



RESEARCH PAPER

**Issues and Management of Transgender Community in Pakistan: A
Case Study of Lahore**

Imran Alam ¹ Dr. Saqib Khan Warraich ² Naveed Ur Rehman ³

1. Assistant Professor, University Law College, University of the Punjab, Lahore, Punjab, Pakistan
2. Assistant Professor, Department of Political Science, GC University Lahore, Lahore, Punjab, Pakistan
1. Lecturer, University Law College, University of the Punjab, Lahore, Lahore, Punjab, Pakistan

PAPER INFO

ABSTRACT

Received:

December 02, 2019

Accepted:

December 25, 2019

Online:

December 31, 2019

Keywords:

Fundamental
Rights
Hijra,
Lahore,
Social Issues,
Transgender

**Corresponding
Author**

imranalam01@goo
glemail.com

The purpose of this paper is to highlight the issues of transgender community of Lahore. The exploratory cum analytical method of research is applied to the study. The literature was reviewed as part of an extensive study on transgender community in Pakistan. The interviews were also conducted with open end questionnaire and snow ball sampling techniques. The first author of this paper interviewed 20 transgender people in different localities of Lahore that are recruited through the help of NGO Akhuwat Fountain House Khawajasera Support Program Lahore near civil Secretariat. To protect the confidentiality of research articles, there were no audio recorded, only detailed notes were written on pages. Interviewees were paid Rs. 200 to cover their time. The first author then analyzes the interview reports. The study suggested the recommendations to the management of the transgender community of Pakistan. The study also explored the fact that mismanagement of the transgender community is affecting the overall sexual behavior of the society.

Introduction

Transgender is an umbrella term often used to represent and define people whose gender identity and sexual expression differ from their gender at birth. It describes the diversity of individual, genders and sexual identities that do not confirm the general idea of the binary gender system. This includes transsexual / cross-dressing individuals (people who regularly wear opposite gender clothing belonging to different genders), transsexuals (those undergoing sex reassignment surgery to identify a new gender), and bi-sexual (People who are not included) are included. Fall into the category of male and female identities). Globally, transgender identification is covered by various policies that leads towards legislation and the

movement of multiple Tran's rights, such as the Gender Discrimination Regulations (1999), the Gender Identification Act (2004) and the Equal Treaty Guide (2004). In Pakistani society, only two genders are being identified, namely a male and a female, while the term transgender is not used under these two conditions. A transgender is defined as male to female (MTF), female to male (FTM), cross dresser, intersex, transgender, gay, bisexual, and so on. The meaning of transgender is socially constructed and it varies from one individual to another. People call them by different insulting names like *Hijra*, *Khusra*, *Murat*, *Zanana* etc. The estimated transgender population in Pakistan ranges from 80,000 to 300,000 (Baig, 2016). According to Nanda (1990, 12), cultural definition of transgender is "neither male nor female." However, there are numerous definitions of transgender, *Hijra* in the scientific and legal literature. For example, Reddy (2005) argues that most part of the world, transgenders are phenotypic men who dress up as women. On the other hand, according to Jama (2005), Hijras are all "men who are transgender, eunuch, hermaphroditic, or bisexual or homosexual." Similarly, Majeedullah (2016) describes eunuchs as "intersex, transgender and transgender people. Transgender child is not treated like a normal child because their behavior, dressing and communication is different from the normal children. Transgender children used to wear women dress, makeup and follow women styles. This makes them vulnerable in the society for child abuse and rape. Also, in ways that transgender people face social stigma. The Constitution of Pakistan provides legal protection to all citizens through protection of their rights, freedoms and stature. These rights are not translated into provincial-level laws and protections for proportionally sensitive groups, and especially for transgender communities. The situation is exacerbated by the lack of respect and social commitment for these backward groups, social provocations and deprivation of their basic rights and being subjected to multiple parties, harassment and torture just for their gender and identity. Despite the Supreme Court of Pakistan's 2009 decision that "other people, including transgender people, will be given equal inheritance and employment rights". No effective measures have been taken for their welfare. Pakistan, as an Islamic state, has declared homosexuality contrary to Islamic integration and Sharia. The issue of homosexuality is highly criticized and opposed in society and have legal punishments in Pakistan penal code. Men who have sex with men are socially isolated, at high risk of HIV and other health and social problems due to insecurity. As well as unprotected sex, there are some identities and significant levels of poverty (Ahmad, 2011) (Jami, 2011). Homosexuality and cross-dressing are seen as deep and immoral acts in Pakistani society because of social and cultural norms and Islamic lifestyles. In Pakistan colonial laws shows a complex relationship between gender and sex. In recent years these laws were challenged in 2009 when The Transgender Persons (Protection Rights) Act allows people to choose their gender and to recognize that identity on official documents, including national identity, passport and driver's license. The bill prohibits discrimination in schools, at work, in public transportation and in access to medical care. The move also states that transgender people cannot be deprived of the right to vote or run for office. It repeats their inheritance rights according to the gender they choose. And it obliges the government to establish separate prisons, jails or prisons, as well as "safety centers and safe houses." (Redding, 2019).

