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Exploring the Religious Practices of Hijra in Bangladesh : A Critical Analysis

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Abstract: Religion-related stigma and discrimination towards the transgender community among Muslim countries are historically diversified and different. Transgender individuals encounter various forms of dehumanisation, such as honour killings, work discrimination, physical violence, and criminalisation across several Muslim-majority countries (Ghoshal & Knight, 2016). Yip, (2007) argues tierce of the Quranic legal ordainment is spotted in heteronormative marriages and patriarchal family structures to regulate society. Moreover, according to the Hadith(oral traditions), "Allah curses gender "impersonators", and calls for their eviction from the community" (Etengoff & Rodriguez, 2021. p 1). However, transgender legalisation among Muslim countries is significantly visible recently, though the acceptance and inclusiveness are diversified. For instance, transgender is classified as 'mentally ill people by the Indonesian Psychiatrist Association (Moran, 2016). On the contrary, Iran developed more positive legalisation about transgender, where the government assists transmen and transwomen's surgery (Najmabadi, 2008; Vafai,2018). Therefore, it is not possible to perceive the relations between Islam and transgenderism as homogenously, given the context of cultural diversity. Hence, this research intends to question the stereotype of the relations between Islam and transgender in the context of Bangladesh. Hijra is one of the non-binary groups that encounter multiple and diversified forms of prejudice in Bangladesh. There are very few studies at present that address the religious practice of hijra individuals. Despite the legal recognition of hijra, those people were denied fundamental civil and human rights such as marriage or inherent property rights. Like many colonised countries, Bangladesh's legal system has its roots in the British colonial legacy. But, in the case of marriage or inherent property law, Bangladesh follows the religious law of Islam(Snigdha, 2019, 2021). The Quran does not have specific guidelines concerning transgender, and Muslim countries do not follow any homogenous law due to the contextual, cultural construction. This research argues, instead of stigmatisation, how and why contemporary Islamic politics in Bangladesh plays a significant role in hijra inclusion.

1. Introduction

The religious association is often used in social attitudes because of the simplicity of the quantification; however, it has more meaningful operationalisation than simple categorical quantification. There is a continuous, unceasing quantification of *religiosity. The* degree to which people are involved in their religion or fit the religious rituals into their daily lives varies from context and gender. On the other hand, religiosity has been conceptualised in many ways; sometimes, It is measured as daily religious behaviours,

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sometimes it is an occasional participation, and even from time to time, it is an eventful social gathering which refers to one's religious beliefs, practice and identity. For example, Mosque attendance or frequency of praying is a symbol of practising Muslims in Bangladesh. Others may have preferred individual divergence distinction styles, including intrinsic and extrinsic religious orientations, such as personal vs instrumental uses of religion. Moreover, either a strict set of beliefs that identify one set of religious teachings as the fundamental truth or religious fundamentalism can also be observed to practice a variety of taboos, such as beliefs in the deity and sexual orientations. However, religiosity can quantify religion in a way that is differently meaningful to religious membership, particularly in exploring religious-based prejudice (Allport, 1954; Anderson & Koc, 2020;). Hijra people are becoming more publicly visible in Bangladesh nowadays, and understanding the antecedents and consequences of attitudes towards this socially vulnerable group is essential. The broader relationship between religion and social attitudes is complex and tenuous. However, religion might be related to negative attitudes toward this specific group which has been shown in this research. Also, it analyses the relationship between hijra and Islam in Dhaka, Bangladesh. It showed that the social-religious prejudice against hijra does not stop them from participating in religious rituals. Instead, religiosity, in particular, alternative religious practises, allows them to break the stigmatisation and integrate into mainstream society.

2 Research Context

Religion-related stigma and discrimination towards the transgender community among Muslim countries are historically diversified and different. Transgender individuals encounter various forms of dehumanisation, such as honour killings, work discrimination, physical violence, and criminalisation across several Muslim-majority countries (Ghoshal & Knight, 2016). Yip (2007) argues that the Quranic legal ordainment is spotted in heteronormative marriages and patriarchal family structures to regulate society. Moreover, according to the Hadith (oral traditions), "Allah curses gender "impersonators", and calls for their eviction from the community" (Etengoff & Rodriguez, 2021. p 1). However, transgender legalisation among Muslim countries has been significantly visible recently, though the acceptance and inclusiveness are diversified. For instant, transgender is classified as 'mentally ill people by the Indonesian Psychiatrist Association (Moran, 2016).

On the contrary, Iran developed more positive legalisation about transgender, where the government assists transmen and transwomen's surgery (Najmabadi, 2008; Vafai,2018). Therefore, it is not possible to perceive the relations between Islam and transgenderism as homogenously, given the context of cultural diversity. Hence, this research intends to question the stereotype of the relations between Islam and transgender in the context of Bangladesh.

