

The Relevance of Crossdressing Laws from the Perspective of Hadith and MUI Leaders of Malang City

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Abstract: The rapid development of technology makes it easier for people to create profits to achieve profits. One of them is the phenomenon of crossdressing carried out by content creators on social media to entertain and get other benefits. Crossdressing is really considered to disturb order and comfort, because many people use it as a means of disguise or even to the point of completely changing their identity according to the clothes they wear. This study aims to determine the phenomenon of crossdressing caused by work in the study of hadith and opinions from MUI figures in Malang City. This type of research is descriptive qualitative, which is empirical in nature. The phenomenological approach is from the opinion of the MUI Kota Malang figure. The result of this study is that crossdressing laws are prohibited both according to sahih hadith, as well as the MUI of Malang city, because it includes tasyabbuh, and the opening of other job opportunities that do not violate religious rules.

Keyword: Crossdressing, Hadis, MUI figures in Malang City

Abstrak: Perkembangan teknologi yang semakin pesat, membuat masyarakat semakin mudah dalam berkreasi untung menggapai keuntungan. Salah satunya adalah fenomena crossdressing yang dilakukan oleh content creator di media sosial untuk menghibur dan mendapat keuntungan lainnya. *Crossdressing* benar-benar dianggap mengganggu ketertiban dan kenyamanan, karena banyak oknum yang menggunakannya sebagai sarana menyamar atau bahkan hingga benar-benar mengganti jati diri sesuai dengan pakaian yang dipakai. Penelitian ini bertujuan untuk mengetahui fenomena crossdressing yang disebabkan oleh pekerjaan dalam kajian hadis dan pendapat dari tokoh MUI Kota Malang. Jenis penelitian ini adalah kualitatif deskriptif, yang bersifat empiris. Pendekatan fenomenologi yakni dari pendapat tokoh MUI Kota Malang. Adapun hasil penelitian ini adalah hukum crossdressing diharamkan baik menurut hadis sahih, maupun MUI kota Malang, karena termasuk tasyabbuh, dan terbukanya peluang pekerjaan lain yang tidak sampai menyalahi aturan agama.

Kata Kunci: *Crossdressing*, Hadis, Tokoh MUI Kota Malang

Introduction

Crossdressers come into contact with a heteronormativity society because their behavior deviates and is considered offensive to public order and morals. Society only knows that someone who crossdresses is only a sissy, ladyboy, transgender, and the like. If there was someone with such an identity, they would be ostracized by society.¹ Crossdressing behavior as a form of gender expression is the behavior of using outerwear in relation to gender and

¹Deyana Zenita, "Impresi Media Dalam Perkembangan Minat Dan Kehidupan Sehari-Hari Cosplayer Crossdress Male To Female," *Sosietas* 10, no. 1 (2020): 817-24, <https://doi.org/10.17509/sosietas.v10i1.26012>.



behavior. This action is carried out by a *waria* who is part of a gender and sexual orientation minority group.²

Religious institutions such as MUI and Muhammadiyah immediately responded to this issue. They deeply regret the existence of actors and communities across clothing. According to the *Detik* report, one of the South Sulawesi MUI officials wanted to arrange a meeting with a number of members of an Islamic organization to discuss the cross-hijaber phenomenon. He also appealed to men to stop doing things that are prohibited by religion, namely dressing as women. Meanwhile the leaders of Muhammadiyah organization asked the police to immediately investigate the activities of the crossdresser community so that they no longer do things that are considered to violate Islamic teachings.³

The Islamic scholars had agreed that the law for men look and act like women and vice versa is forbidden (haram). Imam Adz-Dzahabi classified this circumstance as one of the major sins in his book *Al-Kabaair*. The punishment will also be very severe in which Allah SWT and Rasulullah SAW cursed the doer, as explained in the previous Hadith.⁴

According to Sayyid Abdurrahman, the limit of resembling the opposite sex is wearing clothes or decorations that are commonly used by the opposite sex. If there is a man who wears women's clothes so that people who see the man think he is a woman, then that is already included in the category of resembling the opposite sex. Wearing clothes of the opposite sex in Islam is not permissible. Therefore, each person should wear clothes that suit him/her. The purpose of this rule is of course to maintain human nature. Men should style like men in general, so do women.⁵

One of the crossdressing phenomena currently viral is entertainment media via *YouTube*, *Tiktok*, *Instagram* which is commonly referred to as "Mama Lela", which content played by men who among them play the role as women. The *YouTube* account is "dika_bj" with 1.63 million subscribers and 229 uploaded videos. "@dika_bj88" is his *tiktok* account with 1.5m followers with 22.9m liking his video content. Meanwhile, *Instagram* using "dika_bj" has 1.1 million followers with 956 *Instagram* feed posts (data as of date: 11 May 2022/22.59 WIB). The content published on these accounts can make people entertained when viewed from the comments. What is unique in this study is that the practice of entertaining played by men acting as women, including women who wear hijab, is a *cross-dressing* phenomenon.

