
*Focus on
Sexing
Comparative
Ethics*

BODIES AT THE MARGINS

The Case of Transsexuality in Catholic and Shia Ethics

Elizabeth M. Bucar

ABSTRACT

This essay explores the ways in which emerging religious understandings of sexual reassignment surgery (SRS) have potential for new work in comparative ethics. I focus on the startling diversity of teachings on transsexuality among the Vatican and leading Shia clerics in Iran. While the Vatican rejects SRS as a cure for transsexuality, Iranian clerics not only support decisions to transition to a new sex, they see it as necessary in some cases given the gendered nature of the moral life. In this essay, after describing the practical justification for sexual reassignment surgeries in Iranian fatwas and the emerging official Vatican position on transsexuality, I explain how these divergent positions are based on different semiotics of sex and gender that reflect specific ontological views of the human body.

KEY WORDS: *comparative ethics, transsexuality, Shia Islam, Catholicism, gender, sex, Iran*

AT FIRST GLANCE, official teachings of the Roman Catholic Church and the Islamic Republic of Iran have much in common on the issues of gender and sex. Both prohibit female leadership in the clerical forms of priests and mullahs, respectively. Both understand a gender complementarity between men and women—in contrast to a radical equality—and base moral duties on this ontological distinction. Both consider the act of homosexual coitus to be a sin, discourage divorce, and teach that sexual union is permissible only within the context of marriage. Taken together these facts might lead the scholar of religious ethics to assume that sex and gender act as bridge concepts (Stalnaker 2005) between the two traditions, providing an opportunity to study cross-cultural patriarchy or sexual conservatism as universal phenomena.

But on at least one practical issue the two traditions, as represented by clerical teachings, are radically diverse: transsexuality. The Vatican understands sex as fixed from birth and rejects that sexual reassignment operations are proper treatments for transsexuality, since these procedures are merely superficial and external and not able to change

the sex or gender of the individual. Transsexuality is categorized by the Vatican as a psychic disorder in which an individual of one sex mistakenly thinks he or she is a member of the other. The Vatican's doctrinal congregation explicitly instructs bishops to never allow the altering of the sex listed in parish baptismal records. Post-operative trans-Catholics are not eligible to marry, to be ordained, or to enter religious life because of "mental instability" (Norton 2003).

In contrast, not only is transsexuality permissible in Iran, sexual reassignment operations are financially subsidized by the Islamic Republic, supported by a clerical interpretation of Shariah that understands these operations to be necessary in some cases for uncovering a person's true *jins* or gender. FtMs (post-operative trans-men) and MtFs (post-operative trans-women) follow the moral codes of their "new sex;" they are allowed to marry; FtMs can become mullahs; and MtFs have a duty to veil.

My guess is that the reader of this essay might be aware of the official Catholic position on transsexuality, but be just as surprised as I was to learn that the Islamic Republic is fast becoming the "sex-change capital of the world" (Tait 2005). And it is this moment of surprise that points to the relationship between body, sex, and gender as holding potential for new work in comparative ethics. Was my assumption of the necessary link between a "conservative religious" stance on homosexuality and transsexuality based on a prior distinctively Christian understanding about what was theologically "natural," "normal," or "good" about gendered bodies? Has a Christian anthropology become dominant in ethical discourse about the body in the West? If so, in what ways?

This paper explores the comparative ethics of sex and gender through the case of teachings on transsexuality among the Vatican and leading Iranian Shia clerics. This case study has great potential for analysis of both the meanings and relationships of sex and gender, as well as contributing to debates over the designations of essentialism and constructionism in contemporary sexual ethics. Transsexuality is a particularly interesting contemporary case study because it forces us to think about how sex "changes" through history. Advancements in the field of endocrinology mean that we can now grow breasts or facial hair. Cosmetic surgery can remove or construct other physical markers of a male or female person, such as an Adam's apple, a penis, or a vagina. We can now, quite literally, embody a different sex. These possibilities present a distinct set of challenges and opportunities for comparative religious ethics. What attributes of embodiment do religious traditions count as part of an authentic person or as relevant to the moral life? What happens when these attributes are transformed? How is a person's sex or gender determined? Why is such determinism necessary? Is God gender blind? Are we?