Hijra is one of the non-binary groups that encounter multiple and diversified forms of prejudice in Bangladesh. There are very few studies at present that address the religious practice of hijra individuals. Despite the legal recognition of hijra, those people were denied basic civil and human rights such as marriage or inherent property rights. Like many colonised countries, Bangladesh's legal system has its roots in the British colonial legacy. However, in the case of marriage or inherent property law, Bangladesh follows the religious law of Islam(Snigdha, 2019, 2021).

The Quran does not have specific guidelines concerning transgender, and Muslim countries do not follow any homogenous law due to the contextual, cultural construction. This paper argues, instead of stigmatisation, how and why contemporary Islamic politics in Bangladesh plays a significant role in hijra inclusion. Although it is also the case, only the Islamic perspective will give us a narrow understanding of hijras, who are one of the

transgender communities in Bangladesh. To do so, this paper will analyse the dynamic relationship between
Islam and transgenderism in Bangladesh with a particular reference to Sharia law. Moreover, explore the asymmetrical power relations to construct the reality of the 'Trans' and the cultural perception of the hijra in Bangladesh.

3 Research Questions

How Islam affects hijras' everyday lives, and what are their religious practices?
Why are hijras interested in the madrasa education system instead of mainstream education?
What are the alternative religious practices hijra use to perform?

3.1 Locating Transgender in Islamic discourse

Islam and Transgender In Islamic theology, the heteronormative conception of gender, i.e. male and female, has been classified as a 'dimorphic gender classification' (Sachedina, 2009: 191). Islamic theology has been given high importance to the intention of Allah. According to this tradition, Muslims must be satisfied with all form of human being created by Allah, even if it deviates from heteronormative sex. Moreover, any attempt to alter the physical form is considered contempt of Allah's will. That is why; both the Qur'an and Sunnah (the proverbs, practices, and lessons of the Prophet Mohammed) acknowledge the existence of transsexuals and characterise this category as intersex (Ishak & Haneef, 2012). According to the Sunnah, intersex was defined by the prophet Muhammad while he was determining the sex of a child who was born with two different sex organs. Based on the organs for urination, Muhammad came to the verdict that the child was Intersex, which is known as khuntha (hermaphrodite) in Arabic (Abu Dawud (n.d), Vol. 4: 228).
On the other hand, the asexual male attendants who are free of sexual desires are classified as mukhannath (effeminate men). Mukhannath refers to a man whose tone resembles a woman's (Ibn Manzur (n.d), Vol. 2: 145). Based on the Islamic ethos, Hanafis and Hanbalis, two sects of Islam, think mukhannath are two kinds. The first kind has no feelings or desires toward women. The Qur'an ordains them to guard their chastity against all males except those within the lawful family circle (Qur'an 24: 31). Also, they can freely enter women's quarters as they have no desire toward women and if they are not involved in any anti-social behaviour. Though the second kind is physically the same as the first kind, they are morally corrupted (fasiq), and thus, should be barred from interaction with women (Al-Sarakhsi,1986, Vol. 12: 382).
Nevertheless, Islamic tradition also noted that 'Allah cursed the males who appear like females and the females who appear like males' (Karim, 1994, Vol. 1: 613). Therefore, Islam does not condemn all type of mukhannath and it is flexible while dealing with the biological type of transsexuals. Ibn Hajar (1372- 1449), a medieval Sunni scholar, explains this issue further. He said the prophetic tradition's condemnation is restricted to those who consciously depart from the norm of the set genders with which they are born. It does not encompass cross-dressing or so-called behavioural abnormality. Instead, they need to be supported to readjust themselves to their assigned gender roles (Ibn Hajar, 1985, Vol. 10: 332).

3.2 Theoretical Framework

Religion has an authoritative encouragement over various aspects of our sexual and private life. Sexuality and sexual practices have always been one of the religion's most significant areas of influence (Olson & Cadge, 2002; Petersen & Donnenwerth, 1998). Religion and religious doctrines construct the social norms regarding what constitutes ideal patterns of sexual intimacy, and these ideological systems also outline the sexual

custom which constitutes an appropriate sexual partner. Trans individuals' choices of partner, affection, intimacy and sexual identities challenge conventional norms. Religion and religious communities often have been hostile spaces, and their efforts to integrate religion and sexuality are often shaped by conflict (Greenberg and Bystryn, 1982; Goodwill, 2000; Schuck and Liddle, 2001; Rodriguez and Oullette, 2000; Sullivan-Blum, 2004). In the study of sexuality, institutional influence and control over sexual behaviour is a long-running theme (D'Emilio and Freedman, 1988; Laumann et al. 2004).

