

**An Analysis of Human Rights Violations Against Transgender  
Individuals in Rawalpindi-Islamabad, Pakistan, Through the  
Lens of Peace and Violence Theory**



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(2024)

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A thesis submitted to the National University of Sciences and Technology, Islamabad,

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Masters in Peace and

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Supervisor: Dr. Humaira

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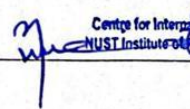
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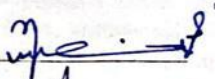
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## **DEDICATION**

Dedicated to my beloved late brother, Ammad Rizwan, whose absence constricts my heart. Yet, my faith softly reassures me that we will be reunited soon. Until then, each milestone I achieve will be a tribute to him and a story for him to hear upon our reunion, showing him that I never gave up, as he would have wished.

And to the people of my dear country, may we together uphold the meaning of Pakistan—"Pure Land"—through our acts of kindness and tolerance.



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## Contents

<b>LIST OF FIGURES</b> .....	<b>xii</b>
<b>LIST OF SYMBOLS, ABBREVIATIONS AND SYMBOLS</b> .....	<b>xiii</b>
<b>ABSTRACT</b> .....	<b>xiv</b>
<b>CHAPTER 1 INTRODUCTION</b> .....	<b>1</b>
1.1 Background .....	1
1.2 Problem Statement .....	3
<b>CHAPTER 2 LITERATURE REVIEW</b> .....	<b>5</b>
2.1 Background .....	5
2.2 Johan Galtung's Theory of Peace and Conflict .....	8
2.3 Defining Violence .....	9
2.4 Direct Violence .....	9
2.5 Structural Violence .....	11
2.6 Cultural Violence .....	13
2.7 Positive Societal Changes Concerning Transgender Individuals .....	15
2.8 Transgender Persons Act, 2018 .....	15
2.8.1 Self-Identification of Gender Identity .....	16
2.8.2 Fundamental Rights .....	16
2.9 Khunsa Persons Bill 2022 .....	17
<b>CHAPTER 3 THEORETICAL FRAMEWORK</b> .....	<b>20</b>
3.1 Johan Galtung Theory of Peace and Violence .....	20
3.2 The ABC Conflict Triangle .....	22
3.3 Factors Increasing the Likelihood of a Conflict .....	25
3.4 Factors Reducing the Likelihood of a Conflict .....	25
3.5 Research Hypothesis .....	25
3.6 Research Objective .....	26
3.7 Research Questions .....	26
3.8 Significance of the Study .....	26
<b>CHAPTER 4 RESEARCH METHODOLOGY</b> .....	<b>28</b>
4.1 Qualitative Research .....	28
4.2 Primary Sources .....	29
4.3 Secondary Sources .....	29
4.4 Data Sampling .....	30
4.5 Data Collection .....	30

4.5.1	Local Transgenders .....	31
4.5.2	Experts Opinion- Trans Activists/Policy Advisors/Human Rights Activists .....	31
4.6	Research Limitations. ....	31
4.6.1	Sampling Limitations .....	32
4.6.2.	Fear and Untrustworthiness .....	32
4.6.3	Cultural Sensitivity and Interpretation .....	32
4.6.4	Participant Disclosure and Social Desirability Bias .....	32
4.6.5	Document Availability and Scope .....	33
4.6.6	Limited Generalizability .....	33
4.7	Ethical Considerations .....	33
<b>CHAPTER 5 FINDINGS AND DISCUSSION .....</b>		<b>34</b>
5.1	Sub-Section A: Findings and Analysis of Responses from Local Transgenders.....	35
5.1.1	Direct Violence .....	35
5.1.2	Structural Violence .....	36
5.1.2.1	Lack of Availability of Basic Resources .....	37
5.1.2.2	Limited Assistance from the Police Department .....	39
5.1.2.3	Low Trust on Government's Performance .....	40
5.1.2.4	Political Marginalization.....	40
5.1.3	Cultural Violence .....	42
5.1.3.1	Abandonment Issue/ Family Rejection .....	42
5.1.3.2	Zero Social Support .....	44
5.1.3.3	Merging LGBTQ and Transgender: A Common Misconception .....	46
5.2	Sub-section B: Findings and Analysis of Responses from Experts.....	47
5.2.1	Direct Violence .....	47
5.2.2	Structural Violence .....	48
5.2.2.1	Limited Effectiveness of Policy at the Grassroots Level.....	48
5.2.2.2	Trans Rights 2018 Act- Reiteration of Constitutional Rights 1973.....	49
5.2.2.3	Social Injustice and Imbalanced Opportunities .....	50
5.2.3	Cultural Violence .....	51
5.2.3.1	Acceptability Challenges .....	51
5.2.3.2	Misconceptions About Competency .....	53
5.2.3.3	No Social Protection .....	54
5.2.3.4	Issue of Vulnerability/ Power Imbalance.....	55
5.2.3.5	Religion, Transgender and Other Movements: A Blurred Distinction .....	55
5.3	ABC Conflict Triangle Model .....	58
5.3.1	Contradictions (C).....	59
5.3.1.1	Legal Framework Shortcomings.....	59

5.3.1.2	Economic Disparities .....	60
5.3.1.3	Political Marginalization.....	60
5.3.2	Attitudes (A) .....	61
5.3.2.1	Cultural and Religious Beliefs .....	61
5.3.2.2	Family and Community Pressure .....	61
5.3.3	Behavior (B).....	62
5.3.3.1	Discrimination and Marginalization .....	62
5.4	Strategies.....	63
5.4.1	Awareness Campaigns and Sensitization for Public and Parents: Contact Theory ..	63
5.4.2	Religious and Community Leaders Engagement.....	63
5.4.3	Healthcare Improvements .....	64
5.4.4	Educational and Workplace Inclusion .....	64
5.4.5	Legal Protection .....	64
5.5	Sub-section A: Findings and Analysis of responses from local transgenders .....	65
5.5.1	Awareness in Transgender Community .....	65
5.5.2	Institutional and Public Sensitization.....	65
5.5.3	Providing Financial Incentives .....	66
5.6	Sub-section B: Findings and Analysis of Responses from Experts.....	68
5.6.1	Building Awareness Within Transgender Populations.....	68
5.6.2	Utilizing the Gurus for Awareness in Local Transgenders.....	69
5.6.3	Mind Making and Awareness of stakeholders through Social Media platforms.....	70
5.6.4	Religious Organizations Advocating for Transgender Inclusion.....	70
	<b>CONCLUSION .....</b>	<b>72</b>
	<b>BIBLIOGRAPHY.....</b>	<b>73</b>
	<b>APPENDICES.....</b>	<b>83</b>

## List of Figures

Figure 3.1: Johan Galtung Theory of Peace and Violence .....	20
Figure 3.2:ABC Conflict Triangle Model.....	22
Figure 3.3: ABC Conflict Triangle Model.....	24
Figure 5.1: ABC Conflict Triangle Model.....	59

## **List of symbols, Abbreviations and Symbols**

IP	Interview Participant
MOHR	Ministry of Human Rights
FDI	Forum for Dignity Initiatives
FSC	Federal Shariah Court
NCSW	National Status for Commission of Women

## **Abstract**

This study critically examines the human rights violations faced by transgender individuals (intersex) in Rawalpindi and Islamabad, Pakistan, through the framework of Johan Galtung's Peace and Violence theory. Using this theory, the research investigates into how cultural and structural violence perpetuates inequality and marginalization resulting in direct violence against trans individuals. Utilizing both qualitative interviews of experts, transgenders and document analysis, the study documents the instances of systemic discrimination, social exclusion, and institutional violence, highlighting the lived experiences of transgender individuals in a society deeply rooted in patriarchal norms. Additionally, the Johan Galtung ABC Conflict Triangle model is also used in this study to categorize and analyse the aspects of human behaviour that lead to the marginalization of the transgenders. It also offers suggestions for mending cultural and structural behaviours to reduce the number of violations on transgender human rights. The study also explores ways to promote positive peace through inclusive policies, institutional and public awareness, educating trans parents, and involving religious leaders. Ultimately, calling for an urgent re-evaluation of legal frameworks and a determined effort to change societal attitudes, aiming to bring about social change and uphold the fundamental human rights of transgender individuals in Pakistan.

**Keywords:** Johan Galtung; Theory of Peace and Violence, ABC Conflict Triangle Model, Human Rights Violations, Transgender Rights in Pakistan.



## Chapter 1

### INTRODUCTION

#### 1.1 Background

While human rights are anticipated to maintain the dignity and welfare of individuals and communities, their abuse frequently leads to violence, and violence sequentially, aggravates human rights abuses. It is claimed that inequality and cruelties of social and economic rights function as the root causes of violence, amplifying to the extreme offences, resentments and group identities that, in some situations, may instigate collective violence. Contrarily, it is easier to categorise civil and political rights violations as the direct or straight cause of a dispute. Human rights violations and violence are inseparably connected in a complex and often vicious cycle that has plagued societies throughout history.

A Norwegian sociologist and peace researcher Johan Galtung, who is attributed with founding peace studies, is also known for his theory in peace and violence. Galtung described violence as any intentional breach of a person's basic necessities. Identity, liberty, mental health, and survival are basic human rights. The risk of violation or aggression towards these rights can also be seen as violence because people cannot have meaningful connections with their surroundings unless their fundamental requirements are addressed and met. According to his theory of violence, there are three sorts of violence which are interrelated and are named as; direct violence, structural violence and cultural violence. Each of these types of violence helps in explaining how human rights violations occur and persist. Galtung insists how cultural and structural violence are the fundamental roots of direct violence. So in order to curtail the discrimination of any sort, one must address the baseline issues which are present at the bottom of iceberg in the form of latent conflicts.

One of such examples is the human rights violations faced by Transgender community in Pakistan. Violence against transgender people and abuses of their human rights are widespread problems that still exist in many parts of the world. It is pertinent to mention here, that in this study, we are talking 'specifically' about those people who are born with anatomical abnormality in their genitals. Normally, the terminology of "*intersex*" is used to define them but as a common typology in the country, we would refer them as *transgender* here in this

research. Being intersex does not equate to being transgender. Those having chromosomal abnormalities at birth are considered inter-sex, or the testicles or genitalia that defy the conventional notions of male and female. While intersex refers to a person's biological makeup, transgender refers to an individual's personal view of the other. In the past, those who classify as intersex have been perceived as having a "disorder," "medical condition," or "disability" due to their unclear sexual characteristics and the potential that some of them are infertile. Advocates of intersex think that this framework nourishes the humiliation and discrimination as it's painful and hard for intersex individuals to be associated with abnormality. Non-voluntary medical procedures have been performed on them in an effort to make their physiques conform to the conventional ideal of a male or female body (Nazir and Yasir 2016). Transgender is about one's gender identity, while intersex refers to physical variations in biological sex traits. An intersex person may or may not be transgender, depending on their personal gender identity. Due to a dearth of thorough studies and the frequently private nature of intersex conditions, it is challenging to obtain accurate figures on the number of intersex persons in Pakistan. Although the precise number of persons who are born with intersex features varies greatly by country (including Pakistan), the estimate for the global population is 1.7%. In Pakistan, the Khawaja Sira, also known as the Hijra community, is comprised of transgender, gender non-conforming, and intersex individuals. It is more difficult to pinpoint precise numbers because this cultural grouping does not explicitly distinguish between transgender and intersex people.

Given societal stigma and the medical invisibility of many intersex conditions, intersex people in Pakistan may often remain unreported or mislabeled, further complicating any efforts to estimate their population size. Transgender persons frequently experience prejudice, abuse, and social exclusion, all of which are blatant violations of their basic human rights. Pakistan faces serious challenges as a result of the ongoing abuse of human rights and discrimination against these individuals because of their gender identification. Pakistan has consistently neglected to comply with several international human rights agreements that provide protection to vulnerable groups, including transgender people.

Johan Galtung's theory of violence, which takes into account structural, cultural, and direct forms of violence, offers a perceptive framework for comprehending the intricate nature of disputes and violations of human rights. The purpose of this study is to investigate the significance of Galtung's theory with regard to violations of transgender rights in Pakistan,

emphasizing the ways in which these three forms of violence collaborate to uphold prejudice against transgender people in the country. The Johan Galtung ABC Conflict Triangle model is also used in this study to categorize and analyze the aspects of human behavior that lead to the marginalization of the transgender community in Pakistan. It also offers suggestions for mending cultural and structural behaviors to reduce the number of infringements on human rights.

## **1.2 Problem Statement**

In Pakistan, there are still many cases of discrimination, violence against transgender persons, and violations of human rights. Compared to other marginalized groups, the transgender population experiences stigma, discrimination, and violence more frequently. In addition to the employment, the public health care system, the educational system, and other governmental organizations, they also encounter marginalization from society. They bear all manner of terrible penalties, from vicious murder to societal exclusion. As well as being victims of human trafficking, they are also victims of compelled prostitution. The Trans Protection Act of 2018 is an exception, and it is already in effect. However, this Act was highly criticised due the unambiguous terms used in the it. Additionally, there were nation-wide objections that this Act might promote homosexuality and other evils in the society. Citing religious injunctions, the Federal Shariat Court temporarily suspended the Transgender Persons (Protection of Rights) Act, 2018. The transgender community has been the target of more violence, abuse, and prejudice as a result of this judgment. Given the ongoing marginalization of transgender people, it is clear that political inclusion and protection of these people are vital. As a result, the nation's efforts to move towards a more just and peaceful society are hampered. An in-depth investigation is required since the problem remains despite rising awareness and international agreements to safeguard transgender rights. Using Johan Galtung's theology of violence and peace with the ABC Conflict Triangle model as an outline, this study seeks to investigate the complex difficulties experienced by transgender people in Pakistan.

Even though several studies have looked into transgender rights and inequality in Pakistan but there is a substantial study and research gap which can be addressed by the applicability of Johan Galtung's theory of violence and peace complimented by the ABC Conflict Triangle model. Existing researches frequently concentrated on isolated segments of discrimination and violence, focusing primarily on direct violence. Those studies do not offer a comprehensive analysis, failing to include the structural and cultural dynamics of the violence that reinforces

the human rights violations of transgender groups in Pakistan. As a result, even though, there are few policies and laws for transgender people, the implementation on these policies, seem like an unconquerable obstacle.

In conclusion, this research aims to comprehensively analyse transgender rights in Pakistan by employing a combined theoretical framework, prescribed by Johan Galtung. It says that direct violence cannot be curbed unless or until the root causes which are based in the structural and cultural violence are not controlled. So by exploring the complexities of cultural and structural violence within the context of peace and violence theory of Johan Galtung, this research seeks to provide actionable insights that can lead to greater social justice, equity, and respect for the human rights of transgender individuals in Pakistan.

## **Chapter 2**

### **LITERATURE REVIEW**

#### **2.1 Background**

Human rights violations are a persistent and disturbing universal issue that often assists as a precursor to violence. Abuses of these vital and basic rights, which include the right to life, identity, liberty, and security, can sow the seeds of anger, resentment, and conflict. The human rights movement has always concentrated on recording violations as opposed to making an effort to understand them. Marks (2011) contends that the 'root causes' of violations have, nevertheless, come into focus as a major problem in the field of human rights in the last few years. It can result in complaints, dissatisfaction, and ultimately conflict when a government or group consistently disregards or violates the fundamental rights and freedoms of its citizens. Human rights violations and violence are deeply interrelated, with a complex and often cyclical relationship. Deprivation of human rights results in protracted social conflicts, drawn on the theory of basic human needs of John Burton. His theory says that unmet human needs result in conflicts, risking people's safety and the safety of communities (Mertus and Helsing 2006, 4-5). In Pakistan, transgender rights violations have played a variety of roles in conflicts, resulting in a complicated and difficult socio-political environment (Dayani et al. 2019, 2). These violations have sparked tensions, demonstrations, and disputes that have occasionally turned into confrontations.

Anyone whose gender expression or identity deviates from the socially constructed standard of male or female is referred to as transgender (Agarwal 2016), similarly people who belong to neither of the both sexes and those who are born with abnormal number of sex chromosomes, all fall under the umbrella term of Transgender (intersex) here in Pakistan. People who defy the socially built genders and go over the society's distinct standard of man and woman, feminine or masculine, are typically ignored by society (Abdullah et al. 2012, 2). While disregarding the truth that transgender persons are just as human as those who believe in gender boundaries of men or women, society uses labels like shame, abnormal, idiosyncratic, or curse to characterize transgender people. They mostly undergo gender-based violence, which is counted as human rights violations (Bencomo et al. 2022). According to Nanda (2015, 514),

A third gender position, the hijra, possesses aspects of both genders and is neither fully human nor fully female. He has undergone oppression, which involves the removal of all genital tissue, and is an intersexed sterile guy.

Regardless of all these things, in many cultures, the representation of the transgender individuals can be seen clearly. During the Mughal Empire in India, transgender persons were referred to as Khawja-Sira, and their role was to support and protect the women of the Mughal royal household (Abbas and Pir 2016). According to Jami (2005), *Hijra or Khawaja Sira*, is a peculiar type of gender role expression in which men behave as women. It is a phrase normally used in South Asia, especially in Pakistan, India, and Bangladesh. A general expression for numerous gender deviations, *hijra* or *Khawaja sira* refers to them all (Abdullah et al. 2005, 2). According to Abbas and Pir (2016), Marco Polo wrote about his journey to India in 1280s, where he noticed that a great degree of social prestige was held by transgender (Hijra) society in the Mughal Empire and its palaces. Associating themselves with the Mughal century, Pakistani Hijras yearn for the heyday of the Hijras in the Mughal courts, considering to those years as a "glory days" for transgender people generally. After 1870 with the fall of Mughal Empire, the transgender were subject to limitations on their activities, as well as their rights to inheritance and other advantages. They were called "sodomites" by British morals legislation (Kannabiran and Singh 2008). The colonial rulers of colonial India, the British, then started considering the transgender as a menace to society, stripped them of the legal protections that had been once granted to them. This period acted as a beginning for the degeneration of human rights of transgender in South Asia. "Third sex" refers to the fact that some culturally mindful or sensitive communities continue to reject the reality of men and women (Witten et al. 2003). Prior to the arrival of the British, they had fully integrated into Indian society and lived both as individuals and in social groups formed by relationships between gurus and disciples, or guru-chela. They took guidance from Hindu and Quranic writings. Hijras are important to Indian celebrations, especially as dancers. They also performed plays and gave public performances to support themselves. They were said to possess magical powers and had the capacity to freely switch between genders, and have the ability to affect every element of family life, such as marriage, childbirth, and funerals (Hali et al. 2018).

Many societies view transgender as unusual individuals since they are thought to be emotionally and physically ambiguous and hide their sexual orientation which results in their marginalisation and stigmatisation (Marks 2011, 3). Transgender community in Pakistan have

severe identity problem as a result of their gender non-conformity. This conflict results from the widespread marginalization and prejudice of transgender persons due to societal norms, belief systems, legal restrictions, and cultural prejudices (Shahzad et al. 2021). One of the studies conducted by Shah et al. 2018, said that one of the numerous things driving the transgender community to engage in undesirable behaviors or habits is social marginalization and social exclusion. Social exclusion from Pakistani culture exposes transgender individuals to regular discriminatory practices and a high risk of physical attacks. They become more susceptible to dangerous activities, such as being forced to work as commercial sex workers, beggars, use of drugs, and at times contemplating suicide. The major findings of the study showed that physical attacks were encountered by 77.8% of research participants, while prejudice in institutions was far more prevalent (91.5%). 39.2% of instances involved sexual activity at work, and 37.6% involved drug abuse. Though the rate of attempted suicide was lower (18.5%), the prevalence of suicidal ideation was higher (38.6%). Hence the group's increased predisposition for suicide is a result of our marginalization and mind-set.

