

## A Comprehensive Study of Islamic Law Regarding Sex Change and Enhancement Surgery

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### Abstract:

Advancements in medical technology have intensified debates within Islamic law regarding sex reassignment and enhancement surgery. This study aims to systematically examine how Islamic jurisprudence classifies elective sex reassignment and corrective intersex surgery, including their legal consequences for lineage, marriage, inheritance, guardianship, and religious obligations. Employing a normative legal research design with a qualitative doctrinal approach, the study analyzes classical *fiqh* texts, contemporary juristic opinions, institutional *fatwas*, and *maqasid al-shari'ah* principles through structured data condensation and comparative verification. The findings reveal that elective sex reassignment for anatomically normal individuals is consistently deemed impermissible based on the doctrine of *taghyir khalqillah*. In contrast, corrective surgery for intersex individuals is conditionally permissible when supported by verified medical necessity. The study's novelty lies in constructing an integrative analytical framework linking scriptural evidence, juristic methodology, and family law implications. These findings provide structured guidance for scholars, policymakers, and medical practitioners in addressing gender-related medical interventions within Islamic law.

**Keywords:** *Islamic Law, Sex Reassignment, Intersex Surgery, Maqasid Al-Shari'ah*

### INTRODUCTION

The advancement of modern medical technology has made sex reassignment and sex refinement surgeries increasingly possible, commonly referred to as gender reassignment procedures. This phenomenon raises fundamental questions in Islamic law concerning identity, lineage (*nasab*), inheritance, marriage, and religious obligations (Lyngsøe, 2024; Mukhlis et al., 2025; Nasih, 2022). In Muslim societies, Islamic law serves as a primary normative reference in determining the permissibility of medical interventions that affect biological and social identity. Fatwas issued by institutions such as Majelis Ulama Indonesia and resolutions of the International Islamic *Fiqh* Academy demonstrate distinctions between corrective surgery for intersex (*khunsa*) individuals and purely transformative sex change procedures (Abd et al., 2020; Hasani, 2020). Therefore, this research is crucial for providing comprehensive legal clarification, preventing oversimplified judgments, and guiding society to respond proportionally within the framework of *Maqasid Al-Shari'ah*.

In contemporary social reality, cases of individuals born with ambiguous genitalia (*khunsa*) as well as individuals experiencing gender dysphoria who seek sex reassignment

surgery have generated legal and theological debates in Muslim communities. In Indonesia, controversies often arise when changes to legal identity affect marriage registration, inheritance rights, and family law status (Husain et al., 2024). Some segments of society categorically prohibit all forms of sex-related surgery, while others differentiate between corrective medical procedures and elective gender transformation. This conceptual ambiguity leads to inconsistent legal interpretations and confusion among religious authorities and legal practitioners. Furthermore, many discussions remain reactive rather than systematically grounded in comprehensive *fiqh* analysis (Nawaz et al., 2023; Rafiq, 2022). This condition underscores the urgent need for an integrated Islamic legal study that clearly distinguishes between medical necessity and elective alteration, ensuring justice, legal certainty, and doctrinal consistency within Islamic jurisprudence.

Previous scholars have examined this issue from various perspectives. Barratt (2021) emphasized its psychological and social implications, while Anggraeni et al. (2020), Asmuni (2023), and Karimullah (2023) analyzed it within the framework of Indonesian positive law. Contemporary jurists such as Yusuf al-Qaradawi distinguish between corrective surgery for intersex individuals and non-medical sex reassignment, and Wahbah al-Zuhaili stresses the principle of necessity (*ḍarūrah*) in exceptional cases. However, most studies remain partial, focusing either on medical ethics, psychological dimensions, or isolated fatwas without offering a comprehensive synthesis of classical jurisprudence, *Maqāṣid Al-Shari'ah*, and contemporary biomedical realities (Earp et al., 2023; Hadie et al., 2024; Muhsin et al., 2026). The research gap lies in the absence of an integrative framework that systematically connects modern medical classification with classical *fiqh* doctrines and their legal consequences in family law. This study seeks to fill that gap through a structured normative-analytical approach.