Issues: Social, Economic, Cultural and Health

In Pakistan, as in other parts of the world, the attitude towards the transgender community is very prejudiced and discriminatory. Even parents are disown transgender children. Parents may accept the blind, deaf, dumb, a rapist, a murderer child but not transgender. People believe that children born with sexual abnormality should be handed over to the transgender community. Family culture is one of the key issues facing the implementation of the Transgender Persons (Protection of Rights) Act 2018 as it is the first step where denial of property, education, dignity, health and other basic rights begins (Tabassum, & Jamil, 2014). A closer look at the Act reveals that it is nothing more than a repeat of Articles 8 to 27 of the 1973 Constitution of Pakistan, also known as Fundamental Rights. Almost all the rights enshrined in this law are the same as those granted to every citizen of Pakistan under the Constitution, including transgender citizens. Then what gap can be filled in this act? The identity of transgender people in their families is a fundamental issue that needs to be addressed, but is not entirely untouched by a special law designed to protect the rights of transgender people. The fundamental rights of transgender people cannot be enforced in its true letter and spirit unless the society give them respect and accept their identity as a third gender of the society. To ensure this, it is important to highlight the issue as one of the main reasons within the Act and to impose penal penalties on families for not owning their unaccompanied transgender children. Violations of transgender people's rights begin in their families and continue in society. Therefore, it is appropriate to target the goal from which it begins, but the law is completely silent on family structures and the identities of transgender people. If the life of a person with a normal family life is ensured, most of their rights such as dignity and equality will be automatically protected. This will eliminate the alternative family system for transgender people, which is a manifestation of self-discrimination and backwardness (Sultana, & Kalyani, 2012).

The eunuch community expressed their views with secretly because they feel threaten from the existing norms of the society. The right to own property, education, employment, the right to health Article 290 - Anyone who causes public distress in any matter is not a facility, etc. Such denial may be punished by this Code (Redding, 2019). There is hardly any progress in terms of employment, for transgender community of the Lahore. The Punjab government has no practical policies for transgender people. They have no special seats in the schools, colleges and universities. If any transgender may enroll in school or college the attitude of the students and administration is very hostile. Transgender have also been denied of health and psychiatric treatment. People with gender identity problems treat themselves with different hormonal injections, using steroids injections, and extreme auto-castration without any medical or psychological help. Mostly transgender are involved in the profession of dancing and gay sex worker in adult age and beggars in old age (Saeed, & Ahemd, 2018). Family and society does not allow individuals to talk openly on transgender rights and their issues. They have no social space in the

society. People are against the idea of having a transgender servant in the family. People accuse them of homosexuality or sex work. Transgender are subjected not only to physical abuse but also to sexual harassment and rape. People say transgender people can only dance and sex. They are not considered equal citizen even not human being. They are forced to live in extreme poverty with isolation in a separate society. People do not like to talk or shake hands or listen their problems. People do not communicate with them and try to avoid them in the places where they live or pass. Socially transgender people are unacceptable citizens of Pakistani society. People do not allow them to have social interactions and they may have their own family. They are not allowed to marry because same-sex marriage is against the law in Pakistan. They are not allowed to be part of any reputable professional.