Transgender community enjoys the least amount of respect or rights in Pakistan (Saddique et al. 2017). Numerous studies, including those by Wijngaarden et al. (2013) have demonstrated the extreme prejudice, sexual assault, and discrimination faced by transgender. When seeking out public accommodations, taking part in social activities, and receiving medical care, they regularly experience bias, harassment, and stereotyping (Hines 2007). Rarely do they receive any type of tenable legal defence against such issues because their sexuality is typically *objectified* (Flores et al. 2018). Rizvi (2015) study shows that many children are abducted and converted into transgender and are used for begging in the cities. Cohen (2012) in his research says that, when transgender people move out of their homes or are compelled to do so, they begin cohabitating in the traditional community style of some followers often known as *Chelas* under the supervision of a *Guru (teacher)*. The accommodation is known by the name *Dera*. Every house has a distinct history, set of rules, and Guru. As soon as they arrive, transgender people receive instruction in singing, dancing, and other professions so they can support themselves (Azhar et al. 2022). The chelas are supposed to give the guru their profits because it is the guru's responsibility to handle the finances of the house and provide for the basic necessities of the chelas (Abdullah et al. 2012). Most often, the guru struggles to make enough to survive, and the chelas turn to commercial sex to provide for themselves (Rehan, Chaudhary and Shah 2009). This makes them vulnerable, and most of the times they become the source of spreading STDs (Khan et al. 2009). Research studies on the transgender people have indicated



that between 43% and 60% of them have experienced extreme physical assault (Clement, Marx and Katz 2006). Gladstone et al. (2004); Testa et al. (2019), noted that transgender people who have experienced physical abuse exhibit a four times rise in suicide thoughts, and linked suicidal ideation and attempts as a further life-threatening problem to victimization. People exploit them because of their gender identification and demand payment from them for homosexuality or sex trade, which is typically frowned upon and most of which occurs in secret (Ahmed, Yasin and Umair 2014). They are also denied houses on rents due to stigmatisation and scandalised identities (Sahastrabudhhe et al. 2012). Furthermore, the religious bent of Pakistani society is linked to an additional significant obstacle facing the transgender community's pursuit of legislative rights in the country. Because of the area's ingrained traditional, societal, and religious opinions, conservatism is deeply ingrained in Pakistani culture and way of life (Nawaz and Safdar 2023). "Adherence to social values, the rule of law, and Islam, is important to Pakistani identity" which according to American historian Stephen Cohen, is one of the many political characteristics in Pakistan's conservatism. Cohen argued that conservatism is ingrained in national politics as well as society. Mamun, Heyden, and Yasser (2016, p. 145) assert that the current diversity management literature fails to adequately discuss the issues and challenges faced by transgender people, primarily because the conventional gender roles do not apply to them. This gap not only creates a deficiency in the literature but also hinders our understanding and recognition of the privileges and identities of this marginalized group, consequently giving rise to social ostracization of this group.

## **2.2 Johan Galtung's Theory of Peace and Conflict**

A Norwegian sociologist and peace researcher Johan Galtung, who is credited with founding peace studies, earned this title by his broad work and global initiatives, which allowed him to establish a career in conflict resolution. As the father of peace studies, Johan Galtung earned his reputation through his vast body of work and global endeavors, ultimately making a name for himself in conflict resolution. Galtung can be characterized as a peace studies inspiration to his contemporaries. Galtung's work since 1957 is what gives him this motivating force. In addition to his 156 books, Galtung has authored over 1600 articles and book chapters and serves as a mediator in over 150 conflicts globally. In 1959, he established the first peace studies institute in the world, "The International Peace Research Institute," in Oslo. In 1993, he established "The Transcend International Foundation," and in 2000, he established

"Transcend Peace University," the first online institution dedicated to peace studies (Burak 2021).

In addition to studying peace, he is known for his theory in peace and violence. Due to Galtung's interdisciplinary interests, he possesses a more profound and comprehensive understanding of societal issues than many others. His ability to grasp a wide range of subjects and fields has provided him with a holistic perspective and a deeper insight into the complexities of peace-related matters. Galtung noted in his paper "*Violence, Peace, and Peace Research*," which was published in 1969, that in order to understand the connection between violence and peace, it is first required to define violence (Galtung 1969, 167–168).

### **2.3 Defining Violence**

Violence, according to Galtung, is any wilful disregard for basic human necessities. Identity, freedom, mental wellness, and safety are among people's basic necessities. And in order to understand peace, one must know about violence (Grewal 2003). Given that individuals may only form deep connections with their surroundings if their fundamental needs are fulfilled, the possibility of hostility directed towards these wants may also be viewed as a form of brutality. There may be an emotional and spiritual component to this connection with surroundings alongside to the physical one (Galtung 2009, 2–5). In his theory, he says that violence has more indicators than just physical, he expands the outmoded understanding of violence beyond its physical manifestations. His theory constitutes, three main types of violence, which he says are interrelated and often work together to propagate conflict and inequality. The three sorts of violence being mentioned are; direct violence, structural violence and cultural violence. Galtung (2004, 18) claims that invisible conflicts are a result of systemic and cultural violence, which in turn directly influences violence and manifests itself. Conflict in this setting is a complex process that is influenced by structural, cultural, and direct forms of violence. Galtung asserts that the primary sources of structural violence are political bodies, protocols, and systems that ensure the fulfilment of identity, image and safety standards. Cultural violence, on the other hand, is fuelled by the fear, rage, and abhorrence that result from the parties' failure to comprehend or misunderstand one another.

### **2.4 Direct Violence**

Direct violence is the most easily recognized and entails causing actual physical harm to people or organizations or threatening to do so. It encompasses overt acts of violence including assault,

murder, war, and other similar behaviours (Galtung 2009). Direct acts of violence frequently grab our attention right away and are the subject of many traditional conversations about violence. Ionut (2014) in his study incorporated the Galtung's theory to investigate the nature and dynamics of the Civil War that took place in Nepal during a period of social isolation and poverty under a constitutional traditional monarchy. Through Galtung's three-triangle model, it was demonstrated how a conflict's overall is caused and the perspectives of its sides may both be changed. According to Limas (2018) in his study based on gender based violence, he said that Galtung highlighted the existence of another type of violence in addition to direct violence: structural violence, which was concealed inside larger, more compact systems rather than being committed by isolated people. Revolutionary feminists share the same thought processes as Johan Galtung. Galtung's educational contribution to conflict resolution was regarded as very prudent by peace activists. Moreover, another study's conclusion and its analysis established that Johan Galtung's theory of peace and violence is applicable to issues in Sri Lanka. According to the study's findings, Johan Galtung's efforts to resolve conflicts produce the likelihood for peacebuilding, which can then be used to address Sri Lanka's issues with violence and instability (Fadilah et al. 2021).

Relating Johan Galtung's idea of direct violence to transgender rights in Pakistan involves understanding how physical harm or the threat of physical harm manifests in the context of transgender individuals' struggles for equality and recognition. In Pakistan, transgender individuals often referred to as "hijras" or "khawaja siras," have encountered discrimination and violence, including direct violence. These individuals, in Pakistan, frequently experience direct violence in the form of physical assault, harassment, and even murder (Winter et al. 2016). They are targeted due to their gender identity and expression (Shah et al. 2018). Hate crimes against transgender individuals are not uncommon, and many cases involve severe physical violence, including beatings and sexual assault. The transgender individuals often encounter police brutality, which constitutes a form of direct violence (Nadal et al. 2014). According to report of UNDP (2023), between January 2021 and August 2023, the Human Rights Commission of Pakistan documented 72 incidents of violence, including sexual assault, in three provinces. The community's capacity to file reports of such violations and demand justice is further hampered by the absence of legal protection. Additionally, they may avoid seeking medical care altogether, putting their health at risk due to discrimination faced from healthcare systems (Xavier et al. 2013). In Khyber Pakhtunkhwa, 40 to 45 transgender people were abducted, raped, and murdered between 2014 and 2015. Poverty is the main factor causing

their improper social behaviors, such as dancing and begging (Saddique et al. 2017). They may also experience direct violence within their own families, including physical abuse and forced evictions from their homes. They lack “primary group member social support”, which is being given by the family (Thoits 2011). Family rejection due to their gender identity is the worst kind of violence; it not only scars them emotionally but also makes them susceptible to direct violence (Klein and Golub 2016, 4).

## **2.5 Structural Violence**

Galtung developed the idea of structural violence to draw attention to the structural and systemic causes of social misery and inequalities in the societies. In contrast to direct violence, structural violence results not from the actions of a single person but rather from the social, political, economic, and cultural structures that disfavour particular group (Galtung 2009). Direct violence is not often as ubiquitous and durable as structural violence. In Pakistan the structural and systemic discriminations contribute to the marginalization of these people. Structural violence is often less visible than direct violence but plays a significant role in perpetuating social inequalities and injustices.

Pakistan has historically lacked comprehensive legal protections for transgender individuals. Discriminatory laws and policies, such as those related to identification documents and employment, create a system that systematically disadvantages transgender people. According to Alizai, Doneys and Donna (2017), such legal framework contributes to structural violence by denying transgender individuals equal rights and opportunities. An incident reported, that one of the transgender applicants was refused NIC renewal claiming NADRA would not recognize his guru's name in place of his father's name (the petitioner was abandoned before infancy). It was believed that transgender people found it challenging to prove their paternity in court because the majority of them were given up at infancy. This feature of society cannot be employed to deny someone their identity papers. The Supreme Court decided that the NADRA cannot deny a transgender applicant a National Identity Card (NIC) because they cannot provide certification of their birth parentage. NADRA altered its rules to suit those taking part during the trial phase (Akhtar and Bilour 2020). However, issues remain with the recently implemented NADRA policy. The technique for selecting an unidentified individual from the NADRA registry and adding them to the father category of the NIC is akin to the one employed to identify abandoned children. The Supreme Court's commitment to upholding the

respect of transgender people is compromised by accepting NADRA's policy. A transgender person's birth certificate's "Father Column" stipulation is another cause of rejection anguish.

Similarly, the research of Shah et al. (2018) shows approximately 90% of this marginalized community's livelihood was impacted by organizational intolerance and prejudice due to gender. Alamgir (2024) in his study talks about poor justice system towards transgenders. The study concluded that due to transphobia, cisgenderism, a major portion of transgender-related cases in Peshawar, Pakistan, either remain unreported or result in the voluntary withdrawal of First Information Reports (FIRs), which feeds the cycle of impunity and seriously jeopardizes the pursuit of justice. Furthermore, discrimination in schools and workplaces, along with societal stigma, hinders their ability to access quality education and secure stable employment. Abdullah et al. (2012) and Jami (2005), asserted that a significant portion of this marginalized minority is compelled to engage in perilous and illegal forms of employment, such as prostitution, performing, drug addiction, and begging. This exclusion perpetuates their economic vulnerability.

Many transgender individuals in Pakistan face eviction from their homes due to family rejection or societal discrimination (Arshad et al. 2022). According to Alam, Warraich and Rehman (2019), there are no practical transgender plans in place in Punjab. In colleges, organisations, and schools, they do not have reserved seats. The pupils and management are extremely hostile to transgender students if they are permitted to enroll in school or college. Additionally, transgender people have been rejected medical and mental health care. Even after the Act 2018 was passed, Pakistan lacks gender-specific health clinics, and resources for the health of transgender and intersex people remain few. Presently, there is no curriculum on transgender and intersex health in medical schools in Pakistan and the study conducted by Ahmer, Yasir and Tariq (2021) also concluded that more than one third of the sample of medical students indicated lack of knowledge about transgender and intersex. Individuals who struggle with gender identity issues self-treat by injecting steroids, changing their hormone levels, and brutally self-castrating themselves without seeking medical or mental health assistance. Because of societal taboos, transgender people are reluctant to visit hospitals. Their treatment and examination are not done at a different desk. Private physicians are raising their treatment fees. In this case, they receive minor medical aid from the transgender community guru. They then go to the quacks and medicinal dispensers for assistance. All things considered,

transgender people's medical issues are greatly made worse when they are denied access to healthcare treatments (Tufail 2017).

Transgenders are going through political marginalization too. According to Al-Jazeera (2024), transgender people are not given seats in political elections, and political parties show little interest in incorporating them into the electoral process. Another problem is that a lot of transgender people have their hometown address included on their ID cards rather than their present residence, which is outdated. Because of this, they were not included in the voter list, which made it difficult for them to cast ballots in their particular areas or districts in the general elections of 2024. Whereas in 2018 general elections, there was no space designated for the third gender on the official voter forms (Islam 2020). Additionally, the lack of safe and affordable housing options contributes towards homelessness and exposes them to further vulnerabilities (Jami 2009).

## **2.6 Cultural Violence**

The term "cultural violence" describes the ways in which cultural norms, assumptions, and ideologies justify or legitimize both structural and direct forms of violence. It entails the indirect perpetuation of violence through the use of symbolism, language, religion, and other cultural tools (Galtung 1969, 170). For instance, by dehumanizing or vilifying particular communities, stereotypes, hate speech, and nationalist ideas can contribute to cultural violence by making it simpler to rationalize and practice direct and structural violence towards them. It is evident that Pakistani cultural norms, beliefs and ideologies can perpetuate discrimination and marginalization against transgender individuals. Cultural violence is evident in the stigmatization, negative stereotypes and dehumanization of transgender individuals in Pakistan.

According to investigations, the transgender population is being pushed into undesirable behaviors and habits by social marginalization (Jordan 2000). Pakistan is a country with a strong religious and cultural heritage. Some interpretations of religious texts and cultural traditions may reinforce traditional gender roles and binary concepts of gender, excluding transgender individuals (Sharif and Faiz 2018). It is also imperative to reckon that certain transgender engage in actions that are associated with homosexuality (Nanda 2007, 240). Homosexuality is prohibited by Islamic law, and same-sex partnerships are unlawful in Pakistan (Shafaat 2004). However, the actions of few transgender people are generalised on

the whole transgender community. Transgender people are regarded as having a real faith just like men and women. The Prophet Muhammad (peace be upon him), according to Khan (2017), respected transgender people, forbade mistreatment of them, and commended those who were spiritually oriented.

It is also believed that transgender people do not get any support from their parent families, their families distance themselves and brand them as deviant (Rehan, Chaudhary and Shah 2009). They are believed to bring humiliation and shame onto their families. Abdullah et al. (2012) also came to the conclusion that intersex had left their birth families. They rarely communicate with their parents, siblings, and friends. Their family view them as a source of shame, thus they don't want to get in touch with them. The transgender families are where condemnation begins, according to Kalra and Shah (2013), who also found that the feminine boys were often shunned from an early age. According to many studies, the lack of support, particularly from families (Abdullah et al. 2012), friends, and community members, is frequently one of the factors that push transgender people into a cycle of social exclusion, where they engage in risky behaviours like commercial sex work, drugs use, begging, and at times suicidal thoughts (Ahmed 2014).

Media and popular culture representations of transgender individuals play a significant role in perpetuating cultural violence. In some cases, though, remarkable individuals within the transgender community have managed to overcome the pervasive cycle of violence and abuse. Bismah Mughal, who became Pakistan's first transgender newscaster, and Marvia Malik, the country's first transgender journalist, stand out as examples. Despite their achievements, they had to confront discrimination and societal stigmatization. It's crucial to note that the negative portrayal of transgender people within the Pakistani media further compounds societal prejudice and discrimination, as highlighted by Asghar and Shahzad (2018). Every day, transgender persons face harassment and attacks on social media, but they are hardly ever reported to the authorities. The primary cause of this is that a large number of transgender persons lack permanent homes, which makes abuse and mishaps involving them go unreported (Fatima, Lak and Mushtaque 2022).

Transgenders also go through religious exclusion as concluded from the study of Mukhtar, Sharif and Sabir (2021). One of the participants shared that he has to dress up as a man to avoid getting caught whenever he wants to go to mosque to offer jummah. These remarks paint a picture of the exclusion of transgender people from religious ceremonies and events. They are



viewed as outcasts instead of being welcomed like typical religion adherents. The transgender community faces shame and discrimination in society. Stereotypical views form the foundation of the general social behavior towards transgender people.

## **2.7 Positive Societal Changes Concerning Transgender Individuals**

Regardless of all the issues faced by transgender community of Pakistan, efforts are also being made to exterminate their plight. Pakistan has taken important legal steps to identify and protect the rights of transgender individuals. The Pakistan Supreme Court authorised a 2% employment quota and granted transgender people the designation of third sex in CNIC for the first time in 2009 (Hali et al. 2018). In addition, the court accredited their rights to employment and inheritance in 2012 following the passing of their parents. Furthermore, the Lahore High Court ordered for the first time that the transgender community be included in the 2017 census (Tabassum and Jamil 2014). In May 2018, the Pakistani government passed the Transgender Persons (Protection of Rights) Act to address issues relating to transgender people's rights, aid, and rehabilitation (Redding 2019). According to newspaper Dawn, the first school for transgender was inaugurated in Lahore, the Punjab School Education Department (SED) opened first transgender school in the provincial capital to educate and teach skills to trans persons in 2022. The department had also set up such schools in Multan, DG Khan and Bahawalpur. These kinds of programs are paving the path for these people's socioeconomic inclusion.

## **2.8 Transgender Persons Act, 2018**

The Transgender Persons (Protection of Rights) Act, 2018 was adopted by the Pakistani National Assembly on May 8, 2018. This legislation bequests legal acknowledgement to transgender individuals and forbids discrimination and harassment against them. Moreover, it mandates local governments to ensure the wellbeing of the transgender community.

Going into the details of this Act, we get to know that this act describes 'Transgender Persons' as Khwaja Sira, eunuchs (those who have surgical sex reassignment after being born with a male gender identity), and intersex persons (khusra). It encompasses individuals who have a gender identity that deviates from the gender ascribed at birth, as well as transgender men and women.

The act covers the following topics:

### ***2.8.1 Self-identification of Gender Identity***

Everyone is free to categorise their gender on their own terms without approval from others. Transgender individuals are required to register with all government agencies, including the National Database and Registration Authority (NADRA), in agreement with the Act.

### ***2.8.2 Fundamental Rights***

The Act prohibits prejudice against transgender persons in the areas of healthcare, employment, and education, as well as intimidation of them within and beyond the home based on their gender, gender identity, and gender expression. Transgender persons are entitled to all civil and political rights as stipulated by the Pakistani Constitution. In addition, transgender people's rights to inheritance, casting votes, healthcare, education, work, and assembly are recognized under the Act. They are also permitted to hold public office and enter public areas. Local governments are also involved in supporting and integrating transgender individuals into settings involving shelters, medical centers, and prisons. Finally, the Act empowers local governments to launch education and awareness-raising initiatives.

The Act has been praised by proponents of transgender rights as a historic victory, and they have promised to keep pushing for its enactment. As this is an encouraging step in the direction of transgender rights realization in Pakistan is the Transgender Persons (Protection of Rights), Act 2018. However, recently, Pakistan is debating changing a historic law enacted in 2018 that supports transgender rights, which some lawmakers and religious leaders claim goes against Islamic beliefs on gender identity. The law's critics contend that it is un-Islamic to allow someone to select or change their gender and that it would encourage same-sex unions, which are now illegal in Pakistan.

In their research, Safdar and Nawaz 2023 studied the Transgender rights under Constitution and Pakistan Law. Given that the Transgender Persons (Protection of Rights) Act of 2018 is the inaugural of its kind, however there still were some loopholes that were identified and are being discussed below.

#### **a. The Provinces' Power and the 18th Amendment**

Considering the inadequacies and inefficiency of the hierarchical system that led to the enactment of the Transgender Protection Bill 2018, as already indicated, the Federal Government has not urged the Provincial Governments to hasten the adoption of their

individual transgender legislation. And any provincial transgender safety policy is supposed to be protected by a federal act.

