Key LGBT Issues in Family Relations

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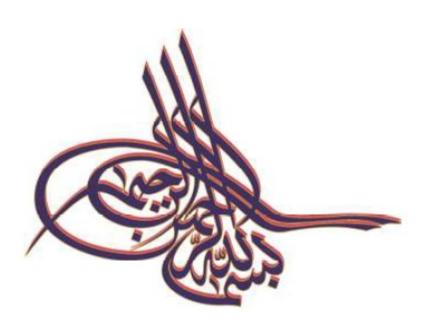
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INTRODUCTION

Definitions are very important to understand concepts. So is history. The term 'homosexuality' generally refers to a romantic/sexual relationship with a person of the same sex/gender. A male engaging in homosexuality is called 'gay' and a woman doing that is called a 'lesbian'. This is where the L and the G in the name of the movement came from.

The term 'bisexual' means that a person has romantic/sexual relationships with both the same sex/gender and the opposite one also. This category is somewhat redundant because heterosexuality is the norm throughout the world, both historically and currently. Most people who self-identify as being homosexual actually claim to be bisexual. Thus, the LGB refers to homosexuality as a practice and is the opposite of the heterosexual norm.

The term transgender refers to someone who is a biological male but claims to be a female, or vice versa. This is the 'T' in the movement. Thus the initialism LGBT, which has been in use since the 1990s, actually only refers to only two concepts: 1) a romantic/sexual relationship with the same gender 2) claiming to be a different gender than your body indicates.

More letters have been added to the movement such as the Q for 'queer'. The word queer originally means "strange" in old English but is now an umbrella term for people who are not heterosexual or cisgender.[1] Therefore, it actually makes the letters LGBT mostly redundant but was probably kept because the more letters indicates more identities, and therefore makes it appear that there are more groups, which results in more power (as well as more confusion about heterosexuality and cisgender being the universal norm and default).

Islam teaches that Allah created people as male or female and that males are normally physically and romantically attracted to females and vice versa. Physical and romantic relationships are only allowed through marriage, and marriage can only be between a male and female, therefore homosexuality is forbidden.

Some people are born with physical abnormalities. If they have a deformity in their genitalia or in their chromosomes, they are known as 'intersex' or 'hermaphrodite', but are still either male or female and will be classified in Islamic law as one or the other depending on their situation. Islamically speaking, no one can change their gender through medical procedures or identify as a different gender than their true biological sex. Islam is clear on both these points and there is no room for any "difference of opinion" on these two issues.

However, the attitude towards homosexuality and gender nonconformity in 'the West' has

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1 In the 1990s the organization "Queer Nation" used the word "queer" in their protest chants: "We're here! We're queer! Get used to it!" Although the term meant 'strange' it was used defiantly to make something strange into something normal. This was similar to how the people of Sodom mocked Prophet Lot (Lūṭ) by saying the Muslims were "too pure" (see Qur'an 7:82).

completely changed over the past thirty years. The attitude in America, specifically, went from 1) general disgust to 2) ambivalence (with the "Don't Ask Don't Tell" policy) to 3) tolerance and now finally to 4) forced normalization (with moral condemnation against anyone who opposes such normalization). Such a climate directly affects 1) young Muslims growing up in such a culture by confusing them about sexuality and gender so they struggle with understanding the Islamic prohibition 2) Muslims who are already clear what Islam teaches on these topics by pressuring them to modify their religion or be shameful of and completely conceal their beliefs on such issues 3) Muslims who personally struggle with Same Sex Attraction or Gender Dysphoria, or know someone close to them that does.

The position of Islam on sexuality and gender is quite clear and has been addressed thoroughly. This paper will cover how Muslims should deal with children (or other family members) who "identify" as Queer and how to deal with requests to perform a marriage of a Queer couple.