To explore these questions and yet others, this paper is organized into two sections. In section one I describe the practical justification for sex change operations in Iranian fatwas as well as the gendered duties and rights of post-operative transsexuals in national law. I then consider briefly the official Vatican position on transsexuality, with particular attention to how it differs from the Iranian clerical position. In the second section I work comparatively in order to begin to explain these divergent positions on transsexuality and the morality of sex change operations. I focus on how the semiotics of sex and gender reflect specific ontological views of the human body. By way of conclusion I suggest some further areas of ethical inquiry that transsexuality suggests might be fruitful.

A note about terminology. Throughout this essay I will use the terms “sex,” “gender,” and “sexuality” as they have come to be defined in late twentieth-century gender and sexuality studies. “Sex,” or the biological category of man or woman, is defined by chromosomes, gonads, genitals, and hormones. “Gender” is the maleness or femaleness or the associated behaviors and psychological identity of masculinity and femininity. “Sexuality” is the range of erotic urges and behaviors.¹ It is important to note that prior to the twentieth century, gender and sex were more often than not used interchangeably.² This practice means that when I work historically, I risk applying modern and even post-modern distinctions to pre-modern thinkers. I do so, however, because religious discourses often mark differences between sex, gender, and

¹ My definitions are based loosely on those provided by Joanne Meyerowitz (Meyerowitz 2002, 3–13). I am not unaware of how problematic even these tentative definitions are. In fact I remain unsatisfied with the attempt to separate sex from gender in much feminist work in the late twentieth century that makes gender a thing of cultural construction, and yet leaves sex and embodiment as natural/biological and therefore unchanging and incontestable. I use these terms here with the definitions I provide because they are the most common working definitions in gender and sexuality studies and because as my comparative analysis will show that they help describe differences between religious anthropologies. Gender and sex are understood differently in the case studies I consider, and I have therefore found these different aspects of embodiment helpful for analyzing distinct implications of embodiment for comparative ethics.

² Bernice L. Hausman has pointed out that the entry for “gender” changed in the Oxford English Dictionary from the first edition, 1933, to the second, 1989. In the first edition, sex is given as a synonym for gender. In the second, gender and sex are differentiated so that gender includes a psychological articulation of a natural sex: “In mod. (esp. feminist) use, a euphemism for the sex of a human being, often intended to emphasize the social and cultural, as opposed to the biological, distinctions between the sexes” (Hausman 1995, 7). A similar shift takes place in the culture I do much of my work in: Persia. For example, the Persian term *jins*, which historically is used for gender, in the twentieth century comes to mean sex as well. Najmabadi attributes this in part to a translation movement of Western Psychology into Persian, in which sex and gender are differentiated (Najmabadi 2006). Although I do not have the space to prove so here, I think this linguistic and semantic shift is at least in part caused by the reality of

sexuality as morally relevant, even if they do not do so with this explicit terminology. And in order to understand the differences between religious moral anthropologies, I have found it helpful to be able to parse when each of these dimensions of embodiment is discussed.

A final note about the term “transsexual” is needed. For the purposes of this essay, transsexuals are individuals who feel trapped in the “wrong” sexed physical body or whose gender identification does not “match” with a biological sex. A transsexual is distinct from a transvestite who chooses to wear clothing associated with his or her opposite gender, but who does not necessarily want to change his or her physical sex. And transsexuals are not necessarily transgendered. A “transgendered” individual either moves between male and female gender identities or attempts to occupy a third gender. In doing so, transgendered individuals challenge the strict gender dualism operative in much moral anthropology. In contrast, transsexuals desire to change their physical sexual appearance in order to correlate with a gender identity. They therefore do not challenge gender dualism, but rather depend on a radical conception of gender essentialism: the “trans” in transsexual is a change in sexual appearance, not a change in gender or sexual normative categories.

1. Fatwas and Secret Documents: Divergent Logics of Sex Change Operations

Medieval Muslim jurists addressed the issue of intersexuals (individuals born with ambiguous sexual genital), *khuntha mushkil* in Arabic, and their discussions became an important ground for contemporary juridical opinions on transsexuality through the application of analogous reasoning in *fiqh*. According to Paula Sanders, an intersexual “presented a serious dilemma in a society where the boundary between male and female was drawn so clearly and was so impenetrable” because “it [an intersexual] had no gender and therefore no point of entry into the social world” (Sanders 1991, 75, 88). To deal with the difficult neutral, medieval jurists advocated assigning a gender role to the *khuntha mushkil*. Jurists differed over how to determine which role was the most appropriate, but many, including influential Muslim thinkers like Ibn Sina and Abu Bakr Al-Razi, allowed physical alterations to the body to reveal true gender/sex (Dallal 2006). Significantly, when contrasted with medieval European medical texts, there was no linkage of intersexuality

transsexuals and sex change operations. For an argument along these lines in a Western context, see Judith Butler, “Doing Justice to Someone: Sex Reassignment and Allegories of Transsexuality” (Butler 2001).