On the contrary, scholarship emphasises the existence of rigorous institutional control over sexuality and religious institution forces whose mechanisms work to uphold particular configurations of power (Foucault, 1978; D'Emilio, 1983; Chauncey, 1994). This control continues incidentally as individuals internalise values and self-regulates to conform to normative, institutionally- sanctioned behaviour. Other scholars argue for the futility of institutional rules and emphasise their evasion or transgression through history and the continued flagging of their socialisation powers in monitoring sexual behaviour (D'Emilio and Freedman 1988; Joyner and Laumann 2001). According to Laumann and colleagues (2004) institutions such as religion is related to social networks, space and sex culture – that structure norms and regulate behaviour and sexuality is not the primary concern of religion or any other institution. It is policed only when it threatens to disturb the institutional order. This paper will follow Laumann's argument to explore the impact of socialisation, social network, space and culture in the religious practice of hijra in Bangladesh.

3.3 Transgender in Islamic World

Religion and religious ideologies play a significant role in forming the self-identity of trans individuals. The heteronormative conception of gender is compatible with all major religions. Any nonconformity from the heteronormative conception of gender usually causes marginalisation of that person or community, whereas any religion and religious ideologies should have played an important role in 'innaturalizingnotheteronormative' (Alipour, 2015). This marginalisation process is not confined to religious spheres only. It also marginalises them in social, cultural and employment spheres too. The government of many Western countries and predominantly Muslim countries also play an essential role in naturalising the trans person. Their understanding and policies are diverse. In this section, I will attempt to explore the identity crisis and religious predicament of Trans individuals posed by the legal system and culture with a particular reference to Iran, Pakistan and Bangladesh. a) Influence of Byzantine, Persian and Mughal Norms and Culture In many ways, the Byzantine, Persian and Mughal empires' perception of transgender have influenced modern-day Iran, Pakistan and Bangladesh. These empires have not only acknowledged transgender, but also, they have given a unique role to transgender in a society which has a profound influence on the Indian subcontinent. Abu Dawud's account state that Muhammad has acknowledged the intersex. It is challenging to have a complete picture of transgender life under Islamic rule. Nevertheless, different sources confirm that Byzantine Empire, possibly the earliest, has not only acknowledged transgender but also employed them. Byzantines appointed Mamluk, a group of transgenders, as guards of their Herem khana (Ishak & Haneef, 2014). These guards of Herem Khana were called 'Khawaja Sara'. Peter and Gotz (1990), have mentioned that Mamluk was appointed in administrative and legal positions too. To clarify, the transgenders who changed their gender identity through sex reassignment surgery and believed that they feel trapped in the body of the opposite sex are called 'mukhannath' (Ishak & Haneef, 2014). Similar information we find in the Mughal and Persian history. The Mughal rulers employed 'eunuchs' as the guard of their harems and royal palaces, which played a significant role in the social reorganisation of transgender (Nanda, 1999:

23). Jaffery (1997) thinks the Hindu transgender castration process spread across the region during the Mughal rule.

It is to be noted that in the Indian subcontinent, for many transgender communities, castrations play a significant role in the process of their identity formation. This is also the case for Bangladesh and Pakistan. b) Sharia Law Sharia means "path" in Arabic, and generally, Sharia law conducts all the aspects of Muslim life, including lifestyle, sexual orientation, conjugal relations and religious practices (Johnson & Lauren, 2014). It is primarily originated from the Quran and the Sunnah. Sharia law is also used to address new issues. Islamic Sharia does not function equally in all regions; rather, different sects of Islam have various types of practices in acknowledging transgenders (Jami, 2005). The Sunni believes that it is illegal for a man to dress like a woman (Sahi Bukhari, 1986). Furthermore, they also believe Muhammad had forbidden man to castrate (Sahi Bukhari, 1986). On the other hand, the Shias are more liberal in the case of castration and sex reassignment surgery. Their understandings in such matters are different from that of the Sunnis. Iran is a Shia-majority country, and in their Sharia law, the heteronormative conception of gender is dominant. A trans person has to identify himself/herself as a male or female. Because of this reason, the state offers free castration surgery for the transperson (Najmabadi, 2011). On the contrary, Bangladesh and Pakistan are Sunni-majority countries, and their governments have acknowledged transpersons as the third gender. However, transpersons are not allowed to castrate by Pakistani State policy and Islamic Sharia law (Jami, 2005; Najmabadi, 2011). Bangladesh does not have a specific law regarding castration surgery. We should also bear in mind that even though Pakistan and Iran are two neighbouring countries, their laws are not only different for sectarian reasons but there is also social and cultural reasons. Social, cultural and legal system impacts dramatically in the formation of transgender social and sexual identity. That is why the experience and situation of every transgender are not homogeneous throughout the Islamic world; rather, it depends on regional, cultural and historical contexts (Coway, 2002). Besides Islamic Sharia, patriarchy also affects the identity formation of transgenders. Patriarchy defines the male and female identities regarding some “norms” where the physical attributes, characteristics, and roles are fixed (Shams, 2000; Winter, 2002). Considering all these, a transperson always has to undergo dialectics in his/her identity formation (Shah, 2016).