ISLAMIC GUIDELINES FOR DEALING WITH CHILDREN WHO IDENTIFY AS QUEER

Parental Responsibility

Children are the comfort of our eyes. Allah mentions this natural instinct as follows, "Those who say: 'Our Lord, give us from our wives and our offspring the comfort of our eyes, and make us leaders of the the pious.'" [al-Furqaan 25:74] Parents have a responsibility to protect their children and teach them to obey Allah and to avoid disobeying Him. Allah says, "You who believe, protect yourselves and your families against a Fire (Hell)…" [at-Tahreem 66:6] The Prophet also said in this regard, "All of you are shepherds and each of you is responsible for his flock…A man is a shepherd in respect of his family and is responsible for those in his care. The woman is a shepherd in respect of her husband's house and is responsible for those in her care." [al-Bukhaaree #2751] On the one hand, parents are responsible for the upbringing of their children and will be accountable for whether or not they fulfilled their responsibility. On the other hand, if they did their job, then the principle mentioned in the Qur'an will apply, "No one will bear the burden (of sin) of another." [al-An'aam 6:164] If parents fulfilled their responsibility in teaching their children what was right and wrong and protected them from harm, they are not accountable if they reach adulthood and choose actions contrary to Islam. Link between Gender interaction guidelines and Islamic law's objective of preserving Lineage:

The author conveys that understanding gender interaction in isolation is insufficient. Instead, it should be seen in the broader context, as gender interaction is just one tool for achieving a larger objective of Shariah'.

The guidelines given by Allah (SWT) to create a society that preserves Lineage include the following:

a) The Quran, Hadith, and Ijma' emphasize the prohibition of sex outside of marriage (Zina) on numerous occasions and encourage marriage.[2]

b) Guidelines for gender interaction and clothing are designed to promote healthy societies and family values while discouraging casual relationships.[3]

c) Islam facilitates the process of marriage, divorce, and remarriage for divorcees to facilitate healthy sexual relationships.[4]

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[2] ابن قدامة، المغني، (بيروت، دار الكتب العلمية)، 6\446 والدسوقي، حاشية الدسوقي على الشرح الكبير، 2\215، والسرخسي، المبسوط 4\193 والنووي، المنهاج، 4\203، الشاطبي، الموافقات، 1\132

[3] جابر، محمود صالح، سد الذرائع الزنا للمحافظة على النسل، ص 32
-This paper will highlight this particular aspect.

[4] قال ابن حجر في شرح الحديث (فمن رغب عن سنتي فليس مني): ويتزوج لكسر الشهوة، وإعفاف النفس وتكثير النسل، فتح الباري، 9\105

d) Islamic law offers guidelines for intimacy within the framework of family-centered values, linking sex with reproduction and family and viewing it as an act of worship under divine guidance while prohibiting monasticism (رهبانية).[5]

e) Despite these proactive measures, if anyone engages in a casual sexual relationship, the Islamic Judiciary system enforces severe criminal punishment as prescribed by Islamic legislation to uphold the higher objectives of building a society based on these principles.[6]

Identifying the True Identity

If a child claims to be Queer (or "gay" or "trans"), it could potentially mean one of two things. It could mean they feel Same Sex Attraction or have Gender Dysphoria and are struggling to make sense of that or resist those urges. It could also mean that they have decided to act on their desires and don't care to resist. It is very important to get clarity on this issue by asking which category they fall into, because it will determine how to deal with them. The first category should receive sympathy and support while the second category requires certain boundaries to be put in place. This bifurcation was hinted at by Imam an-Nawawi when he explained the hadith about effeminate (mukhannath) men being cursed by the Prophet (which was narrated by Ibn Abbaas in al-Bukhaari #5436): "There are two kinds of effeminate men. One type is those who were created that way and are not trying to imitate the demeanor of women in the way they dress, speak, and move. For these people, there is no blame, sin, shame, or punishment for them because they are excused (from those coincidental, natural behaviors). The other type is those who deliberately imitate women in their demeanor and movements, and also imitate the way they speak and dress. These are the ones who the hadith says are cursed."

Expulsion or Boundaries?

The previously mentioned hadith also indicated that the Prophet said about men who imitate women, and women who imitate men, "Kick them out of your homes." However, scholars did not take this statement literally to apply to all cases, as an-Nawawi explained previously. Severing a family relationship, especially with a child, is a very serious thing and should not be taken lightly. Given the power and widespread success of the LGBTQ movement, especially in the West, cutting off ties with a child may cause them to go even further astray, because the society will embrace and celebrate their identity "conversion". Furthermore, when we look at the story of Prophet Lūt, we see that he continued to communicate with his people until the very last moment before their destruction.

