the doors of harm. For example, banning the app is necessary because if it is allowed, transgender individuals can use it to edit their faces to appear as the opposite gender, thereby promoting transgender practices. Some transgender individuals have already used this app as a simulation before undergoing facial surgeries to change their appearance (Baharudin, 2020).

Conclusion
In conclusion, the issue of transgender individuals in Malaysia is concerning and requires effective approaches to prevent it comprehensively. Therefore, one of the approaches that needs to be considered is the Sadd al-Dharai' approach. An approach like this should serve as the foundation for related institutions in managing transgender issues as an alternative to reduce and restrict the development of transgender problems in the future.

References
Krippendorff, K. (2004). Content Analysis An Introduction to Its Methodology (2nd ed.) Thousand Oaks, CA Sage Publications.

Kamaluddin, R. (2019). Faktor Pengaruhi Mahasiswa Terlibat dalam LGBT di Institusi Pengajian Tinggi Awam di Lembah Klang. *International Journal of Academic Research* 6:51-62.

Rahim, A. A. A., Rahman, H. A., & Yusof, F. M. (2020). Transgender di Malaysia. *International Journal of Islamic and Civilizational Studies*: 66-67.

Ghazali, S., Nor, A. M., & Mapjabil, J. (2013). Suatu Analisis Mengenai Peranan Media dalam Penyebaran Gaya Hidup Transeksual di Malaysia. *Jurnal Sains Sosial dan Kemanusiaan* 5: 66-82.

Hassan, W. Z. W. (2005). Sadd al-Dharai' dalam Memelihara Agama dan Kaitannya dengan Asas Keharmonian Hubungan Etnik. *Jurnal Pengajian Umum Asia Tenggara* 6:95-108.

Omar, S. N. A., & Hussin, M. N. M. (2018). Pemakaian Kaedah-Kaedah Fekah dalam Institusi di Wilayah Persekutuan dari Tahun 2010-2014. *Online Journal of Research in Islamic Studies* 5: 37-64.

Khambali, K. M., & Haled, M. H. M. (2008). Toleransi Beragama dan Amalannya di Malaysia: Rujukan kepada Artikel 11 Perlembagaan Persekutuan Malaysia. *Jurnal Usuluddin* 2781-92.

Ismail, M. A., & Nasri, M. S. (2019). Gejala LGBT di Malaysia: Isu dan Cadangan Penyelesaian. *Jurnal of Law & Governance* 2:51-65.

Baharudin, A. H. (2020). Pandangan Hukum Penggunaan *Faceapp*: Satu Tinjauan di Malaysia. Di. Persidangan Antarabangsa Sains Sosial dan Kemanusiaan. 24-25 November 2020, dalam Talian. Ms. 278-286.

Azizan, M. A., Kariya, M. A., & Azmi, K. (2019). Media Sosial dan Penyebaran Budaya Transeksual menurut Islam. In Prosiding Seminar Sains Teknologi dan Manusia.15 Disember 2019, Universiti Teknologi Malaysia. P.297-312.

Al-Burhani, M. H. (1985). *Sadd al-Dhara'i' fi al- Syari'ah al-Islamiyyah*. Tesis M.A. Universiti Kaherah Mesir. Beirut: Matba'ah al-Rayhani.

Khairuldin, W. M. K. F. W., Anas, W. N. I. W. N., & Embong, A. H. (2018). Fatwa as a Disseminator of Islamic Laws among Community of Malaysia. International Journal of Academic Research in Business and Social Sciences, 8(11), 516–521.

Khairuldin, W. M. K. F. W. (2020). Pengurusan Fatwa Di Malaysia. Kuala Terengganu: Penerbit Universiti Sultan Zainal Abidin.

Khairuldin, W. M. K. F. W., Anas, W. N. I. W. N., & Embong, A. H. (2018). The Binding of Laws to Personal Opinion of Muftis in Malaysia. International Journal of Academic Research in Business and Social Sciences, 8(11), 522-529.

Khairuldin, W. M. K. F. W., Ismail, D., Anas, W. N. I. W. N., Ibrahim, I., & Fauzi, N. (2016). Freedom of speeches by mufti according to Islam: Implication to fatwa in Malaysia. International Journal of Academic Research in Business and Social Sciences, 6(12), 141-151.

Hassan, A. B., & Khairuldin, W. M. K. F. W. (2019). Smart quran application: authority of digital mushaf usage in malaysia. International Journal of Civil Engineering and Technology, 10(3), 3315-3322.

Mohamad, N. S., & Khairuldin, W. M. K. F. W. (2018). The concept of Halalan Tayyiba in food according to Mufassir. International Journal of Academic Research in Business and Social Sciences, 8(11), 902-909.

Khairuldin, W. M. K. F. W., Embong, A. H., & Anas, W. N. I. W. N. (2019). Technological approach in education of musafir (Muslim traveler) in Islam: The study on mobile app mysafar. International Journal of Academic Research in Progressive Education and Development, 8(1), 40-47.