When a transperson beholds both ‘Muslim’ and ‘transgender’ identities, s/he is being marginalised through intersectionality in social and sexual scopes and in the religious sphere (Crenshaw, 1993; Schnoor, 2006). Even though transgenders always desire to form self-identity by involving themselves with social and religious ideologies but in reality, they become alienated from mainstream culture and religion. Such a marginalisation process usually causes a further struggle for the transgender (Alipour, 2015). Dante (2015) has pointed out that in contemporary social structure, religions are supposed to be a protective factor rather than those institutions becoming a hindrance for the transgender. Religious ideologies, state policies, laws, and social and religious institutions like schools, colleges, mosques, prayer halls, etc., influence and control the identity formation of transgender. Nevertheless, the legal system plays a vital role in acknowledging transgender sexual orientation and gender identity, protecting against hostility. However, in the Islamic world, Sharia law plays a significant role in constructing the transgender identity. The following section covers the versatile practices of Sharia law among the Islamic countries of Iran, Pakistan and Bangladesh.

3.4 Acknowledgement as Third/Other Gender

Sharia law of Iran does not recognise transgender as a separate gender. However, both Bangladeshi Pakistan acknowledged transgender as ‘other’ or ‘third’ respectively, whereas transgender has not been acknowledged till today. In 2012, the Supreme Court

of Pakistan declared the transperson as 'the third gender. That resulted from a long legal battle to include the third gender identity option on national identity cards. 11th November 2013 Bangladeshi cabinet passed a law which declared hijra, the local term for transgender, as separate gender by following the other countries of south-east Asia. Nepal and India have given legal recognition to transgender before Pakistan. Pakistani Supreme Court has acknowledged transpersons as the 'third gender' on human rights grounds; thus, the decision has not been given based on Sharia law. It is also true for Bangladesh. The state religion of Bangladesh is Islam, but the Bangladesh government's decision to acknowledge transgender as the 'other' gender is not based on Quran or Hadith. Rather, the government has justified their decision by citing universal human rights principles.

4.Locating the religious practices of Hijra in Bangladesh

Some researchers express that hijra in the South Asian context is also integrated into many forms in Hindu mythology (Aggarwal, 2017; Ahmad, 2010; Bockrath, 2003; Habib, 2013, 2014; Nanda, 2003; Reddy, 2003; Wilson, 2006). For centuries, the stereotypes and myths about hijra have shaped how mainstream society perceives them (Jami & Kamal, 2017). In *Ramayana & Mahabharat*, the mythical presence of hijra is likewise found. Dutta (2012) mentioned that in *Ramayana*, Lord Rama started living in the forest and was banished from the kingdom for 14 years; when he left the city, many followers followed him. Suddenly he turned around and ordered all the 'men and women to return to the town. However, among his followers, those who were hijra did not go back as Rama ordered only men and women. So, the hijra stayed there and waited for him until he returned. Rama was impressed with their loyalty and endorsed them with the spiritual power to bestow blessings on people on auspicious occasions like marriage and childbirth. Accordingly, hijra have long been performing their traditional practices, such as *cholla*[1] and *badhai* with the mythological belief that they have the spiritual power of blessing and curse. Besides, hijra follow many other myths and religious rites prevalent in Hindu mythology:

> ……hijra could furthermore be interpreted as tirthas, or a physical and spiritual crossing place to deity, myth, and power. Their destiny is conceived of as the working out of a particular svadharma, the spiritual life task of the individual who is seeking moksa, a cornerstone of Indian belief which is supportive of this institutionalized gender variance. (Sepie, 2009, p. 2)

On the contrary, Reddy (2005) mentioned that hijra were identified as '*sannyasi*' (ascetic) is a complex figure in Indian mythology, and she said:

> I argue that hijra invoke and manipulate popular cultural symbols of (Hindu) "tradition" and mythology to legitimize their basis for (political) authority and reinforce the very constructions of sexual, religious, and "moral good" that anchors them to their marginal position in contemporary India. (Reddy, 2003, p. 172)

Though the hijra community in India worships the goddess called Bahuchara Mata (A Hindu Goddess), the hijra is not identified as a spiritual being in Bangladeshi public discourse. Other than that, none of the hijras I have encountered in the last ten years has claimed that religiosity played a significant role in the joining the hijra community.

