
General Format Journal of Shariah Law Research (JSLR) Writing Style 2022

Sample Writing Format for English Article

TRANSSEXUALITY IN IRAN: ISSUES AND CHALLENGES

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Uppercase Title with size
 14 and bold

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Abstract with keywords

ABSTRACT

Iran like many countries of the world, has recorded growth in the cases of transsexuals. Being an Islamic nation, issues of transsexuality could be controversial in view of the fact that it is perceived as a leeway for homosexuality. Transsexuality is permissible, while, homosexuality is a crime punishable by death in Iran. This is in view of the fact that transsexuality is perceived as a form of disability that can be cured through medical treatment. This paper intends to examine the position of gender, transsexuality and sex reassignment surgery in Iran. Doctrinal methodology was used in arriving at the findings of the research. According to the findings, Sex reassignment surgery is the most medically effective treatments for gender identity disorders. It increases satisfaction and the quality of transsexuals' life after surgery in compare with responding before surgery and Iran is ranked second in cases of sex change surgeries globally. Despite, the legality of sex reassignment surgery and change personal documents, transsexuals face challenges in other aspects of life in Iran like other countries.

Keywords: *Iran, transsexuality, sex reassignment surgery, homosexuality, Islam*

Introduction

INTRODUCTION

Transsexuality as a medical, psychological, and socio-cultural phenomenon has been discussed in a number of science forums in the last century. It has been diagnosed as a gender identity disorder by early German sexologists and psychiatrists such as Richard Von Kraft Ebbing (1840-1902), Magnus Hirschfield (1868- 1935), John Money, and Harry Benjamin (1885-1986) (Stephen W. 2010, 4-5). Based

on Euro-American studies, the term “transsexual” is used to refer to individuals who have a strong sense of their biological and physiological sex and do not believe that their gender identity corresponds to the sex they were assigned at birth - especially those who have the intention to reassign sex surgically or undergo hormone therapy (Shapiro, 2008: 138-161).

Citation in the article
(Name of Author, Year: Pages)

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Ruzman Md Noor (Associate Professor, Department of Shariah and Law, Academy of Islamic Studies, University of Malaya), in interview with the author on 2 February 2012.
 Alex Smith (Retired Plumber), in interview with the author on 5 January 2009.

How to Write *al-Qur'ān*?

Text of *al-Qur'ān* and *ḥadīth* is compulsory to be written before translation

يُرِيدُ اللَّهُ أَنْ يُخَفِّفَ عَنْكُمْ وِخْلِقَ الْإِنْسَانَ ضَعِيفًا ﴿٨١﴾

“Allah desires that He should make light your burdens, and man is created weak.”

(Surah al-Nisā', 4: 28)

How to Write *Takhrīj al-Hadīth*?

Takhrīj al-Hadīth must be written in footnote, completely with name of author, kitab, volume, bab, no. hadith, place of publication, name of publisher, year, and pages.

قضى رسول الله صلى الله عليه وسلم بالشفعة في كل شركة لم تقسم، ربعة أو حائط، لا يحل له أن يبيع حتى يؤذن شريكه، فإن شاء أخذ، وإن شاء ترك، فإذا باع ولم يؤذنه فهو أحق به

“The Messenger of Allah (PBUH) decreed pre-emption in every joint ownership, [such as] a dwelling or an orchard. It is not lawful for [a partner] to sell [his share] until his partner gives his consent. If [the other partner] wills, he may buy it, or he [may] abandon it if he wills. If [a partner] sells it without getting the consent of [his partner], [his partner] has the greatest right to it...”¹

¹ Muslim Ibn al-Ḥajjāj Abū al-Ḥasan al-Qushayrī al-Naysābūrī (1995). *Ṣaḥīḥ Muslim*, vol. 6. Bayrūt: Dār al-Fikr, 38, ‘Bab al-Shuf‘ah,’ *ḥadīth* no. 1608.

The number of hadith is clear written in the footnotes

لا ضرر ولا ضرار

*“Harm shall neither be inflicted nor reciprocated...”*²

ليس على المسلم في عبده ولا فرسه صدقة

*“There is no zakāh upon a Muslim on his slave or his horse...”*³

How to Write Statutes?