**b. Bill's initiatives are effective but ambiguous.**

As was mentioned above, the Act's language is confusing. For example, Chapter 4 Clause 6(e) of the Transgender Persons (Protection of Rights) Act, 2018 says that transgender people can create small businesses by offering grants and easy financing programs as benefits and incentives. No more explanation is given on how these things should take place.

**c. Unclear language used in bill**

Clause 6(f) further stipulates that any additional steps essential to achieve the goals of this act must be taken. These sections are rife with ambiguity because "easy conditions" are not specified and "any other necessary measures" could mean practically everything. Hence in the future, using ambiguous terminologies and languages should be avoided.

**d. Authorisation of bill by Provincial Assemblies**

The Transgender Persons (Protection of Rights) Act, 2018 sets down job and education allocations, but these requirements won't be fulfilled until they are backed by provincial legislation and currently, not all provincial governments are taking the right initiatives for the marginalized community in question.

**e. Minimal cooperation amongst the parties involved**

Although the Transgender Persons (Protection of Rights) Act, 2018 is exhaustive in nature, there are limitations in its implementation because the bill's primary stakeholders have not yet signed on and are not on the same page. For example, the Act's Chapter 5 Clause 10 states, "Voting rights without prejudice". However, as is the case with other significant Pakistani organizations, the SOP of the Election Commission of Pakistan does not adhere to the indicated condition.

**2.9 Khunsa Persons (Protection of Rights) Bill, 2022**

As one the consequences of vague languages and terminologies used in Trans 2018 Act, the conservative political party Jamat-e-Islami's Senator Mushtaq Ahmad Khan was spearheading the opposition to the 2018 Act. This came in action because of many protests in the country

from the far-right wing against 2018 Act. According to him and many others, letting people select their own gender identification puts "the family and inheritance systems" in jeopardy since it "opens the door for 220 million people to decide to be anything," as he stated to VOA.

The main concerns of the petitioners were:

1. The right of *self-identification* is wrong and there has to be a medical board.
2. The real transgender is the one who is intersex.

As a result of which, a new bill was presented in the Senate in 2022 by the name, Khunsa Persons Bill. The Transgender Persons (Protection of Rights) Act, 2018 as it is currently in effect is against to Pakistan's Constitution, Islamic injunctions. Additionally, some transgender rights activists, however, are also displeased with the language of the 2018 law. Transgender rights activist Almas Bobby complained to VOA that the trans population is still severely ostracized and denied access to fundamental rights. Bobby argued that this rule protects persons "who want to change their sex only because of a personal preference" and that there aren't many "real" transgender people in Pakistan. Bobby believes that the term "transgender" should only be applied to people with unclear genitalia (Zaman 2022).

According to this measure, which seeks to alter the 2018 Act, would replace the term "*transgender*" with "*Khunsa*," recognizing only *intersex* people based on their physical traits. It also criminalises gender-affirming operations and institutes required medical exams for gender recognition. The committee concluded that "*Khunsa (Intersex)*" ought to be utilized instead of "Transgender" in the 2018 Act because of the common position of the advocates, who maintain that gender is exclusively defined by physical attributes, genital traits, and congenital ambiguities, rather than a mental state, an inner sensation, or a sense of self. The rights based on the grounds of gender dysphoria were also criminalised (Saeed 2023).

So conclusively, the term "transgender" has been changed with "Khunsa," and many other pertinent modifications have been made to ensure that the rights given to Khunsa Persons in both language and sexual orientation are upheld and that invented notions of gender being non-binary are rejected. In accordance with the teachings of Islam, the current Transgender Act is hereby repealed in order to guarantee that Khunsa (Intersex) Persons have their fair share of rights within the organized political community. This bill introduced in Senate in October 2022, defined Khunsa as a person which has *a mixture of male and female genitalia or have*

*hereditary or congenital ambiguities*. There are consequences to the Transgender Persons (Protection of Rights) Act, 2018 that are reprehensible on Islam and Pakistan's constitution because of its following impacts:

1. Legalization of homosexual marriages.
2. Quranic Negation of the Law of Inheritance.
3. The violation of the dignity and honor of the Immigrant Women.-.
4. Making Gender Recognition a Subjective Affair.

Rest of the clauses and details of the bill are same as the Trans Act 2018. This bill aims at upholding Islamic principles and safeguards the fundamental rights of Khunsa people, including the right to health, education, employment, and inheritance.

However, the plight of this vulnerable group is far from over because the laws and policies address the visible issues or manifest causes leading to direct violence. The structural and cultural fabric of Pakistani society which forms the latent and hidden causes of transgender problems are not being addressed. Galtung's ABC Conflict Triangle provides an in depth comprehension and understanding of the problems encountered by transgender in Pakistan.

## Chapter 3

### THEORETICAL FRAMEWORK

#### 3.1 Johan Galtung Theory of Peace and Violence

Galtung classified violent acts into three categories: structural, cultural, and direct. He founded his opinions on his research from 1969. There is a strong connection between all three forms of violence, and they all support one another. Usually, the process starts with cultural violence, which gives way to structural violence (social injustice) and direct violence (physical violence). The two types of violence are closely associated to one another: structural and cultural violence fuels direct violence, which in turn feeds back into the earlier forms of violence.

Figure below illustrates how the three forms of violence are related to one another.

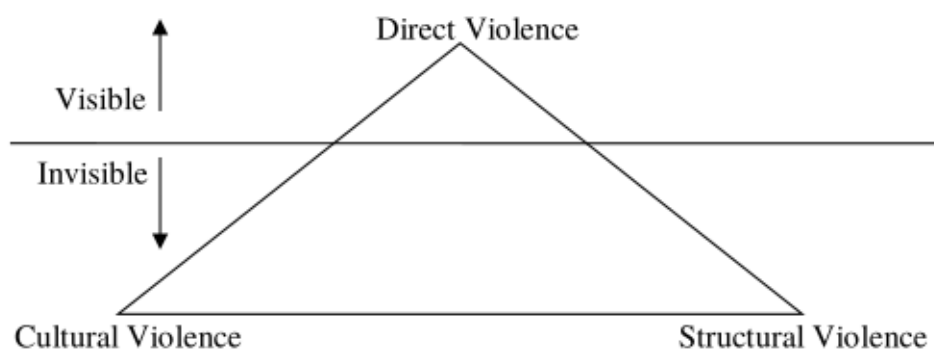


Figure 3.1: Johan Galtung Theory of Peace and Violence

Three categories of violence are distinguished by Galtung's theory of peace and conflict: structural, direct, and cultural violence. Any one of these three forms of violence can be the catalyst for a conflict since "systemic conflict transformation perceives the triangle as a multidirectional circle where structures, attitudes, and behaviors engage over a period of time and strengthen one another."

a. Direct Violence includes physical force (torture, rape, sexual assault) and verbal force (humiliation) are examples of direct aggression.

b. Structural Violence refers to systemic institutional violence that manifests as prejudice based on culture, politics, and the economy.

c. Cultural violence can be explained by shifting attitudes and perceptions of concepts like dignity and reconciliation. Direct or indirect structural violence might be justified or authorized with its help. Analyses on cultural violence demonstrate how both direct and structural forms of violence are tolerated and validated in this way by society.

Galtung believes that merely threatening to use force is considered a violent act. Cultural violence is the term used to describe inherited attitudes and beliefs that permeate daily life. When certain classes, ethnicities, or other groups are treated unfairly or discriminatorily in comparison to others, and this disparity is an obvious aspect of the social or political structure, structural violence takes place. Galtung concludes that political structures, protocols, and systems that ensure the fulfillment of identity, image, and safety requirements are what really produce structural violence as a result of this disparity. Cultural aggression, on the contrary hand, is mostly caused by people's misinterpretation of one another and their resulting frustration, dread, and animosity. Invisible conflicts originate from structural and cultural violence, which immediately transforms into violence and becomes evident (Galtung 2004, 18).

According to this theory, conflict is an ever-changing phenomenon that results from the interaction of structural, cultural, and direct forms of violence. Galtung's opinions on violence serve as the foundation for his ideas about what constitutes peace. It is crucial that he made the link between the idea of peace and the direct, structural, and cultural linkage between violence. Thus, in order to achieve peace, one must know violence.

Galtung (1964, 2) has distinguished between two kinds of peace based on these three forms of violence.

- a. **Negative Peace**- is when there is no conflict or overt acts of violence, and peace is not always achieved peacefully. The fact that anything undesired (such as violence or oppression) ceased is why it is negative.
- b. **Positive Peace** - is the absence of systemic and covert forms of violence. The mindsets, organizations, and systems that build and maintain peaceful civilizations. Relationships being repaired, social structures being established to meet the needs of the entire

populace, and constructive conflict resolution are just a few examples of the positive content that characterizes positive peace.

### 3.2 The ABC Conflict Triangle

Galtung's conflict triangle provides a way to help us understand and analyze the goals, actions, and outcomes of the different groups involved in a dispute. This model is predicated on the idea that there are **three** main elements to conflicts: the situation or environment, the participants' actions, and their attitudes. The arrows connecting these three variables indicate how they affect one another. A situation where one group's requests are disregarded, for instance, is likely to cause dissatisfaction and possibly even protest. This conduct might then create an environment when rights are further denied, which would greatly aggravate people and possibly even spark an angry outburst that could turn violent. Reduced levels of tension can be achieved through efforts to alter the context (by ensuring that needs are understood), lessen dissatisfaction (by assisting people in focusing on the long-term perspective of their challenges), or offer channels for non-violent behaviors.

The two triangles mentioned below are closely linked. Thus, it is possible to eradicate cultural violence by altering cultural attitudes (A), direct violence by altering behavior (B), and structural violence by altering paradoxes or contradictions (C).

#### The Conflict Triangle

The conflict triangle highlights all the aspects playing a role in a conflict situation.

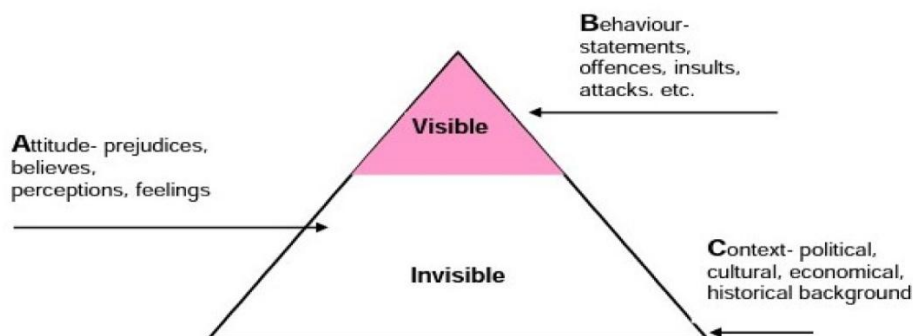


Figure 3.2: ABC Conflict Triangle Model

ABC-triangle refers to Attitude (and assumptions) (A), Behaviour (verbal and physical) (B), and Contradiction (C) and a conflict is the accumulation of all three (Galtung 2008, 273). In



Galtung's perspective, a conflict is defined as attitude + behavior + contradiction, wherein attitude (A) and behavior (B) are meta-conflicts that arise from contradiction (C). A conflicting series that could begin factually with an attitude of inner life and be externalized by violent or non-violent verbal and/or physical behavior is CAB. With the aid of this definition, we can discuss the CAB that directs discussions, as a dynamic stage in conflicts, or as a strategy for finding solutions.

According to this model, the psychological element of conflict is represented by **attitude (A)**, which focuses on the attitudes, perceptions, feelings, and preconceptions of individuals. The attitudes of parties to a conflict include their perceptions of one another, their complaints, and their inclination to use violence or negotiate (Pathak 2014). The **behaviour (B)**, emphasizes on the audible actions and reactions of the parties to the disagreement. It includes the real actions that influence the rise or de-escalation of an issue. And finally, **contradiction (C)** which is basically the underlying reasons, disparities, or structural elements that prolong the conflict. According to Pattipeilhy and Paramasatya (2022), the A-B-C conflict triangle can be employed to distinguish between **latent and manifest** conflicts. In contrast to latent conflicts, which remain concealed and primarily involve attitudes and contradictions (A and C), manifest conflicts, those readily observable on the surface, reveal the behavioral component (B), as

elaborated

below.

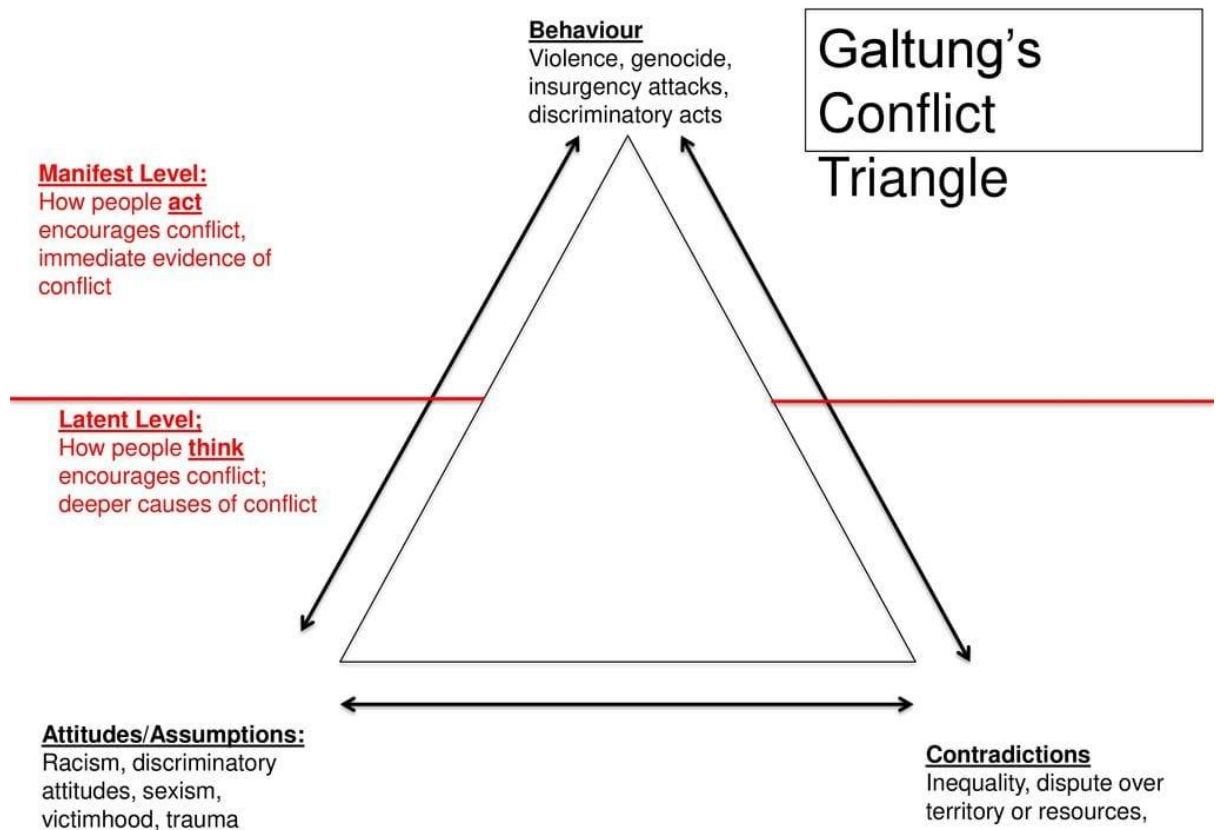


Figure 3.3: ABC Conflict Triangle Model

According to Luthans (2004), a circumstance that has the potential to generate or start a conflict episode is known as *latent conflict*. This underlying conflict may not be visible or appear to be one at first glance. Long-standing social and economic disparities or groups' unequal access to power and rights are common causes of latent tensions. The demands of minorities or groups with less clout may not be taken into account by governments. There may be significant disparities in status or worth. After the trigger event, any of these issues may develop into an open dispute or *manifest conflict*. According to Galtung, there are both distinctive and more generic factors that can be found in conflict-ridden societies that raise the risk of violent disputes. Galtung also makes the observation that there is a good chance that the parties involved in a conflict are going to agree on its root causes. By distinguishing behavior and attitude, the conflict triangle model helps us understand how they affect not just the dispute but also each other. Additionally, some of the factors that can increase or decrease the odds of a conflict are opined below.

### **3.3 Factors Increasing the Likelihood of a Conflict**

- a. Limited or non-existent democratic channels for resolving conflicts: minority are not adequately represented in politics
- b. Assets, money, or property that are administered by a few powerful elites and distributed unfairly.
- c. Poverty
- d. The authorities acting above the law and adopting unlawful, random choices
- e. The legal system is non-existent, tampered with, and neither impartial nor autonomous.
- f. Human rights abuses

### **3.4 Factors Reducing the Likelihood of a Conflict**

- a. The presence of democratic structures, characterized by complete political justice and involvement
- b. Equivalent distribution of funds
- c. Equal chance for all citizens
- d. Rule of law respected by Government
- e. Disputed resolved through just and autonomous judicial system
- f. Respect for human rights including that of minorities

The ABC Conflict Triangle simplifies and helps in understanding the deep attitudes, deep behaviours and deep contradictions of the conflicts. Attitudes and the political-economic environment are the main causes of the violent behavior we witness during a conflict. For examining the effects and the causes of conflict, the ABC triangle provides a straightforward framework. Hence this model can be used in comprehending the complexities of transgender rights concerns and in providing a holistic understanding of transgender rights violations in Pakistan. The study would aim to analyse how variations in peace-related and violence-related factors contribute to or mitigate human rights violations against transgender individuals in the Pakistan.

### **3.5 Research Hypothesis**

The mitigation of direct violence against transgender individuals is dependent upon the effective control and reduction of both structural and cultural violence within the societal framework.

### **3.6 Research Objective**

The primary aim is to identify and suggest strategies and interventions that can effectively control and reduce both structural and cultural violence, thereby contributing to the mitigation of direct violence against transgender individuals in Pakistan.

### **3.7 Research Questions**

- a. How can Johan Galtung's Theory of Violence be effectively integrated to provide a comprehensive analysis of transgender rights violations in Pakistan?
- b. How can Galtung's ABC Triangle model update strategies and policy recommendations to promote and protect transgender rights in Pakistan effectively?
- c. What efforts should be made to change societal and cultural attitudes towards transgenders?

### **3.8 Significance of the Study**

This paper examines the various ways that transgender people's rights are infringed and assaulted in Pakistan, the reasons why this problem exists, and the steps that must be taken to address and cease these discriminatory practices. By proving its practical application in a specific sociocultural context, this research contributes to the academic foundations of Johan Galtung's theory of Peace and Violence and the ABC Conflict Triangle. The integration of Johan Galtung's theory of violence and the ABC Conflict Triangle offers a dual viewpoint that allows for a nuanced understanding of transgender rights violations. Galtung's theory helps discover the systemic and cultural factors that perpetuate violence, while the ABC Conflict Triangle can add depth by categorizing and analysing the attitudes, behaviours, and contradictions that underlie these violations in addition to providing with the possible solutions that could help in reducing the human rights violations on transgenders. It also explores into the analysis of physical violence, institutional violence, and cultural violence to reveal the complicated interplay between these components and their connection to ongoing transgender rights violations. It basically discovers, how, cultural and structural violence needs to be addressed in order to solve the issue of transgender rights violations. The data gathered from this study can help groups and policymakers develop more inclusive policies and activities focused at effectively addressing transgender rights violations. This study is one of its kinds conducted in Pakistan. It is an innovative and new strategy to apply Galtung's theory of violence and peace and the ABC Conflict Triangle to the context of transgender rights in

Pakistan and internationally, too. By illustrating the theoretical framework's application in various socio-political circumstances, this research adds to the body of data in the field of peace and conflict studies.