[1] By following hijra traditional livelihood, hijra use to go collect money from local vendors, market, and shopkeepers, which is called as *'cholla.'*

Figure 1:This picture is used for worship in hijra rituals (MATA, 2009)

Serena Nanda's *Neither Man nor Woman* (1999) offers an ethnographic approach considering the social location of hijra in the Indian sub-continent. Nanda looks at the history of the cultural performativity of hijra as devotees of the *Bahuchara Mata*, and she also discusses the significance of their position in the Hindu religion. She also paints a contrasting picture with Western religious ideas that separate men and women by excluding the two biological sexes. Nanda argues that the essential feature of hijra culture is their devotion to *Bahuchara Mata*, for whom the emasculation is carried out. These testimonies with the Mother Goddess are the source of mythological beliefs in their spiritual power to claim and curse or bless hijra for their special place in Indian society.

On the other hand, in Pakistan, hijra used to connect themselves as eunuchs of Muslim rulers' royal courts, and they are known as '*khwajasiras*' (Alizai, Doneys, & Doane, 2017). Jami and Kamal (2017), argue that hijra in Pakistan propagate their identification with such 'myths' where they are appointed as caretakers of a holy place such as Al-Masjid an-Nabawi (Mosque of Muhammad at Madina) Kaba, the mosque of Jerusalem, and Madina. Those 'myths' portray hijra as holy and pious, which gives them the opportunity to interact with society and justify their social roles.

In Bangladesh, some hijra usually believe in two mythical characters named Mayaji[1] and Tara Moni[2]. There is a myth behind why the hijra are being tormented from the consequences that happened to them today. This myth has different oral versions, and the elderly hijra has described it in various forms. However, the message I have got from different versions of this myth is as given below –

> The myths of Mayaji and Taramoni are very prevalent among the hijra community. Notably, the folklore of Mayaji is predominant in Bangladesh. She was thought to have spiritual power. She was given spirituality considering her honesty, asexuality, and devotion. She also had her disciple named Taramoni. Both of them, in fact, are accepted to have the magical power of blessing and curse. It is said in a story that Taramoni blessed an infertile queen so that her blessing would conceive her with a child. Then the

[1] Hossain (2013) addresses the name Maya Ji which is usually an Indian style to address; however, I write as Mayaji because many times I cross-checked with my participants, and they insist me to address the name as Mayaji or Maiji instead of Maya Ji.

[2] Hossain (2013) separated the name Taramoni into two words as Tara and Moni wrote the names Tara and Moni as two separate words, but my participant encouraged me to combine these two words as one - Taramani.

> queen was happy, hoping to have a child, and promised her that she would give anything that Taramoni wanted without any hesitation if she got pregnant. A few months later, the queen got pregnant and gave birth to a charming price. Taramoni came back to the king's palace after a few years and saw the young prince; she had fallen in love with him. As the queen promised her to give anything if they had any children, she blatantly asked them to give her the prince. The king and queen kept their promise and handed the prince over to Taramoni. By using her magical power, Tara Moni turned the prince into a garland. When she returned home with the prince, both of them sat down to eat; at whatever point Tara served food, Mayaji found that the two plates were mysteriously broke into three. At that point, Maya set the food back and reserved; however, this made no contrast. Then she understood that her devotee had done something mischievous; there would be someone else in the room. To castigate the wrongdoing of Taramoni, Maya shook with outrage and requested that the earth split, and immediately the earth split, and she entered into the hole to get vanished. Promptly the earth aired out, and Maya disappeared from this world. While she was going into the opening to disappear from this world, Taramni tried to grab her hair and tried to explain why she had deceived her, but Mayaji did not listen to her. She then cursed her, saying that you will lose all your magical and spiritual power in the near future and live a miserable life in view of your untrustworthiness and double-dealing. From today, you and the future hijra generation will no longer be pure and asexual. Therefore, all the hijra have to get rid of their genitalia, will not be able to gain respect, and will beg to live in the future.

Hijra in Bangladesh believes that this myth is the reason behind their downfall from their previous position. However, my research does not focus on the mythology or the religious practices of the hijra community. Even though hijra in Bangladesh worships *Bahuchara Mata,* most see themselves as Muslims and are interested in practising Islamic rituals (Snigdha, 2019). However, this study argues in this light that the mythical presence of hijra or India-centric ideas about them is not the factual way to understand hijra in Bangladesh.

5. The relation between Islam and Bangladeshi Hijra

Bangladeshi hijra neither followed the above myth nor believed in Bachura mata, as Nanda mentioned, but they locate their rituals to this myth, particularly when they remove their penis manually. However, Bangladeshi hijra has separate religious practices related to their everyday lives, and the following points will detail their practices.

i) Inherited property rights and the religious practices

Bangladesh, Pakistan and Iran have followed inherited Property Rights Islamic Property law. According to the Quran, the female gets half of the male sibling of the inheritance property. Quran states Allah chargeth you concerning (the provision for) your children: to the male the equivalent of the portion of two females, and if there be women more than two, then theirs is two-thirds of the inheritance, and if there be one (only) then the half. This principle regulates Quran, 4:11 Many cases in Bangladesh show that transgender are deprived of their inheritance property. Contrary to this, Pakistani Supreme Court has also declared the equal right to inheritance of property for transgender. Meanwhile, a war starts among the siblings for property in Bangladesh. Hijras claim to have the portion of a son as they are born as men.On the other hand, all the male siblings are entirely against of this. Property creates a huge rift among the siblings. The flowing case might be relevant to explain the fact.