or sexual ambiguity with moral depravity. Galenic biology, which was the basis of much Islamic medicine, allowed for the chance occurrence of intersexuality since a person's sex was determined by whether the woman's or man's "semen" dominated in the womb: if neither dominated, gender was undetermined. The resulting ambiguity was socially problematic, but was not alone the sign of sin.

Although surgical remedies for intersexuals have precedents in medieval texts, Ayatollah Ruhullah Khomeini provided the first fatwa supporting sex change operations to correct sexual disorder in modern Iran. Many other influential ayatollahs in Iran now support sex change operations, but this is by no means the only clerical opinion on this issue.³ It should also be noted that justification for sex change operations for transsexuals is not limited to Iranian or Shia clerics.⁴ But given Khomeini's immense influence on not only post-revolutionary Iranian law but also the moral teachings among leading Iranian Shia clerics, for the purposes of this article, I focus on his opinions on transsexuality.

As early as 1963 Khomeini indicated that sex change surgery was permissible according to Shariah. But like much of the discussion in earlier *fiqh*, for Khomeini, this permission applied only to intersexuals.

³ For example, Ziba Mir-Hosseini provides a translation of Ayatollah Seyyed Yusef Madani Tabrizi's practical treaty on moral problems, which deals in part with sex change operations. Madani allows for sex change operations only in the cases of an intersexed individual, for whom "there is a possibility of either maleness of femaleness." But he does not give permission for surgery or hormones treatment for a transsexual: "If they have resorted to this nonlawful action, they have sinned; as to religious duties, they are bound by those incumbent prior to the change in their appearance" (Ziba Mir-Hosseini 1999, 35–37). His stance against sex change operations is most likely grounded in the Quranic sura 4:119 in which Satan promises those whose choose him over Allah will be able to alter the creation of Allah. Sex change operations are seen by Madani simultaneously as a mutilation of healthy bodies and interference in God's creation.

⁴ For example, in 1988 a fatwa was issued by the Egyptian Grand Mufti Sayed Tantawi, the highest Sunni authority in Egypt, endorsing the sex change of an al-Azhar medical student as a way to treat what was called his psychological hermaphroditism (*al-khunutha an-nafsiya*). The fatwa begins by recounting a hadith, in which the Prophet says God did not create any disease without also creating its cure, the exception being old age. The fatwa reads in part as follows:

These and other noble hadiths on treatment grant permission to perform an operation changing a man into a woman and vice versa, as long as a reliable doctor concludes that there are innate causes in the body itself, indicating a buried [*matmura*] female nature, or a covered [*maghmura*] male nature, because the operation will disclose these buried or covered organs, thereby curing a corporal disease which cannot be removed, except by this operation. . . . It is permissible to perform the operation in order to reveal what was hidden of male and female organs. Indeed, it is obligatory to do so on the grounds that it must be considered a treatment, when a trustworthy doctor advises it. It is, however, not permissible to do it at the mere wish to change sex from woman to man, or vice versa [Skovgaard-Petersen 1997, 330–31].

Maryam Khatun Mulkara, formerly known as Feraysun, is credited with obtaining Khomeini's 1983 fatwa that legalized sex change operations for transsexuals in the Islamic Republic as a way to cure an illness known as "sexual identity disorder."⁵ After several unsuccessful attempts to see the Supreme Leader of the Islamic Republic, the then bearded Mulkara forced her way into Khomeini's room, where she revealed the breasts that she had obtained from hormone treatment in order to persuade Khomeini she was a woman trapped in a man's body:

I was screaming, "I'm a woman, I'm a woman" . . . I was taken into the corridor . . . I could hear Khomeini raising his voice. He was blaming those around him, asking how they could mistreat someone who had come for shelter. . . . He had three of his trusted doctors in the room, and he asked what the difference was between hermaphrodites and transsexuals. What are these "difficult neutrals," he was saying. Khomeini didn't know about the condition until then. From that moment on, everything changed for me [Tait 2005].