The novelty of this research lies in its comprehensive integration of classical *fiqh* discourse, contemporary fatwas, and *analysis of Maqāṣid Al-Shari'ah* to clearly distinguish between *tashhīh al-jins* (sex refinement or corrective surgery) and *taghyir al-jins* (sex reassignment). Unlike previous studies, this research not only determines the legal status of medical procedures but also systematically analyzes their consequences on lineage, guardianship, inheritance, marital validity, and religious obligations (Integrity, 2025; Zartab et al., 2025). It reexamines the concept of altering Allah's creation (*taghyir khalqillah*) in light of medical necessity and public welfare (*maṣlaḥah*). By offering a structured conceptual model, this study advances beyond fragmented discussions and provides a more applicable jurisprudential framework. Its urgency stems from the growing public debate and technological advancements that demand clearer, evidence-based Islamic legal guidance.

Based on the above background, this study addresses the following research questions: (1) How does Islamic law classify corrective sex refinement surgery for intersex (*khunsa*) individuals compared to non-medical sex reassignment procedures? (2) What textual evidences (*dalil*) and juristic methodologies (*istinbat*) are employed in determining their legal status? (3) What are the legal implications of such procedures on marriage, inheritance, lineage, guardianship, and religious duties? (4) How can *Maqāṣid Al-Shari'ah* be applied to evaluate contemporary medical developments concerning gender identity? These questions aim to ensure that legal analysis transcends simplistic *halal-haram* dichotomies and incorporates broader ethical, social, and jurisprudential considerations within Islamic legal theory.

This study argues that Islamic law fundamentally permits corrective surgery for intersex individuals when supported by a strong medical indication to clarify biological identity, while prohibiting elective sex reassignment that lacks *shari'ah*-recognized necessity. This argument is grounded in *Maqāṣid Al-Shari'ah*, legal maxims concerning necessity and harm prevention, and a critical analysis of the concept of *taghyir khalqillah*. The originality of this research lies in constructing an integrated analytical framework that systematically links scriptural evidence, juristic reasoning, and family law consequences. Rather than merely issuing normative judgments, the study provides a practical guideline for scholars, jurists, and policymakers for addressing sex-related medical interventions within a coherent and principled Islamic legal paradigm.

## RESEARCH METHODS

This study employs a qualitative normative legal research design with a library-based (doctrinal) approach (Abbas et al., 2021). This design is selected because the primary objective of the research is to analyze Islamic legal doctrines, juristic reasoning (*istinbat*), and contemporary fatwas concerning sex reassignment and sex refinement surgery. A qualitative, normative approach is appropriate, as it enables in-depth interpretation of classical *fiqh* texts, legal maxims (*qawā'id fiqhiyyah*), and *Maqāṣid Al-Shari'ah* principles within contemporary biomedical contexts.

The research is not field-based but text-based; therefore, the “research location” refers to the sources documented in academic databases, institutional fatwa compilations, classical jurisprudential works, and digital repositories. The primary sources include classical *fiqh* literature, contemporary juristic opinions, and official fatwas issued by recognized Islamic institutions. Secondary sources consist of peer-reviewed journal articles, legal documents, medical literature, and relevant academic commentaries. Although this is not empirical field research, authoritative scholars and juristic bodies function conceptually as “informants,” including contemporary Muslim jurists and fatwa councils whose legal opinions form the analytical foundation of this study.

Data collection techniques include systematic literature searches, document reviews, and content documentation (Kneale et al., 2021). Relevant texts were identified through keyword-based searches related to *khunsa* (intersex), *taghyir al-jins* (sex reassignment), *tashḥīḥ al-jins* (sex correction), *Maqāṣid Al-Shari'ah*, and Islamic medical ethics. The collected materials were classified according to themes: legal status, textual evidence (*dalil*), juristic methodology, and legal implications in family law. Data analysis follows qualitative analytical procedures: data condensation, by selecting and focusing on legally relevant arguments; data reduction, by categorizing materials into conceptual frameworks (classical doctrine, contemporary fatwa, *maqāṣid* analysis); data display, through systematic comparison tables and thematic narrative explanation; and data verification, by cross-checking arguments across multiple authoritative sources to ensure doctrinal consistency.

To ensure data validity, this study employs source triangulation by comparing classical jurisprudence, contemporary scholarly opinions, and institutional fatwas. The credibility of sources is assessed based on scholarly authority, institutional recognition, and peer-reviewed publication status. Through these procedures, the study maintains analytical rigor, consistency, and reliability in constructing its normative conclusions in Islamic law.