Some previous research on the same topic, including: 1) Ihsan Kamaludin and Suheri, entitled "The Cross Hijab Phenomenon and its Influence on the Shift of Religious Sacrality in Society". The result is that the emergence of *the cross-hijab* phenomenon can have a major influence on the level of sacredness in some Islamic values in Indonesian Muslim society. In addition, it also creates a shift in views and social situations regarding the change in the function of the hijab, which is theologically sacred to something profane.⁶ 2) Meerangani, K. A., Sharif, D., Ramli, M. A., Hamid, M. F. A., Zulkefli, A. A., & Rafie, A. entitled "*Tasyabbuh* in plural society in Malaysia: An Islamic perspective". The result is that there are elements of *tasyabbuh* in several cultural practices between Muslims and non-Muslims, even though this culture has played an important role in fostering unity in society, the element of *tasyabbuh* often provokes polemics among Muslims because they understand it as something that is forbidden by religion. 3) Risya Maharani S, entitled "Crossdressing Behavior in Public Spaces

²Maharani, "Perilaku Crossdressing Di Ruang Publik Dalam Perspektif Ketertiban Umum Dan Hak Asasi Manusia."

³Joan Aurelia, "Cross-Dressing: Tren Busana Sejak Zaman Baheula," *tirto.id*, 2019, <https://tirto.id/cross-dressing-tren-busana-sejak-zaman-baheula-ejXL>.

⁴Hasanul Rizqa, "Larangan Menyerupai Lawan Jenis," *Republika*, 2020, <https://www.republika.co.id/berita/q7u8nx458/larangan-menyerupai-lawan-jenis>.

⁵Hengki Ferdiansyah, "Ini Kriteria Pakaian Tasyabbuh Lawan Jenis Dalam Syariat Islam," *Nu Online*, 2017, <https://islam.nu.or.id/syariah/ini-kriteria-pakaian-tasyabbuh-lawan-jenis-dalam-syariat-islam-8cXcS>.

⁶Ihsan Kamaludin, "Fenomena Cross Hijab Dan Pengaruhnya Terhadap Pergeseran Sakralitas Keagamaan Di Masyarakat," *Sosiologi Reflektif* 15, no. 2 (2021): 338–359.

in the Perspective of Public Order and Human Rights", the results of her research are that Indonesian laws and regulations do not classify cross-dressing as an act that prohibits the public. In addition, because cross-dressing is a form of gender expression, the stigma and negative treatment experienced by cross-dressers is contrary to the provisions of the UDHR, ICCPR, and Indonesian laws and regulations.⁷ 4) Deborah A. Christel, Nicole H. O'Donnell and Linda Arthur Bradley, entitled "Coping by crossdressing: an exploration of exercise clothing for obese heterosexual women," the results in this study indicate that women with increasing clothing sizes, the freedom they feel in dressing decreases. To increase freedom in clothing, participants tended to believe it was their personal responsibility to lose weight.⁸

The description above shows that there is a distinction with research being conducted by current researchers, namely related to crossdressing which includes the prohibition of resembling the opposite sex according to hadiths and interpretations of Malang City MUI figures, but many of these resemblance can be due to content factors that can entertain someone or work contracts for the sake of get financial income, for example a YouTuber who has many followers and is watched frequently, will benefit the content creator. The reason for the researchers taking Malang City MUI figures to be the research objects was related with associated with the legality to respond to societal phenomena, especially those related to religion in Malang City. The hope is that later within internal MUI discussions will be able to respond this kind of phenomenon. Therefore, this study aims to 1) find out the law of crossdressing according to hadith analysis, 2) find out the relevance of crossdressing law in the opinion of MUI Malang City with hadith analysis.

Research Method

This type of research is descriptive qualitative, which is empirical in nature using a phenomenological approach. The source of data in research is the subject from which data can be obtained.⁹ As for the primary data sources in the current study, the Sahih Bukhari, Sunan Abi Daud, Sunan Ibn Majah and Sunan At-Tarmidzi books, as well as opinions from MUI Malang City leaders. Secondary data in current research are the books of *Fathul Bari*, *'Aunul Ma'bud*, *Tahdzib At-Tahdzib*, *Bughyatul Mustarsyidin*, *Mausu'ah Ad-din An-Nashihah*, journals, books, websites and content related to crossdressing.