Each statute must be in quotation marks and italic

Setiap petikan statut mestilah dalam pengikat kata dan italic

Under section 49, it is clearly stated that:

*“Badan Wakaf Indonesia has a duty and authority: a) to train nazirs in the organisation and ways of developing waqf assets; b) to conduct the organisation and development of waqf assets on a national and international scale; c) to approve and/or permit changes in the provisions or status of waqf assets; d) to terminate and replace nazirs; e) to approve exchanges of waqf assets; and f) to suggest proposals and considerations to the Government in knowledge gathering for waqf management.”*⁴

AAOIFI, in its Shariah Standard 42, defines intangible assets as:

*“Property rights that apply to intangible matters, entitling their owners to the exclusive right to any proceeds arising from them.”*⁵

Only for cases, statutes, interviews, and hadith must be written in the footnotes

² Mālik Ibn Ānas, *al-Muwattā*, vol. 2, *Hadīth* no. 2895 (n.p.: Mu’assasah al-Risālah, 1412AH), 467.

³ Muslim, *Ṣaḥīḥ Muslim*, vol. 4 ‘Bāb Lā Zakāh ‘Alā al-Muslim fī ‘Abdihi wa Farasihi,’ *Hadīth* no. 982 (Beirut: Dār al-Fikr, 1995), 48.

⁴ Waqf Act (Indonesian Republic) (2004), Act No. 41.

⁵ AAOIFI, *al-Ma’ayir al-Shar’iyyah*. Standard 42, article 3/3/1.

How to Write Transliteration Symbol for Arabic Words?

Arabic Author's

‘Abd al-Karīm Zaydān
 ‘Abd al-Wahhāb Khalāf
 al-‘Asqālānī, Shihāb al-Dīn Aḥmad Ibn ‘Alī Ibn Ḥajar
 al-Āmidī, Sayf al-Dīn Abī al-Ḥasan Alī Ibn Abī Alī Ibn Muḥammad
 al-Buhūtī, Maṣūūr Ibn Yūnus Ibn Idrīs
 al-Bujayrimī, Sulaymān Ibn ‘Umar Ibn Muḥammad
 al-Dimyātī, Abī Bakr ‘Uthmān Muḥammad Shaṭa‘ al-Bakrī
 al-Fayyumī, Aḥmad Ibn Muḥammad Ibn ‘Alī al-Muqrī
 al-Ghazālī, Abū Ḥamīd Muḥammad Ibn Aḥmad
 al-Kasānī, Abū Bakr Ibn Mas‘ūd al-Ḥanāfī
 al-Māwardī, Abū al-Ḥassan ‘Aliyyi Ibn Ḥabīb al-Baṣriyyi
 al-Naysaburī, Abī ‘Abd Allāh Ibn ‘Abd Allāh al-Ḥākim
 al-Qarrāfī, Aḥmad Ibn Idrīs Shihāb al-Dīn
 al-Qayyim al-Jawziyyah, Abī ‘Abd Allāh Muḥammad Ibn Abī Bakr Shams al-Dīn Ibn
 al-Qurtūbī, Abī Wālid Muḥammad Ibn Aḥmad Ibn Muḥammad Ibn Aḥmad Ibn Rushd
 al-Ramlī, Shams al-Dīn Muḥammad Ibn Abī al-‘Abbās Aḥmad Ibn Hamzah Ibn Shihāb al-Dīn
 al-Shāfī‘ī, Abū ‘Abd Allāh Muḥammad Ibn Idrīs
 al-Shanqītī, Muḥammad Amīn Ibn Muḥammad al-Mukhtār al-Juknī
 al-Sharbīnī, Shams al-Dīn Muḥammad Ibn Muḥammad al-Khāṭib
 al-Shāṭibī, Abī Ishāq Ibrāhīm Ibn Mūsā Ibn Muḥammad al-Lakhmī
 al-Shawkānī, Muḥammad Ibn ‘Alī Ibn Muḥammad
 al-Sijistānī al-‘Azdī, Abī Dāwud Sulayman Ibn al-Ash‘ath
 al-Suyūfī, Jalāl al-Dīn ‘Abd al-Raḥmān Ibn Abū Bakr
 Ibn ‘Ābidīn, Muḥammad Amīn
 Ibn Ḥazm al-Zāhirī
 Ibn Kathīr, Abū Fidā’ Ismā‘il Ibn ‘Umar al-Qurshī al-Damashqī
 Ibn Manzūr, Abū al-Faḍl Jamāl al-Dīn Muḥammad Ibn Mukarram al-Anṣārī,
 Ibn Nujaym, Zayn al-Dīn Ibn Ibrāhīm
 Ibn Qudāmah al-Maqdisī, Abī Muḥammad ‘Abd Allāh Ibn Aḥmad Ibn Muḥammad
 Ibn Taymiyyah, Abī ‘Abbās Taqī al-Dīn Aḥmad Ibn ‘Abd al-Ḥalīm
 Muḥammad Ibn Ṣāliḥ al-‘Uthaymīn
 Muṣṭafā al-Zarqā’ ‘Alī Aḥmad al-Nadwī
 Muṣṭafā Ibn Karāmah Allāh al-Makhdūm
 Sa‘īd Ḥawwā
 Taqī al-Dīn Ibn Daqīq al-‘Ayd
 Wahbah al-Zuhaylī
 Yūsuf al-Qaraḍāwī