## RESULTS AND DISCUSSION

### Result

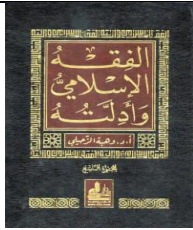
This section presents the principal findings derived from a qualitative normative legal analysis of classical and contemporary Islamic jurisprudence concerning gender reassignment and corrective intersex surgery. The results reveal a structured doctrinal distinction between prohibited elective transformation and conditionally permissible medical correction, reflecting continuity, coherence, and principled flexibility within Islamic legal reasoning across historical and institutional contexts.

### Normative Illegitimacy of Elective Sex Reassignment

The findings confirm that elective sex reassignment surgery performed on individuals born with anatomically normal sexual organs is consistently classified as impermissible within Islamic normative jurisprudence. Through qualitative doctrinal analysis and systematic data condensation of classical and contemporary *fiqh* literature, the research identifies a coherent legal pattern grounded in the principle of *taghyir khalqillah* (alteration of divine creation). This principle is not treated merely as a literal textual command, but as a foundational theological doctrine safeguarding the integrity of divinely determined biological identity within Islamic law.

**Table 1. Classical *Fiqh* Perspectives on Intersex (*Khunsa*) and Sex Determination in Islamic Jurisprudence**

	<p>The analysis of classical jurisprudence strengthens this conclusion. In <i>Al-Majmu' Sharh al-Muhadhdhab</i>, Imam al-Nawawi elaborates extensively on the legal status of <i>khunsa</i> (intersex individuals), outlining objective criteria for determining dominant sex characteristics in cases of biological ambiguity. Importantly, the text does not recognize sex transformation for individuals with clear anatomical determination. Instead, it emphasizes clarification rather than alteration. This doctrinal distinction, identified through data reduction, demonstrates that classical Shāfi'ī jurisprudence differentiates between congenital ambiguity and intentional transformation.</p>
<p><i>Al-Majmu' Sharh al-Muhadhdhab</i> – by Imam al-Nawawi</p>	<p>Similarly, <i>Al-Mughni</i> by Ibn Qudamah provides a detailed discussion on intersex classification and its implications for inheritance, prayer rows, and guardianship. The Hanbali framework consistently bases legal rulings on observable biological indicators. There is no juristic space within the text for elective transformation of a fully formed male or female body. This reinforces the principle that legal identity in Islamic law is biologically anchored rather than psychologically constructed.</p>
	<p>Comparative analysis in <i>Bidayat al-Mujtahid</i> by Ibn Rushd further demonstrates cross-madhab consistency. While jurists differ in procedural methods of determining sex in ambiguous cases, none legitimize elective reassignment in anatomically normal individuals. This comparative verification confirms a strong doctrinal continuity across legal schools.</p>
<p><i>Al-Mughni</i> – by Ibn Qudamah</p>	<p></p>
	<p></p>
<p><i>Bidayat al-Mujtahid</i> – by Ibn Rushd</p>	<p></p>



*Al-Fiqh al-Islami wa Adillatuh – the work of Wahbah al-Zuhayli*

Finally, contemporary synthesis, as found in *Al-Fiqh al-Islami wa Adillatuh* by Wahbah al-Zuhayli, systematizes classical rulings within modern biomedical contexts. Al-Zuhayli explicitly distinguishes between corrective surgery for intersex individuals and prohibited gender transformation absent medical necessity. His analysis aligns with institutional fatwas and reinforces that psychological discomfort alone does not meet the threshold of *darūrah* recognized in Islamic jurisprudence.

A doctrinal reading of classical and contemporary juristic authorities demonstrates a consistent normative structure regarding sex determination in Islamic law. In *Al-Majmu' Sharh al-Muhadhdhab*, Imam al-Nawawi formulates objective criteria for identifying dominant sexual characteristics in cases of *khunsa*, emphasizing the clarification of biological ambiguity rather than altering an already determined sex. This approach is reinforced in *Al-Mughni*, where Ibn Qudamah grounds legal consequences such as inheritance, guardianship, and ritual positioning on observable anatomical indicators, leaving no doctrinal space for elective transformation of a biologically complete individual. The comparative analysis in *Bidayat al-Mujtahid* further confirms cross-madhab agreement that surgical intervention is only conceivable in cases of genuine ambiguity, not subjective preference. This continuity is systematically reformulated in *Al-Fiqh al-Islami wa Adillatuh*, where Wahbah al-Zuhayli distinguishes corrective medical intervention from prohibited transformation absent legal necessity.