The data collection for this study used the documentation method, namely the method of collecting data using written objects such as books, books and journals. In empirical research using the interview method. Interviews were conducted to obtain information according to the social opinion of the Malang City MUI figures. Data analysis used is data reduction. In this stage, the researcher sorts the data according to the research focus. Second, the data model or data presentation.¹⁰ Finally, drawing conclusions or verification. Conclusions are presented in a descriptive form to answer the research focus.¹¹

Finding and Discussion

Hadith Analysis of Law of Crossdressing

Examining hadiths to find out the quality of hadiths to explain legal content that can be accounted for, it is necessary to know the criticisms of the *sanad* and *matan*. Sanad criticism is criticism of hadith in terms of its sanad, this is to examine whether the quality of the *sanad* is valid or not. In the study of *sanad* criticism, the researcher refers to the standard

⁷Maharani, "Perilaku Crossdressing Di Ruang Publik Dalam Perspektif Ketertiban Umum Dan Hak Asasi Manusia."

⁸Deborah A. Christel, Nicole H. O'Donnell, and Linda Arthur Bradley, "Coping by Crossdressing: An Exploration of Exercise Clothing for Obese Heterosexual Women," *Fashion and Textiles* 3, no. 1 (2016), <https://doi.org/10.1186/s40691-016-0063-z>.

⁹Suharsimi Arikunto, *Prosedur Penelitian Suatu Pendekatan Praktik* (Jakarta: Rineka Cipta, 2010), 129.

¹⁰Imam Gunawan, *Metode Penelitian Kualitatif Teori Dan Praktik* (Jakarta: Bumi Aksara, 2014), 143.

¹¹Gunawan, 212.

theory of *sanad* hadith criticism that is used refers to the rules according to Ibn Shalah, namely:

أَمَّا الْحَدِيثُ الصَّحِيحُ فَهُوَ الْحَدِيثُ الْمُسْنَدُ الَّذِي يَتَّصِلُ إِسْنَادُهُ بِنَقْلِ الْعَدْلِ الصَّابِطِ إِلَى مُنْتَهَاهُ وَلَا يَكُونُ شَاذًا وَلَا مُعَلَّلًا.

As for authentic hadiths, namely hadiths that are continuous with their *sanad*, narrated by fair narrators and *dhabit* until the end of the *sanad*, no *syadz* or irregularities and *'illat* or defects are found.¹²

Hadith which explains about resembling the opposite sex namely:

حَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ حَدَّثَنَا شُعْبَةُ عَنْ قَتَادَةَ عَنْ عِكْرِمَةَ عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ¹³ الْمَشْتَبِهِينَ مِنَ الرِّجَالِ بِالنِّسَاءِ، وَالْمَشْتَبِهَاتِ مِنَ النِّسَاءِ بِالرِّجَالِ.

“Muhammad Bin Basyar told me, from Muhammad Bin Jafar, from Syu'bah Bin Qatadah, from Ikrimah, from Ibn Abbas Radhiyallahu 'anhuma, he said: “*Rasûlullâh Shallallahu 'Alaihi wa Sallam* cursed men who resemble women and women resembling a man.” [HR. Al-Bukhari, no. 5885]¹⁴

The following is a summary of the biographies and opinions of scholars about the personalities of the hadith narrators above:

1. مُحَمَّدُ بْنُ بَشَّارٍ هو محمد بن بشار بن عثمان بن داوود بن كيسان العبدي ، أبو بكر الحافظ البصري، يعرف بنزار.
2. قال أبو حاتم: الصدوق. وقال مسلمة بن قاسم: أخبرنا عنه ابن المهرازي، وكان بنزار ثقة مشهورا.¹⁵
3. مُحَمَّدُ بْنُ جَعْفَرٍ وهو محمد بن جعفر الهذلي مولاهم، أبو عبد الله البصري، المعروف بغنذر، صاحب الكرابيس، وقيل: محمد بن أبي عمران، صاحب الطيالسة.
4. قال ابن أبي حاتم: سألت عن أبي عن غندر، فقال: كان صدوقا وكان ومؤديا، وفي حديث شعبة ثقة.
5. شُعْبَةُ هو شعبة بن حجاج بن الورد العتكي الأزدي، مولاهم أبو بسطام الواسطي ثم البصري.
6. قال ابن نعيم: ثقة. قال يحيى القطان: ما رأيت أحدا قط أحسن حديثا من شعبة.
7. قَتَادَةُ هو قتادة بن دعامة بن عزيز بن عمرو بن ربيعة ابن عمرو بن الحارث بن سدوس، أبو الخطاب السدوسي البصري.
8. قال ابن سيرين: قتادة هو أحفظ الناس. قال إسحاق بن منصور، عن يحيى بن معين: ثقة.
9. عِكْرِمَةُ هو عكرمة البربري، أبو عبد الله المدني، مولى ابن عباس، أصله من البربر من أهل المغرب.
10. قال النسائي: ثقة. قال أبو عبد الله: عكرمة قد ثبتت عدالته بصحبة ابن عباس وملازمته إياه، وبأن غير واحد من العلماء قد رواوا عنه وعُدلوه.¹⁶
11. ابْنُ عَبَّاسٍ هو عبد الله بن عباس بن عبد المطلب الهاشمي، ابن عم رسول الله صلى الله عليه وسلم. كان يقول له: الخير والبحر لكثرة علمه.
12. قال ابن حجر العسقلاني (في تقريب التهذيب) : أحد المكرمين من الصحابة، وأحد العبادلة من فقهاء الصحابة.¹⁷