Interviews of transgender people in different parts of Lahore

1- P1 was 26 years old and she lives with her Guru. Her family forced her to leave home at the age of 9 because her family do not accept transgender child to live with them.

2. P2 has a Bachelor degree in arts and has not found a job because everyone in the society want to have sex with her but do not like to work with her.

3- P3 was 22 years old and she works as a sex worker and she does not know about her family. She earn almost 20,000 in one month. Her earnings is not belongs to her but Guru's money.

4- P4 was a 60 years old and she is involved in various diseases like backbone pain and arthritis. She told that transgender were the most privileged and trustworthy courier of emperors in ancient times but know they are hate able creatures at Lahore. It has been a difficult journey. As state functions have changed, so has their role in society has been changed. Once, they do respectable work. They were always part of the royal palaces and did not suffer in any way. But know they are beggars, dancers and prostitutes.

5- P5 was a 45 years old and she is Guru of the small group that consist of 08 transgender people. She narrates that transgender people have become untouchables in Pakistan. Society does not accept them at any level. They are socially deprived because no one allows them to participate in the affairs of daily life. People used to make fun of them on the streets. People think that they are sex machines and not humans. They often faces sarcastic remarks from the public. Even educated people used to call them with derogatory names third world (*TESRI Duniya*) and make fun. No one wants to give them a social place. This is a painful situation for them.

6-P6 was a 48 years old and she used to work as a dance teacher in different areas of the Lahore. She is a NCA Graduate and almost 5 transgender students in her apartment to learn dance. The question was asked that there is the confusion in the society about transgender either they are by choice or by birth. She replied that

according to her experience almost 70 percent transgender that are Lahore based have perfectly male body and spirit is female. Only 30 percent transgender are by birth. This response makes the relationship more complex. In her whole life experience she never met a female transgender who wants to transform her body in to male or living with transgender community. She knows many males who are physically male and have kids but they wanted to transform their body in to female body. This makes relationship more complex. No one wants to become transgender by choice we are all by birth. It is a painful struggle and life threatening to transformed male body to female body. It is a constant struggle. Majority of the transgender at Lahore are involved in this struggle but they don't have facilities. Many are died and many have severe diseases. Transgender birth is the beginning to welcome of sorrows, loneliness and constant struggle. The transgender community in Pakistan has suffered tremendously against legal, institutional and social prejudices

Situation in Lahore

Lahore is a metropolitan city in Pakistan, with a population of 12 million and a capital of the Punjab province. Lahore is famous for colleges, business and has a long cultural history with deep cultural influences on the people of Lahore. People came all over the country and are still migrating here for various purposes. In addition, a large segment of the transgender community is part of its larger population. Walled city of Lahore is considered a second home of the transgender people. According to Mona Ali, the leader of a transgender rights group in Lahore known as the Eunuch Society, there are an estimated 4,000 people across the province, with the majority living in Lahore. Unfortunately, like many other third countries, the fate of this mismanaged, backward and outdated class is not so different. For a long time, they were deprived of their basic rights due to the absence of any proper mechanism or institution to protect their fundamental rights at the government level. But in the developed, modern countries transgender position is somewhat different and the overall attitude of the society towards them is changing positively through different government policies and legislation. In modern world many NGOs are now working for transnational rights and acceptance in the societies. But, in Pakistan the situation is totally different many NGOs are theoretically working for transgender but practically their main focus is on popularity.