The data above reveal a coherent normative pattern characterized by three interrelated principles: biological determinacy, therapeutic limitation, and juridical continuity. First, legal gender status is consistently determined by empirically verifiable physical attributes rather than by internal psychological experience. Second, surgical intervention is framed as corrective only when addressing congenital ambiguity, not as a means of redefining identity. Third, legal consequences in areas such as marriage, inheritance, guardianship, and ritual obligations remain anchored to original biological classification, demonstrating resistance to subjective alteration. Across methodological variations and historical periods, juristic reasoning maintains a stable distinction between clarification and transformation. This pattern reflects a broader theological commitment to preserving ontological integrity, in which law functions not merely as regulatory instruction but also as a safeguard of divinely structured human embodiment.

### **Islamic Law and Contemporary Jurisprudence Perspectives on Gender Reassignment and Enhancement Surgery**

A person born naturally is either male or female because they possess a single, normal genitalia: the penis or vagina. Islamic law prohibits sex reassignment surgery based on internal genitalia. It is not permitted under Islamic law to perform sex reassignment surgery, as God's natural will determines a person's gender. The purpose of sex reassignment and enhancement surgery varies, as does the patient's medical condition. Genital enhancement surgery is permitted under Islamic law if it is performed to correct imperfect genitalia, such as in individuals with multiple genitalia or dysfunctional genitalia. The goal of this initiative is to restore genital function and clarify a person's gender identity, which will provide benefits and prevent social stigma and psychological distress. In such situations, these medical procedures are considered permissible (*mubah*) and recognized in modern Islamic jurisprudence (*fiqh*) because they align with the principle of benefit. The

Quranic evidence prohibiting sex reassignment surgery is as follows: QS. *An-Nisa* Verse 119:

وَلَا ضَلَّاتَهُمْ وَلَا مَتَّبِعَتَهُمْ وَلَا أَمَرَئِهِمْ فَلَيبَسُوا آذَانَ الْإِنْعَامِ وَلَا مَرَئِهِمْ فَلْيَعْبُدُوا خَلْقَ اللَّهِ وَمَنْ يَتَّخِذِ الشَّيْطَانَ وَلِيًّا مِنْ دُونِ اللَّهِ فَقَدْ خَسِرَ خُسْرَانًا مُبِينًا ﴿١١٩﴾

*Meaning: I will surely lead them astray, arouse their vain desires, command them (to cut the ears of their livestock) until they actually cut them, and command them (to change Allah's creation) until they actually change it." Whoever takes Satan as a protector besides Allah has indeed suffered a clear loss.*

This verse provides the legal basis for prohibiting the change of a person's natural gender. Allah forbids changing a creation He has created, such as gender, as it is a predetermined law established by Allah at birth. The book of *Shafwatul Bayan* mentions several prohibited human actions, including castration, homosexuality, lesbianism, hair extensions, tattoos, shaving facial hair, and acting like the opposite gender, or transsexualism, or what we commonly call effeminate or tomboyish. Several hadiths also demonstrate the impermissibility of changing God's creation. There are even hadiths that explicitly forbid imitating the opposite sex, castration, and changing gender from male to female, or vice versa, which are prohibited and even considered *haram*.

عَنْ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ:

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

*From Ibn Abbas ra, he said:*

*Rasulullah saw cursed men who resemble women and women who resemble men.*

This hadith emphasizes the prohibition of gender reassignment surgery, which is a form of imitating the opposite sex. This is because, in essence, the organs/gender are normal, but the psyche is abnormal. Islam also forbids someone from dressing and behaving in a manner inconsistent with their gender. Based on these arguments, undergoing transsexual genital surgery, also known as transsexuality, is strictly prohibited in Islam. The Indonesian Ulema Council (MUI) in Fatwa Number 03/Munas/VIII/2010 emphasized that gender reassignment surgery without medical reasons is prohibited because it contradicts God's established nature.

While genital enhancement surgery is permitted in cases of intersex or physical abnormalities to restore function and a clear identity, this was decided on June 1, 1980, in Decision Number 1: "Changing the gender of a man to a woman or vice versa is forbidden, because it contradicts the Quran, Surah *An-Nisa*, verse 119, and also contradicts the spirit of Islamic law. The MUI fatwa prohibiting transvestites from undergoing sex change operations is based on several verses from the Qur'an, one of which is the word of Allah in Surah *Al-Hujrat*, Verse 13.