Tabel 1
Ringkasan Riwayat Hidup Perawi

رقم	الاسم	طبقة	تاريخ الوفاة	رتبة
1.	محمد بن بشار	كبار تابع الأتباع	252 هـ	ثقة
2.	غنذر	صغار التابعين	193 هـ	ثقة
3.	شعبة	كبار التابعين	160 هـ	ثقة
4.	قتادة	الوسطى من التابعين	117 هـ	ثقة
5.	عكرمة	الوسطى من التابعين	104 هـ	ثقة

¹²Nasrulloh, *Eksistensi Hadis Nabawy Dari Nalar Otoriter Menuju Otoritatif* (Yogyakarta: Dialektika, 2019), 50.

¹³Muhammad Bin Ismail, *Shahih Al-Bukhari* (Damsyiq: Daar Ibn Al-Katsir, 2002), 1485.

¹⁴Abu Isma'il Muslim Al-Atsari, "LARANGAN MENYERUPAI LAWAN JENIS," Almanhaj, n.d.

¹⁵Al-Hafidz Abi Al-Fadil Ahmad Bin Ali Bin Hajar Syihabuddin Al-Asqalani As-Syafii, *Tahdzib At-Tahdzib Juz 3* (Beirut Libanon: Muassasah Arrisalah, n.d.).

¹⁶As-Syafii.

¹⁷Al-Hafidz Abi Al-Fadil Ahmad Bin Ali Bin Hajar Syihabuddin Al-Asqalani As-Syafii, *Tahdzib Al-Tahdzib Juz 2* (Beirut Libanon: Muassasah Arrisalah, n.d.), 374.

أعلى مراتب العدالة	67 هـ	صحابي	ابن عباس	.6
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It was explained that the hadith, when viewed from the side of the *sanad*, is included in *ittishal* (continued), because the year of death between one narrator and one can still be rationalized. This hadith is also included in the *mutawatir* category because it was narrated by many people and the line of history originates from the Prophet Muhammad. In addition, the degree of the hadith narrators is not weak in terms of its *'adl* and *dhabit*. This hadith was also narrated by Imam Bukhari who is one of the *muhaddis* priests who is very famous for his excellence. Criticism of the hadith's *sanad* concludes that the hadith is valid. The results of the analysis of this hadith are in line with the rules of Ibn Shalah regarding the criticism of the *sanad*, namely continuing the *sanad*, narrated by fair and *dhabit* narrators until the end of the *sanad*, no *syadz* or irregularities and defects are found.

The further criticism of hadith is reviewed from the aspect of *matan*. M. Syuhudi Ismail rules for knowing the quality of hadith *matan*, including:¹⁸

- 1) The *matan* hadith is in connection or not alone (not only narrated in one hadith).
- 2) *Matan* hadith does not conflict with other authentic hadiths.
- 3) *Matan* hadith does not conflict with the Qur'an.
- 4) *Matan* hadith does not conflict with history, common sense and the five senses.

Syuhudi Isma'il also mentioned the stages within the activity of *matan* hadith criticism which includes:¹⁹

- 1) Examining the *Matan* by Seeing the Quality of the *Sanad*

In a series of research activities, hadith scholars prioritize *sanad* rather than *matan*. All *matan* need a *sanad*. Without a *sanad*, the *matan* cannot say that it was from the Prophet Muhammad. The quality of the *sanad* and *matan* of hadith is very different. If the *sanad* and *matan* were genuine but have weaknesses, or vice versa, the *sanad* is different but the *matan* is genuine, and has the same qualities. That is, both are real or both hadiths.

- 2) Examining the Composition, pronunciation, and *matan* that has similar meaning.

One of the causes of the difference in the pronunciation of the meaning of the hadith is because in the transmission of hadith there has been a transmission of meaning.

- 3) Checking the Content of *Matan*

a) Analyzing the content of *matan* that matches or does not conflict with the hadith.

After studying the order of the pronunciation of the hadith *matan*, the next step is to study the content of the *matan*.

b) Analyzing the contents of *matan*, which seem inconsistent or look different.

The following are several hadiths regarding the prohibition of resembling the opposite sex, found in several editorials, including Sahih Bukhari No. 5885²⁰, Sunan Abi Dawud No.

¹⁸Muhammad Syuhudi Ismail, *Metode Penelitian Hadis Nabi* (Jakarta: Bulan Bintang, 1992), 85.

¹⁹Zubaidah, "Metode Kritik Sanad Dan *Matan* Hadits," *Jurnal Komunikasi Dan Pendidikan Islam* 4, no. 1 (2015), <https://doi.org/https://doi.org/10.36668/jal.v4i1.68>.