## **Chapter 4**

### **RESEARCH METHODOLOGY**

Research methodology is the overall strategy or approach used by investigators to conduct their investigations. It comprises the theoretical and conceptual keystones of the study, the research design, methods for gathering and analyzing data, and the overall structure within which the investigation is conducted. A framework for planning, conducting, and assessing research is provided by research methodology, which also provides advice on which techniques would be best for a particular study. According to Dawson (2019), a research method is the central notion that will guide your inquiry. It determines the general direction of your research and the study methods you will use. A research methodology is different from a research method since study methods are the tools you employ to get results (Dawson, 2019). There are several things to consider when deciding which technique is appropriate for your issue. Issues could include limitations on your research and ethical dilemmas that could lower the standard of your work.

#### **4.1 Qualitative Research**

Qualitative research approaches examine people's ideas, deeds, and encounters through examination procedures. This type of strategy often requires fewer individuals, but each person requires more time. It gives study participants the opportunity to express their own thoughts about a topic in-depth and in an informal setting. This is a qualitative study; information was obtained from primary sources by interviewing or interacting one-on-one or recording their responses through online platforms such as Zoom, Whatsapp etc. Some of the responses were recorded online due to the unavailability of the research participants in one-on-one setups. The data was collected from local transgender people, transgender activists, policy makers, legal advisors and shariah researchers. Secondary sources were another way through which data has been created. The goal of this research is to define how direct violence against transgender people is primarily caused by structural and cultural violence. This descriptive research study also narrows the empirical gap that was discovered throughout the thorough literature evaluation. It is essential to note that this research is extremely significant because it is the first to use Johan Galtung's theory of peace and violence in Pakistan to study the Transgender

issues and aims at identifying the underlying causes of the current policy flaws and transgender concerns.

#### **4.2 Primary Sources**

Data was gathered through the in-depth interviews with the identified population of transgenders and experts which acted as primary sources. Generally, In-depth interviews include open-ended questions from a participant or group of participants. The purpose of these interviews is to elicit rich and comprehensive details regarding the subject's viewpoints, events, opinions, and beliefs around a specific subject or issue. One special quality of real-time interviews is that they provide insightful information from subject matter experts on a certain study topic

Henceforth, two separate sets of research questions were developed for the two types of participants; local transgenders and experts. One set of research questions was asked from local transgenders while the second set of questions was formulated and asked from the subject matter experts. Following a thorough review, the interviews collected were taped and transcribed in order to identify themes and sub-themes. Conclusively, the main sources of data used in this study were in-person and online interviews for primary data on the said topic from local transgenders residing in Rawalpindi and Islamabad, and the subject matter experts.

#### **4.3 Secondary Sources**

The data was also obtained through secondary sources such as document analysis. A qualitative research method called document analysis is the methodical inspection and interpretation of written, visual, or other resources in order to obtain knowledge and comprehension regarding a certain occurrence or topic of interest. Numerous disciplines, including sociology, history, anthropology, education, and political science, frequently employ this technique. The goal of document analysis is to derive meaning from the documents.

The data was gathered through following sources such as, Academic Journals, Books, Newspapers, Reports, National Statistics etc. Data was also composed through the Government Publications such as, economic reports, policy documents based on the relevant topic. Furthermore, some Institutional Reports from think tanks, non-profits, and international organizations were also analysed to develop better understanding of the subject matter. Lastly, media sources such as news articles, editorials also offered the contextual information and

contemporary examples on the issues of transgenders. All the data gathered was interpreted in the light of the research questions and objectives, drawing conclusions and making connections between different pieces of evidence.

#### **4.4 Data Sampling**

In conducting the data sampling for the research topic, " An Analysis of Human Rights Violations Against Transgender Individuals in Rawalpindi-Islamabad, Pakistan, Through the Lens of Peace and Violence Theory," a mixture of purposive and snowball sampling strategy was employed to ensure a diverse and representative sample. Both of these techniques are non-probability sampling techniques, which means that the data was not collected randomly. Also referred to as judgmental or selective sampling, purposeful sampling entails the deliberate selection of those participating who fit established criteria or who exhibit particular traits. Whereas in snowball sampling method, participants are originally nominated, and then those members aid in recognising and recruiting further participants. So given the sensitive nature of the study and the need to capture a range of experiences within the transgender community, the sampling criteria included transgender individuals of different ages, gender identities, socioeconomic backgrounds, and geographic locations within the Twin Cities that are Islamabad and Rawalpindi. The research prioritized inclusivity and strive to amplify voices that are often marginalized. Efforts were made to include individuals who have experienced various forms of human rights violations, such as discrimination, harassment, or denial of healthcare and employment opportunities. Additionally, consideration was also given to participants who have actively engaged in advocacy or community initiatives, providing a holistic perspective on both the challenges faced and the resilience demonstrated by the transgender community in the Twin Cities.

#### **4.5 Data Collection**

A thorough data collection process was applied to capture the nuanced experiences of transgender individuals. The data was collected from 15 participants. The primary methods employed were in-depth interviews. In-depth interviews were directed to let participants share their personal stories, experience and narratives, providing rich, qualitative data. Interview questions were designed to explore participants' experiences with human rights violations, their perceptions of peace and violence within their community, and the potential role of cultural and societal factors in shaping these dynamics. The interviews were conducted in a safe and



empathetic environment to encourage open dialogue, and efforts were made to establish rapport with participants to enhance the depth and authenticity of the collected data. These interviews provided an opportunity to identify common themes, conflicts, and coping mechanisms, adding a communal dimension to the study. The data collection was mainly divided into two classes, local transgenders and subject matter experts to have complete and holistic opinions on the plight of this marginalised community.

#### ***4.5.1 Local Transgenders***

The data was collected from 10 local transgenders. 5 transgenders were interviewed from Rawalpindi and 5 from Islamabad. A separate set of research questions was administered on local transgenders. Their interviews were taken and they were enquired about their complications and plights. The purpose of including these individuals into the research was to have first-hand knowledge about the problems and issues that are being present at grass roots level. Because unless or until the depth and grassroots issues are not addressed, things cannot be improved.

#### ***4.5.2 Experts Opinion- Trans Activists/Policy Advisors/Human Rights Activists***

In the second round, the data was collected in the form of interviews from the experts; Transgender and Human Rights Activists, legal advisors, policy makers and some religious researchers to better understand the situation and view things from broader perspective and more clear lens. The experts were asked a separate set set of questions from the local transgenders. The experts that were reached out on this matter were 5 in number. One of the participant experts is working in Ministry in Human Rights Pakistan as Transgender Expert, Ms Reem Sharif. The second participant, Shayan Imran is a Monitoring and Evaluation Officer at an NGO named Forum for Dignity Initiatives (FDI). The third expert who was interviewed is Farrah Tauqeer, a Human Rights Activist working in National Commission for Status of Women Pakistan (NCSW). For the fourth interview, Waiza Rafique who has been working as Legal Advisor in NCSW provided the insights from legal perspective. And finally the fifth expert who wished to remain anonymous, is a Senior Researcher working in Federal Shariah Court Islamabad.

#### **4.6 Research Limitations.**

Some of the research limitations that were found during research are as follows:

#### ***4.6.1 Sampling Limitations***

The research faced challenges related to sampling, because the data was collected using purposive and snowball sampling to capture a diverse range of transgender experiences in the Twin Cities; Islamabad and Rawalpindi. However, limitations were faced while reaching out to transgenders within the transgender community and the experts on the subject matter, which potentially led to underrepresentation or the omission of specific perspectives. Factors such as societal stigma and fears of disclosure affected the willingness of individuals to participate, influencing the sample's comprehensiveness.

#### ***4.6.2. Fear and Untrustworthiness***

Participants expressed fear and distrust towards the research and the researchers' intentions. Even after reassurances of positive intent and clear explanations of the academic purposes, many potential participants still declined to take part in the study. Many subject matter experts initially agreed to participate in the research but later withdrew and became unresponsive. Others who were approached had negative perceptions of the researchers and chose not to be involved in any research. Some hesitated out of fear of public exposure and potential targeting. Additionally, some local transgender individuals were reluctant to participate, believing that giving interviews would be pointless as it wouldn't lead to any meaningful change. This was one of the major limitations, which resulted in less sample size and showed how this issue remains taboo topic despite many efforts to mainstream it.

#### ***4.6.3 Cultural Sensitivity and Interpretation***

Inherent biases or gaps in cultural comprehension of transgenders could have influenced the interpretation of qualitative data. Despite efforts to mitigate these biases, the possibility of misinterpretation or incomplete contextualization remains a limitation that might have impacted the validity and reliability of the findings.

#### ***4.6.4 Participant Disclosure and Social Desirability Bias***

Given the sensitive nature of the research topic, participants were hesitant to disclose certain aspects of their experiences due to fear of stigma or discrimination. Social desirability bias could have influenced the participants to share more socially acceptable narratives during interviews, posing the limitations in obtaining unfiltered perspectives.

#### ***4.6.5 Document Availability and Scope***

The analysis of documents, including legal reports and media coverage, is dependent upon the availability and accessibility of relevant materials. Limitations in the scope of existing documents has hindered in the comprehensive understanding of the discourse surrounding human rights violations against transgender individuals in the Rawalpindi and Islamabad. The absence of certain perspectives or narratives in the analysed documents also limited the depth of the study's insights.

#### ***4.6.6 Limited Generalizability***

The qualitative nature of the research, while providing rich and context-specific insights, automatically would have limited the generalizability of findings to broader populations or other cultural contexts. The study's focus on the Twin Cities, Rawalpindi and Islamabad, of Pakistan has restricted the applicability of results to transgender communities in different regions or cities or countries. This highlighted the need for attentiveness while generalising the study's conclusions beyond its specific context.

In recognising these limitations, the research seeks to maintain transparency and accuracy, contributing valuable insights within the specified parameters while recognizing the contextual boundaries that form the study's scope and generalizability.

### **4.7 Ethical Considerations**

Ethical considerations guided every phase of the data collection process and were paramount throughout the sampling process. Informed consent was attained from all participants, and steps were taken to ensure their confidentiality and well-being. The research design was submitted for ethical review, and participants were made aware of their rights to withdraw from the study at any point without repercussions.

## **Chapter 5**

### **FINDINGS AND DISCUSSION**

The various ways that transgender people's rights are mistreated and violated in Pakistan are examined in this essay, along with the reasons why these injustices occur and the steps that should be taken to put an end to them. Although transgender rights have received a lot of attention in Pakistan, no research has examined transgender case studies through the prism of Galtung's Peace and Violence Theory. This study contributes to the body of evidence reinforcing Johan Galtung's theories by enlightening the ABC Conflict Triangle's applicability in a specific culture context. This research utilizes a qualitative approach to gather data, conducting interviews with transgender individuals and subject matter experts. The results obtained from data collection are then subjected to thematic analysis.

This research chapter discusses the positive outcomes that were obtained from a thorough thematic analysis of the data collected. Three sections make up the body of the results and discussion chapter. One of the three study questions is outlined in each part. Sub-sections inside each part also address the results and interpretation of the answers from transgender people in the area as well as professionals such as human rights advocates, religious scholars, legal counsel, and transgender activists. To obtain a full and balanced version of transgender situation in Pakistan, this was done.

#### **Section – I**

##### **How can Johan Galtung's Theory of Violence be effectively integrated to provide a comprehensive analysis of transgender rights violations in Pakistan?**

This section addresses the many forms of violence experienced by transgender people in Pakistan; the violence is primarily categorized into three groups. This section is further subdivided into two subsections: one that recounts the experiences of local transgender people suffering at the grassroots level, and the other that covers the opinions of subject matter experts regarding how Galtung's theory of violence can be used to explain violence against this minority group.

## **5.1 Sub-Section A: Findings and Analysis of Responses from Local Transgenders**

### ***5.1.1 Direct Violence***

Direct Violence is the evident form of violence on transgenders and is a threat to the lives of this community. These individuals, in Pakistan, frequently experience direct violence in the form of physical assault, harassment, and even murder (Winter et al. 2016). Transgenders are seen as an outcast in the society and are attacked more than any other minority group. One of the local transgenders (IP-1) narrated the incidence where she went to a celebration last year along Barakoh Islamabad side. The hosts frequently misbehaved towards them during the event, wouldn't let them go, and were fully equipped to physically assault them with sticks. As a result, she and her fellows had to flee on foot to escape with their lives, and they followed them all the way from Barakoh to Islamabad. This incidence of direct violence left a traumatic scar on her memory and shattered her confidence. In her words,

They would have physically and sexually abused us if they had been able to apprehend us. I made the decision to stop doing this dance and other work because I've been so afraid ever since that day.

(IP-1, Interview Transcript 1)

According to (IP-2), she has lost the count of the incidents because they are so much in number and she cannot recall any specific event. Another transgender interview participant (IP-8) interviewed from Rawalpindi shared that physical assault and violence is present in the society against them. Even though the things have gotten better in the current times, however, the issue hasn't disappeared completely. Additionally, she expressed disappointment in humanity generally that people don't even spare their blood relatives these days, how can one expect them to be good to strangers? Direct violence was once again highlighted by another interviewee (IP-9) who shared her understandings that anybody can be the victim of physical assault and violence but transgenders are found to be the easier targets because of them being marginalised and being given no justice.

People find us to be the easier target. Thugs break into our houses and attempt to impose themselves on the attractive people and transgenders in our neighbourhood. In fact, police officers also engage in similar behaviour.

(IP-9, Interview Transcript 9)

Interview participant (IP-10) recalling the poor and bad behaviour of the locals towards her shared,

Once, a shopkeeper had beaten me when I stopped to drink water from his cooler that he kept outside of his shop. I don't know what I did to deserve such behaviour, I was just drinking water because I was thirsty.

(IP-10, Interview Transcript 10)

This little incident might not be a lot troubling for many, but if we dissect this, we get to know that there is a presence deep rooted hatred, transphobia, stereotyping and discrimination against transgender individuals in Pakistan that you get beaten just for drinking a cup of water. The roots of such hostile behaviour lies in wrong cultural beliefs, attitudes and ideas that people hold transgender individuals. Cultural violence then results in direct violence. Hence, it is safe to say that these finding confirms how direct violence as described by Galtung (2009), the victims of this overt and obvious form of violence suffer immediate physical or psychological injury.

Additionally, research studies on the transgender people have indicated that between 43% and 60% of them have experienced extreme physical assault (Clement, Marx and Katz 2006). Aside from this, we can also comprehend the mind-set and thought processes of people in society who believe that transgender persons are less human than regular people and that the lawlessness and no accountability in the country has made them fearless, enabling them to commit crimes without any fear of repercussions. They are aware that they can commit crimes, particularly against the trans community, without facing consequences, due to the lack of strict laws and the inaction and unresponsiveness of the authorities and law enforcement institutions.

### ***5.1.2 Structural Violence***

Johan Galtung defines structural violence as societal structures or organizations that cause harm to people or groups by impeding their ability to fulfil their most fundamental needs. In contrast to physical violence, this kind of violence is systemic, indirect, and pervasive in society due to factors like socioeconomic disadvantage and inequality. Although this kind of violence

is frequently undetectable and accepted, it has a substantial negative impact on opportunities, money, and health.

#### **5.1.2.1 Lack of Availability of Basic Resources**

Transgender people are suffering on all fronts; they are unable to access and enjoy the needs of life, including healthcare and education. They experience exclusion from jobs, schools, access to healthcare, and plenty of other opportunities. Such violence from structures or institutions collectively result in structural violence, making transgenders weaker.

One of the interviewees (IP-9) shared her experience that despite being the smartest student in the class, she had to quit her school in 9<sup>th</sup> due to bullying and harassment faced at the hands of her class fellows. (IP-2) had the same story to share, that she faced bullying and discrimination from both students and teachers. There was a lack of understanding and support for transgender students, which made her lose focus and she eventually had to quit studies. Same views were shared by (IP-6) who studied till 6 grade but then left education once she realised that she doesn't belong there with those people. People used to stare and bully her and call her names and she started feeling unsafe in that environment. Meanwhile an interview participant (IP-3) while sharing her educational journey told that it was tough for her, the school environment was supportive of her, making it hard to concentrate on studies so she finally decided to leave. She further shared,

I faced bullying and marginalisation from both students and teachers. I even lost my friends, because their parents asked them to leave my friendship. They were afraid that I'm not a good influence for them.

(IP-3, Interview Transcript 3)

When asked about the healthcare facilities, (IP-8) told that the hospital staff tells them to wait for the doctor, who never shows up. They mostly view them as amusement. (IP-3) pointed that majority of the healthcare workers are unkind, are not trained to handle transgender-specific health issues, which leads to inadequate care and more problems for transgenders. (IP-9) had similar report to share that they don't have any special hospitals so they go to government hospitals. Private one's charge fees which is expensive for them to cover. She told that the behaviour of the doctors is sometimes good, and sometimes bad,

it has all to do with the kind of people they are. Furthermore, an interview participant (IP-10) told that,

Most doctors don't understand transgender health needs, refuse to treat us because of our identity. We hear news how many transgenders lose their lives because doctors don't treat them or are confused about which ward they should get admitted into.

(IP-10, Interview Transcript 10)

These findings line up with the broader perspective of how even educated professionals like doctors have not been trained to handle the special cases of transgenders with empathy and care which leads to resentful feelings of transgenders towards the structures. As explained by the study of Ahmer, Yasir and Tariq (2021), there is no curriculum on transgender and intersex health in medical schools in Pakistan and most of medical students lacked of knowledge about transgender and intersex issues. However, (IP-6) was of the view that you meet a wide variety of people, both good and negative. The facilities aren't always good; sometimes they're rather awful. But some physicians and staff do occasionally treat them well.

Sharing their employment discrimination and hurdles, the interviewees shared that people don't hire them or think of them as competent enough to do normal jobs that other people are doing. Apart from this, it was also revealed during interviews that transgenders themselves have become comfortable in doing their conventional jobs like dancing, begging etc. Even though they know many skills like stitching, sewing etc but they're not ready to step outside of their comfort zone,

The thing is that the people of our community like dancing, singing and begging more. We have passion for this. We all have actress inside of us, we like getting dressed up and all. So we naturally cannot do other jobs.

(IP-9, Interview Transcript 9)

Interview participant (IP-5), a local transgender shared her plight in the following words,

Some of the people mock me and offer me money to do the wrong things. Nobody gives me job and those who do, ask me to do wrong things for them. So I go back to being a beggar, it's safer option for me.



(IP-5, Interview Transcript 5)

Another transgender (IP-2) said on the same lines that they face problems in securing jobs, everyone mistrusts them so they feel abandoned and feel comfort in doing their regular jobs dancing and begging to earn money. It's imperative to keep in mind that when people are denied their basic rights, they begin to distrust the government and begin looking for more convenient ways to achieve their objectives independently. Because transgender individuals are now abused by institutions and society, they have internalized the notion that they are misfits and they have also adopted this idea that they were just born to dance, beg or do disrespectful jobs etc.

#### **5.1.2.2 Limited Assistance from the Police Department**

Another common problem faced by transgenders is the maltreatment from the police officials. Interviewee participant (IP-8) protested that when a public figure, such as the president, is attacked, law enforcement and other institutions work to apprehend those responsible and ensure that they receive justice. But they don't act with such tenacity while solving the problems of transgender community.

Why do we get the cold shoulder? People that mistreat us ought to be sought out and dealt with accordingly.

(IP-8, Interview Transcript 8)

(IP-9) holds the belief that every institution and every structure in the country is corrupt to its core and is equally involved in adding to their plight and problems. She showed her disappointment in police department that they only treat wealthy people with respect.

Police interactions with us are 95% inappropriate. They never listen to us when we go to file a report and rebuke us more. The people who perpetrate crimes against us will never be chased by the police.

(IP-9, Interview Transcript 9)

(IP-10) held negative views about police department too. She told that the police often don't care about them. Instead of protecting, they sometimes make things worse by harassing them. They treat them as less humans. She demanded that the police and government officials who

treat transgenders wrong, must be punished severely too. Another transgender (IP-1) who was interviewed shared her opinion that,

When it comes to treating us, police are usually helpful. However, when they receive orders from higher authorities—for example, to lock up transgender people who engage in begging—they comply with those directives and act horribly.