Mulkara obtained a letter written by Khomeini addressed to the chief Iranian prosecutor and head of the medical ethics board giving her religious permission to surgically change her sex. Khomeini later recorded his opinion on sex change operations as part of a formal book of legal opinions. In a section dealing with contemporary issues, he wrote the following about changing sex:

The clear ruling is that there is no prohibition against changing the sex of a man into a woman, or a woman into a man, with a surgical operation. . . . Is such an operation necessary if a woman sees in herself tendencies which are male, or if she sees in herself certain traces of masculinity; or if a man sees in himself traces or certain tendencies of the opposite sex? The apparent ruling is that the surgical operation is not a legal obligation. . . . If knowledge proves, before the operation, that *inside* he is the opposite sex, and therefore the operation does not change one sex for the other, but rather uncovers what was hidden, then there is no doubt concerning the necessity of putting into proper order the true sex

⁵ In this essay, I am discussing a case of a man becoming a woman, a MtF. The transition of a woman to a man, or FtM, is also possible in Iran. While the clerical reasoning behind both types of transitions is the same, it has become a debated issue which transition is "easier" in Iran. A study of the differences between the experiences of MtFs and FtMs would be a valuable contribution to the field of sexual ethics. To date the best empirical evidence we have for thinking about this issue in Iran is a collection of recent documentaries about transsexuals in Iran. Through interviews in these films, there appear to be two prominent positions. On one hand, in a society that privileges male bodies over women's, some families seem to be more supportive of their daughters, sisters, mothers becoming men. On the other hand, FtM are sometimes perceived as "lesser-men," making their transition more difficult from the point of view of integration in society.

and getting rid of the traces of the visual sex. So if he knows that he is a man, then his legal duties are a man's duties, and what is prohibited for men is also prohibited for him, and vice versa for a woman [Khomeini 2000, 596–97].⁶

A number of aspects of this fatwa's logic are important for understanding the modern Iranian Shia position on transsexuality. First, transsexuality is seen as a physical illness and therefore as having some physical cure. Second, the specific physical cure, a sex change operation, is not the construction of a new sex, but rather the uncovering of the true sex that was hidden. Finally, uncertain transsexuality is differentiated from certain transsexuality, as determined by the individual's own self-identification. In the first case, transsexuality is based on sexual ambiguity of an individual who has identified in herself or himself traces of the sex she or he does not materially appear to be and in this case a sex change operation is normally permissible but not obligatory. In the second case, the individual has knowledge that her or his material body does not match the true internal gender. In this case a sex change operation appears necessary in order to guarantee the individual is abiding by the correct set of gendered moral duties.

Grounded on Khomeini's opinion, transsexuality is currently defined in Iran as a physical illness and surgery prescribed as its cure. In order to legally obtain a sex change operation, one must first be diagnosed as suffering from "gender identity disorder" by a panel of three physicians and obtain a permit from a doctor in the state medical office.⁷ The Iranian government not only allows sex-change operations but also provides financial support for up to half the cost for those needing financial assistance (Barford 2008) through loans for surgery from the Imam Khomeini Charity Foundation. According to a recent report from a Tehran-based journalist, the Iranian government planned to spend six billion rials (approximately 650,000 USD) in 2008 in subsidies for sex change operations (Nasseri 2008). Post-operative transsexuals are given special civil rights in Iran: they can apply for new birth certificates, driver's licenses, and national identity cards to reflect their newly realized "true sex." There are reports of post-operative transsexuals who served in the Iraq war; one surgeon claims a patient's surgery was paid for by a Muslim cleric who later married the post-operative woman (Fathi 2004, 3).

⁶ My thanks to Karen Bauer for her help locating this text within Princeton's libraries and her help translating it from the original Arabic.

⁷ During a 2005 conference on transsexuality in Mashad, it was reported that between 1987 and 2001 270 sex change petitions were submitted to the Iranian government of which 214 were approved. Between 2001 and 2004 another 200 petitions were submitted (Najmabadi 2006, 3).

Now compare this situation to the Vatican's attitude toward transsexuality. The first major difference is that, unlike the Islamic Republic of Iran, the Vatican does not have an official position on sexual reassignment operations. Nevertheless, we have reports of a document sent *sub secretum* to papal representatives in each country in 2000, and then again in 2002 to the presidents of bishops' conferences. This document claims that sex change operations are merely superficial and external, and not able to change the sex or gender of the individual: if she was born female, she remains female; if he was born male, he remains male (Norton 2003).⁸ The document explicitly instructs bishops to never allow the altering of the sex listed in parish baptismal records. Catholics who have sex-change operations are not eligible to marry, as their union would be perceived either (1) as a same sex marriage, or (2) as a marriage in which one's spouse's mental state puts their ability to uphold marriage vows in doubt.⁹ Post-operative Catholic transsexuals cannot be ordained or enter religious life because of "mental instability" (Norton 2003).