²⁰ حدثنا محمد بن بشار، حدثنا غندر، حدثنا شعبة، عن قتادة، عن عكرمة، عن ابن عباس رضي الله عنهما قال: لعن رسول الله صلى الله عليه وسلم المشبهين من الرجال بالنساء، والمشبهات من النساء بالرجال.

4097²¹, Sunan Ibn Majah No. 1904²² and Sunan At-Tirmidzi No. 2784²³ Al-Hâfizh Ibnu Hajar *rahimahullah* summarized the explanation of Abu Muhammad bin Abi Jamrah who stated that:²⁴

ظَاهِرُ اللَّفْظِ الرَّجُلُ عَنِ الشَّبْهِ فِي كُلِّ شَيْءٍ لَكِنْ عُرِفَ مِنَ الْأَدِلَّةِ الْأُخْرَى أَنَّ الْمُرَادَ الشَّبْهُ فِي الزِّيِّ وَبَعْضِ الصِّمَاتِ وَالْحَرَكَاتِ وَنَحْوِهَا لَا الشَّبْهُ فِي أُمُورِ الْحَيْرِ.

“Zahir lafadz (this hadith) is a strict prohibition against the act of at-tasyabuh (men resembling women, or vice versa) in all respects. However, it is known from other arguments that what is meant is the (prohibition of) tasyabbuh in terms of clothing, character, movement, and the like; not tasyabbuh (resembling) in good things.” [Fathul Bâri, 10/333]

Al-Hâfizh Ibnu Hajar *rahimahullah* resummarized the statement of At-Thabari *rahimahullah* who said that:

الْمَعْنَى لَا يُجُوزُ لِلرِّجَالِ الشَّبْهُ بِالنِّسَاءِ فِي اللَّبَاسِ وَالزِّيِّ الَّتِي تَخْتَصُّ بِالنِّسَاءِ وَلَا الْعُكْسُ.

“The meaning is that men are not allowed to resemble women in terms of clothing and jewelry that are specific to women. Neither it is permissible and the other way around (women resemble men in terms of clothing and jewelry that are specific to men)”. [Fathul Bâri, 10/332]

Further, Al-Hafidz Ibnu Hajar also stated:²⁵

وكذا في الكلام والمشى، فأما هيئة اللباس فتختلف باختلاف عادة كل بلد، فرب قوم لا يفترق زي نساءهم من رجالهم في اللباس، لكن يمتاز النساء بالاحتجاب والاستتار. وأما ذو التشبه بالكلام والمشى فتختص بمن تعمد ذلك، وأما من كان ذلك من أصل خلقته فإنما يؤمر بتكلف تركه والادمان على ذلك بالتدرج، فإن لم يفعل وتمادى دخله الدم، ولا سيما إن بدا منه ما يدل على الرضا به، وأخذ هذا واضح من اللفظ المتشبهين.

Likewise, it is similar in (style) of speaking and walking. As for the form of clothing, this varies with the differences in customs in each region. Because sometimes the women's clothing of a people is no different from the men's clothing models. However, women's (clothing models) have the privilege of being closed, coupled with the hijab. As for *tasyabbuh* reproach (men imitate women or vice versa) in speaking and walking, this is especially for those who deliberately do it. As for those who have become his character, then he is ordered to force himself to leave it, and keep trying to leave it gradually. If he doesn't do it, he even continues *tasyabbuh* with the opposite sex, then he is subject to reproach (ban). Especially if it seems to him that he is pleased with his situation. The argument for this is obvious from the pronunciation of people who resemble. In the study of *fiqh* it is also explained as follows:²⁶

{مسألة}: ضابط التشبه المحرم من تشبه الرجال بالنساء وعكسه ما ذكره في الفتح والتحفة والإمداد وشن الغارة، وتبعه الرملي في النهاية هو أن يتزيا أحدهما بما يختص بالآخر، أو يغلب اختصاصه به في ذلك الخلل الذي هما فيه.

“The Problem: The limitation of resembling that is forbidden in cases of resembling a male to a female and vice versa is what the Fiqh Ulama explained in the book Fath Al-Jawaad, Tuhfah, Al-Imdad and the book Syun Al-Gharah. Imam Romli also followed him in the book An-Nihaayah. The limit is "if one of the men or women is decorated with items that are

حدثنا عبيد الله بن معاذ، حدثنا أبي، حدثنا شعبة، عن قتادة، عن عكرمة، عن ابن عباس، عن النبي صلى الله عليه وسلم، أنه لعن المتشبهات من النساء بالرجال، والمتشبهين من الرجال بالنساء. حكم الحديث: صحيح