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَىٰكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ ﴿١٣﴾

*Meaning: "O humanity, indeed We have created you from a man and a woman. Then we made you into nations and tribes so that you may know one another. Indeed, the noblest among you in the sight of Allah is the most pious one. Indeed, Allah is All-Knowing, Most Accurate."*

Regarding sex change surgery, the meaning of this verse is that everyone should be grateful for God's gift of giving them a normal gender without having to change it. This is because doing so would violate the natural law established by God, the creator of all forms of plurality, including gender. Therefore, it can be concluded that sex change surgery is neither permitted nor forbidden in Islam. This is evident from the fact that it is stated in Surah An-Nisa', verse 119, and Surah Al-Hujurat, verse 13. However, the law on performing sex change surgery depends on the condition of a person's external and internal genitalia. For the reasons mentioned above, if a person has a congenital sex abnormality,

### **Conditional Legitimacy of Corrective Intersex Surgery**

The third finding demonstrates that corrective surgery for intersex (*khunsa*) individuals is conditionally permissible within Islamic normative jurisprudence when it is grounded in medical clarification rather than identity preference. Using a qualitative, normative legal research design with a library-based (doctrinal) approach, the study analyzes authoritative *fiqh* texts to determine whether such intervention constitutes a prohibited alteration or a legitimate therapeutic correction. The data indicate that permissibility is tied strictly to the existence of congenital biological ambiguity and the objective need to establish legal certainty, not to subjective psychological inclination. Thus, the legal reasoning operates within a framework of evidentiary verification and physiological assessment.

Classical Shāfi'ī jurisprudence provides a foundational basis for this distinction. In *Tuhfat al-Muhtaj*, Ibn Hajar al-Haytami discusses the criteria for identifying dominant sex characteristics in *khunsa* cases, emphasizing observable biological indicators such as urinary function and anatomical predominance. The discussion centers on clarifying ambiguity rather than altering a clearly established sex. Corrective measures, therefore, are conceptualized as mechanisms for uncovering legal reality (*kashf al-ḥaqīqah*), not redefining it. This doctrinal reasoning demonstrates that surgical intervention is conditionally linked to evidentiary confirmation of congenital indeterminacy.

A similar framework appears in Mālikī jurisprudence, particularly in *Hashiyat al-Dusuqi*, which elaborates procedural standards for classifying intersex individuals. The emphasis remains on aligning legal status with verified biological evidence. Surgical correction, when recommended by competent medical authorities, is understood to facilitate legal clarity and prevent harm in matters such as inheritance, guardianship, and marital eligibility. The juristic logic here situates corrective surgery within therapeutic necessity rather than theological violation, reinforcing the principle that Islamic law responds to objective physiological realities.

Contemporary institutional formulations further consolidate this conditional legitimacy. Resolutions compiled in *Qararat wa Tawsiyat Majma' al-Fiqh al-Islami* explicitly differentiate between medically justified correction of congenital ambiguity and elective gender reassignment. Likewise, the fatwa deliberations of the Majelis Ulama Indonesia affirm the permissibility when expert medical evaluation confirms biological indeterminacy and therapeutic need. Through doctrinal comparison and cross-source verification, the

study identifies a consistent normative pattern: Islamic law prohibits transformation of normative biological sex while permitting structured, medically justified correction aimed at restoring clarity, protecting lineage, and ensuring legal certainty.

## Discussion

The findings of this study demonstrate strong consistency between classical Islamic jurisprudence and contemporary normative legal interpretations regarding the impermissibility of elective sex reassignment surgery. The doctrinal analysis aligns closely with the juristic constructions articulated in *Al-Majmu' Sharh al-Muhadhdhab*, *Al-Mughni*, and *Bidayat al-Mujtahid*, all of which restrict legal recognition of sex modification to cases of genuine biological ambiguity. These classical authorities consistently differentiate between clarification (*bayān*) and alteration (*taghyir*), a distinction reaffirmed in the contemporary synthesis of *Al-Fiqh al-Islami wa Adillatuh* (Hussain et al., 2023; Muhsin et al., 2024). The present research confirms this doctrinal continuity and finds no substantive divergence between early madhhab formulations and modern juristic restatements. Rather than representing a rigid literalism, the prohibition is rooted in a structured theological anthropology that treats biological sex as legally determinative unless proven ambiguous.