Therefore, parents should aim to practice the teaching of the prophet, "Do not cause harm, and do

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5 العالم، المقاصد العامة للشريعة الإسلامية، ص 394 والغزالي، الإحياء، 4\27 ، ابن حجر، فتح الباري، 9\118-105، الرازي، مفاتيح الغيب، 15\416، القرطبي، 17\263
6 كان حده أشد الحدود؛ لأنه جناية على الأعراض والأنساب. وهو من جملة الكليات الخمس، وهي حفظ النفس والدين والنسب والعقل والمال، انظر: الموسوعة الفقهية الكويتّية، 24\20

not get harmed [*lā ḍarar wa lā ḍirār*].” [Muwaṭṭa' #1435] This teaching can be applied in the case where a child claims to be Queer by 1) not harming the child more by expelling them, which is likely (in many cases, but not all), to cause them to go further away from Islam, due to the context in which we live 2) not condoning such immoral behavior by setting clear boundaries, in order to protect other family members, other Muslims, and the community as a whole. The hadith about harm led scholars to develop a legal maxim stating that "harm should be removed [aḍ-darar yuzālu]".[7]

The sub-maxims under this category of legal maxims should be applied to the situation where a child is committing a serious sin in Islam. The most important one is to apply the principle, "harm is not removed with its like [aḍ-darar lā yuzālu bi mithlihi]" clarifies that it is wrong to remove a harm by intentionally causing another equal or greater harm. This might seem obvious in theory, but in practice, it can be common for people to justify their own actions.

Let's take a few examples from Islamic Law [fiqh] literature. If a man's land is flooded and it is harming his crops, he would apply the principle "harm must be removed". So if he makes a drain for the water to leave his property, but then it ends up flooding his neighbor's property, this becomes a problem. He might justify himself by saying, "I had to get the water off my property otherwise my crops would die." However, this reasoning is wrong because it results in another harm where his neighbor's property is now flooded. If the harms were equivalent, it is not allowed to prioritize one person being harmed over another, since the first harm already occurred. The second harm would have been directly caused by trying to remove the first one.

Another example would be for someone to harm another person's wealth to protect their own. Let's say there was a crash in the stock market. A fund manager might choose to liquidate his shares in a company while keeping the shares of his clients in order to secure a commission. He might justify himself with the principle "harm must be removed" but it is wrong to do that when causing harm to another's wealth to protect your own. Similar is the case for taking an aggressive or hostile stance against the child (or person) who is claiming to be Queer. It is important to not overreact or harm the individual even more, while trying to remove the harm that already exists.

Nonetheless, this does not mean that the sinful behavior of a child (or a close relative or friend) should be condoned or encouraged. There is a difference between welcoming a person and welcoming their behavior. The Prophet said, "Whoever sees something wrong should correct it with his hand. If unable, then with his tongue. If still unable then with his heart [i.e. dislike it]. That would be the weakest level of faith." [Muslim #49] There must be a healthy balance between not alienating a sinner and not welcoming a sin.

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7 See Shihāb Ad-Dīn Al-Qarāfī [d. 684 AH], *Al-Furūq, 1:3*.

The clinical psychologist, Henry Cloud, argues in his bestselling book "Boundaries" that it is essential to set healthy boundaries as an act of self-care for yourself (to prevent you from being harmed) and an act of kindness to the other person (to prevent them from being harmed further due to the clear transparency in messaging). Nedra Glover Tawwab makes a similar argument in "Set Boundaries, Find Peace" and adds that boundaries in relationships usually don't cause people to become further, but allows them to safely get closer and open up about their struggles. Such a strategy varies on a case-by-case basis but can involve parents saying something like, "You are always welcome in this house, but your boyfriend is not." Such a strategy also prevents the normalization of that un-Islamic behavior in a community which is trying to live according to Islamic values.

