

# TRANSGENDER WOMAN BARRED FROM TEMPE MOSQUE UNLESS SHE DRESSES AS A MAN OR CAN "PROVE" SHE'S A WOMAN

BY MIRIAM WASSER

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Dawud (far right) at recent protest outside the Phoenix Islamic Community Center.

*Miriam Wasser*

Leaders of a Tempe mosque have decided that if congregant Sumayyah Dawud wants to continue attending prayers and other community functions at the **Islamic Community Center**, she must either dress and pray as a man or provide medical documentation that she is anatomically female.

Though Dawud was born male, she has been legally female since 2011 – her Arizona driver's license and U.S. passport list her as such. She converted to Islam in 2013 and, until recently,

...and her passport number as well as her current address, says no one has raised any questions about her identity.

But earlier this summer, a handful of her fellow community members went to the ICC board of directors with concerns that she was not actually female and said having her pray with them in the women's section made them uncomfortable.

(Dawud is not sure exactly what prompted these people to approach the board, but she suspects it has something to do with her increasingly public image as a left-wing activist and the feeling among many in the Muslim community that protesting is not "the Islamic way of doing things.")



Sumayyah Dawud at a recent protest

*Miriam Wasser*

In the past month, Dawud has become the center of what she calls an inappropriate investigation into her personal history and has been thrust into what might just be one of the next frontiers for the Muslim community.

Dawud first became aware of any sort of issue last month when she was called into the office of **Nedal Fayad, chairman of the ICC Board of Directors**, and asked point blank if she was male or female.

"He told me that they had done a background investigation on me and found stuff that said I used to be assigned male," Dawud says, adding that not only does she feel her privacy was violated but this is an issue "that's none of their business."

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However, hoping to quell any concern and put the matter behind her, Dawud provided two forms of government identification showing she was a woman. She was told the documentation wasn't enough and that they would need medical proof before they could permit her to continue attending the mosque. (No one from the ICC returned requests for comment.)

Despite feeling humiliated by the whole experience, Dawud gave Fayad medical documentation from her primary care physician that stated she was female. She says he promised not to show the documents to anyone without her permission and assured her that this entire matter would remain confidential.

"I thought the issue was resolved," Dawud says.

But then last Friday at the mosque, a woman Dawud previously had considered an acquaintance told her to get out of the women's section because she wasn't really a woman. Dawud says she got into an argument with the woman and learned that there had been a secret meeting about her the night before.

"This was a meeting I knew nothing about and was not invited to," she adds.

Apparently having discussed the matter further, the board decided that the medical documents Dawud submitted weren't enough.

Shortly after Friday prayers ended, she was called back into the office to meet with Fayad, the imam, and two other ICC leaders.

One of the leaders "told me I was not allowed to use the women's areas because 'I had male biology,'" Dawud says. "I asked where he got that from, and he told me that I was the one who said that at the meeting with [Fayad] previously. I explained that I never said such a thing. He also said I had agreed from the prior meeting to stay out of the women's section, which was also untrue."

Then the imam "mentioned the medical document and stated he had read that and that the entire board had read it as well."

Dawud says Fayad admitted to sharing the document without her consent, and admitted to discussing details of their supposedly private meeting.

"He said he had to show and share the information because the 'imam needed a fatwa'" – a legal opinion about Islamic law. "I was then accused of deliberately deceiving the board [with the medical document] and of making [Fayad] 'make a fool out of himself in front of the board,'" she adds.

She says Fayad told her that he also showed the document to other doctors to get their opinion on the matter and that since "those doctors did not like how the document was worded" – the document spoke of her gender, not necessarily her biological sex – she would need to produce supplementary documentation that proved she was female.

"They stated I would no longer be allowed to return to the property unless I either provide a document they would accept, at which point I would be admitted to the women's areas as before or otherwise I would have to come dressed in men's clothes, pray in the men's area, and use the men's restroom," Dawud says.

"When I argued over this, [Fayad] stated he would call the police and have a restraining order

When I argued over this, [Rayan] stated he would call the police and have a restraining order placed on me.”

She was also notified of the ICC’s official transgender policy, which stated that “those with male biology will be asked to leave female spaces.” The ICC had posted the full policy on social media a few days earlier, but took it down the following morning after it prompted a heated debate.