Madhhab

Shāfī ‘ī
 Mālikī
 Ḥanafī
 Ḥanbalī

Arabic Words

<i>'urf</i>	<i>tjāb</i>	<i>maqāsid</i>	<i>niṣāb</i>
<i>farā'id</i>	<i>ijārah</i>	<i>maṣlahah</i>	<i>qiyās</i>
<i>gharar</i>	<i>ijmā'</i>	<i>maysir</i>	<i>rahn</i>
<i>ḥawl</i>	<i>istihsān</i>	<i>mu'āmalah</i>	<i>ṣighah</i>
<i>ḥifẓ al-'aql</i>	<i>istiṣhāb</i>	<i>mubāh</i>	<i>tabarrū'</i>
<i>ḥifẓ al-dīn</i>	<i>istiṣnā'</i>	<i>muḍārabah</i>	<i>wakālah</i>
<i>ḥifẓ al-māl</i>	<i>ju'ālah</i>	<i>muḍārabah</i>	<i>waqf</i>
<i>ḥifẓ al-nafs</i>	<i>karāhah</i>	<i>munākahāt</i>	
<i>ḥifẓ al-nasl</i>	<i>mandūb</i>	<i>murābahah</i>	

Arabic Books

'Awn al-Ma'būd Sharḥ al-Sunan Abī Dāwūd
Aḥkām al-Sulṭāniyyah
al-Ashbah wa al-Nazā'ir
al-Bahr al-Rā'iq Sharḥ Kanz al-Daqā'iq
al-Fiqh al-Islāmī wa Adillatuh
al-Ḥāwī al-Kabīr Sharḥ Mukhtaṣṣar al-Muznī
al-Iqnā' fī Alfāz Abī Shujā'
al-Jāmi' li Aḥkām al-Qur'ān
al-Mu'jam al-Wāṣiṭ
al-Mughnī
al-Muwāfaqāt fī Uṣūl al-Sharī'ah
al-Risālah
al-Umm
al-Wāṣiṭ fī Uṣūl al-Fiqh al-Islāmī
Badā'i' al-Ṣana'i' fī Tartīb al-Sharā'i'
Bidāyah al-Mujtahid wa al-Nihāyah al-Muqtaṣid
Faṭḥ al-Bārī bi Sharḥ Ṣaḥīḥ al-Bukhārī
Faṭḥ al-Qādir al-Jamī' Bayān fī al-Riwāyah wa al-Dirāyah min 'Ilm al-Tafsīr
Hāshiyah al-Bujayrimī 'ala al-Khātib
Hāshiyah I'ānah al-Ṭālibīn
Iḥyā' 'Ulūm al-Dīn
Irshād al-Fuhūl Ila Taḥqīq al-Ḥaq min 'Ilm al-Uṣūl
Kashf al-Qinā' an Matn al-Iqnā'
Lisān al-'Arab
Majmū' al-Fatawā li Ibn Taymiyyah
Mawāhib al-Jalīl li Sharḥ Mukhtaṣṣar Khalīl
Mughnī al-Muḥtāj ilā Ma'rifātī Ma'ānī Alfāz al-Minhāj
Nayl al-Awṭār fī Sharḥ Muntaqā al-Akhbār
Nihāyah al-Muḥtāj Ila Sharḥ al-Minhāj fī al-Fiqh 'ala Madhhab al-Imām al-Shāfi'ī
Radd al-Muḥtār 'ala al-Durr al-Mukhtār Sharḥ Tanwīr al-Abṣār
Sharḥ Sunan al-Nasā'ī
Sunan Abī Dāwūd
Tafsīr al-Qurṭūbī
Tarīkh al-Khulafā'
Tuhfah al-Ḥabīb

Place of Publisher

‘Ammān	Manşūrah
Bayrūt	Miṣr
Dimashq	Qāhirah
Kuwayt	Riyāḍ
Lubnān	Sa‘ūdiyyah
Madīnah	Suriyyā
Makkah	