(IP-1, Interview Transcript 1)

Such accounts confirm a study that says the transgender individuals often encounter police brutality, which constitutes a form of direct and structural violence (Nadal et al. 2014).

### **5.1.2.3 Low Trust on Government's Performance**

The transgender individuals were also questioned regarding the kind of assistance or expectations they have from the government, to which one of the interviewees (IP-7) shared that they cannot say anything to the government or anyone. They had been dancing and begging on the roads previously. Now when they have lost all the beauty and have aged, what can they say anything to the state now? This assertion demonstrates the length of time they have been denied their fundamental rights, to the point that they have grown elderly and given up on ever seeing things improve.

Whereas interview participant (IP-10) wants the Government to recognise them in the documents too so they can vote and take part in political processes too, just like ordinary citizens. Respondent (IP-9) generally showed disappointment in the performance of government that the state is unable to provide basic rights and necessities to its normal citizens, how can one expect them to put in the extra work and efforts to resolve the problems of marginalized communities like them. However, she did appraise the initiative of Tahafuz Centre taken up by the government where her transgender friend Lehar works. She believed that due to this initiative, things have gotten bit easy as they can go to the centre to register complaints of any type and feel heard.

### **5.1.2.4 Political Marginalization**

Transgenders are facing political marginalization which is a form of structural violence too. They don't have any representation in parliament, nor do they have any reserved seats. In fact, in the recent Pakistan elections of 2024, the two candidates, Sobia Khan of Peshawar and

Nayyab Ali of Islamabad, contested elections on general seats rather than reserved seats. They contested as independent candidates that shows the lack of party involvement. Khan filed his candidacy papers for the Provincial Assembly seat PK-81, and Ali submitted hers for the National Assembly seat NA-47 Islamabad, both lost. The fact that a minority group contested for general seats is the primary worry, not the fact that they lost. To top it all off, several petitioners asked the high court to prohibit transgender candidates from running for office. The court did, however, dismiss the petition. This demonstrates how society views acceptance of transgender people negatively. According to Rao who is a Transgender Activist while conducting press conference about the 2024 elections in Pakistan said, they haven't registered many of us as voters; they don't consider an 'X' card enough to render us a person with the right to vote, which is a severe human rights violation (Baig 2024).

The transgender interview participant (IP-8) shared that the absence of CNIC cards for them is making things difficult for them. The major hurdle in employment and other things is that some transgenders have CNIC others don't. She wanted to get one too but then the government got changed then there was some election issues. In her words,

It also gives us our own individuality. We can prove to others that the government has granted us identity, therefore nobody would be able to take advantage of us too much.

(IP-8, Interview Transcript 8)

It's important to notice here that declining someone of their CNIC means declining them of their identity and it just doesn't stop here. In fact, without CNIC, no citizen can have political representation, nor can they enrol themselves into different programs or take up different courses or take part in voting etc. They are not entertained in any institution or in any arena without CNIC, which is a clear depiction of how maltreated they are. No political party has announced the seats for transgenders in its party. Only through political representation trans people would be better able to stand up for their rights (Baig 2024).

All in all, the findings above prove that unlike direct violence, which stems from an individual's actions, structural violence is caused by social, political, economic, and cultural frameworks that disadvantage a specific group (Galtung 2009), and in the existing case, its transgender individuals. These people are downgraded in Pakistan due to institutional, systematic, and structural discrimination. The above findings are in alignment with the report of Punjab Social Protection Authority (2018), that transgenders are refused respectable professions, so they are

forced to rely on dancing and begging for their daily sustenance. They have experienced violence, abuse, rape, and death. They face humiliation and exclusion in all settings, such as marketplaces, hospitals, schools, and government buildings. They also encounter prejudice, rejection, and shame from all horizons. Additionally, in the case of victim criminalization, they are not taken seriously but rather are mocked and laughed. Conclusively, they are not provided with their due rights in every walk of life

### ***5.1.3 Cultural Violence***

When something in a culture is used to support or legitimate structural or direct violence, it is referred to as cultural violence. Frequently, it encompasses ideas, representations, and concepts that legitimize or explain injury and prejudice. According to the data gathered through interviewing the local transgenders, one of the common theme that appeared was regarding the abandonment issue or family rejection.

#### **5.1.3.1 Abandonment Issue/ Family Rejection**

Transgender children are disowned even by their parents. Parents can tolerate a child that is blind, deaf, a dumb, a rapist, or a murderer, but not a transgender child. Some people think that the transgender community should raise children who are born with sexual abnormalities (Alam, Warraich and Rehman 2019). One of the transgenders who left her home 10 years ago and shifted from Karachi to Islamabad shared that the families don't support children like them and resultantly such people feel a sense of alienation and disconnection from the ordinary people. In her words,

We experience exclusion even in families. Consequently, when we get older and are able to observe and understand the world around us and get a deeper understanding of it, we make the decision to leave our homes.

(IP-1, Interview Transcript 1)

However, she also mentioned that she left home by her own choice, not because of abuse but because she felt out of place in that home. Her brother brought her to Islamabad at her demand, despite her mother's unwillingness. She added that she has some cousins in Islamabad who visit her regularly, and she continues to have her family's support, visiting them often as well.

I told my mother, that im your child but allow me to live in my world because I feel misfit in the world of normal humans to which my mother agreed. I left home with my own will, nobody forced me.

(IP-1, Interview Transcript 1)

Another transgender (IP-6), also had same experiences. During her time living with her family, she was subjected to a great deal of verbal abuse and bullying based on her identity and the way she used to dress up. People started calling her an abnormal woman. It got mentally exhausting for her so to better cope, she decided to leave her home and started living with transgender community. The family rejection faced by transgender people due to their gender identity is the worst kind of violence; it not only scars them emotionally but also makes them susceptible to direct violence (Klein and Golub 2016, 4).

A local transgender (IP-8) found in Sadar Rawalpindi told that she had to move out of her house because of the family's and people's actions. Her brothers and bhabis were not treating her nicely. One of the interviewees (IP-7) repeated the same story, that her family used to make her feel like an outcast and outsider, and they don't support her at all even to this day. Her stepmother used to beat and insult her all the time. So one day she decided to leave home and join her transgender community. The ill-treatment of the family and abandonment issue was repetitive and complained by almost everyone who was interviewed.

According to (IP-3), her family's reaction wasn't encouraging, her father never talked to her after that day, even when he does, she feels like he's despising her or his tone is hateful. She visits her home once in 2,3 months but only for her mother. Because she keeps crying and misses her.

(IP-9) shared her experience and seemed very sad, that their family don't want her to live with them because according to her family, she doesn't belong with them and doesn't support her at all. As per Kalra and Shah (2013), the transgender families are where condemnation begins.

Furthermore, Ms Reem Sharif, Deputy Director at Ministry of Human Rights and a Transgender, while sharing her personal experiences said that leaving their homes is one of the biggest struggles trans people have. They are forced to make a decision between their family and their gender expression. Thus, they ultimately decide on choosing the gender expression.

People would suffocate and die if they are not allowed to express their gender and being away from family makes one emotionally disturbed. Therefore, if given the choice between dying or being apart from your loved ones, you would choose the latter.

(IP-13 Interview Transcription 13)

(IP-4) a local transgender interviewed from Islamabad shared her story of how her family never accepted her and her identity but she doesn't blame them because she herself was unable to understand the changes that were coming in her. However, one day her father dropped her to the guru and never looked back at her, as she was and is an outsider for them. In her words,

For my family, I was always a source of "shame". The neighbours used to taunt my parents because of me. I don't live with my family now. For them, I have always been like an outsider.

(IP-4, Interview Transcription 4)

(IP-5) summarised her poor family treatment and abandonment story in the following words,

My family was embarrassed and angry. I was told to "change" or act "normal" because they feared what the neighbours would think. It broke my heart to feel like I was a disappointment to them. My father started avoiding me.

(IP-5, Interview Transcription 5)

It is believed that transgender people do not get any support from their parent families, their families distance themselves and brand them as deviant (Rehan, Chaudhary and Shah 2009).

### **5.1.3.2 Zero Social Support**

In Pakistan, the term "zero social support" describes the absence of resources, safety, and acceptance that transgender people face in society. The support for them by the people to change their ways of living is not there, which keeps pushing them into more difficult situation. This may show up in a number of ways.

(IP-7) recalled one instance where she felt the social stigmatization and ostracization. She grievously told that everyone in the society stereotype them. She once tried working as a house help at a home, but after 15 days they asked her to leave and didn't even pay her for the work

that she did. The main reason of her termination was the behaviour and unkind stereotypical remarks of the neighbours who taunted her house owners that they should have gotten anyone else as a househelp other than a KhawajaSira.

One of the participants (IP-8) believed that the difficulty in acquiring CNIC cards for transgender people, also results in people taking advantage of them. They cannot apply for jobs and other such opportunities. No CNIC means no identity.

Additionally, (IP-9) told that they don't look for jobs other than begging or dancing because they have compulsions to pursue these roles. And when they opt for another normal job such as being a salesperson, people judge them and won't support them in this role. Resultantly, trans people feel more comfortable doing the regular jobs that they have been doing since ages.

Everyone will make fun of me if I start working as a salesperson at some shoe store because it's an unusual job for me and an unusual thing for others. But I won't be judged if I dance or sing.

(IP-9, Interview Transcript 9)

Interview participant (IP-4) told,

I cannot travel peacefully even on public transport. Eventhough I pay full money but they ask me to stand and don't give me the seat to sit. And I cannot do anything about it.

(IP-4, Interview Transcript 4)

These findings ensure that family rejection, abandonment issues, lack of acceptance absence of social support in the society adds on to the problems of this group. This is also proven by Thoits (2011) that transgender people lack “**primary group member social support**”, which is being provided by the family. The lack of support, particularly from families, friends, and community members, is frequently one of the factors that push transgender people into a cycle of social exclusion, where they engage in risky behaviours like commercial sex work, drugs use, begging, and at times suicidal thoughts (Ahmed 2014).

### 5.1.3.3 Merging LGBTQ and Transgender: A Common Misconception

Pakistan, as an Islamic state, has deep cultural and religious origins and roots. Islam explicitly forbids homosexuality, considering it a sin. With the global rise of LGBTQ issues, many people in society mistakenly associate transgender individuals with the LGBTQ community, confusing gender identity with sexual orientation. This misconception, along with the increasing number of people who now "self-identify as transgender" after changing their gender, has put genuine transgender individuals in a difficult position. It has become harder for society to distinguish between authentic transgender people and those who identify as transgender for personal reasons. Additionally, the spread of various terms and jargon on social media related to transgender issues has further complicated matters for the real transgender community. This misconception and blurring distinction between different movements have fed wrong attitudes and beliefs in the minds of local people and they consider it okay to stereotype and discriminate transgender on religious grounds, as Islam prohibits homosexuality.

One of the interview participant (IP-9), mentioned that society often confuse them with LGBTQ but that's wrong. She separated herself from that movement and said that Trans community doesn't support LGBTQ rather it's the normal people who support such movements which is not their fault. She mentioned one of the Transgender activists name Almas Bobby, who also happens to be their President, who is also against this movement and led them to protest outside High Court against this rising issue. Because the society's lack of awareness and confusion is creating more rift between transgenders and the people. In her words,

LGBTQ is liberal lot. Those who have money, have no God and fear no one. Since we live in Islamic country, its prohibited for same gender to marry. Allah has made pair for everything, even animals don't do such things.

(IP-9, Interview Transcript 9)

Conclusively, this wrong notion and idea is also instigating violence and conflict in the form of cultural violence in the society against transgenders which often manifests itself in the form of direct violence. All such inaccurate ideas and beliefs should be dispelled and dismissed sternly.



## **5.2 Sub-section B: Findings and Analysis of Responses from Experts**

### ***5.2.1 Direct Violence***

Few of the core themes identified during the interviews from the experts regarding direct violence on transgenders were, physical assaults, murders, abuse, honor killings, transphobia, disrespectful and verbal abuse by people. Expert interview participant (IP-11), the Human Rights and Transgender Rights Activist from NGO Forum for Dignity Initiatives (FDI) in Islamabad told that transgenders are exploited and are involved in sex work, dancing in weddings and other private functions. After taking the work from these transgenders, many people don't even bother paying them and even when they do, it's not enough. Moreover, they are abused by many people in society. This response has also been proven by Jami (2005) that most of the members of this jeopardized minority are enforced to indulge in risky and dangerous ways of making their livelihood, including sex work, dancing, begging and substance abuse.

Another expert interview participant (IP-13), who is a transgender and working in Ministry of Human Rights (MOHR) as an officer, shared her personal experiences where her own brothers used to become severe with her by giving her the male clothes to wear. Things became tough for her and she could no longer live in that environment anymore.

Why are you making someone wear men's clothing if they aren't a man?  
Additionally, you wouldn't have to push someone to wear the garments if they are a man because they will gladly do so.

(IP-13, Interview Transcript 13)

The brothers forcing and reprimanding, shows the prejudice that society holds against transgender individuals. They struggle to accept them and do everything in their capacity to control the things and damage, because they fear shame from the society. Similarly, another expert on the subject matter, (IP-14), who is working as a Legal Advisor in the National Commission for Status of Women (NCSW) commented when asked about the violence faced by transgenders in Pakistan that,

Transgenders go through rape offences and forced sexual abuse. When they go to register the case in Police, they suffer at the hands of police too. Moreover, they have no families and the absence of any social support makes things more difficult.

(IP-14, Interview Transcript 14)

Her this response is the classic example of how direct and structural violence results in shaping the beliefs and attitudes of people and results in cultural violence in the society as explained through Galtung's theory. It has covered all the aspects of Galtung's theory.

### ***5.2.2 Structural Violence***

In terms of Transgender rights in Pakistan, it was observed that some societal systems affect transgenders by keeping them from achieving their fundamental needs. In contrast to physical or direct violence, structural violence is ingrained in institutions and societal structures and frequently takes the form of social injustice, discrimination, and imbalance.

Eventhough there are policies and acts in action for the protection of transgender rights such as Trans Protection Rights Act 2018. However, it has been suspended recently in 2022 due to many factors involved. The act was challenged by the people and was under review by Federal Shariah Court. Expert (IP-11) told that Pakistan has Transgender Protection Rights Act 2018, which is suspended as of now. That act was specifically for transgender persons and the constitution does say that they have the right to basic necessities, to basic human rights as said under the Universal Declaration of Human Rights (UDHR). And that's without any discrimination for everyone. She urged the decision of suspension to be taken back in order to fasten the efforts and to safeguard the transgender rights in Pakistan.

#### **5.2.2.1 Limited Effectiveness of Policy at the Grassroots Level**

Expert (IP-12), a Human Rights and Gender Communication Expert in National Commission for Status of Women (NCSW) while talking about the problems and amendments that should be made in the policies for trans people mentioned that there are a lot of loopholes in the system and the policies. She pointed out that even though people from trans community are included in drafting the policies, still the bills and laws are not being able to reach the grassroots level and are unable to yield the results for the community because the local transgenders are not as educated as those trans who belong to upper class and are educated so maybe the upper class

and educated lot of trans who have raised above are no more able to understand the severity and plight of common transgenders truly. As a result, the structure/system and transgender themselves keep hindering any improvement. She added that,

The policies are not being penetrated into the roots and are unable to accurately tackle the layman or local transgenders problems. The biggest problem is the failure of penetration into the grass root level.

(IP-12, Interview Transcript 12)

According to her, people who are literate or who use mobile phones or media, for them it is easy to talk and understand. But the actual people who are suffering in real, the help and policy is not reaching there. The biggest problem is the failure of penetration into the grass root level.

#### **5.2.2.2 Trans Rights 2018 Act- Reiteration of Constitutional Rights 1973**

(IP-14) talked on current policies active in Pakistan regarding trans rights and told that of course in Trans Protection Rights Act 2018, there is entitlement and the right of citizenship given to them. Additionally, there are quotas for employment, not just in government sector but also in private sector and they are encouraged to apply. But as a lawyer she believes that the act is just the *reiteration of constitutional rights* that are already present in the constitution of 1973. She considers that this act has failed to address the *specific* problems of this community. According to her, whatever has been mentioned in that act, it was not needed as it's just the repetition of 1973 constitution. Eg, the Constitution talks about right to education for everyone and the Act also talks about it. Issuing them ID cards, and giving them the citizenship is same as that in the constitution. So what's the need for the special act then? Because of this, the structural and systemic discrimination and violence continues on against transgender people. She said that,

Despite the fact that there are laws, we put in the efforts, we talk about it at every level but I still believe that we are not making our policies and laws with such deliberation and planning as its needed.

(IP-14, Interview Transcript 14)

This same point was pinpointed in the research of Alam, Warraich and Rehman (2019), that upon closer inspection, the Act appears to be no more than a repetition of Pakistan's 1973

Constitution from Articles 8 through 27. Nearly all of the rights guaranteed by the Pakistani Constitution to all people, including transsexual individuals, are codified in this legislation. Consequently, what is the gap that this Act is trying to fill? Unfortunately, this Act has failed to address the main problems of transgenders such as that of *identity* and *family abandonment*.

### **5.2.2.3 Social Injustice and Imbalanced Opportunities**

(IP-13), the Deputy Director in Ministry of Human Rights (MOHR) Pakistan, while recalling her personal experiences shared that her despite being an educated member of the society with double masters, faced employment problems. She remained unemployed for a couple of years before getting her first job at UNDP. But she considered herself in the good fortunate that she didn't have to go towards seeking shelter at typical Guru-Chela System. According to her, transgenders who go there, end up getting exploited often and are left with no choice but to engage themselves in less respected professions for earning money.

I mean, I don't look down upon them, but the professions that they have adopted for earning money, that's not right and respectable eg: begging, prostitution, dancing etc and I didn't want to associate myself with any such thing.

(IP-13, Interview Transcript 13)

Expert (IP-14) explained that transgenders are almost suffering at every front. From leaving education to leaving their homes due to unsafety and prejudice, it's tough for them to meet their ends meet due to social injustice that they're facing. And despite having employment quota, they still don't get hired and even if they are offered the opportunities, most of them prefer restoring to old ways of earning income.

Expert interview participant (IP-12) shared similar views along the same lines about how transgenders are undergoing social inequality and don't have enough options or opportunities to avail, even if they want to. She said,

They are into begging and other professions instead of capacity building, skill building. They are forced to be in other fields that are not really suitable to be taken up. They take those professions because they have no other option.

(IP-12, Interview Transcript 12)

Another expert (IP-11), working at an NGO also highlighted the social injustices in the following way,

Transgenders get stuck in the system of Guru Chela System, a system of slavery and exploitation. They are involved in sex work, dancing in weddings and other private functions, that also become source of exploitation as they're not paid enough.

(IP-11, Interview Transcript 11)

Many things could be inferred from the above statements including how Guru-Chela system is seen as a system of exploitation and whoever ends up there, gets stuck, with no way out and has to earn money by utilising less respectable professions. It can also be viewed from this angle that maybe Gurus intentionally cut the wings of transgenders and condition them to the thinking of earning money through old and conventional ways. Jami (2005), asserted that a significant portion of this marginalized minority is compelled to engage in perilous and illegal forms of employment, such as prostitution, performing, drug addiction, and begging. This exclusion perpetuates their economic vulnerability. Resultantly, laws and practices that discriminate against transgender persons, such as those pertaining to employment and identification documents, establish a system that systematically disadvantages them. This exclusion perpetuates their economic vulnerability. Alizai, Doneys, and Donna (2017) also mentioned in their study that because this, legal system denies transgender people equal rights and opportunities, it contributes to structural violence.