حدثنا أبو بكر بن خلد الباهلي، قال: حدثنا خالد بن الحارث، قال: حدثنا شعبة، عن قتادة، عن عكرمة، عن ابن عباس، أن النبي صلى الله عليه وسلم لعن المتشبهين من الرجال بالنساء، ولعن المتشبهات من النساء بالرجال. حكم الحديث: صحيح

حدثنا محمود بن غيلان، قال: حدثنا أبو داود الطيالسي، قال: حدثنا شعبة، وهمام، عن قتادة، عن عكرمة، عن ابن عباس قال: لعن رسول الله صلى الله عليه وسلم المتشبهات بالرجال من النساء، والمتشبهين بالنساء من الرجال. هذا حديث حسن صحيح. حكم الحديث: صحيح

²⁴Ahmad Bin Ali Bin Hajar, *Fathul Bari Juz 10* (Al-Maktabah Asy-Salafiyah, n.d.).

²⁵Muhammad Asyraf Abi Abdur Rahman Syarif Al-Haq, *Aunu Al-Ma'bud Ala Syarh Sunan Abi Daud* (Beirut Libanon: Daar Ibn Hazm, n.d.).

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specific to the other or clothes that are commonly used in the residence of the man and woman”²⁷

يُحرم على الرجال التشبه بالنساء في أي أمر من الأمور، في تقلد الأمور، وفي اللباس، والمشية، والكلام، وفي تصفيف الشع، والزينة، ونحو ذلك، قال تعالى: "ولا تتمنوا ما فضل الله به بعضكم على بعض للرجال نصيب مما اكتسبوا وللنساء نصيب مما اكتسبن"، وكذلك الأمر بالنسبة للنساء، وقد لعن رسول الله صلى الله عليه وسلم المتشبهين من الرجال بالنساء والمتشبهات من النساء بالرجال.

It is forbidden for men to imitate women in everything, in wearing things, in dressing, walking, talking, styling hair, jewelry, and so on. Allah Ta'ala said:

ولا تتمنوا ما فضل الله به بعضكم على بعض للرجال نصيب مما اكتسبوا وللنساء نصيب مما اكتسبن.

Likewise matters attributed to women, such as in the hadith:

وقد لعن رسول الله صلى الله عليه وسلم المتشبهين من الرجال بالنساء والمتشبهات من النساء بالرجال.

Explanation from the hadith suggests that:

قال الحافظ ابن حجر رحمه الله في الفتح: قال الطبري: المعنى لا يجوز للرجال التشبه بالنساء في اللباس والزينة التي تختص بالنساء ولا العكس، قلت: وكذا في الكلام والمشية.

فأما هيئة اللباس فتختلف باختلاف عادة كل بلد، فرب قوم لا يفترق زي نساءهم من رجالهم في اللبس، لكن يمتاز النساء بالاحتجاب والاستتار، وأما ذم التشبه بالكلام والمشية فتختص بمن تعمد ذلك، وأما من كان ذلك من أصل خلقته فإنما يؤمر بتكليف تركه والإدمان على ذلك بالتدرج، فإن لم يفعل وتمادى دخله الدم، ولا سيما إن بدا منه ما يدل على الرضا به، وأخذ هذا واضح من لفظ المتشبهين.

Imam Al-Hafidz Ibn Hajar Rahimahullah in the book "Fathul Bari" Imam At-Tabari said, "It is not permissible for men to resemble women in terms of dress and ornaments specifically for women, and vice versa." I also added, "Likewise in words and walking". The way to dress varies according to the customs of each place. It perhaps a society does not separate women's clothes from men's, but women are distinguished by the headscarf and covering, and the prohibition of imitating speech and walking, then it is prescribed for those who deliberately do it, and for those who deliberately do it, they are ordered to leave it. Especially if it appears from him that shows willingness towards it, and this explanation is clearly related to resemblance.²⁸

Of the four hadith editors narrated by Imam Bukhari-Muslim, Imam Abi Dawud, Imam Tirmizi, Ibn Majah explained that the hadith is not only narrated in only one hadith, all hadiths mean that resembling the opposite sex is not allowed and there is no transmission of meaning between hadiths one with another. The hadith is also valid, even though there are several different narrators from one hadith to another. In addition, these hadiths also do not conflict with the Koran, to be precise, Q.S Ali-Imran: 3/36. It does not conflict with history because there is a clear and non-contradictory *asbab al-wurud*. So, based on the results of the analysis of the hadith *matan* based on the rules of M. Syuhudi Ismail, the hadith is valid and there is no *syadz*.

In this study it was explained that it was categorized as resembling clothes of the opposite sex according to the customs in which the person lived. What is certain for women is that their clothing is more closed, such as a headscarf. If an area understands that people who wear patterned robes are women's clothing, and if at one time a man wears the clothing, then it can be called *tasyabbuh* with women as opposed to women and that is what is not permissible. Based on the formulation of the first problem, namely the law of cross-dressing according to hadith, cross-dressing is included in *tasyabbuh* because it is clear that the perpetrators wear clothes worn by Muslim women in general in Indonesia and in Java in particular

The relevance of opinions of MUI figures in Malang City in the perspective of hadith

²⁷Abdur Rahman bin Muhammad bin Husain bin Umar, *Bughyah Al-Mustarsyidin* (Libanon: Daar Al-Fikr, 1994).