When compared to contemporary bioethical discourse, particularly institutional fatwas such as those issued by Majelis Ulama Indonesia and the resolutions compiled in *Qararat wa Tawsiyat Majma' al-Fiqh al-Islami*, the findings reveal substantial normative convergence. Both institutional and classical sources prohibit elective reassignment absent medical necessity while permitting corrective intervention for intersex individuals (Alzuraib, 2025; Rehman et al., 2024). However, the study highlights an important analytical nuance: while modern discussions often frame the issue in biomedical or psychological terminology, classical jurisprudence framed it within evidentiary and legal-certainty paradigms. Thus, the difference lies not in the ruling itself but in the epistemological vocabulary used to justify it. This demonstrates methodological adaptability within Islamic legal reasoning while preserving doctrinal substance (Mahmut, 2024; Mohamad et al., 2025).

Overall, the discussion reveals that Islamic law exhibits principled consistency rather than categorical rigidity. The prohibition of elective reassignment reflects a theological commitment to preserving ontological integrity, while the conditional legitimacy of corrective intersex surgery demonstrates calibrated flexibility within established legal parameters (Covone et al., 2026; Jones et al., 2025; Patra et al., 2023). The findings, therefore, affirm that Islamic jurisprudence operates through a stable yet responsive normative framework, one that resists subjective alteration of biological identity while accommodating medically substantiated ambiguity in pursuit of legal clarity and social order. This balanced doctrinal structure ultimately underscores Islamic law's capacity to engage contemporary biomedical developments without compromising its foundational theological and jurisprudential principles (Birbe, 2025; Manocchio et al., 2025).

Theoretically, the research reinforces the concept of biological determinacy as a foundational legal principle in Islamic jurisprudence. The consistent rejection of elective transformation underscores that gender status in Islamic law is not constructed through subjective self-identification but through objectively verifiable physical indicators. At the same time, the conditional permissibility of corrective intersex surgery reflects a complementary principle of therapeutic limitation, where intervention is allowed only to restore clarity and function. This dual structure, prohibiting transformation and permitting

correction, illustrates a coherent normative architecture that integrates theology, ontology, and legal reasoning. It contributes to contemporary Islamic legal theory by clarifying the boundaries between immutable divine creation and medically recognized anomaly.

Practically, the findings carry significant implications for policymakers, medical practitioners, and Islamic legal institutions. For Muslim-majority jurisdictions, the study provides doctrinal grounding for differentiating regulatory frameworks governing elective gender reassignment and medically necessary intersex correction. It also provides guidance to hospital ethics boards and fatwa councils for assessing cases involving congenital ambiguity. By anchoring permissibility to objective medical verification rather than psychological discomfort alone, the research supports a structured decision-making model that balances compassion with doctrinal fidelity. This may help reduce legal uncertainty regarding marriage registration, inheritance distribution, guardianship status, and civil documentation.

## CONCLUSION

This study concludes that Islamic law establishes a clear and principled distinction between elective sex reassignment and corrective intersex surgery. The most important finding is that elective transformation of anatomically normal sex organs is normatively impermissible because it constitutes *taghyir khalqillah*. In contrast, corrective intervention for intersex individuals is conditionally permissible when grounded in verified medical necessity. The central lesson (*hikmah*) of this research is that Islamic jurisprudence is neither rigid nor reactionary, but is structured around theological integrity, biological determinacy, and the objectives (*Maqasid Al-Shari'ah*). By systematically integrating classical *fiqh*, contemporary fatwas, and biomedical considerations, this study contributes academically through an integrative analytical framework that connects scriptural evidence, juristic methodology, and family law implications into a coherent, applicable model.

Nevertheless, this research has certain limitations. Methodologically, it relies primarily on normative doctrinal analysis and institutional fatwas, without incorporating empirical case studies of medical practice or sociological impact assessment in Muslim societies. Additionally, the rapid development of biomedical technologies and evolving psychological classifications may generate new scenarios not fully addressed within classical legal categories. Future research should therefore explore interdisciplinary collaboration between Islamic jurists, medical specialists, and legal policymakers to refine regulatory guidelines. Comparative studies across Muslim-majority jurisdictions may also provide insight into how doctrinal principles are operationalized within legal systems. Such extensions would strengthen the applicability of Islamic legal theory in responding to emerging gender-related medical advancements.