### ***5.2.3 Cultural Violence***

As already explained, culture violence might be used to support or legitimize structural or direct forms of violence. This encompasses the ways that violence is justified and made to seem normal in society via religion, ideology, language, art, and science.

#### **5.2.3.1 Acceptability Challenges**

According to (IP-11), one of the major challenges that transgender face is that of acceptability. They don't get accepted anywhere in the society, not in their homes even, it is mainly due to the belief system that is rampant in the society regarding these individuals, wrong beliefs. She told that every problem starts with this lack of acceptability concept. They leave their homes, education, and everything behind in order to feel a sense of acceptance which they find in their

transgender community. But unfortunately, most of the times their community also exploits them, ruining their lives. She has called the Guru Chela System as a system of slavery and exploitation. Additionally, the expert (IP-11) in her response she also highlighted the problem of acceptance and abandonment that transgenders people face as they are not being accepted and feel left out by the society and their families too. Most of a person's rights, including equality and dignity, are naturally safeguarded if their life with a typical family is preserved. This will remove the alternate family structure for transgender individuals, which represents prejudice and discrimination against oneself (Sultana and Kalyani 2012). (IP-14) also have same thoughts on this. With no social support or family acceptance, things get more difficult for transgenders.

They have to forsake their education and leave homes. Moving to different parts of the country into their communities, they have to make their ends meet and have to restore to begging, immoral practices.

(IP-14, Interview Transcript 14)

(IP-3), a transgender officer working at MOHR during her conversation pinpointed “*acceptance*” as the major challenge for transgenders. She demands acceptance from the society, she wants people to accept the existence of 3<sup>rd</sup> gender because as a 3<sup>rd</sup> gender. She said that if women are not comfortable sharing their spaces with us, then we are too not comfortable using their spaces and want our own. In her words,

All we want for is to be placed in the third category, with separate places and jails from the genders that were specified earlier. We desire our own spaces and acceptance.

(IP-13, Interview Transcript 13)

Another expert (IP-15), who is a senior researcher at Federal Shariah Court explained the plights of transgenders from Islamic point of view. He debunked all the false theories regarding transgender (intersex) children, and told that Islam encourages people to treat such children with extra kindness. He also pinpointed,

People abandon transgender children from their homes, which is totally against the teachings of Islam. Such children are left in the open, without any support from families which is a sin in Islam and must be avoided.

(IP-15, Interview Transcript 15)

Hence we can conclude, that all the subject matter expert pointed out the challenge of acceptability as the main problem faced by transgenders which shows the intensity and severity of this concern. These findings not only tell the importance of social support for transgenders but also pinpoints how every problem that transgender face starts with abandonment or unacceptability. This one issue opens ways and doors for other issues and things keep getting complicated. Without respect and acceptance from society for their identify as a third gender, transgender people's basic rights cannot be upheld in their entirety.

### **5.2.3.2 Misconceptions About Competency**

Another challenge faced by transgender individuals is preconceived incompetency issue. In many countries, including Pakistan, transgender people frequently experience severe prejudice in the workplace. Deeply ingrained preconceptions and false beliefs about their competence are the root of this mistrust. Employers may be biased toward transgender people because they think they are incapable of carrying out their jobs well. This has been highlighted by (IP-13) too.

People mistrust you and don't give you work or jobs because they think it's not your competency and you cannot work.

(IP-13, Interview Transcript 13)

(IP-14) had same opinions. According to her, despite allotting employment and educational quotas for this marginalized community, the society and transgenders themselves are struggling to be in the presence of each other. There is ambiguity and mistrust in the air which needs to be cleared so that transgenders can start doing normal jobs too. This is pertaining to the fact that change is difficult for everyone and takes time to get adjusted to.

The key takeaway here is how our society harbors prejudice against transgender individuals, often doubting and judging their intelligence and mental capabilities due to their physical differences. Simply having a physical abnormality does not make someone incapable of performing normal duties or fulfilling roles. However, when people hold such biased beliefs and act upon them, it leads to discrimination and violence within the society.

### 5.2.3.3 No Social Protection

This identified theme can be explained from the interview responses of the expert (IP-14). She is of the view that transgenders do not have any social support from the society or institutions whatsoever, which is producing structural violence that is causing cultural violence. She told that the transgender act has failed to address the *special, specific and detailed* problems of this community. As its consequences, the department such as NADRA, Passport Immigration Department or the departments dealing with identity, keep making and introducing new policies but they don't take into account the existence of the transgender community within Pakistan. For example, the refusal of issuing X cards most of the times. She explained her point with an incident faced by Nayab Ali, an educated transgender who was contesting in 2024 elections.

She's in a much powerful position in the society than her other fellow transgenders. So if politically active and strong people like her are going through this, imagine the plights of the local transgenders. They absolutely have no social protection.

(IP-14, Interview Transcript 14)

(IP-12) touched the concept of social protection in a different light. She shared her opinion that due to social media, the transgender issue has started getting more exposure. People have gotten to know more about transgender and the awareness is more but on the flip side of all this, the exposure has come with its cons. There is a lot of misconceptions and miscommunication about transgender identity which is being related to religious aspects. Due to which, the transgender community is now more scared than ever, they have come into light. Their identity has become a life-threatening issue. They are disliked by conservative and religious individuals. However, homophobia and transphobia remain pervasive, and these disadvantaged communities continue to face terrible obstacles (Akhtar et al. 2021). The expert also opined that many people in the society are also transphobic and do not accept the existence of any gender other than the two genders. Such situations are also leaving no room for social protection of transgenders, because if people are transphobic and against you, the social acceptability is going to decrease and so is social protection.



#### **5.2.3.4 Issue of Vulnerability/ Power Imbalance**

According to (IP-12), she pinpointed the issue of vulnerability which is giving rise to cultural violence in the society against transgender individuals. According to her, Pakistan is a patriarchal, religious country where men predominate. Men are connected to certain gender roles. This brings up the subject of vulnerability. Vulnerability describes the condition experienced by women, children, members of marginalized communities, transgender individuals, or any other smaller groups facing racial or ethnic disparities. All of these groups eventually experience hostility and various forms of violence from the people who are in power or are stronger. Baig in her article also talked about the issue of vulnerability that in Pakistani Muslim society, where gender norms are deeply ingrained and patriarchy is the norm, it is evident that transgender people have little to no place in the social structure (Baig 2012).

This can also be seen as a power imbalance between patriarchy and other social groups, including transgender individuals. Alternatively, the power disparity can be understood as society as a whole versus the transgender minority. Which means transgenders are in low power due to their gender identity whereas the people belonging to the other two genders are in high power. This results in power imbalance in the society causing disparity in the distribution of resources, basic life necessities, opportunities etc. In the words of the expert (IP-12),

It all begins with fundamental intrinsic conditioning from the society we are raised in. We all inherit these prejudices from our upbringing. Although it's not our fault that we inherit them, it is important to recognize them and work on them.

(IP-12, Interview Transcript 12)

This is consistent with the idea that attitudes, ideas, and belief systems that are ingrained in our minds by the people around us are the means by which cultural violence is spread. When we witness others exhibiting such behaviors and holding those beliefs, we begin to internalize them without challenging them. Since everyone is doing it, we assume that it must be the appropriate thing to do. Cultural violence is the outcome of this which manifests in the form of society holding negative views, ideas and beliefs about transgenders and acting accordingly.

#### **5.2.3.5 Religion, Transgender and Other Movements: A Blurred Distinction**

One of the ways, through which cultural violence perpetuates in Pakistani society leading to structural and direct violence is through the wrong interpretation of religion which is one of

the components of establishing the foundation for cultural violence. Pakistan is a country with a strong religious and cultural heritage, many people misapprehend the concept of homosexuality and associate it with transgenders. Apart from that, the current 2018 Trans Protection Act also had some unclear and ambiguous terms in its body that led to further confusion about this marginalized community.

The interview participant expert (IP-12) touched this point that the 2018 Trans Act was contested and brought before the Shariah court, where numerous objections were brought forward. Since several of its terms went against the fundamental principles of Islam, many individuals were against this in its entirety. Furthermore, as an Islamic republic, Pakistan is unable to embrace any policies that contradict the faith. People believed that this Act might open ways for the legalization of homosexuality in Pakistan. The other primary obstacle that arose was that people believed it to be a secular issue, driven by Western interests and spearheaded by Westerners. This was untrue, though, as the transgender community in Pakistan as well as transgender individuals themselves wrote and drafted the Act. They headed the initiative, participated, and advanced themselves.

Expert (IP-13) also expressed her disappointment that no awareness is done by religious entities to clarify the misperceptions in the society regarding transgenders. As she believes that little to no work is being done on religious corners which is one of the biggest challenges for this marginalized community.

Another expert (IP-15) from the Federal Shariah Court highlighted a significant issue: the growing confusion between actual transgender individuals and those who self-identify as transgender after undergoing surgeries to change their gender. He pointed out the ongoing tension between these groups, with true transgender individuals claiming that their rights are being challenged by self-identified trans people. These individuals often take advantage of quotas intended for the transgender aka intersex community, and as a result, many real transgender people are facing public hostility due to the actions of self-perceived transgenders. This has further deepened the confusion surrounding transgender identities within society. Therefore, keeping all these and many other points in mind, the Federal Shariah Court (FSC) has raised the point that if someone has a problem with his or her identity, they cannot decide for themselves. Rather a medical board would be devised and the person would be examined by it and declared if they're male, female or trans. Since the problem doesn't end here, the problem extends to inheritance issues, nikkah issues and rights, employment issues, education

rights. And the solution to this is to remove the clause of “*self-perceived identity*” from the Trans Rights Act 2018.

One of the transgender activists, Almas Bobby held same views while telling VOA argued that this rule protects persons “*who want to change their sex only because of a personal preference*” and that there aren't many “real” transgender people in Pakistan. She wants the term “transgender” should only be applied to people with ambiguous genitalia (Zaman 2022).

In conclusion, the first question of the research demonstrated that Johan Galtung's Theory of Violence can be effectively applied to provide a comprehensive analysis of transgender rights violations in Pakistan. Interviews with local transgender individuals and subject matter experts revealed the ways in which violence manifests in three forms: direct, structural, and cultural. The findings of this research also highlighted common issues and themes that contribute to collective violence against transgender community in Pakistan.

## Section – II

### **Can Galtung’s ABC Conflict Triangle model update strategies and policy recommendations to promote and protect transgender rights in Pakistan effectively?**

In this section, the inquiry focuses on whether applying this model can enhance approaches and regulations aimed at promoting the protection and upholding of transgender rights in Pakistan. In essence, the question is whether a deeper knowledge of emotions, behaviors, and underlying issues may result in more effective measures to guarantee transgender individuals in Pakistan equal rights and protection. So for this purpose, we are using Galtung's ABC Conflict Triangle model to aid us in the development of more effective plans and regulations to advance and safeguard transgender rights in Pakistan. The problems and their possible solutions have been identified and proposed from the data gathered through the interviews of local transgenders and experts.

#### **5.3 ABC Conflict Triangle Model**

The three perspectives that Galtung's ABC Conflict Triangle model examines are Attitude (how people feel), Behavior (how people act), and Contradiction (underlying causes driving the conflict). It is known as Galtung’s ABC Conflict triangle model for simplicity but when following the sequence, it goes as CAB. One potential conflict sequence example is CAB, which could begin objectively with an internal attitude that manifests itself externally as aggressive, non-verbal, and/or physical action. With the aid of this definition, we can discuss the CAB as a conflict theory that directs discussions, as a dynamic stage in conflicts, or as a strategy for finding solutions (Galtung 2013, 22).

Here, Galtung says in order to resolve any issue, we must target the *contradictions* and try resolving them, resultantly people in the society would start having changed *attitudes* and thoughts which they would exhibit in their *behaviours*. So using the data gathered, policymakers and campaigners would be better able to understand the underlying causes of violence and discrimination against transgender people by using this model.

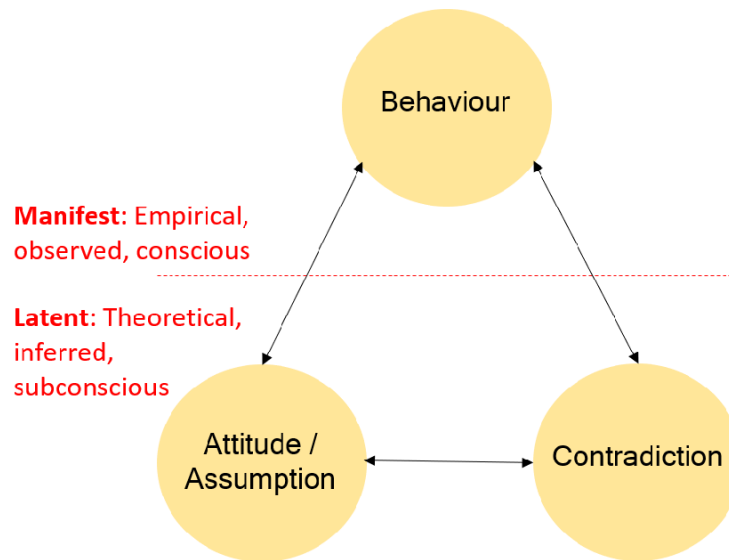


Figure 5.3: ABC Conflict Triangle Model

### 5.3.1 Contradictions (C)

It's critical to recognize the root causes or contradictions that lead to transgender people's marginalization. Economic inequities, lack of access to healthcare, and judicial injustices are a few examples of these inconsistencies.

#### 5.3.1.1 Legal Framework Shortcomings

There are shortcomings in execution of progressive laws. Many transgender people are unaware of their legal rights, and law enforcement organizations might not have had the necessary training to deal with such cases. They also face problems in legal recognition and cannot update their identification documents to reflect their gender identity. Most of the transgenders who were interviewed told that they don't have CNICs. Upon asking the reasons, some didn't know the right way to get it done, many told that their Gurus didn't get them made the CNICs, and few shared that the authorities or representatives present at NADRA don't entertain them.

However, one of the experts (IP-13) shared that as a part of *policy intervention*, the government asked the trans to make the CNIC cards, but they refused. According to her, In Pakistan, only 2-3000 people have trans cards, the rest don't have it. It's very easy to blame and pinpoint the

government but no one does the soul searching and do the work that is needed from them. Trans people also don't cooperate with the government which makes things more difficult.

### **5.3.1.2 Economic Disparities**

The term "economic disparities" describes the notable discrepancies in financial status, earnings, and economic prospects between people, communities, or geographical areas. These differences cause unequal access to resources like jobs, housing, healthcare, and education, which frequently widens the wealth divide among the rich and the poor. People who identify as transgenders face economic difficulties as a result of job discrimination and limited educational opportunities. Their prospects for a higher standard of living are restricted and their susceptibility is made even more acute by this economic marginalization. A major contradiction faced by this marginalized community is *employment discrimination* pushing them towards economic ostracism.

Transgender individuals face higher rates of unemployment and underemployment due to discrimination, lack of trust of people, misconceptions about competency and lack of inclusive workplace policies. People in general and transgenders themselves have stereotyped and restricted to certain ascribed roles. People don't hire transgenders because they have misconceptions about their competency and believe that they are misfit for roles other than begging, dancing etc. Transgenders on the other hand, also have internalized this viewpoint that they're misfit for any normal job, so they stick to their conventional ways of earning. Every transgender who was interviewed, voiced their opinion that they want *economic stability*, which is only possible by eradicating employment discrimination against them.

### **5.3.1.3 Political Marginalization**

Transgender people who don't fit into two binary categories face contradictions due to Pakistani society's highly ingrained gender binary. Education, media, politics and family structures are just a few of the social institutions that perpetuate this dualistic system. There is a lack of acceptance in the society and less inclusion in politics, public policy discussions and decision-making processes. One of the experts (IP-13) mentioned that the political parties in the Pakistan are not sensitized on this issue, they don't have the clarification about many aspects of transgenders. Additionally, there's very less representation of transgenders in the parliament or policy making.

Another expert (IP-14), while recalling the recent elections of 2024 shared that a famous transgender activist Nayab Ali, was contesting for elections and faced many issues. She and other transgender people were the target of a legal case that claimed they shouldn't be permitted to run for office due to their gender identity. However, after receiving the go-ahead from the judge, they were permitted to run. This demonstrates how society views them negatively and prevents them from taking part in elections and other public affairs. Even though Nayab Ali is in a much powerful position and much better condition in the society than her other fellow transgenders. So if politically active and strong people like her are going through this, one can imagine the plights of the local transgenders. They absolutely are being side-lined.

### **5.3.2 Attitudes (A)**

It is imperative to address cultural views toward transgender individuals. Many people in Pakistan have negative attitudes towards transgender individuals, stemming from cultural and religious misconceptions. Prejudices, biases, misunderstandings and stigmas that are present in the community were found using the model.

#### **5.3.2.1 Cultural and Religious Beliefs**

Attitudes regarding transgender people are greatly influenced by cultural and religious beliefs in Pakistan. Transgender conditions are frequently misunderstood and underreported, which breeds prejudice and stigma. Pakistan being an Islamic state, religion is the backbone and every decision is taken in the light of religion. However, sometimes due to flawed interpretations of religious texts, many people in the country continue to have unfavourable opinions toward transgender people in Pakistan. People have developed transphobic tendencies against them which is alarming.

#### **5.3.2.2 Family and Community Pressure**

Negative sentiments towards transgender children may arise from social pressure on families to adhere to established gender norms. Attempts to hide or "correct" the transgender condition may result from this, as well as feelings of shame.

#### **5.3.2.3 Social Disgrace and Separation**

Parents consider transgender individuals as a disgrace and believe that their standing in the society has been tarnished, as a result parents don't hesitate cutting ties with such children and

abandon them. Expert (IP-13) highlighted this stance in her interview too that, parents experience damage to their masculinity and sense of self and self-ego. They are of the view that their kid who had the potential to give them dignity and was a potential male, turned into a woman? Furthermore, women are already denigrated in our society. Overall, each trans person faces the same circumstances. Whether a transgender person is seated as an 18th grade officer or is begging on the streets, they both have the same issues and have people tell them that they are a disgrace.

### **5.3.3 Behavior (B)**

It's critical to comprehend the actions that support discrimination and violence. The model helps in examining how these behaviors show up in many contexts, including public areas, workplaces, and educational institutions for transgender individuals. The behaviours and their possible solutions have been collected by the data gathered from interviews.

#### **5.3.3.1 Discrimination and Marginalization**

In *healthcare* setup, transgenders frequently experience prejudice in medical environments. In addition to being compelled to conduct needless procedures in order to conform transgender bodies to binary gender stereotypes, medical practitioners might not have the requisite expertise to give adequate care. Unfair treatment can also be seen in areas of *employment and education*, where transgenders face less opportunities, harassment, or bullying because of their gender identity or expression. In terms of *legal recognition and protection*, although there have been some legislative advancements in Pakistan, such as the 2018 Transgender Persons (Protection of Rights) Act that includes transgender people, social acceptance. However, enforcement of the law still lags behind, leading to persistent prejudice and a lack of safety. This Act was challenged that some of its clauses are not in line with Shariah and constitution so amendments were asked. Additionally, transgenders have little to no *political* access and are under-represented in the parliament, nor do they have CNIC cards which poses a serious threat to them availing any kind of opportunity.



## 5.4 Strategies

### 5.4.1 Awareness Campaigns and Sensitization for Public and Parents: Contact Theory

Campaigns for awareness and sensitization can be facilitated through *sensitization* and *public education*. Promoting nationwide initiatives to dispel stigma, dispel misunderstandings, and educating the public about transgender conditions. The importance of educating public about minority rights is proven through the research of Magni and Reynolds that says that a young, intelligent, progressive white woman will be friendlier to transgender individuals. Transgender people are viewed favorably by egalitarians. Conversely, religious, traditional and uneducated individuals despise them (Magni and Reynolds 2020).