In Pakistan, transgender gatherings of people are mostly concerned with walking around the streets. Transgender, homosexual, gay and bisexual people are considered a disgrace and a shame in Pakistani culture. In addition, if there is to be some kind of such tendencies these individuals also have no social respect. As Farzana Jan points out to a corporate official of a group of transgender people in Khyber Pakhtunkhwa, "In a video report from VOA Pashto, the fact is that when we started working for our privileges, she said that from 2015 to 2016, 40 to 45 (eunuchs) had been harassed, arrested, assaulted and few are killed by extremists. She ironically call privileges because she think in Pakistan there is no transgender rights

"Gatherings endanger our lives, nobody knows what happened in the crowded or private party. Transgender community is the voiceless community of the Pakistan and administration discourages us at every level. Transgender are living with normal citizens of the society who consider them abnormal. Transgender are not a part of this common humanly world. All the above mentioned examinations have been cited that there is an urgent need to explain the problems of transgender who are job loss, low pay, welfare, housing, profession, and medical treatment. Access to basic health services for all is an important individual right, but unfortunately some of the backward sections of our country are still deprived of this right. State is not interested for transgender health. The transgender community is a backward group that becomes a victim of STDs due to backwardness and poor health facilities. Thus, the purpose of this study was to examine the transgender individuals seek access to the use of healthcare services, and highlight the variables that act as barriers. This research may also be useful in understanding the social exclusion of transgender people, which affects their medical treatment. Qualitative research design was used, and data were collected from 5 transgender people living at Lahore using sampling techniques. Semi-structured interviews were conducted. Transgender community tries to avoid visit medical hospitals or physical checkup as much as possible. There are many reasons why they do not visit hospitals and doctors. Transgender patients are reluctant to visit hospitals because of social taboos in the society. There is no separate desk for their checkup and treatment. Private Doctors are charging more money for treatment. In this situation, the transgender community guru provides them medical assistance in minor circumstances. After that, they seek medical help from the quacks and medical dispensers. Overall, denial of healthcare services to transgender people significantly exacerbates their medical problems (Tufail, 2017).

Conclusion

One may believe that every human being has emotions and feelings regardless of sex. Everyone in society should be treated equally. Rights and regulations should be the same for everyone in society. Indigenous peoples should really be the voice of the third sex and demand their rights. Instead of making assumptions, people should talk to them and let them know things they are not aware of. Transgender people may have a psychological problem or a real disability beyond their control. We must understand them and end the prevailing state of doubt and mistrust. This will help solve the psychological and financial problems of transgender people and make their lives more comfortable and productive for society at large.

Human rights abuses and prejudices based on gender identity are still rampant and a major challenge for Pakistan. Transgender and other backward minorities face stigma, discrimination and violence. Transgender people, face harassment, abuse and abuse from society through the health care system, education system, employment and other government institutions. They face a variety of abuses, from exclusion to brutal murder. They are subjected to trafficking, extortion and forced prostitution. After the Trans Protection Act 2018, things began to change slowly. However, for the proper inclusion of transgender people in society and

recognition of their basic human rights, the government will have to take a number of steps to alleviate the gravity of the situation.

In Pakistan, transgender community is the most suffered community of the Pakistan. Due to widespread abuse and discrimination, many transgender engage in sexual activity in extremely insecure and caused diseases. Her clients or sexual partners believe that sexual abuse of transgender is permissible. So, when they ask for their services, they invite friends and gang-rape them. This abuse causes severe emotional distress and mental anguish for many transgender in Lahore. To counter these realities, many survivors become addicted to drugs and alcohol or seek to harm themselves. The only facility for transgender people in Pakistan is provided by their gurus. In the absence of medical care that is sensitive to their needs, there is usually relief from community members who care for them using traditional methods and wisdom.

Solutions and recommendations

1. Transgender people are human beings and should be treated equally.
- 2- The family should own transgender children as a normal child. All type of discrimination should be stoped and have legal compulsions.
- 3- The government / local administration should arrange stipends and financial assistance to the poor parents of the transgender and provide employment to the affected sections.
- 4- The government should also create departments that provide information on AIDS / STDs to transgender people.
- 5.-The government should arrange medical aid for the affected people and enforce strict laws on auto-castration.
- 6-Those who are born with sexual abnormalities government should be given free medical facilities and financial support so that they can live their lives properly and not become the burden on the family. If their families are not helpful.
- 7- Government should make a department that registered the transgender child at the time of birth.
- 8- They should also be given quota for employment.
- 9- Instead of criticizing them, people should be their voice for their rights and for them and for the betterment of their lives.
- 10- Social programs and social projects should be arranged for them.