²⁸Ali bin Nayif Asy-Syuhur, *Mausu'ah Ad-Din An-Nashihah* (Maktabah Syamilah, n.d.).

The following are some responses from several Malang City MUI figures regarding the phenomenon of crossdressing whether it includes *tasyabbuh* or not. According to the explanation from the first Malang City MUI figure: that crossdressing is one of the *tasyabbuh* practices, and *tasyabbuh* itself is prohibited or illegal. Even though this practice is only for entertainment it is not permissible, this phenomenon has existed since ancient times when in Islamic boarding schools there were *muhadhoroh* or children's dramas for entertainment.²⁹ The second opinion from another Malang City MUI figure is: wearing clothes of the opposite sex is prohibited because it is a type of *tasyabbuh* and it also has a text. Not only the way to dress, but the behavior and character if it resembles the opposite sex is clearly not allowed. It can also be said *mukhannats* or *mutarajjil*. There are massive phenomena of this kind, including public figures including celebrities. No matter how *mutasyabbih* they wanted to change, they would still return to the original, that is, when they die, they will be treated like their original gender.³⁰

The third opinion explains that resembling the opposite sex, including cross-dressing, is prohibited and has been explained in the hadith, for example, men wear negligee because negligee in Indonesia has become common women's clothing. This is what violates the rules, moreover imitating his behavior. Unless, it turns out that he has a birth defect, that was not intentional by himself, now that's an exception, but it must be tried, taught and even forced to change as usual. So, he must be forced to get used to behaving or acting like a man or a woman if he really has a disorder. But, for normal people how come equating himself with the opposite sex is not allowed.³¹ As for the explanation from the fourth Malang City MUI figure, it is a person who wears a costume of the opposite sex so that his behavior also changes like a costume, so it is called *tasyabbuh*. Including when a woman turns into a man by pressing her breasts so they don't grow, then that is also *tasyabbuh* and it is indeed prohibited.³²

According to the first informant, the response of the Malang City MUI figure to work that has an element of cross-dressing according to the first source is that any job should look for something that is clearly permissible. So, work that contains elements of religious prohibition is actually not permissible. Finding a job that is rewarding is not just entertaining. Unfortunately, today it is difficult to assess the usefulness because it is relative. If the work is indeed the world of dramatic arts, then look for actors according to your needs.³³ Resemblance of the opposite sex because of a permanent job is not allowed, as long as work is not an emergency category. It is necessary to be careful and know the ins and outs, it is clear what the work is and in the work process it also does not violate religious rules. The importance of halal work, the current generation is indeed good at innovating, but don't let the innovation go outside the corridors of the Shari'a.³⁴

Other MUI figures also explained that one should look for a job that does not violate *syara'* (Islamic law), it is different if, for example, carcasses are made lawful, such as "غير باغ" "ولا عاد", or guarding a glorified soul. Protecting the soul is more important than the unclean carcass. So, it is permissible to eat unclean, just to protect the soul from death. This character also explained that the work that has an element of crossdressing is not because of an emergency, because actually there are still original actors according to their gender.³⁵ In

²⁹Ahmad Muhtadi Ridwan, Interview by Ianatut Tazkiyah, "Pendapat Tokoh MUI Tentang Fenomena Crossdressing" (2022).

³⁰Chamzawi, Interview by Ianatut Tazkiyah, "Pendapat Tokoh MUI Tentang Fenomena Crossdressing," (2022).

³¹Bisri Mustafa, Interview by Ianatut Tazkiyah, "Pendapat Tokoh MUI Tentang Fenomena Crossdressing" (2022).

³²Dewi Chamidah, Interview by Ianatut Tazkiyah, "Pendapat Tokoh MUI Tentang Fenomena Crossdressing" (2022).

³³Ridwan, "Pendapat Tokoh MUI Tentang Fenomena Crossdressing."

³⁴Chamzawi, "Pendapat Tokoh MUI Tentang Fenomena Crossdressing."