The other ways to sensitize the public is through utilizing social media, media, and volunteer programs in the community. Positive interactions with transgender people reduce prejudice towards them. Transphobia even decreases when people in the society are exposed to knowledge and photos of the targeted groups. The use of the *contact theory* is comparable to that of media exposure and interpersonal communication. Research (Magni and Reynolds 2020) has demonstrated that social interaction can be an effective strategy for fostering acceptance of out-group members. Contact theory's impacts can be multiplied by informative portrayal of transgenders and their issues. Notably, the parents should be counselled and included in these trainings too and be educated having a transgender child doesn't affect their social standing nor does it bring any disgrace.

### 5.4.2 Religious and Community Leaders Engagement

Through *training programs* and *dialogue initiatives* with religious and community leaders, we can change the attitude of the people towards transgenders. To make sure that religious and community leaders are knowledgeable of transgender issues and capable of advising and educating Pakistan's populace on this issue, we need to arrange training sessions and dialogues with them. Religious authorities should dismiss any remaining queries or confusions about transgender issues in the context of Islam and religion by conducting seminars, coming to talk shows, using social media etc. We can aim parents here too, and can teach them through Islamic lessons and discourage them to abandon their children. Because it's from abandoning, where the problem starts. Such actions would foster inclusivity for transgender people and establish a welcoming environment for everybody

### **5.4.3 Healthcare Improvements**

This should be done through *Medical Training* and introducing *Non-Discriminatory Policies*. The healthcare workers should receive specialized training on transgender issues, consent, and the value of physical pride. Providing them with personalised healthcare is important, particularly in the areas of sexual education and mental health and psychosocial support systems, which call for professional training in these areas. Furthermore, in order to guarantee that transgender people are treated with respect and appropriateness in healthcare settings as transgender patients or trans employees, *non-discriminatory policies* should be implemented and upheld.

### **5.4.4 Educational and Workplace Inclusion**

We need to incorporate education about gender diversity and transgenders into school curricula to promote acceptance and understanding from an early age amongst the young kids. The early learning centres and incubators for transformation are schools. Students become ignorant and prejudiced when not taught about taboo topics in schools. Interviewees stated that they were forced to leave school due to mistreatment and incomprehensible behavior from both professors and pupils. Hence, for educational and workplace inclusion for transgenders, *anti-bullying policies* should be developed and introduced in schools and offices in order to protect the transgender individuals. Similarly, diversity and inclusion training should be encouraged in the workplace and measures should be implemented to stop prejudice against employees who identify as transgenders. In addition, companies should not hesitate to hire transgender people for positions that seem unusual for them to fill; doing so promotes *workplace inclusion*.

### **5.4.5 Legal Protection**

This could be done by *Enforcement of Existing Laws* such as strengthening the enforcement of the Transgender Persons (Protection of Rights) Act 2018 and other relevant laws. And providing *Legal Support Services* for transgender individuals facing discrimination or abuse. In addition, legislation imposing severe penalties or holding families accountable for entrusting their children to gurus should be developed in order to bring transgender families into the mainstream. The abandonment issue can be largely improved and remedied by imposing legal sanctions on families who mishandle and abandon their transgender children. People would develop a fear of the law, which would lessen the number of abandoned cases.

### **Section -- III**

#### **What efforts should be made to change societal and cultural attitudes towards transgenders?**

The efforts that should be made by the relevant parties to alter societal and cultural perceptions about transgender people are the subject of this section. As before, interviews with local transgender people and subject matter experts were being conducted to learn more first-hand information and to gain their thoughts on the current issue.

#### **5.5 Sub-section A: Findings and Analysis of responses from local transgenders**

##### ***5.5.1 Awareness in Transgender Community***

Throughout the interviews, this was one of the themes that kept coming up. It is noteworthy that the transgender community itself is one of the main players in the current situation, so it is imperative to increase awareness within this community as well. Unless transgender people accept the change for themselves and work with others to better their circumstances or understand their rights, until that time the government, state, or society should not be the only ones to get targeted or expected to bring about the change.

(IP-1) a local transgender who's working at an NGO to have her ends meet shared her opinion that the transgenders have gone very lenient. They don't want to work hard, rather they chose the shortcuts, they want to earn the easy money. She hopes that people in her community should try making a living through ethical and halal means. They ought to take advantage of the chances the government offers them. However, the majority of them still favour the outdated methods of earning because they think that using those methods will increase their income more than using legal ones and it is difficult to alter people's mind-sets. She has advised that the state must focus on raising awareness in transgender community too, they should be taught on grabbing the opportunities being provided to them.

##### ***5.5.2 Institutional and Public Sensitization***

No civilization can advance or improve until its citizens are not made aware of and educated about delicate subjects. The violation of transgender rights is one of the touchy and taboo subjects in Pakistan that requires further discussion. Individuals ought to receive education regarding transgender individuals. Likewise, organizations that have direct interaction with

transgender people, like the police department and medical professionals, should also receive training and awareness on how to treat this underrepresented group with dignity. Many transgenders while being interviewed, complained about the ill-treatment of people and police with them. They wished to be treated with respect and dignity and this can only be possible if we teach our society to be empathetic and kind towards them.

Transgender (IP-2) expressed her sorrow that people must refrain from acting in a cruel and disrespectful way and adopt a different mind-set while treating them because, let's face it, not everyone from their community is involved in bad practices or makes bad decisions and, let's face it, we are all just human with our own concerns and feelings.

Similarly, another transgender participant (IP-9) expressed that they feel alienated in the society. She was of the view that people treat them differently and call them different names. They deserve respect and be treated with kindness as they are also the equal members of the society. And wish to lead to lead a happy life too like every individual and human out there, irrespective of their gender or identity. Transgender (IP-6) said,

We are also humans and should be treated like such. Please give us respect and dignity and don't treat us poorly. We need confidence boost too, treat us as equals.

(IP-6, Interview Transcript 6)

Similarly, another transgender (IP-4) said,

Our lives are just like anyone else's. Our identity is not a mystery. It is not our fault that we are born this way, its in Allah's hands. And it is everyone's duty to give us respect. People need to understand.

(IP-4, Interview Transcript 4)

All in all, every transgender in their interviews mentioned the need to have public and institutional sensitization towards them, and to treat them with kindness and empathy. They want to be regarded as humans, as equal part of the society.

### ***5.5.3 Providing Financial Incentives***

Financial incentives and economic stability are one of the crucial things for anybody in today's times. And more important for people who are being marginalized and not even given their

basic rights, the battle for them to fight for their rights is 10 times harder than anyone belonging to a normal group. The interviews taken from transgenders also pointed out this thing that the government should try providing financial stability or incentives or scholarships to them. They should fix some amount to be given to them monthly or provide them with health insurance etc.

Input from the transgender participant (IP-9) suggests that she wants the government to provide them with simple access to free healthcare and education, as well as affordable goods. Inflation must decline in order to make life easier for everyone.

Likewise, another transgender, (IP-1) told that even though the government is making skills and learning centres for trans people, but those initiatives are failing as transgenders don't go there. They prefer begging and making money than to waste their time and sitting in some learning school. She suggested that the government should allocate financial incentives to transgenders too, in addition to making skills centres, it would act like a reward and a motivation for the transgenders to enroll themselves in such government led initiatives. She added that, even if the government keeps building more classrooms and schools, transgender persons have no financial incentive to attend. Money is what transgender people want and chase after. (IP-1) during her interview, told about a skill centre in Bari Imam that provides transgender students attending the school with a monthly payment of Rs. 10,000. Because of this, the majority of transgender students plan two to three hours of time each month to attend the centre— a good effort by the government according to her.

Adding on to this, (IP-8), another local transgender shared similar views about why transgenders don't go to the skills and vocational centres opened to assist trans community. She told that they must work hard to provide for the family. Who is going to earn money if they go there? They have no source of income nor do they receive any monthly salary from the government to help pay for their time that they spend there for getting education. She further added,

To assist our families, a large number of my friends and I are here. We won't be able to provide for our family if we start attending schools. Our family relies on us for financial support as my parents are old.

(IP-8, Interview Transcript 8)

## **5.6 Sub-section B: Findings and Analysis of Responses from Experts**

Moreover, the experts were questioned and asked for their thoughts on this. The following list includes some recommendations made by human rights advocates, religious scholars, legal counsel, and transgender campaigners and activists.

### ***5.6.1 Building Awareness Within Transgender Populations***

Awareness building is really necessary, not just in the society but also in the transgender community itself. One of the expert respondent, (IP-14), shared her opinion too. According to her, the government is either not doing enough to raise awareness and provide training—given the delicate nature of the subject—or is not doing enough of both. In her words,

There are certain places where training sessions are being conducted and trans persons are told about their rights. But you doing one session with 50 people at a particular area, isn't sufficient to bring the change.

Furthermore, she said,

So, efforts are being made by the government, undoubtedly but I believe the pace, the frequency, the magnitude is a lot slow and not up to the mark and really needs improvement.

(IP-14, Interview Transcript 14)

Likewise, (IP-12), a Human Rights activist at NCSW, explained that transgender people should also be made aware of their rights and responsibilities as state citizens. This would facilitate the effective execution of the government's policies. Since there are class differences within the trans community as well, it frequently fails to connect with the lower class trans people present at the bottom. People are content because things are appropriately getting to their level or the xyz level. But at what price? It's not getting penetrated deep down into the roots where the actual problem is lying and it is not reaching the local community of transgenders as it was supposed to. Quoting her more words,

The trans community itself is bifurcated into different types and sets. Some belong to the elite side and have gotten their acceptance from the society. While some haven't

gotten acceptance from their families and they end up in the most vulnerable of the vulnerable in the society.

(IP-12, Interview Transcript 12)

According to her, not just the elite transgenders but the local transgenders must also know their rights and duties, only then change can be brought. Furthermore, (IP-13) said on the same lines, that there should be *behavioural interventions* for transgender individuals. It is equally imperative that transgender persons modify and change their behavior and approaches as well, as this problem has become mainstream. These patterns must be broken. The transgender beggar would prefer to begging because it is a higher income than working for a 35k monthly pay, even if you offered him the job. Regardless of how cozy or accommodating you make their surroundings; people persistently return to those typical occupations such as begging, dancing, prostitution etc.

### ***5.6.2 Utilizing the Gurus for Awareness in Local Transgenders***

The expert respondent (IP-12) shared another important aspect during her discussion that rather than government and state using other mediums for awareness, why not to use the gurus for educating the local transgender? We can target the gurus to spread awareness because trans really respect them. And they take pride in this. So to impact the family unit, one must target the family head who are gurus. She insisted that perhaps we must use members of their own community who are on the same level as them to raise awareness inside their own community. Gurus have a significant role. They are difficult to reach, while trans activists are easily reached. The gurus' privacy is rigorously maintained. Commoners and local transgenders are more able to relate to them, listen to them, and establish a connection than outsiders or transsexual individuals. We can utilize the experts to make sure that regulations are followed and to raise awareness. She further said,

Since the guru system is highly regarded and the trans community views them as parents. Gurus have a significant impact on the emotional, physical, and social health of transgender people in the community. They are also very important to them.

(IP-12, Interview Transcript 12)

### ***5.6.3 Mind Making and Awareness of stakeholders through Social Media platforms***

(IP-14), a legal advisor at NCSW is of the assessment that social media and other media outlets should be used for spreading awareness in general public. She pointed out the crucial factor, in her opinion, is that individuals in our culture don't absorb new information or skills rapidly from books or the law. They learn more, in her opinion, from awareness, television, and similar media. Thus, it's possible that we aren't making the most of our resources to change people's perceptions and foster acceptance of transgender people. An act or law may be published in the gazette, but who in KPK, South Punjab, or interior Sindh will read it? On the other hand, it's possible that people are using social media or watching television there. Therefore, she thinks that we can reduce or alleviate structural, institutional, or cultural violence and discrimination by employing the media.

A human rights activist and interviewee (IP-11), shared her stance too and urged the government to utilise social media platforms for awareness campaigns. She told that the majority of the trans community is extremely active on social media platforms like TikTok, etc. So we can target the social media for spreading awareness amongst transgenders and the local public on the said topics. Therefore, it would be beneficial if the public and private sectors accelerated their efforts by incorporating social media into their strategic plans. So they can spread the news more effectively in this way.

### ***5.6.4 Religious Organizations Advocating for Transgender Inclusion***

Pakistan being Islamic Republic, no law can be passed that is against the spirits of Islam. The Trans Protection Act 2018, was challenged in the court for some of its clauses against Shariah. The backstory of it being, In the Shariah Court, Hammad, the petitioner, made a request on the Trans Bill 2018 backs the LGBTQ community. The judges requested that the petition's phrasing be improved because it was originally written in an impolite manner. The main issue was with the "*self-perceived identity*". According to the petition, people can use this provision to justify their belief that they are transgender; but, any ordinary male or female can likewise change who they are. It is forbidden to alter Allah's creation.

One of the experts, who is a senior researcher in Federal Shariah Court shared the details on this matter. He stated that a variety of experts, including doctors, psychologists, gender activists, and human resources activists, were called upon by the Federal Shariah Court to provide their opinions and rulings on this subject. The 2018 Trans Act's reference to "self-



perceived identity" was found to be inconsistent with Islamic principles and should be changed after a careful examination of the situation. Apart from this, Islam does not oppose transgender rights.

He further told that in Islam, the **government and parents** are the two parties involved in this matter. Rather than evicting these children from their homes, parents ought to be counselled on how to care for them and ensure that their rights are met. Islamic teachings need to instil in parents the virtues of patience and kindness in the face of adversity. According to him, the State is the second Islamic stakeholder. The state is incredibly liable. In this instance, the state is accountable for these people. Their diet, health, and education should all be improved. The government may establish institutions designed specifically to address these individuals' problems. Since they are equal citizens of the state, the state must provide for them, such as by setting aside certain amounts for their work and education. In his words,

The ulemas ought to educate the general public about the problem. The only ways to address this issue are via education and raising awareness of transgender rights.

(IP-15, Interview Transcript 15)

He also opined,

Such individuals are abandoned by their homes, which is completely against Islamic beliefs. Islam advises treating these people with greater love, since these kids are unique and are more sensitive. Parents should own them and refrain from acting in this way.

(IP-15, Interview Transcript 15)

Not to forget that expert (IP-12) highlighted the religious factor too. She said that the 2018 Trans Act did have some loopholes which were overlooked. The focus was onto passing the bill in the parliament. She said that the drafting committee which she was also somehow a part of, should have avoided going very hastily into policy making which contradicts your constitution and can be challenged by other institutions of your own government. This thing should have been well accounted for and seriously taken into consideration while this policy was being developed because it backfired on religious grounds, creating more mess and problems for transgenders. In her words,

Sometimes you have to strategically look at the longer viewpoint. And yes inherently, I do personally think the religious scholars should be taken on board too, in order to avoid the whole future mess.

(IP-12, Interview Transcript 12)

In summary, the strategies proposed should emphasize raising awareness not only among the general public but also within the transgender community. Furthermore, parents and families of transgender individuals are vital stakeholders who must be counseled and educated to avoid abandoning their children. The Transgender Persons (Protection of Rights) Act of 2018 has several challenges, and one of the main ones is family culture, which is the starting point for refusal of property, rights to education, health, and other rights (Tabassum and Jamil 2014). Strict laws and actions should be enforced against those who forsake their transgender children. Additionally, transgender individuals should be granted both socio-economic rights and political representation in parliament to amplify their voices and ensure broader reach. Religious leaders should also play a positive and inclusive role, dispelling misconceptions and promoting understanding toward the transgender community.

## **CONCLUSION**

The study's results have proven the dissertation's hypothesis that to end the direct violence against transgender people, we need to recognise the structural and cultural roots of the problem and then develop appropriate control and policy measures to not just control but also try reducing the violence and human rights violations in all the circumstances and contexts. The research's conclusion establishes that irrefutably transgender individuals are the most vulnerable, affected and side-lined group in society. They face rejection and family abandonment by their families and society because of their identity of being a third gender. Consequently, they also bear lack of social support, harmful religious beliefs, and familial neglect which falls under cultural violence. This cultural violence is intensified and multiplied by structural violence, which exhibits in the form of discrimination in schools, hospitals, workplaces, lack of voting rights, minimal political representation, police brutality and inadequate justice. According to Galtung's theory, cultural and structural violence are root causes that lead to more visible forms of direct violence, in the shape of honor killings, rape, sexual abuse, and murder etc.

Keeping the above findings in mind, the research recommends the stakeholders to create focused strategies to address these many forms of violence by having a thorough grasp of them using the ABC Conflict Triangle model. This approach can be used to educate the public and transgender community, counselling the parents of transgenders on not abandoning and rejecting their children, addressing negative societal views, and collaborating with religious and community leaders. These initiatives have the potential to promote inclusion and alter strongly rooted biased viewpoints of the society against trans people. Ensuring political representation, enforcement of anti-discrimination laws, the establishment of sensitivity education to law enforcement, health care providers, public sector workers and creating network of support are the next steps in combating discriminatory attitudes and harassment.

Finally, through the simultaneous consideration of attitudes, actions, and contradictions, The ABC Conflict Triangle model and Galtung's Theory of Violence provide a thorough framework for addressing and resolving the problems encountered by transgender people in Pakistan. This addresses both short-term issues and long-term structural and cultural improvements that can create a more hospitable and inclusive atmosphere for this marginalized community.

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## APPENDIX A

### An Analysis of Human Rights Violations Against Transgenders by Ramsha Rizwan.docx

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## APPENDIX B

### CONSENT FORM

I volunteer to participate in a research project conducted by Ramsha Rizwan from National University of Sciences and Technology (NUST). I understand that this project will explore the different ways in which the rights of transgender people are violated in Pakistan, the underlying causes, and the necessary measures to stop such discriminatory practices. I will be one of approximately 15 people being interviewed for this research.

1. My participation in this project is voluntary. I understand that I will not be paid for my participation. I may withdraw and discontinue participation at any time without penalty. If I decline to participate or withdraw from the study, no one on my campus will be told.
2. I understand that most interviewees will find the discussion interesting and thought-provoking. If, however, I feel uncomfortable in any way during the interview session, I have the right to decline to answer any question or to end the interview.
3. Participation involves being interviewed by researchers from NUST. The interview will last approximately 30-45 minutes. Notes will be written during the interview. An audio tape of the interview and subsequent dialogue will be made. If I don't want to be taped, I will not be able to participate in the study.
4. I understand that the researcher will not identify me by name in any reports using information obtained from this interview, and that my confidentiality as a participant in this study will remain secure. Subsequent uses of records and data will be subject to standard data use policies which protect the anonymity of individuals and institutions.
5. I understand that the data will be stored appropriately to ensure confidentiality. There will be no one present during the interviews except the researchers and the participants and access to the transcripts and data will be restricted to the researcher, their supervisor and the participants (should they request access to it).

I have read and understood the information sheet provided to me. I have had all my questions answered to my satisfaction, and I voluntarily agree to participate in this study.

I have been given a copy of this consent form.

_____	_____
My Signature	Date
_____	_____
My Printed Name Investigator	Signature of the

For further information, please contact:

**Ramsha Rizwan**  
[rizwanramsha20@gmail.com](mailto:rizwanramsha20@gmail.com)

## **APPENDIX C**

### **INFORMATION SHEET**

- An in-depth examination based on Johan Galtung's theory of Peace and Violence by applying it on the context of Transgenders in Pakistan. This theory talks about violence at three levels: direct, structural and cultural. And ABC Conflict Triangle that analyses the Attitudes, Behaviors and Contradictions that underlie the violence.
- The integration of Johan Galtung's theory of violence and the ABC Conflict Triangle offers a dual viewpoint to understand transgender rights violations in Pakistan and offer the recommendations and ways through which this marginalized community can be protected.
- Overall, this study examines the complexities of violence and peace within the context of transgender, so that actionable insights can be taken leading to greater social justice, equity, and respect for the human rights of transgender individuals in Pakistan. With the focus being mainly on how structural and cultural violence perpetuate the direct and overt violence against Transgenders. And these two element should be controlled, in order to better the situation for the ostracized community of Transgenders.