During my fieldwork, I met with Sweety Hijra, (pseudo name), (50), who has filed a case on the Human Rights Commission by demanding the portion of a son from her father's property as she was born as a male. Sweety (pseudo name) was born as a male. She went through surgery and changed her identity. Everything was going all right in her life, but a problem arose after her mother's death. Her mother made a will where she divided her properties among her nine children, five sons and four daughters. She declared Sweety as her son and willed to give her the property portion of a son. However, her brothers are against this will. They want to give Sweety the property portion as a daughter to deprive her. The siblings started quarrelling and fighting. And then, Sweety filed an appeal to Human Rights Commission claiming the portion of a son as her mother willed before her death. According to her, 'I was born as a boy; my mother made her will claim me as a boy, then why should I take less than I deserve? Why should I accept the portion of a daughter?' The case is still in process.

ii) Hijra marriage rights and Islamic practices

Right to marriage as Transgender Like property law, Bangladesh, Pakistan and Iran are regulated by Islamic marriage law. Islamic marriage prohibits marriage between other than males and females. This law is still in practice among the Muslim countries. According to religious views, the state promotes "normative belief" systems, where nonheterosexual conducts are considered 'sins' and 'non-compatible' (Burke, 2016; Piller, 2016). Nevertheless, the state differs to some extent from religious ideologies in different contexts. Even if the state doesn't declare non-heterosexuality as sin, it does not find such conduct acceptable in its policy. Hence, different Muslim states consider homosexuality not compatible with Sharia law, but they accept the situation and lifestyle of transgenders. However, a group of Islamic clerics named Tanzeem Ittihad-i-Ummat, declared that any act intended to "humiliate, insult or tease" transgender individuals should be considered a crime under Islam.

Furthermore, they also noted-any transgender with "visible signs of being a male" can marry a nontransgender woman or a transgender woman with "visible signs of being a female." But a transgender person with "visible signs of both genders" cannot marry anyone, the fatwa stipulated (Solanki, 2016; Sahi, 2016). Although Pakistan is not regulated by fatwa, fatwa usually plays an important role in making public acceptance. However, this situation is different in Bangladesh; any religious fatwa has no influence in the legal system. There is nothing written about the transgender marriage system in the Constitution. Therefore, a trans woman can get married to another man as a woman. Moreover, religious practice is comparatively unbound in the case of trans-marriage.

iii) Namaj, Mosque and Haj

Access to Religious Institutions Religious ideology also influences the experience of a transgender regarding his/her self-identity and its formation of it (Shah, 2016). Even if a Trans person is a believer in Islam, various countries decline to accept their identity in the name of Islam. Trans persons are not allowed to enter mosques and other religious institutions with their actual gender identity. Although, it should be mentioned here that IbnRushd-Goethe-Mosque in Berlin has opened its door to transgender, gays and lesbians recently (Kinkartz, 2017). This is the very first mosque that allowed Trans people to enter and pray. However, this is not a typical picture. Transgender activists in Islamabad, Pakistan, plan to build a new mosque that will welcome people regardless of gender or sexual identity (Beirut, 2016). In Bangladesh, despite acknowledging transgender as the third gender, no such plan has been announced or taken for hijras.

Therefore, transgenders are forced to perform religious rituals in a personal place because the collective performance of religious rituals is limited for them by different religious rules (Dante, 2015). Hence, the transpersons feel separated from religious institutions,

and such separateness reproduces their social inferiority, as well as alienates them from mainstream religious practice and, in many ways, forces them to practice personal religion (Pitts, Smith & Mitchel, 2008). However, during the fieldwork, I have found many hijras to perform their prayer in their own place, and they usually do not go to the mosque. However, some hijras go to the mosque by hiding their hijra identity on Friday to take the Jumma prayer. In Bangladesh, Muslim males are regularly going to the mosque for their prayer. There are few mosques for women, and only during the Eid celebration; a number of Muslim women go to the mosque for their prayer. Moreover, no Muslim women are allowed to go to the regular mosque. But, in the case of a Tran's person, it seems very fluid and depends on personal relations, network and the dress-up rather than sexual identity. To explain the facts, the following case might be useful.

