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Trans*cending tribulations: Malaysian Mak Nyahs

BY JOSEPH GOH, GUEST CONTRIBUTOR – 11 FEBRUARY 2014

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The term 'trans*' is an inclusive referent for all non-conforming gender identities, and challenges the notion that biological sex necessarily dictates and determines gender identity. Male-to-female trans* persons are individuals who are born with male genitalia, but who largely identify as women. In many parts of Malaysia, pre-operative and post-operative male-to-female transsexuals call themselves *mak nyah*, a term which they coined in 1987 to distinguish themselves from gay men and as a preferred appellation of dignity. Female-to-male transsexuals or transmen are significantly fewer than *mak nyahs*, and "constitute a minority within a minority" in Malaysia. Trans* persons have long been important figures in the landscape of the Malay archipelago. In the 19th century, the *manang bali* or Iban shamans who dressed as women were respectable curers and local leaders. Right up to the 20th century in the archipelago, many transwomen were royal courtiers. Transwomen village performers were also favourably treated by the Sultan of the state of Kelantan in the 1960s. Such amenable attitudes towards transwomen underwent a change from the 1970s onwards, notably due to the expanding Islamisation of Malaysia. In 1983, the Malaysian Conference of Rulers declared a *fatwa* against cross-dressing and genital reconstruction surgery (GRS). This was a reaction from the Malay monarchy towards former premier Mahathir Mohamad, who challenged their traditional authority on various levels. As this systematic religio-political rejection of the personhoods of *mak nyahs* persists to this day in numerous circles, many Malaysian transwomen find it near impossible to secure gainful employment and some resort to sex work. This, in turn, places many of them at great risk of exposure to HIV and other sexually-transmitted infections.

Mak nyahs often fall prey to the scorn of society, as is evident from widespread instances of derogatory name-calling and violence. Malay-Muslim *mak nyahs* are particularly vulnerable to Malaysian legalities, including *Syariah* laws and the Minor Offence Act 1955. They can be charged and imprisoned for "immoral purposes" and "indecent behaviour," and many experience numerous atrocities during incarceration. Moreover, they are constantly pressured to "reform" and "repent from sin" due to their liminal identities. Any attempt on their part to amend their names and gender on Malaysia identity cards to reflect how they understand and wish to identify themselves are met with failure, as evinced in the case of Aleesha Farhana in 2011. In 2012, *mak nyahs* in the state of Negeri Sembilan lost a court case in which they challenged a law that permitted the prosecution of Malay-Muslim cross-dressing men.

Despite the multiple experiences of hostility, many *mak nyahs* continue to work towards self-empowerment. The non-governmental, community-based organisation in the Malaysian capital city of Kuala Lumpur, PT Foundation, has *mak nyahs* heading and staffing the Mak Nyah Programme for the physical and psychological welfare of *mak nyahs*. In the state of Pahang, 12 *mak nyahs* from the Drug Intervention Community of Pahang participated in an Independence Day 2013 parade. The government of the state of Penang has been particularly supportive of *mak nyahs* by setting up a special committee to investigate the welfare of *mak nyahs* and appointing *mak nyah* Hezreen Shaik Daud as the political secretary of Tanjung Bungah assemblyman Teh Yee Cheu. Some Malay-Muslim *mak nyahs* are also reclaiming their rights as Muslims, and their lived experiences attest to how they reconstitute Islamic tenets in ways that affirm them as *mak nyahs*.

One particularly noteworthy initiative by Malaysian trans* persons is the "I AM YOU

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One particularly noteworthy initiative by Malaysian trans* persons is the "I AM YOU: Be a Trans Ally" campaign by an up-and-coming Malaysian trans* organisation that aims "to foster understanding and to promote tolerance and acceptance towards trans people." The campaign "represents a force of concerned members of the public, joined together in common purpose, to establish a positive images of trans* identities and communities." To this end, this campaign has produced videos and promotional posters. These videos feature the insights and experiences of a transman and various *mak nyahs*. The campaign has also created an Info Kit which consists of a DVD of 5 videos, as well as an info comic entitled "19 Ways to be a Trans* Ally" which was designed by the *mak nyah* artist Shieko Reto. Among other things, the info comic debunks essentialised gender and sexuality presumptions, provides information on how to interact with trans* persons, encourages solidarity with trans* persons and exhorts the construction of spaces for dialogue with trans* persons. This Info Kit was launched at the "19 Ways to be a Trans* Ally" event at Annexe Gallery, Central Market in Kuala Lumpur, in the evening of December 14, 2013. The event also featured passionate sharings from a transman, two *mak nyahs* and their allies. During the launch, *mak nyah* activist Nisha Ayub reiterated the struggles, hopes and dreams of trans* persons in fighting for the right to be themselves as trans* persons in Malaysia, free from fear, discrimination, stigmatisation, violence and prosecution.

As Malaysia enters the 57th year of its independence and its 51st year of formation as a country, I challenge the country to adopt an attitude of radical and unconditional inclusivity for all its citizens without exception. In his speech during the declaration of independence of the Federation of Malaya in 1957, then Chief Minister Tunku Abdul Rahman provided a glowing vision for the Federation as one which is founded on "the principles of liberty and justice and ... the welfare and happiness of its people." Malaysia must assume the prophetic courage of Tunku Abdul Rahman, not only from political, religious and socio-economic perspectives, but in the treatment of all its gender-variant and sexually-diverse citizens who ask for recognition, respect and equal treatment in their journey of meaning-making and self-realisation.

Joseph N. Goh is a Ph.D. candidate in Gender, Sexuality and Theology with the School of Arts and Social Sciences at Monash University, Malaysia. He is a member of the Emerging Queer Asian Pacific Islander Religion Scholars (EQARS) and editor of the Queer Asian Spirit E-Magazine.

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