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## REFERENCES

- Abbas, S., & Murziqin, R. (2021). Sharia-Based Regional Regulations in the Indonesian National Law System. *Jurnal Ilmiah Peuradeun*, 9(3), 529–548. <https://doi.org/10.26811/peuradeun.v9i3.673>
- Abd Razak, A. H. (2020). Multiple Sharia' Board Directorship: A Maslahah (Public Interest) Perspective. *Journal of Islamic Marketing*, 11(3), 745–764. <https://doi.org/10.1108/JIMA-10-2018-0185>
- Al Zuraib, M. A. G. (2025). Cosmetic Surgery In Islamic Jurisprudence: A Comparative Analytical Study With Contemporary Medical Law. *Journal of Neonatal Surgery*, 14(12s).
- Anggraeni, P., Daniels, P., & Davey, P. (2020). Improving the Benefit of Natural Resources Endowment to Economic Welfare in Indonesia: A Mixed-Method Analysis. *International Journal on Advanced Science, Engineering and Information Technology*, 10(3), 1234–1244. <https://doi.org/10.18517/ijaseit.10.3.12067>
- Azhari, D., & Asmuni, A. (2023). Progressive Steps in Reforming Indonesian Islamic Family Law Through Gender Studies. *Syakhshiyah Jurnal Hukum Keluarga Islam*, 3(2), 210. <https://doi.org/10.32332/syakhshiyah.v3i2.8020>
- Barratt, J. M., & Duran, F. (2021). Does Psychological Capital and Social Support Impact Engagement and Burnout in Online Distance Learning Students? *Internet and Higher Education*, 51. <https://doi.org/10.1016/j.iheduc.2021.100821>
- Birbe, J. (2025). Orthofacial Surgery, the Esthetic Surgery of the Facial Skeleton: Techniques, Approaches, and Outcomes. *Cranio-Maxillofacial Surgery - Orthognathic and Orthodontic Techniques*. <https://doi.org/10.5772/intechopen.1008760>
- Covone, J., Bouhadana, G. C., & Cugno, S. (2026). Defining Prominauris in the Pediatric Population: A Systematic Review. *Journal of Craniofacial Surgery*, 37(3/4), 668–672.
- Earp, B. D., Abdulcadir, J., & Liao, L. M. (2023). Child Genital Cutting and Surgery Across Cultures, Sex, and Gender. Part 2: Assessing Consent and Medical Necessity in “Endosex” Modifications. *International Journal of Impotence Research*, 35(3), 1–6. <https://doi.org/10.1038/s41443-023-00698-1>
- Hadie, S. N. H., Gasmalla, H. E. E., Wadi, M. M., Zainul Abidin, M. A., & Yusoff, M. S. B. (2024). From Generosity to Gratitude: Exploring Islamic Views on Body Donation, Human Dissection, and Honoring the Gift of Life. *Anatomical Sciences Education*, 17(8), 1569–1578. <https://doi.org/10.1002/ase.2393>
- Hasani, S. (2020). The Position and Role of the Department of IFTA in the Formation of the Afghan Legal System. *Indonesian Journal of International and Comparative Law*, 7(3), 385–404.
- Husain, S., Ayoub, N. P., & Hassmann, M. (2024). Legal Pluralism in Contemporary Societies: Dynamics of Interaction between Islamic Law and Secular Civil Law. *SYARIAT: Akhwal Syaksyah, Jinayah, Siyasah and Muamalah*, 1(1), 1–17. <https://doi.org/10.35335/cfb3wk76>
- Hussain, S., Mobin, M., & Saeed, N. (2023). Sex Reassignment: Islamic Perspective and Legal Frame Work of Pakistan. *Nuqtah Journal of Theological Studies*, 3(2), 24–47.
- Integrity, B. C. on B. (2025). Genital Modifications in Prepubescent Minors: When May Clinicians Ethically Proceed? *The American Journal of Bioethics*, 25(7), 53–102.