Name of Publishers

Dār ‘Alam al-Kutub	Dār al-Maktabah Fayha’
Dār al-‘Āṣimah	Dār al-Milah li al-Ṭibā‘ah
Dār al-‘Ilm li al-Malayin	Dār al-Rayyān li al-Turāth
Dār al-A‘lam Kutub	Dār al-Ṣādir
Dār al-Bashā’ir Mamlakah al-Mukaramah	Dār al-Salām
Dār al-Ḥadīth	Dār al-Ṭayyibah
Dār al-Iḥyā’ al-Kutub al-‘Arabiyyah	Dār al-Wafā’
Dār al-Jayl	Dār Ibn Ḥazm
Dār al-Khayr	Dār Iḥyā’ al-Turāth al-‘Arabī
Dār al-Kutub al-‘Ilmiyyah	Dār Kutub al-‘Ilmiyyah
Dār al-Kutub Maṣriyyah	Maṭba‘ah Muṣṭafā al-Bābī al-Ḥalābī
Dār al-Ma‘rifah	Dār al-Maktabah Fayha’

Surah in *al-Qur’ān*

Surah al-Fātiḥah	Surah al-Ḥajj	Surah al-Aḥqāf	Surah al-Takwīr
Surah al-Baqarah	Surah al-Mu‘minūn	Surah Muḥammad	Surah al-Infīṭār
Surah Āli ‘Imrān	Surah al-Nūr	Surah al-Faṭḥ	Surah al-Muṭaffifīn
Surah al-Nisā’	Surah al-Furqān	Surah al-Ḥujurāt	Surah al-Inshiqāq
Surah al-Mā‘idah	Surah al-Shu‘arā’	Surah Qaf	Surah al-Burūj
Surah al-An‘ām	Surah al-Naml	Surah al-Dhāriyāt	Surah al-Ṭāriq
Surah al-A‘rāf	Surah al-Qaṣaṣ	Surah al-Ṭūr	Surah al-A‘lā
Surah al-Anfāl	Surah al-‘Ankabūt	Surah al-Najm	Surah al-Ghāshiyah
Surah al-Tawbah	Surah al-Rūm	Surah al-Qamar	Surah al-Fajr
Surah Yūnus	Surah Luqmān	Surah al-Raḥmān	Surah al-Balad
Surah Hūd	Surah al-Sajdah	Surah al-Wāqī‘ah	Surah al-Shams
Surah Yūsuf	Surah al-Aḥzāb	Surah al-Ḥadīd	Surah al-Layl
Surah al-Ra‘d	Surah Sabā’	Surah al-Mujādalah	Surah al-Ḍuḥā
Surah Ibrāhīm	Surah Fāṭir	Surah al-Hashr	Surah al-Sharḥ
Surah al-Ḥijr	Surah Yāsīn	Surah al-Mumtaḥanah	Surah al-Tīn
Surah al-Naḥl	Surah al-Ṣāffāt	Surah al-Ṣaff	Surah al-‘Alaq
Surah al-Isrā’	Surah Ṣad	Surah al-Jumu‘ah	Surah al-Qadr
Surah al-Kahf	Surah al-Zumar	Surah al-Munāfiqūn	Surah al-Bayyinah
Surah Maryam	Surah Ghāfir	Surah al-Taghābūn	Surah al-Zalzalah
Surah Ṭaha	Surah Fuṣṣilat	Surah al-Ṭalāq	Surah al-‘Ādiyāt
Surah al-Anbiyā’	Surah al-Shūrā	Surah al-Taḥrīm	Surah al-Qāri‘ah
Surah al-Ḥajj	Surah al-Zukhruf	Surah al-Mulk	Surah al-Takāthur
Surah al-Mu‘minūn	Surah al-Dukhān	Surah al-Qalam	Surah al-‘Aṣr

Surah al-Nūr	Surah al-Jāthiyah	Surah al-Ḥāqqah	Surah al-Humazah
Surah al-Furqān	Surah al-Aḥqāf	Surah al-Ma‘ārij	Surah al-Fīl
Surah al-Shu‘arā’	Surah Muḥammad	Surah Nūḥ	Surah al-Quraysh
Surah al-Naml	Surah al-Fath	Surah al-Jinn	Surah al-Mā‘ūn
Surah al-Qaṣaṣ	Surah al-Ḥujurāt	Surah al-Muzzammil	Surah al-Kawthar
Surah al-Ḥijr	Surah Qaf	Surah al-Muddaththir	Surah al-Kāfirūn
Surah al-Naḥl	Surah al-Dhāriyāt	Surah al-Qiyāmah	Surah al-Naṣr
Surah al-Isrā’	Surah al-Ṭūr	Surah al-Insān	Surah al-Masad
Surah al-Kahf	Surah al-Najm	Surah al-Mursalāt	Surah al-Ikhlāṣ
Surah Maryam	Surah al-Zukhruf	Surah al-Nabā’	Surah al-Falaq
Surah Ṭaha	Surah al-Dukhān	Surah al-Nāzi‘āt	Surah al-Nās
Surah al-Anbiyā’	Surah al-Jāthiyah	Surah ‘Abasa	