11. Scholarships for transgender people should be introduced.
- 12- School, colleges, and prisons should be separate and safe for transgender people.
13. Money should be given to NGO's that provides direct services to transgender people.
14. The government should conduct workshops on the issue of medical care or treatment of the transgender patients.
15. Religious scholars, media, teachers and civil society help the society in formation of good image of the transgender people.

References

- Tabassum, S., & Jamil, S. (2014). Plight of marginalized: Educational issues of transgender community in Pakistan. *Review of Arts and Humanities*, 3(1), 107-122.
- Sultana, A., & Kalyani, M. K. (2012). Femaling males: Anthropological analysis of the transgender community in Pakistan. *The Journal of Humanities and Social Sciences*, 20(1), 93.
- Tufail, H. (2017). *Disparities With In Health Care Sector for Transgender Community Lahore, Pakistan* (Doctoral dissertation, University of Management and Technology).
- Saddique, K. A. M. R. A. N., Mirbehar, S., Batool, H., Ahmad, I., & Gang, C. (2017). Transgender issues in Pakistani community. *European Academic Research*, IV, 10, 9048-9057.
- Ahmad, H. H., Faheem, S., Khan, Y. A., & Gul, A. (2016). *Enhancing the employability of transgender community in Lahore* (Doctoral dissertation, University of Management and Technology).
- Munir, L. P. (2019). Fleeing Gender: Reasons for Displacement in Pakistan's Transgender Community. In *LGBTI Asylum Seekers and Refugees from a Legal and Political Perspective* (pp. 49-69). Springer, Cham.
- Akhtar, M., & Bilour, N. (2019). State of mental health among transgender individuals in Pakistan: Psychological resilience and self-esteem. *Community mental health journal*, 1-9.
- Abbas, T., Nawaz, Y., Ali, M., Hussain, N., & Nawaz, R. (2014). Social adjustment of transgender: A study of District Chiniot, Punjab (Pakistan). *Academic Journal of Interdisciplinary Studies*, 3(1), 61-61.
- Ahmad, Z. (2011). O2-S6. 06 Sexual practices of transgender community in Pakistan. *Sexually Transmitted Infections*, 87(Suppl 1), A68-A69.
- Redding, J. A. (2019). The Pakistan Transgender Persons (Protection of Rights) Act of 2018 and its impact on the law of gender in Pakistan. *Australian Journal of Asian Law*, 20(1).
- Jami, H. (2011). Condition and status of hijras (transgender, transvestites etc.) in Pakistan: Country report.
- Akhtar, H., Badshah, Y., Akhtar, S., Kanwal, N., Akhtar, M. N., & Qadri, I. (2012). Prevalence of human immunodeficiency virus infection among transgender men in Rawalpindi (Pakistan). *Virology journal*, 9(1), 1-9.

- Khan, F. A. (2014). Khwaja sira: Transgender activism and transnationality in Pakistan. *South Asia in the world: An introduction*, 170-184.
- Nazir, N., & Yasir, A. (2016). Education, Employability and Shift of Occupation of Transgender in Pakistan: A Case Study of Khyber Pakhtunkhwa. *Dialogue (Pakistan)*, 11(2).
- Saeed, S., & Ahemd, M. (2018). Substance Abuse among Transgender Individuals: Evidence from Pakistan. *Social Development Issues*, 40(2), 10-23.
- Asghar, J., & Shahzad, K. (2018). Media Portrayals of Transgender People in Pakistan- A Case of Misgendering and Marginalization.
- Ramay, N. Transgender Rights in Pakistan: A Comparative Analysis.
- Amin, H., & Saeed, M. (2004). A Phenomenological Study to Understand the Religious Belief and Socio-Cultural Practices of Transgender in Urban Lahore. *Journal of Secondary Education and Research*, 2(1), 1-17.