³⁵Mustafa, "Pendapat Tokoh MUI Tentang Fenomena Crossdressing."

contrast to this last opinion, this female character is of the opinion that work that is categorized as having an element of crossdressing is when people actually change themselves and then completely change so completely that people cannot distinguish whether they are men or women. Content on YouTube or TikTok that uses clothing like that acts like a woman whose attitude is pretending but her voice and face are still genuine, so that is not what is forbidden. But it would be better to be *ihthiyath* or be careful not to be like that, so that we do not end up in the prohibited *tasyabbuh* category, creating content that does not reach like that one.³⁶

The description of the interview results is the individual opinion of each informant. In accordance with the social approach used, namely the phenomenological approach. The phenomenological approach according to Creswell is "explaining phenomena and their meanings for individuals by conducting interviews with a number of individuals. These findings are then connected with the philosophical principles of phenomenology. The study ends with the essence of meaning. Phenomenological studies seek answers about the meaning of a phenomenon. Basically, there are two main things that are the focus of phenomenological research, namely:³⁷

- a. Textural description: what phenomena occur. The phenomena that occur are objective aspects, factual data, things that occur empirically.
- b. Structural description: how the subject interprets a phenomenon. This description contains a subjective aspect. This aspect concerns opinions, judgments, feelings, expectations, and other subjective responses from related research subjects.

The opinion of the Malang City MUI figures departs from a phenomenon that is factual and empirical in society. Informants gave opinions, assessments and responses to the phenomena discussed. Textural description (what) in this study is the practice of cross-dressing several people or groups of people on media and entertainment content to gain financial gain. While the structural description (how) is the response of Malang City MUI leaders in this phenomenon. Some of the opinions, assessments and responses from the Malang City MUI figures above are based on the perceptions of each person. First, whether crossdressing is included in the likeness of the opposite sex. Based on the results of the interview, the leaders argued that cross-dressing was prohibited. This is due to wearing clothes of the opposite sex, including from *tasyabbuh*. As *'ibarah* in the book of *Fathul Bari* which explains that it is not permissible to resemble women, both in terms of dress, ornaments which are identical to women, and vice versa. Here is the original editorial:

المَعْنَى لَا يَجُوزُ لِلرِّجَالِ الشَّهْبُ بِالنِّسَاءِ فِي اللَّبَاسِ وَالتَّزْيِينَةِ الَّتِي تَخْتَصُّ بِالنِّسَاءِ وَلَا الْعَكْسُ.³⁸

Next, is crossdressing which is done for work reasons. The majority opinion of Malang City MUI figures does not allow this, because by analogy there are still many people who can dress according to gender, it is not necessary for men to become women and vice versa. Apart from that, there is no reason for there to be no other jobs that have elements of crossdressing. There are still jobs that do not reach that level. Deliberate resemblance of the opposite sex is indeed prohibited, even unintentional ones must be forced to gradually return to normal. This is like the description in the book of *Aunul Ma'bud*:

وأما من كان ذلك من أصل خلقته فإمّا يؤمر بتكليف تركه والإدمان على ذلك بالتدرّج، فإن لم يفعل وتمادى دخله الدم، ولا سيما إن بدا منه ما يدل على الرضا به.³⁹

³⁶Chamidah, "Pendapat Tokoh MUI Tentang Fenomena Crossdressing."

³⁷O. Hasbiansyah, "Pendekatan Fenomenologi: Pengantar Praktik Penelitian Dalam Ilmu Sosial Dan Komunikasi," *Mediator: Jurnal Komunikasi* 9, no. 1 (2008): 168–80, <https://doi.org/10.29313/mediator.v9i1.1146>.

³⁸Ahmad Bin Ali Bin Hajar, *Fathul Bari* Juz 10.

³⁹Abi Abdir Rahman Syarf Al-Haq, *Aunu Al-Ma'bud Ala Syarh Sunan Abi Daud*.

Including according to the opinion of Fiqh scholars that crossdressing as in the context of this research is prohibited, because in the content carried out by the actor it is clear that the actor is wearing women's clothes that are traditionally worn by women, such as wearing patterned robes, headscarves, woman daily dress, skirt and all women's clothing in general in Indonesia, especially in Java.

فأما هيئة اللباس فتختلف باختلاف عادة كل بلد، فرب قوم لا يفترق زي نساءهم من رجالهم في اللبس، لكن يمتاز النساء بالاحتجاب والاستتار.

As for how to dress differently according to the customs of each country, maybe a society do not separate their women's clothes from their men's, but women are distinguished by their headscarves and are covered more likely.

The description above explains that the phenomenon of crossdressing according to MUI Malang City is a form of *tasyabbuh* in terms of dress, the law of crossdressing in the opinion of MUI Malang City is forbidden. This opinion is relevant to the results of the study and 'ibarah in terms of hadith analysis.

Conclusion

First, the law of crossdressing according to hadith analysis is not permissible because it will cause wrath or *la'nat* from Allah and the Messenger, even if it is for work purposes because there is an element of *tasyabbuh*. Second, three out of four figures from the Malang City MUI are of the opinion that the phenomenon of crossdressing is forbidden, even though it is caused by work. This opinion is also relevant to the interpretation of the hadith on the prohibition of *tasyabbuh* based on the criticism of the *sanad* and *matan*, because the hadith is valid and a study of the opinions of the Fiqh scholars also explains that resembling the opposite sex is forbidden.

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