Utilize the Remaining Influence and Control You Have

When a child is still young, parents have a level of control over them. It is important for parents to utilize that power, albeit wisely, to protect their children from harmful influences and to cut them off if they have already formed. Imam Ibn Qayyim al-Jawziyyah said, "Looking is the origin of most of the problems that befall people. This is because looking generates thoughts, then thoughts generate ideas, ideas generate desires, and desires generate will (to do something). This then becomes stronger and becomes a firm resolve, and then the deed will inevitably be done unless there is something to prevent it. That is why it was said that patience in looking away is easier than patience in bearing the pain that comes afterwards." [al-Jawāb al-Kāfī, 106] Shaykh ul-Islam Ibn Taymiyyah also said: "Looking at the face of a beardless youth with desire is like looking as the face of a mahram or a non-mahram woman with desire, whether that desire is desire for intercourse or the desire to derive pleasure from (just) looking. If he looks at his mother, sister or daughter with pleasure derived from looking like the pleasure derived from looking at a non-mahram woman, then it is known to everyone that this is prohibited." The same applies to looking at the face of a beardless youth, according to scholarly consensus." [Majmūʿ ul-Fatāwā, 15:413] Therefore, parents should apply this principle by restricting internet usage, monitoring friends, and ensuring they do not finance any behavior that is likely to lead towards sin.

Seek the Right Help

One of the common misconceptions spread by the LGBTQ lobby is that people cannot change or resist their desires when it comes to Same Sex Attraction or feelings of Gender Dysphoria. Islam teaches otherwise, and there is good scientific evidence to support such a notion.
Prophet Lut continued to advise his people to give up the practice of homosexuality and offered his "daughters" in marriage as an alternative to the immorality they were practicing. If these desires were a fixed identity, unmutable, he would not have done so.
There is ample evidence, peer reviewed, to show that change is possible in many cases (if not in

all). Articles in the Journal of Human Sexuality demonstrate the feasibility of this change and aptly point out that, like most other forms of therapy, nothing is guaranteed, but worth exploring. Entire frameworks have been developed by professional psychologists such as Dr. Mark Yarhouse (the SIT Sexual Identity Therapy framework) and the Reparative Therapy framework by Dr. Joseph Nicolosi. It is imperative for Muslim parents to research properly and avoid the two extremes when guiding their children. The first extreme is to refer them to a counselor who is trained in Queer-affirmative therapy which is defined as "a mental health approach that supports LGBTQ+ individuals in exploring and accepting their gender identity or sexual orientation without judgment. It aims to create a safe space for clients by prioritizing respect, validation, and cultural humility. The therapy also acknowledges the negative influences of homophobia, transphobia, and heterosexism on LGBTQ+ clients' lives." The opposite extreme is to refer them to pseudo-scientific conversion therapy techniques which are vaguely defined as "any emotional or physical therapy used to "cure" or "repair" a person's attraction to the same sex, or their gender identity and expression." Such harsh and ungrounded methods to reverse or control either abnormal sexual or gender feelings can often make things worse, so it is essential to choose the right type of treatment/advisor.

MARRIAGE TO HOMOSEXUALS, BISEXUALS, AND GENDER-TRANSITIONED INDIVIDUALS

Marriage (Nikāh) is an Islamic legal contract between a man and a woman. Allah described this in the Qur'an as a "very serious covenant". [an-Nisā' 4:21] As for a marriage between a man and another man, or between a woman and another woman, this is not considered a valid marriage contract in Islamic law. It would be similar to a man trying to marry his own sister, which is not only prohibited but invalid.

In the case of people experiencing Same Sex Attraction, they are inclined to a romantic/physical relationship and would want to attempt to validate that socially/religiously by trying to get married. In the case of one person with either Gender Dysphoria or who inclines towards Gender Non-Conformity, the same dilemma occurs. As explained in the introduction, gender is not something that can be changed through clothing, hormones, or surgeries. Therefore, marrying someone who is biologically the same gender as the other is impermissible and invalid.

As for marrying someone of the opposite gender, but who experiences Same Sex Attraction or "identifies" as other than their biological sex, such a marriage is technically valid in Islam, but this condition may warrant being disclosed to the prospective spouse so they are aware of the issue and can ensure they are prepared to deal with that.

CONCLUSION

We must trust in the wisdom of Allah. When something is prohibited in Islam, there must be a deep wisdom behind it, whether or not it is immediately apparent. Muslims must be proud of Islamic values and resist the pressure to change the religion, as other religions are doing. Standing up for our values and sticking to our principles will also lead to self-respect in the eyes of less biased individuals and groups. Muslims should never be afraid of being mocked or insulted, the same way the prophets were. Our reward lies with Allah, and it is Him we aim to please.

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