In order to understand the reasoning behind this unofficial Vatican position, one needs to consider it as an attempt to apply the Catholic tradition of natural law to the new technologies of sexual reassignment. In other words, transsexuality is categorized as a psychic disorder because of a conception of the "natural" status of sexed bodies. Consider, for example, John Paul II's influential vision of the human person that is the foundation for his teachings on sexuality and marriage. Relying heavily on biblical revelation, John Paul assumes a particular theology of the body that emphasizes the existence of two types of sexed bodies, male and female. According to him, "the Yahwist narrative, and in particular Genesis 2:25, enables us to deduce that man, as male and female, enters the world precisely with . . . awareness of the meaning of the body, of masculinity and femininity" (John Paul II 1997, 65). Sex, in this understanding, is not only a biological or physical attribute. It is also a consciousness known by the individual and is ontologically significant all the way down. Based on this understanding of bodies, transsexuality becomes the non-acceptance of the psychosomatic unity of body and soul—a unity that is the necessary condition of the human life.

⁸ Reportedly, the document falls short of calling sex change operations morally unacceptable by allowing them in cases "if a medical probability exists that it will 'cure' the patient's internal turmoil." But the document also reportedly says that "in a majority of cases the procedure increases the likelihood of depression and psychic disturbance" (Norton 2003).

⁹ A marriage that predates the operation is considered valid unless a "transsexual disposition" predated the wedding (Norton 2003).

When I personally met with a member of the Congregation of the Doctrine of Faith to ask for assistance in clarifying “Catholic teaching” (in contrast to an official Vatican position) on the issue of sexual reassignment, I was urged to consult a range of sources, including the English volume titled *Health Care Ethics: A Catholic Theological Analysis*. In its fourth edition, this volume contains a lengthy entry on sexual reassignment, which recommends against the treatment for four reasons. First, the authors argue that transsexuality, or what they refer to as “gender dysphoria syndrome,” has not been established as a biological disorder. They reason that since it is possible this is only a psychological disorder, psychotherapy, not surgery and hormones, is the most appropriate treatment. Second, the authors point to studies that find that after therapy many transsexuals are diagnosed with other psychological disorders in order to further prove that the surgical option might not be the most appropriate. Third, they question the success rates of sexual reassignment surgery from the perspective of the post-operative female or male, again citing a number of scientific studies. Finally, the authors argue that from a Christian point of view it is unclear that this transition can ever be successful for individuals “because it does not enable them to achieve sexual normality or to enter into a valid Christian marriage and have children” (Ashley and O’Rourke 1997, 342–43).

In summary, the Vatican and Iranian clerical understandings of transsexuality are different in terms of how they interpret it as a human condition. For both, transsexuality is a disorder. However, for Shia clerics, transsexuality is a physical disorder, while for the Vatican it is a psychic disorder. From these interpretations follows a difference in how the illness should be treated (cosmetic surgery and hormone treatments versus psychological counseling) and the possible outcome of that treatment (uncovering the true sex versus overcoming the delusion of being the wrong sex).

I have thus far described the differences between two religious positions. I want now to explore what can be said about why these differences occur in the first place. In the following section I consider how the perspectives on transsexuality in the Islamic Republic and the Vatican evidence ontological and axiological differences over the role of gender and sex in their respective moral anthropologies.

2. The “Truths” of Sex and Gender

I take my lead in this section from the work of queer theorist Bernice Hausman who argues that different logics of the body (such as those evidenced by the Iranian clerical and Vatican teachings on transsexuality) depend on what and how sex and gender signify

(Hausman 1995, 175–94).¹⁰ For example, the relationship between gender and sex can be understood as a relation of “a primary reality” and “a secondary semiotic chain.” In terms of ethics of the body, which of these terms is prior is important. For example, a transsexual’s demand for a sex change is based on a specific semiotic of the body, which makes gender the primary reality. For a transsexual, gender identification, not external physical genitalia, is ontologically prior. Or as Hausman writes, in order to desire or advocate for a sex change operation, “one must accede to the facticity of gender and its status as the master signifier of sex. In other words, one must believe in the simulation [of gender] as real” (Hausman 1995, 193).

