Author’s response to reviews

Title: Transgender Women in Malaysia, in the context of HIV and Islam: A qualitative study of stakeholders’ perceptions

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Author’s response to reviews:

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Dear Editors,

Re: Transgender Women in Malaysia, in the context of HIV and Islam: A qualitative study of stakeholders’ perceptions.

Firstly, the authors would like to thank both the reviewers and editor for taking the time to give your feedback on a topic which has yet to be explored. The authors have endeavoured to take the comments of the reviewers into consideration in making this revised submission to BMC International Health and Human Rights.

The revised version of the manuscript is attached with track changes.

A. The reviewers asked to expand the links between culture, religion and discrimination. Specifically mention to page 5, line participants were subject to “discrimination by Islamic religious officials with some feeling reluctant to access medical services...." The authors have clarified the ways in which actions by the religious community influence medical providers' opinions and trans women's use of services. The link between culture, religion and discrimination is addressed in the following paragraph and those that follow that relate to Islam, which explain how culture, Islam and discrimination often interact indirectly. The following has been added on page 6, line 9-13:

“It is worth pointing out that the aforementioned research noted that these health professionals were often Muslim and influenced by their own perception of transgender women, influenced by religious views as well as cultural and politics shifts, which can change over time. Furthermore,
the cultural, and political climate influences how the religious community interpret opinions about transgender women in the context of Islam”

B. The reviewers ask whether the Qur'an really criminalises transgenderism or whether it is actually more culturally defined especially given the historical more acceptable phase in the country. The Qur’an actually does not mention anything that would criminalise transgender women and there were ‘effemimates’ (Rowson 1991) at the time of early Islam, those who walked with languid gait and soft voices. This is mentioned in the Hadith (secondary Islamic scriptures) and if it was innate and not for ‘unlawful’ purposes seems to be permitted given Rowson’s description of the time. They were referred to as mukhanathun. Also important was the motivations.

The following has been addressed on page 6, line 13-20:

“It is worth pointing out that the aforementioned research noted that these health professionals were often Muslim and influenced by their own perception of transgender women, influenced by religious views as well as cultural and politics shifts, which can change over time. Furthermore, the cultural, and political climate influences how the religious community interpret opinions about transgender women in the context of Islam. In the Quran there is no explicit mention of transgender women, however various academics have commented on references in the Hadith, a secondary source of texts which report the actions and words of the Prophet Mohamad. One prominent academic includes Rowson, who describes the ‘existence of a form of publicly recognized and institutionalized effeminacy’ among men in pre and early Islamic society. [18]. These people were referred to as mukhannathun ‘effeminate ones’ and allowed to ‘associate freely with women, on the assumption that they had no sexual interest in them’”. [18]. Also important says Altinay is the ‘different motivations to transgender expression, ‘innate gender identity’ or for the purposes of transgressing Islamic rulings with regards to conduct

C. The reviewers mention the construction of gender in Malaysia and how it seems to be different from the terms used in English (eg transgender, intersex), and this should be acknowledged and explained, or agreed and accepted terminology used. Indeed, we hope we have addressed this by giving a background of how the language used in Islam relating to gender is different than the precise language used in the Western world. There is some overlap between.

Page 6, line 22-25 “Furthermore, Alipour defines up to five manifestations of ‘gender ambiguity’ in premodern Muslim society (including mukhanathun) with these types not necessarily correlating with the definition of transgender women in the Western world [20].
D. The reviewers ask why transgender women are focussed on exclusively and do not address transgender men. Answer: This is because it is transgender women that are considered the most high risk group for HIV and transgender women were interviewed.

E. The word Khunsa is mentioned and yes this correlates with the term ‘intersex’ but those interviewed did not use the word ‘intersex’ but khunsa a word they are more familiar with. It also highlights a little the difference in language. We the authors, feel more comfortable using the language the participants use, to represent their voice. However we do appreciate the need to abide by the accepted Western trans terminology which Sam Winters et al mention.

F. The term transsexual has been removed. One participant referred to herself as this but this quote has been removed.

G. The term transgender women engaging in sex work has been used. The authors agree that the revised terminology is more appropriate.