> Shimla (Pseudonym) is a self-declared hijra guru; she is 32 years old and has many hijra dispels. She was born in old Dhaka city and used to live in the area where she was born as a boy; now, she is a hijra as she has no penis anymore. She cut off her penis and imposed a silicon boob for being a hijra. The local folk used to know her as a boy ten years ago, and now all of the people accept her as a hijra. She has a good connection with the local folk and the council members. All her relatives are very influential in the area; she goes to the regular mosque wearing a male dress and regularly takes her "namaj" prayer with the other males. No one has any objection to her presence in the mosque. She said, "This is all about the dress; each dress and get-up has a particular meaning; when I will go to a dance program, I will not wear a casual dress. And, when I am going to sleep, I will not wear a party dress, so obviously, when I take my "namaj", I will dress like a man as I was born as a male. I will cover my silicon boobs and take my prayers like a man. So, we could stand in the front row to pray beside a man. And, during the praying time, I would wear a pyjama-Panjab and put on a turban. So, no one would raise a voice about my presence in the mosque. If we consider ourselves in "sadrali" (When a hijra use to wear a male dress is called sadrali") during the "namaj" and Hajj period, we can easily maintain our religious life" She also continued, "if I can manage a certain amount of money, I would perform the Hajj because we hijra has a dream to perform the Hajj in our lifetime to shift our identity from a hijra to a haji. And during the Hajj time, hijras perform the Hajj like a man, not as a woman, because Allah created hijra as a man and all the Muslim hijra break Allah's rules by changing their gender identity. Therefore, in the Hajj, a hijra always beg for his forgiveness for changing her congenital gender identity, believing that he will give her mercy. And therefore, during the Hajj time, we should perform the Hajj like a man because we are born as a man. Why do we act or dress like a hijra while performing Hajj? We would never be going to perform Hajj like a hijra. Rather, we would act and dress like a man at that time by shaving our heads and wearing male clothes. All of us know that every task demands individual clothes. For instance, the dancers wear dancing costumes while he/she is performing only but never wears the same dress on their date. Likewise, if we want to perform Hajj, we have to perform it like a man to access that sacred place. For me, it is all about the dress to be with Islam, nothing else".
>
> Shimla also states that In 'Hijragiri', the title 'Hajji' is of high reverence; for example, when Shima hijra (Pseudonym) becomes Shima Hajji, she gets respect and honour. Whenever any Hijra performs Hajj, he becomes very popular among the Hijras. Performing Hajj makes the hijra leader more powerful. Also, in our hijra profession, we used to perform Hajj to achieve dignity among the other hijras. Everyone admires her. For this reason, sometimes, non-Muslims like

Hindus even prefer to perform Hajj. In Bangladesh, few hijras took birth in a Hindu family but perform Hajj to get dignity among the other hijra. And they are doing so just to be considered as Hajji. Being a hajji increases their importance among people in mainstream society and gives respect to the hijra as well.

5.1 The religious practices of hijra in Bangladesh

In Bangladesh, Trans women are generally known as "hijra". Hijra refers to the non-gender conforming individuals who are typically born as male or intersex and tend to perform, what is considered to be femininity, and hijra is one of the sexual minority groups who are treated as a taboo. They are socially stigmatised in their everyday life. The majority numbers of citizens in Bangladesh are Muslims. Furthermore, Bangladeshi society does not stigmatise hijra because of religious ideology; rather the male-female regulative gender norms create a boundary between the society and hijra. However, religious identity and religious practices sometimes create access to enter them into mainstream society. The following case study might help us to analyse the fact; of how religious practices can be helpful for the Trans person to have access to mainstream society.

Priya (Pseudonym), a 26-year-old hijra, ran away from her home because of the torture of her family. She was born as a boy, but at the time of her adolescence period, both she and her family noticed the changing behaviour of Priya. She was not like the other boy and used to love to wear and groom herself as a girl. And, like the other families, her own family treated her as a curse, and she left her family and came to Dhaka city to join the hijra community. She has been living with the hijra community for the last seven years. And, as she never considered herself a man, she went for emasculation and did her sexual reassignment surgery. While she was talking about her religious practices, she shared her following experience. Once, while she was fasting during Ramadan, she was waiting in the traffic signal to cross the road. As Hijra used to collect money from the market and traffic signals, one of the police surgeons thought she was there to seek money from the passerby.

Suddenly, one of the gangers reported to the surgeon that his mobile phone had been stolen, and without wasting any time, the surgeon came to Priya and started to check her body and told her to open her skirt. He suspected that Priya might keep the mobile under her skirt. She requested him not to pull her dress in front of the public, and the surgeon replied to her, "You, hijra, always put off your clothes and try to scare people to seek the levy, and now you are doing a drama. You must have hidden the mobile under your skirt." And he forced her to pull off her skirt. After searching, he did not find any mobile over there. Priya felt embarrassed and angry with the surgeon and loudly said, "I am a Muslim, and I was performing my fasting, as you made me pull off my skirt during the Ajan time; you broke my fasting, and Allah will not forgive you ever for doing this sin" Priya's speech made the sergeant shocked and replied her "Are you a Muslim? Are you fasting? Please forgive me. I was doing my duty, but I should not forget my religious identity. A Muslim cannot treat another Muslim the way I did. It was my fault; I admire that; I sinned and treated you like the other hijra who pulled off their clothes for little money. You are a true Muslim, I am a Muslim too, and it was my duty to help you to continue the fasting. But I did sin. I never thought a hijra could do fasting. You have changed my view about hijra from today. Accept my apology; please forgive me; I will not forgive me even if you do not allow me to have dinner with me. Priya was happy about the changing behaviour of the surgeon. After that incident, the surgeon also helped her take a prayer in the central mosque, which she had never imagined. Priya said that,