As discussed earlier, sex change operations are understood by Khomeini and the majority of other clerics as the medical transformation of the external appearance of the body to match the truth about the individual: her or his true gender. This means the Shia clerics presume, or are at least open to, a “true gender” which is the primary signifier of the body relevant for moral rights and duties. In terms of semiotics, this coheres with a transsexual’s demand for a sex change operation. In contrast, for the Vatican, the external sexual markings cannot incorrectly signify the truth of the body. The body cannot lie. Sex *is* bodily truth. This is why transsexuality is read as a psychic disorder by the Vatican: it claims that there is no Catholic epistemological basis for believing the simulation of gender is more real than the signs of sex (for example, genitals). The Vatican assumes a “true sex.”

Following from the distinction between a fundamental “true gender” and a “true sex,” the Iranian clerics and the Vatican diverge in three ways on the ethics of sex change operations. First, a sex change operation is interpreted as a very different *action* in the respective communities: cosmetically taking away or adding what should be there as opposed to manipulation or even mutilation of what is naturally there. The operation is understood to have a different *effect*: successfully uncovering the truth about an individual’s sex by making it agree with his or her gender as opposed to unsuccessfully attempting to alter the sex God has given to a person, who remains male or female but now

¹⁰ Hausman argues that in the United States during the twentieth century, the rise in the popularity of the idea that gender is socially constructed effectively erased “the semiotic conditions” of gender’s existence (sex) so that sex became natural and fixed, and only gender contestable. In other words, sex became understood as the physiological reality of the body, and gender became understood as something that is merely performed. This explains in part my surprise at the prevalence of sex change operations in Iran: I was reading this fact through the feminist scholarship which sees sex as a given, and only gender as the appropriate focus of reform. However I am not interested here in staking a claim in the debate over whether sex or gender is ontological or socially constructed. I have invoked Hausman simply to show how different logics of sexuality are based on more fundamental epistemological issues.

appears externally as something else. Finally, a sex change operation has different *implications* for the individual's gendered/sexed moral duties. In the Islamic Republic of Iran, after a sex change operation the moral duties of an individual change. A post-operative female must veil, she can only marry a man, and she is considered a woman under Shariah—all of which changes her rights to divorce, blood money, and inheritance. For the Vatican, no change in moral duties occurs after a sex change operation because neither sex nor gender was actually changed. A pre-operative male is still a male. He can only marry a woman, although in some cases his “mental instability” makes him ineligible to marry at all. The church will always consider him to be the sex recorded on his baptismal record.

This semiotic difference between a true sex and a true gender also indicate something about the different theological anthropologies beyond the categories of sex and gender (even if these categories were necessary to discover it). For example, they show a difference in the relation of body and soul, or what Iranian clerics sometimes refer to as the material and spiritual aspects of the human. The Vatican understands the body and soul to be necessarily united and thereby rejects the idea that a gendered soul and a sexed body could be incorrect: gender and sex always come as one human package. By contrast, there is a different understanding of the relevancy of the materiality of the body operative in the Iranian clerical logic: if the material body does not match the gender of the spirit, this condition can be surgically corrected. A transsexual, by this interpretation, is a psychic intersexual of sorts. In this case, the sex change operation must take place because there are many ethical public duties that depend on the sex and the gender of an individual being in agreement. In other words, for the Iranian clerics, there is a sense in which, like the Vatican, sex and gender must match up, but the material aspects of sex are malleable in order to achieve this coherence so important for moral duties.¹¹

3. Future Directions for Research

Transsexuality has unique potential as a focus for comparative ethics because it challenges religious individuals, communities, and traditions to clarify what counts as someone's “natural” sex, whether it can be changed, and its logical relationship to a gender identity.

¹¹ This distinction might also have eschatological implications. Since for the Vatican gender differentiation is ontological, is the gender of our soul somehow relevant before God? In contrast, Iranian clerics imply in much of their writings that the closer we get to God, the less relevant our sexed bodies and our gender becomes. And while there are discussions of eschatological gender (such as the promise of female virgins for martyrs), since sex and gender are embodied, might they ultimately be irrelevant?