The Tempe ICC posted its transgender policy on Monday August 17, but deleted the post the following morning.

*Screenshot/Courtesy of Sumayyah Dawud*

“In July, it was only a meeting with a leader, then this past Friday it was like suddenly [my personal life has] gone viral,” Dawud says. “It sounds crazy, but it’s like it immediately went everywhere. Rumors have spread really fast.”

She says she’s being contacted by strangers saying they “know for a fact that she was born a male” because they have the documents to prove it.

“I wouldn’t have gone public like this if it weren’t for the fact that stuff is spreading all though the community,” she adds. “Because I lived as a man growing up, there’s this whole issue . . . and they’re making assumptions about what was there in the first place even though there are different gender conditions” – i.e., a person’s physiological situation, even at birth, isn’t always clear.

(Dawud doesn’t want the specific details of her medical past revealed and will only say she’s had irreversible medical treatment and that the medical community considers her transition complete.)

“I can get a document that says I have female biology,” Dawud says, that’s not necessarily the issue. It’s more that the “ICC nor anybody else has a right to dig into someone’s real or alleged medical history, real or alleged public records, and then try to ‘expose’ them in order to satisfy rumors, assumptions, and accusations that never had evidence behind them in the first place,” she wrote in a recent Facebook post. “This behavior is un-Islamic and illegal.”

“This is an issue that most of the Muslim population doesn’t address [even though] it’s not always clear cut where a person fits in,” says Ani Zonneveld, president of the board of directors of **Muslims for Progressive Values**, a nonprofit built around the belief that “Islam is inherently progressive, inclusive, and egalitarian.”

She’s not surprised to hear about Dawud’s difficulty and calls transgender issues an example of “nuanced, spiritual human rights that are not being addressed by mainstream Islam.”

Zonneveld thinks it’s the Muslim community’s responsibility to accommodate Dawud because “bottom line: she’s a Muslim and she’s entitled to pray at a mosque . . . That’s her God-given right. There should not be any discrimination – [especially] discrimination in the name of religion.”

At MPV mosques, everyone “prays Mecca-style” – not necessarily segregated by gender – so that “people can pray where they feel most comfortable,” Zonneveld says. “It takes off the pressure of a transgender person having to ask ‘where must I stand?’”

But since there are only a handful of MPV mosques, many, like Dawud, are left dealing with mainstream religious institutions.





*Courtesy of Sumayyah Dawud/Facebook*

“I love Islam, and it is more dear to me than anything,” Dawud writes. But “these people have no right to treat me like this . . . I don't know what to say other than how shocked and appalled I am.”

What's more, Dawud says, it's not like transgender issues are new to Islam: “It's a big issue. It's global. Sometimes Muslims who don't know much think transgender people only exist in the west. But there are transgender people all throughout the Muslim world and always have been.”

**Imam Johari Addul-Malik**, a prominent Washington, D.C.-based Muslim leader, calls transgender issues “a new frontier; Mosques are going to have to start dealing with this,” he says.

Coincidentally, *New Times* asked him about Islamic teachings and literature on the topic just a day after he'd sent an e-mail to a number of his scholarly friends asking them what they thought. Though he hadn't received a response yet, his personal feeling is that mosques shouldn't be in the position to make determinations about a person's gender.

“Part of this is really a public-accommodation issue, not a theological argument,” he suspects. It's people saying, “We don't feel comfortable around someone who used to be male because we think of them as someone who is still male, not female.”

As far as he's concerned, “if you present yourself as female, then you should be able to pray as a female,” but he recognizes that his feelings on the topic may not align with the majority thinking on the matter.

“Humanity has always had people who have these kinds of gender issues. They've always existed, that's not new.” But what is new might be the advent of surgical techniques and medical procedures that alter bodies on a different level, he adds.

As for Dawud she's not planning on attending Friday prayer today for fear of being kicked

As for Dawud, she's not planning on attending Friday prayer today for fear of being kicked out, arrested, or otherwise publicly humiliated, but she doesn't plan on dropping the matter and receding into the shadows:

"My personality has always been one to question authority, and this is a conversation that needs to happen."

**Watch Dawud's Video Response to her Treatment by the ICC**

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