

# Malaysia: Exclusion of transgender community from mosques a violation of Federal Constitution

Tuesday 2 November 2021, by [YASIN Ahmad](#) (Date first published: 30 September 2021).

Pemuda Sosialis holds the stance that the transgender community should be allowed to practice their faith in places of worship particularly in mosques. All of the directives and statements issued by the Perlis Fatwa Council, Mufti of Pulau Pinang, Datuk Seri Dr. Wan Salim Wan Mohd Noor as well as by Deputy Minister in the Prime Minister Department, Ahmad Marzuk Shaary that call for a ban on the transgender community from entering mosques violate their rights and freedoms as enshrined in the Federal Constitution.

The constitutional provisions that specify on the rights and freedom of the transgender community includes Article 5 on personal liberty, Article 8 on equality before the law, Article 9 on freedom of movement, Article 10 on freedom of expression and Article 11 on religious freedom. The statements released by the state authorities violate all of these articles. A transgender person should have the freedom to enter a mosque as the gender they identify and they should also have the freedom to practice their faith irregardless of the gender identity and expression they manifest. Religious authorities must respect the Federal Constitution. Such disrespect shows that the religious authorities do not have the understanding of the supreme law of the land.

Pemuda Sosialis also expresses disdain at Ahmad Marzuk Shaary. Those who come to equity must come with clean hands. If Ahmad Marzuk Shaary wishes to ban the transgender community from entering mosques, he must remember that he himself is undeserving of such power to call for a ban since he had violated the mandate of Malaysian citizens.

Pemuda Sosialis is also aware of the rise of transmisia in the populist Islamic narrative of Malaysia. We believe that such hatred of the transgender community has affected the political arena and manifests itself through baseless statements that implicate the transgender community.

Pemuda Sosialis stands in solidarity with the transgender community of faith. We believe they belong in places of worship. Nobody has the right to invalidate the transgender community's spiritual experience. Pemuda Sosialis demands for all of the transgender individuals of faith who wish to practice their faith in places of worship to be let in. Towards a more inclusive future for the transgender community, we will continue to fight injustices in the form of directive, statements and policies that implicate the sexual minority community.

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- Think Left PSM on September 30, 2021:

<https://thinkleft.net/2021/09/30/exclusion-of-transgender-community-from-mosques-a-violation-of-federal-constitution/>