- Jones, K. E., Yung, A., Bartlett, & Passias, P. G. (2025). Assessing the Impact of High-Risk Committees in Adult Cervical Deformity Corrective Surgery: A Retrospective Review of Outcomes, Complications, and Frequency of Procedures Receiving Preoperative Multidisciplinary Evaluation. *Journal of Neurosurgery: Spine*, 43(5), 577–583. <https://doi.org/10.3171/2025.5.SPINE25311>
- Karimullah, S. S. (2023). Sexual Deviations in the LGBT Community on Islamic Law Perspective and Its Impact on the Existence of Muslim Families. *Tazkir: Jurnal Penelitian Ilmu-Ilmu Sosial Dan Keislaman*, 9(1), 89–108. <https://doi.org/10.24952/tazkir.v9i1.6910>
- Kneale, D., Henley, J., Thomas, J., & French, R. (2021). Inequalities in Older LGBT People's Health and Care Needs in the United Kingdom: A Systematic Scoping Review. In *Ageing and Society* (Vol. 41, Issue 3, pp. 493–515). <https://doi.org/10.1017/S0144686X19001326>
- Lyngsøe, M. L. (2024). Continuously Striving Danish Muslim Women's Everyday Islamic Educational Engagement. *Journal of Religion in Europe*, 15(17). <https://doi.org/10.1163/18748929-bja10100>
- Mahmut, R. İ. (2024). The Origin of Esotericism: An Analysis of the Ismaili Esoteric Approach to Qur'anic Interpretation. *Jurnal Studi Ilmu-Ilmu Al-Qur'an Dan Hadis*, 25(1), 105–120. <https://doi.org/10.14421/qh.v25i1.5392>
- Manocchio, N., Vita, G., Giordani, L., Ljoka, C., Monello, C., & Foti, C. (2025). Rehabilitation for Women and Men Experiencing Sexual Dysfunction After Abdominal or Pelvic Surgery. *Surgeries (Switzerland)*, 6(2), 40. <https://doi.org/10.3390/surgeries6020040>
- Mohamad, M. Z., & Sahad, M. N. (2025). Reassessing the Translation of Anthropomorphic Verses in the Quran By N. J. Dawood: A Critical and Comparative Analysis. *Afkar*, 27(1), 295–340. <https://doi.org/10.22452/afkar.vol27no1.8>
- Muhsin, S. M., Akbar, M. A., Mustari, S., Alashaikh, M. H., & Chin, A. H. B. (2026). Human Cognitive Enhancement and Reproductive Technologies in Malaysia – A Survey Study of Local Muslim Undergraduate Students' Viewpoints. *Frontiers in Sociology*, 10, 1701007. <https://doi.org/10.3389/fsoc.2025.1701007>
- Muhsin, S. M., Yahya, F., Parachottil, R., Shaikh, S., & Chin, A. H. B. (2024). Sex Reassignment Surgery, Marriage, and Reproductive Rights of Intersex and Transgender People in Sunni Islam. *Archives of Sexual Behavior*, 53(5), 1681–1694. <https://doi.org/10.1007/s10508-024-02813-9>
- Mukhlis, Iqbal, & Hasniyati. (2025). Challenges in Implementing Sharia-Based Education: Balancing Regional Autonomy and Children's Rights in Aceh. *Khazanah Hukum*, 7(1), 105–120. <https://doi.org/10.15575/kh.v7i1.41012>
- Nasih, M. (2022). Ibn Hazm's Logical Philosophy With Its Religious Context. *Hitit Theology Journal*, 21(2), 1239–1264. <https://doi.org/10.14395/hid.1151091>
- Nawaz, N., & Safdar, H. (2023). Transgender Rights in Pakistan: A Complete Study under the Constitution and Pakistan Law. *Pakistan Journal of Humanities and Social Sciences*, 11(2), 1614–1630. <https://doi.org/10.52131/pjhss.2023.1102.0467>
- Patra, S. R., Chu, H. J., & Tatas. (2023). Regional Groundwater Sequential Forecasting Using Global and Local LSTM Models. *Journal of Hydrology: Regional Studies*, 47. <https://doi.org/10.1016/j.ejrh.2023.101442>

- Rafiq, T. (2022). Gender Dysphoria and Islamic Perspective of Gender-Related Issues. *Jihat-Ul-Islam*, 16(December), 16–32.
- Rehman, H. U., Zeeshan, M., & Hussain, H. R. (2024). Islamic Jurisprudence on Gender Reassignment: A Critical Review of Classical and Modern Views. *Scholar Insight Journal*, 2(2), 70–86.
- Zartab Jabeen, A., Ahmad, N., & Siddiqui, L. J. (2025). Female Genital Mutilation and Islamic Jurisprudence: Deconstructing Religious Misattributions and Advancing Rights-Based Eradication Strategies. *Legal Transformation in Muslim Societies*, 2(3), 61–84.