H. The term hermaphrodite has been removed.

I. The terms Khunsa, JAKIM, Muhayam and ustad are explained.

J. The reviewer requests the method to be described more clearly. Page 7, line 22: The word ‘Broader’ added

K. Indeed the original study was part of a broader research project about HIV prevention and Islam, where transgender women were part of the PLHIV group. The interviews did follow a semi structured guide with one person undertaking the interviews and analysis. IV DU were not included as this represented a different disease dynamic…although there are taboos around IVDU, we wanted to focus on sexual transmission. Transgender women were chosen from the PLHIV group of the stakeholders therefore only those living with HIV are represented. Page 7 (line 24, page 8, 1-6) added below

The original study sought to understand how perceptions of Islam actually affect HIV prevention in Malaysia from a neutral, public health perspective, sensitive to the Islamic and political context by undertaking 35 semi structured interviews with the 3 key stakeholders identified as being involved in HIV prevention policy identified following a thorough review of the literature [23]. These included officials from the Ministry of Health, Religious leaders and People Living with HIV (PLHIV) including transgender women.
Explained that there were 10 themes in the original study (published in BMC public health) and transgender women came up as a theme which we felt merited looking at further.

Page 8, line 7 – “this was one of the central themes that emerged from the original study”.

L. The authors us to give numbers of opinions when in the minority (such as line 8, page 14) and this has been added. (page 15, line 12 – two of the eleven)

M. The reviewers mention that stigma and discrimination are present across all five of the analysis themes but "stigma and discrimination" is also a stand-alone theme. Perhaps the theme titled "stigma and discrimination" could be titled "violence" and focus on the most severe instances disclosed. Or perhaps there could be a theme on "exclusion and abuse" that describes that particular manifestation of stigma and discrimination. While the authors appreciate that stigma and discrimination is ubiquitous across all themes in a more subtle way, we have decided to keep it also as a standalone theme to highlight it in a more obvious way. Especially to highlight to other stakeholders such as religious leaders and Ministry of Health who have the power to actually influence and constitute a change to reduce the stigma and discrimination. The word ‘violence’ or ‘abuse’ are highly contentious words and far too sensitive to the extent that using it would alienate stakeholders from reading the paper and taking it on board. Framing the issues in the context of Islam and health rather than specifically saying the word ‘rights’ (which it obviously concerns) makes stakeholders more likely to take heed as many stakeholders (unfortunately) do not identify with the Western Idea of human rights, but do identify with ideas of health and Islam. The purpose of this study in a way, is to create a shift to acknowledge that religion (Islam) acts as a determinant of health, both positively and negatively.

N. The reviewers say there is no need to cite statistics for trans women living in the US and the Baral citation, this has been removed as well as the accompanying US statistics.

O. The reviewers note that there are several references to this article as a way to inform HIV prevention. Indeed, the authors have sought to focus this paper on HIV prevention rather than treatment. In the context of the whole study we focussed on prevention as it is specifically the gap in prevention which needs to be addressed.

P. The authors ask for a clear bulleted list of recommendations which have been added.

Page 25, line 6-17 …Recommendations:

• Investment in peer to peer services
Greater involvement of transgender women in HIV policymaking and prevention strategy

Sensitization of the police and healthcare providers to the needs of transgender women, highlighting the need for non-discrimination

Full investigation of discrimination against transgender women and formal database of alleged incidents against transgender women

Greater dialogue between religious leaders and transgender women.

Independent scholastic review of Islamic jurisprudence of transgender women in Malaysia seen through a prism of compassion, mercy and health.

Q. We have focussed our attention on Malaysia specifically otherwise it becomes very complicated in terms of Islamic Jurisprudence. The authors do not feel that the actual discrimination of transgender women is caused because of the Quran but perceptions of religious people in their interpretation of Islam. Many religious discount Iran because it is Shia and Malaysia (Sunni) but equally there are 4 further divisions/schools of thought. In addition, the gender reassignment surgery seems more to be related to the religious authorities using the Islamic principle of ijtihad (independent reasoning). The hope is that by looking at Malaysia and the way the paper has been structured we the authors can instigate a shift in thinking by using Islamic principles to actually make a change for transgender women. Ultimately what is required is an independent review of Islamic jurisprudence in the context of Malaysia, by more progressive Islamic scholars such as Kamali, those that are not part or funded by the Malaysian government. The strength of this study is it’s independence, there has been no funding for the entire of this study, including data collection. So not funded by ‘Western’ human rights groups or Malaysian government.

R. The UNAIDS Gap report and Trans Pacific blueprint has been cited.

S. Furthermore, the participant quotations have been polished.

We do hope we have addressed your comments adequately and would be happy to make any further necessary changes if required.

Yours Sincerely,

The authors