> "This is the religion which can allow us to live under the same roof. I have always lived a disrespectful life, and by performing this religious ritual and for the incident, I got some respect ever in my life from others.

5.2 Alternative Religious Practice

In Bangladesh, hijra also performed some different alternative religious practices. Most of the hijra used to visit the shrines, perform all the shrines rituals and give charity to the poor and helpless in the name of certain pirs. There are various shrines of different Pirs in Bangladesh. And, hijra becomes the disciples of any of these pirs. Specifically, they become the disciples of the 'Ahmed Ullah Maizbhandari' of Chattagram and Hazrat Shah Ali of Mirpur, Dhaka. They organise different kinds of Islamic programs, and one of them is known as 'Orosh'. They donate as much money as they can. They spend a lot on these purposes. They believe that through this charity, they can seek forgiveness from Allah. Many hijras consider themselves as sinners as they did the sexual reassignment surgery and did not follow their birth-assigned gender role. One of my participants Mahi (Pseudo name), 40 years, said, "To pursue this hijra life against the wish of Allah it must be a sin. So the question is, will Allah ever forgive them for this sin? It is a common feeling among the hijras in Bangladesh, and therefore, I have found many hijras used to take dispel ship of certain pirs. Hijra has a belief that, to be a follower and dispel such a powerful and spiritualistic Sufis; they can be righteous and ensure heaven after their death. On this occasion, the following case might give us some light on the alternative religious practices of hijra in Bangladesh. Sumi (pseudo name) is 35 years old hijra. She was born as a man. After realising the truth about herself, she went to India for her reassignment surgery. According to her, she should not have undergone the surgery as a Muslim. She believes that Allah will not forgive her ever for her sin. She has gone against Allah's will. As she is not allowed to enter into the mosque, she has become a disciple of a Hajrat Shah Ali. She said, 'All the hijra went against Allah's will as he has created us as man. And, we hijra lived like a woman. All the hijra are sinners in this sense. My life is also like a sin. Allah has made me a man, but I have gone against his rule. I went against his order and will. A huge punishment is waiting for me after my death. There is no such reason for Allah to forgive me. That's why I became a disciple of Shah Ali. And, I believe, he will beg forgiveness from Allah on behalf of me, and it will be the only way of my redemption of this impious life. Furthermore, I have seen that when I donate money to Allah, I help the poor, I get respect, and you might wonder how many people like me. This religious practice allows me to incorporate myself with the mass people, whereas exclusion is an obvious part of a hijra life. I can still remember that day when I first tried to enter the local mosque; many Muslims do not allow me to take my prayers there as I am a hijra. But now things have changed; I used to go to the shrine, and I took my prayers in the front line with others. When I went to the shrine, all the people, the shoppers, the beggars, and the Clarks who work in the shrine welcomed me and showed their respect. I got that respect in the shrine, which you might not get over there. Because the shrine is open for all, but the mosque is not.

6. Conclusion

To conclude, even though the gender roles of men and women are clearly stated in Islam, the role of transgenders is not defined at all. Byzantine, Persian and Mughal empires have influenced Iran, Pakistan and Bangladesh's perception of transgender. These empires have not only acknowledged transgender, but also, they have given a unique role to transgender in society, which has had a profound influence on the Indian subcontinent. But the Sharia law is different from each other in those countries. Different states have different ways of addressing transgenders. In Iran, biomedicine and sex change surgery allow a transgender to choose to take either a male or female identity. In contrast,

Bangladesh and Pakistan acknowledge transgender as a third or other sex. Social and cultural factors also influence the identity of a transgender. Patriarchy also affects a transgender, thus controlling and defining a transperson's gender identity. So, it is impossible to study the status of the transgenders by only based on the legal system, but it indeed plays an essential role in forming identity. Moreover, the discursive practice of Islam regarding the transgender and the religious practice of hijra are not homogenous and absolute. Therefore, Hijras in Bangladesh can sometimes capitalise on Islam and Islamic religious practices to eradicate their stigmatisation. In consequence, the religious fluidity, Islamic religious rituals like Hajj, Ramadan, and alternative religious practices can able to create access for a hijra to be a part of a mainstream society.

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