To fully understand the lessons for comparative religious ethics, a case study of the Vatican and Iranian clerical ethics of transsexuality would require a much larger research project focused on an investigation into Catholic and Shia theologies of the body. Such a project could take a number of forms. One research direction could trace the correlation of pre-modern scientific discourses and modern ethics of the body in each tradition. Early Christians relied on natural philosophy, especially that of Aristotle, as the source of scientific facts about the sex and gender of bodies. In contrast, Islamic jurists drew on medical knowledge, especially that of Hippocrates and Galen. Aristotle and Hippocrates not only focused their inquiry into the science of the body differently (embryology versus parental resemblance), they also had a different understanding of the process of what biologically makes someone a man or woman. What other legacies have been brought forward from these early scientific discourses into modern teachings on gender and sex?

Another approach could historically trace how bodies that do not fit into a strict gender/sex dualism are morally interpreted by religious communities. How is the sex or gender of an individual determined? Did this change over time in response to emerging sexual or gendered practices within the religious community? Which aspects of sex and gender are theologically understood as personal and which are societal?

A third option of investigation could consider the different roles of norms of procreation versus pleasure in the development of the moral anthropologies of the two traditions. These differences influence not only the rights and duties of sexual ethics but also the proper relationship between gender identity, physical sexual appearance, and the proper object of eros (sexuality): if pleasure is an important norm of sexual activity, then it is important that an external sex cohere with an internal gender identity. If procreation is the primary norm of sex, then any treatment that interferes with procreative capabilities will necessarily be morally problematic. The Iranian case could be particularly instructive on this front because during the Qajar Dynasty objects of desire and love were not based on heteronormativity but rather on Sufi and Quranic understandings of the beauty of youth: for example, young men and women as appropriate objects of desire for an adult male. This attitude radically changed with twentieth-century nation-building projects that linked gender and sexuality in new ways (Najmabadi 2005).

A fourth avenue might look at the interaction of Muslim and Christian communities in order to determine if and how they developed moral anthropologies through a mutual dialectic: either incorporating aspects of the other tradition's understanding of the gendered moral

life, or defining teachings in opposition to each other. For example, it has been suggested by B. F. Musallam that the Roman Catholic Church's position on homosexuality and birth control developed in response to Islam: in the first case as a reaction to an influx of firsthand accounts of Muslim sexual ethics during the crusades, and in the second case in response to "Arab recipes" for contraceptives (Musallam 1983, 12). And the first medical texts in Europe came from translations of Arab scholars such as Ibn Sina. John Boswell has argued that the polemics against Muslims during the crusades contributed to a general shift in sexual ethics, especially in terms of an intolerance toward homosexuality (Boswell 1980, 279). Information went the other direction as well. For example, the twentieth century saw a proliferation of psychological texts of companionate marriage and family life translated from English into Persian and Arabic (Najmabadi 2006), which arguably had an immense impact on contemporary Muslim sexual ethics.

I think that all four of these areas have great potential for comparative ethics, and I believe a project able to work in all four areas is the most promising. But in this essay I have attempted only to assert that the different teachings on the ethics of transsexuality complicate any attempt to construct a shared moral anthropology with regard to bodies as gendered or sexed in these two traditions. This contention is linked to a more general concern I have written on elsewhere about current work in comparative ethics that focuses on concepts as analytical bridges between two or more traditions (Bucar 2008, 358–61). This latter approach runs the risk of leaving unexplored how the use of a term itself can be a process of naturalization of the concept, which is not without ethical implications. In the case of transsexuality, particularly with the modern invention of hormonal and surgical sex change operations, we have a case study that allows us to see not only how concepts of sex, gender, and sexuality are unfixed—and therefore become unsettling and difficult within a religious tradition—but also how our own discourse as scholars may begin to do something more than just explain. Even in scholarship, concepts are not neutral, but do discursive work. And queer theorists such as Riki Wilchins have argued for the importance of exploring the implications of this work through marginal bodies such as transsexuals:

To clearly see discursive power at work, we need bodies at society's margins. Margins are margins because that's where discourse begins to fray, where whatever paradigm we're in starts to lose its explanatory power and all those inconvenient exceptions begin to cause problems [Wilchins 2004, 71].

Transsexuality provides an opportunity to consider such bodies at the margins. Despite the initial seeming coherence among sex, gender, and sexuality between the official teachings of the Vatican and the Islamic Republic with which I began this essay, upon closer exploration, one finds that there are subtle but importance differences between the clerical teachings in these two communities that challenge any attempt to place gender or sex at the center of a comparative study.

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