## **APPENDIX D**

### **INTERVIEW QUESTIONNAIRES**

#### **Local Transgender Questionnaire**

Can you briefly tell me about your background and upbringing?

1. Which are the most significant obstacles you encounter every day?
2. Have you experienced any form of violence or harassment because of your identity?
3. Can you share any positive or negative experiences you've had with society?
4. What has your experience been like with your family in terms of acceptance and support?
5. What has been your experience with education? Were you able to attend school comfortably?
6. What challenges have you faced in accessing healthcare services and employment opportunities?
7. What social reforms are you hoping will help transgender people live better lives?
8. How is the behaviour of Government, police and other institutions towards you? What are the changes that you wish to see?
9. What do you think is the most important thing people should understand about being transgender in Pakistan?

#### **Subject Matter Experts Questionnaire**

1. What are the challenges faced by transgender community in Pakistan?
2. What are the current policies in Pakistan to protect trans rights? Should there be any amendments or changes in it?
3. What efforts are made by government for Transgenders and is Trans community co-operating with the Government on its taken initiatives for them?
4. What confidence building measures are being taken for trans community/ or what CBM do you suggest should be taking place to provide secure environment to transgenders?
5. In Pakistan, what efforts are being made to change societal and cultural attitudes towards them?
6. How can religious institutions foster inclusivity in the society in the context of this community?

## APPENDIX E

### INTERVIEWS TRANSCRIPTIONS

#### Local Transgenders

##### *Interview Participant (IP-1)*

#### **1.Can you briefly tell me about your background and upbringing?**

I'm Neha, and I belong to Karachi. I moved to Islamabad approximately ten years ago. I used to beg initially. I attempted working at a job as I always wanted to, but I stopped because I was constantly being harassed and stressed there. Now I'm working at FDI for the last 4 months. Im happy and contented here as an employee because of the great atmosphere and lack of harassment. No one questions my identity here or asks me stupid questions.

#### **2.Which are the most significant obstacles you encounter every day?**

No respect, taunting, bullying, and harassment. All in all, we feel disconnected from ordinary people in the society. We go through exclusion even in families, where some members treat us in a cold manner. Thus, while getting mature and older and be able to understand the word around us, we decide and make the choice to leave the homes and get cut off from families. Good relatives welcome us into their homes, but some don't. Apart from this, we also want the police to not make fun of us and be considerate with us.

#### **3.Can you share any positive or negative experiences you've had with society?**

I went to a function last year along Barakoh; people there were also using alcohols etc and were drunk. They kept misbehaving with us throughout the event, wanted us to dance all night and wouldn't let us go. They also had weapons and were fully equipped to attack us physically with sticks. Fortunately, the car and our driver were with us. Our driver, a good man, assisted us in getting away from those individuals. However, they kept following us. And at one point they were able to stop our car so after that, we had to flee on foot to escape with our lives, and they followed us all the way from Barakoh to Islamabad. They would have physically and sexually abused us if they had been able to catch us. I made the decision to stop doing this dance and other work because I've been so afraid ever since that day. I started looking for work, and fortunately, FDI hired me on my merit. I was chosen out of all the trans people that applied for this position and gave interviews.



*Interview Participant (IP-2)*

**1. Can you briefly tell me about your background and upbringing?**

Im Rani. Im from Bhakkar. But currently living in Islamabad since 8 years.

**2. Which are the most significant obstacles you encounter every day?**

Harassment, bullying, kidnapping, catcalling, sexual abuse, rape, discrimination...there is a lot but let's stick to this. Nothing is getting better, and it's depressing.

**3. Have you experienced any form of violence or harassment because of your identity?**

Yes, unfortunately, I have. I have faced verbal abuse, physical threats, because of who im. The incidents are so much that I have lost the count and don't really remember anything specific to mention it to you.

**4. Can you share any positive or negative experiences you've had with society?**

We have more bad experiences than the good ones. There are NGOs who try to help us. Then some people like you who are students also are kind to us, I believe its because of the education that's you guys get which helps you all in getting aware about us. However, the negative experiences often overshadow the positive ones. Discrimination is deeply rooted in society, making everyday life a challenge. People catcall us and bully us which is very disrespectful thing.

**5. What has your experience been like with your family in terms of acceptance and support?**

My family isn't supportive of me. Due to their poor behaviour I decided to leave my home and come to community. We feel accepted in our society. Our gurus are like our parents and thy treat us like their own children. I feel that I belong here because no one judges me here.

**6. What has been your experience with education? Were you able to attend school comfortably?**

I was a good student, always. I studied till 7<sup>th</sup> but with time, the abuse and violence of people around me increased so I ran away from school and never went there again.

**7. What challenges have you faced in accessing healthcare services and employment opportunities?**

We don't have enough money to go to private hospitals and when we go to government hospitals, the doctors don't give us importance. It's sad. Similarly, nobody gives us jobs. So we feel like we only have dancing and begging as a mean to earn money.

***Interview Participant (IP-3)***

**1. Can you briefly tell me about your background and upbringing?**

I was born and raised in Rawalpindi. My name is Roshni. I'm 35 years old. I live with my family. My source of earning is through begging, dancing. Even though I keep getting low work due to my old age now.

**2. Which are the most significant obstacles you encounter every day?**

The biggest obstacles I face daily are social stigma and discrimination. People often stare, make rude comments or avoid me. It's tough to find work and now even the people have stopped giving us money in begging too. But I have no other option or source of income because nobody gives me a job. I also wish to have a respectable job but I haven't succeeded in it yet. Maybe because there's no societal acceptance for us.

**3. Have you experienced any form of violence or harassment because of your identity?**

Yes, I have experienced harassment and once escaped sexual violence too. Some men followed me all the way and tried forcing them on me and raping me. I shouted and screamed, my other fellow trans came to my rescue and those men ran away. But no one in the public tried to protect me even though they saw me shouting for help. And to this day, I feel traumatised when I think of this incident.

**4. Can you share any positive or negative experiences you've had with society?**

The experiences are mostly negative, with few positive ones but negatives are more. I don't want to discuss them.

**5. What has your experience been like with your family in terms of acceptance and support?**

My family's reaction wasn't good, my father never talked to me after that day, even when he did, I feel like he's looking down upon me or wants to get rid of me. I still visit my home after 2,3 months and that's mainly because of my mother. Because she keeps crying and missing me. Acceptance is not there in my family for me.

**6. What has been your experience with education? Were you able to attend school comfortably?**

Education was a hard for me. I faced a lot of bullying and marginalisation from both students and teachers. The school environment was not supportive, and I was unable to concentrate. I eventually had to leave school due to the continuous harassment. I even lost my friends, because their parents asked them to leave my friendship. They were afraid that I'm not a good influence for them. I miss old days and my school friends.

*Interview Participant (IP-4)*

**1. Can you briefly tell me about your background and upbringing?**

I was born in a small village near Multan. My father dropped me to the trans community when I was 12 or 13 years old. Now im 28 years old. A long time has passed now.

**2. Which are the most significant obstacles you encounter every day?**

Every day is a challenge and brings new tests. The biggest problem is that people never see us as humans. When I go to the market, people stare at me, some shout, others hurl insults. It always feels like I don't belong anywhere. I cannot travel peacefully even on public transport. Eventhough I pay full money but they ask me to stand and don't give me the seat to sit. And I cannot do anything about it.

**3. Have you experienced any form of violence or harassment because of your identity?**

Yes, often. I have suffered this since I was a child. Other children used to beat me in fights or harass me. When I grew up, people mocked me because of my femininity and tried sexually abusing me. There have been times when I've feared for my life. There's a constant fear that someone might cause harm.

**4. Can you share any positive or negative experiences you've had with society?**

Positive experiences are less, but they do happen. Occasionally, you meet good people who treat you with respect, who talk to you, gives you respect and try to understand you. But mostly, the experiences are negative. We go through every kind of problem and issue that normal humans cannot think of. Imagine not being accepted in the world? How sad is that?

**5. What has your experience been like with your family in terms of acceptance and support?**

My family never fully accepted me. For them, I was always a source of "shame." When I was young, they never tried to understand me but I don't blame them really because I too was unable to understand myself either. As I grew older, they slowly began distancing themselves from me. The neighbours used to taunt my parents because of me. It was sad to see my family like that. So one day my father decided to leave me to the guru. I now live my life mostly without my family. For them, I have always been like an outsider, and I still am today.

**6. What has been your experience with education? Were you able to attend school comfortably?**

I never found comfort in school. I have just studied till 7th grade in a small village school. The kids would make fun of me, and even the teachers was unaware on how to with me because they also started feeling that I was different. School always felt like a burden, and I couldn't stay there for long. All these things made it difficult for me to complete my education.

*Interview Participant (IP-5)*

**1.Can you briefly tell me about your background and upbringing?**

Im Sonia. My age is 20 years old. I basically belong to Bahawalpur but I came here almost 5 years ago. I left my home because I was unfit there. Im happy here now in my people.

**2.Which are the most significant obstacles you encounter every day?**

People hoot at me especially men. Some of them even follow me to my home which makes me very scared. Some of them mock me and offer me money to do wrong things. Nobody gives me job and those who do, ask me to do wrong things for them. So I go back to being a beggar, its safer option.

**3.Have you experienced any form of violence or harassment because of your identity?**

Yes, too many times. From verbal abuse to physical assaults, violence is something I've had to face often just for being who I am. People insult me in public even im minding my own business, and sometimes it gets worse. I've try being cautious, but that distress, it never goes away.

**4.Can you share any positive or negative experiences you've had with society?**

On the negative side, people don't often see me as a human first. They see me as an outsider, someone who doesn't belong to their world. I cannot recall of any positive experience.

**5.What has your experience been like with your family in terms of acceptance and support?**

My family was embarrassed and angry. I was told to "change" or act "normal" because they feared what the neighbors would think. It broke my heart to feel like I was a disappointment to them. My father started avoiding me. So one day I finally decided to move out of home and shifted to my community, atleast nobody makes me feel embarrassed here.

**6.What has been your experience with education? Were you able to attend school comfortably?**

I wish I could learn more, I still want to learn and study. I have studied till 8<sup>th</sup> class but then I had to drop out due to the unaccepting behaviour of students towards me. I even tried self-educating but Im unable to focus. That's something I deeply regret because I know education is power, and I feel like it was stolen from me.

**7.What challenges have you faced in accessing healthcare services and employment opportunities?**

Its very bad honestly. I don't know what more to say here.

***Interview Participant (IP-6)***

**1.Can you briefly tell me about your background and upbringing?**

Im Paroo and I live in Bakra Mandi Tench Bata. Im 35 years old. I live separately in a rented home with my other trans fellows. I don't live with my guru and she treats all of us like her own children.

**2.Which are the most significant obstacles you encounter every day?**

Discrimination, verbal abuse, neglect from government. We have no say over the government or anyone else. We had been dancing and begging on the roads previously. What can we say to them now that we have aged and lost all beauty? We can only fill our stomachs in this way, then. And people think that its okay to criticse us.

**3.Have you experienced any form of violence or harassment because of your identity?**

Of course yes, I do. Im known as a woman because I wear such clothes, so im attacked because men consider me as a weak and also takes me as a woman and then they wonder if I look like a woman or not so the curiosity makes them do this I think.

**4.Can you share any positive or negative experiences you've had with society?**

You meet all kind of people, good and bad both. Some people treat us with kindness meanwhile others just take our advantage and make promises that they cannot fulfil. I know sewing. A lady told me that she'd buy me a sewing machine, but she hasn't until now. Also, our stoves are running because of you guys and the help you all give to us by giving us money in begging.

**5. What has your experience been like with your family in terms of acceptance and support?**

They don't accept us. Often times we talk to them on phones or visit our homes after a year or so. We visit them like guests, sit for an hour or two and then come back. During our time living with our family, we were subjected to a great deal of verbal abuse. I used to hear words like this when we first developed senses. These are women, standing and seated. I think I was 13-14 years old when i decided to leave my home and entered my own environment and community in order to better cope.

**6. How do people in your community generally treat transgender individuals?**

It's good and safe. Our house has 2 rooms, shared by 4-5 people. Whatever we earn daily through begging, we keep it all. Sometimes we make 500 daily often times 2000. Like it depends. We have to pay our bills, rents etc. It very tough. So all the people living in the house, divide the rents and bills. We can't afford to live

*Interview Participant (IP-7)*

**1.Can you briefly tell me about your background and upbringing?**

Sure, my name is Meena. Im 40 years old. I belong from Multan Punjab but currently living here in Rawalpindi. I initially used to live there in Multan with my Guru. But my Guru decided to move here so I came with her. Her name is Salma and I'm happy here in my community and feel more accepted.

**2.Which are the most significant obstacles you encounter every day?**

Well I think, verbal abuse, physical violence, sexual assault and harassment are the issues and obstacles faced by people in my community. I believe we are vulnerable ones in the society so we are the easy targets.

**3.Have you experienced any form of violence or harassment because of your identity?**

Little arguments often happen, but not physically. May Allah help everyone and guide our leaders to do something for us too.

**4. What has your experience been like with your family in terms of acceptance and support?**

Well, i do talk to my family. My mother has died. Now I have a stepmother, so you can imagine their behaviour towards me. I mean, its not good. They treat me like an outsider and don't support me. I have 1 brother, and 2 sisters. All my siblings are married. And I have 3 stepsisters and 2 stepbrothers. My sisters treat me kindly and support me, my brother doesn't support. I left my home by myself. My sisters got married, my brother got married. Where were I supposed to go then? Im the youngest. At 10-11. I was 5 when my mother died. My father remarried. My stepmother used to beat me and insult me all the time. So one day I decided to leave home and come to my community.

**5. What has been your experience with education? Were you able to attend school comfortably?**

I never went to any school. I don't know any reading or writing. I can just read Quran Pak and nothing else. So I can't tell about the experience in school, however my other transgender fellows have told that their experience was not good and they faced bullying.

**6. What challenges have you faced in accessing healthcare services and employment opportunities?**

When I get sick, I go to any local pharmacy and take medicines. I cannot afford going to hospitals as its expensive and also far away from our home. About employment opportunities, I never liked begging, I know cooking, sewing etc. So once I tried working as a maid at someone's home. I used to complete their tasks. However, after that, the neighbours and people in surroundings started asking them, can you not find any other house help other than Khwaja Sira? They were teased by others. They then requested that I leave. I spent just fifteen days at work there. For the fifteen days that I worked there, they didn't even pay me.

*Interview Participant (IP-8)*

**1. Can you briefly tell me about your background and upbringing?**

My name is Shaniya and I'm 38 years old. I'm from Gujrat, but it's been 17 years since I shifted in Rawalpindi and I live in Bakra Mandi Rawalpindi, separately and not with my Guru as most people do. Actually my Guru passed away. So currently we are living with the reference of our Guru's Guru in a rented home. My guru was a good soul. Most of her Ramazan was used to be in Makkah, Medina. Her name was Najma. I feel accepted in my community and don't feel abandoned. We are in Guru Chela system. Some gurus are good, some are not, I think the applause is clapped with two hands. There are some Chelas that misbehave with their Gurus so Gurus have to go strict with them. Similarly, some Gurus are bad so their Chelas don't respect them. It's all about give respect and take respect. Also, I do give some amount to my Guru, keep some for myself and give some to support my family.

**2. Have you experienced any form of violence or harassment because of your identity?**

Such situations do exist, and continue to do so. Even while it can't be said to have entirely disappeared, there has been progress in these kinds of situations, comparable to 20–30%. Nevertheless, what are we to say? Who are we to them when people don't even spare their biological siblings these days?

**3. Which are the most significant obstacles you encounter every day?**

Hooting, booing, harassment, abuse, disrespect, no jobs, no money etc.

**4. Can you share any positive or negative experiences you've had with society?**

There are many examples of good and bad people and incidents. I don't know what do you want to ask specifically. There isn't equality among five fingers. Some people pray for us and treat us extremely well. People mistreat us.

**5. What has your experience been like with your family in terms of acceptance and support?**

I had to move out of my house because of the family's and people's actions. My brothers and bhabhis don't handle me nicely. Since my mother has asthma and is ill, I essentially work to support her. When you have amount (money), then everybody is nice with you.

**6. What has been your experience with education? Were you able to attend school comfortably?**

I have never studied or been to any school. I'm not qualified. But I try to work on myself and my language, since I get to meet a lot of people in the society. Because I have interest in this, so that my language style can get better and I'm able to sit in the society and talk like them.

*Interview Participant (IP-9)*

**1. Can you briefly tell me about your background and upbringing?**

My name is Bijli, im 34 years old. I live near Bakra Mandi. Im basically from Jhelum, its my hometown. It's been 7,8 years since I shifted here in Pindi from Jhelum. I was in 9th class, when I started noticing that im different than others. So then I started feeling left out from others and decided to shift to my community where I belong. I started living with guru, she has passed away now and her name was najma. But now me and my friend live separately in a home.

**2. Which are the most significant obstacles you encounter every day?**

We are bullied, mocked, and harassed simply because we are different from others. Boys stare at us, whistle, insult, and mistreat us. They make fun of us, laugh at us, and call us names. This constant abuse wears us down, leaving us no choice but to retreat to our own community, where we feel safe and accepted. Among our people, we find comfort and support. In public spaces, we are constantly noticed—people stare, make strange remarks, and judge us. That's why we live in a separate world, among our fellow transgender community members.

**3. Have you experienced any form of violence or harassment because of your identity?**

People find us to be the easier target. Thugs break into our houses and attempt to impose themselves on the attractive people and transgenders in our neighbourhood. In fact, police officers also engage in similar behaviour.

**4. Can you share any positive or negative experiences you've had with society?**

There are more negative experiences. We are not given any homes at rent. We struggle for basic things. Its not easy at all. 95% times its not easy. People call us Khusray and think differently of us. There has always been discrepancy between us and other people. It starts from the family, the home.

**5. What has your experience been like with your family in terms of acceptance and support?**

They don't want us to live with them, because we don't belong there according to them. I have no support from my family, this is sad.

**6. What has been your experience with education? Were you able to attend school comfortably?**

Yes, I used to go to school. I have studied till 9<sup>th</sup> class, after than I left the school. I was a very bright student. Also, why would government make schools for us? We will study where normal people study. I have heard that there is some free system for us in universities. But why will.



***Interview Participant (IP-10)***

**1. Can you briefly tell me about your background and upbringing?**

I was born in Hyderabad. Growing up, I always felt different, but I didn't understand what was the reason. I had no understanding of the things. My childhood was confusing, especially. People thought I was a boy. I tried to fit in as a boy, but as I grew older, I realised that I'm not a boy because I didn't feel like a boy. The family and society also started realising this thing. My family didn't understand, and I was often ridiculed.

**2. Which are the most significant obstacles you encounter every day?**

It's tough. I think it's the verbal harassment that I face on a daily basis. The society has a wrong perception about me. They don't think of me as a human. Other than this, I struggle getting basic services such as health, education, jobs, houses etc. I have to fight for everything, from healthcare to basic human self-esteem.

**3. Have you experienced any form of violence or harassment because of your identity?**

Yes, unfortunately, I have experienced physical violence. People throw stones at me especially little children and then they laugh. I don't understand why they do this? Can't their parents teach them to treat everyone with respect? It's already tough getting abused by men and other people but now children also target us many times. That pain stays with you long after the physical bruises heal.

**4. Can you share any positive or negative experiences you've had with society?**

There are some positive experiences. For example, I once met a shopkeeper who treated me with respect and gave me a seat to sit in his shop when I felt dizzy. It was such a small gesture, but it meant the world to me. However, negative experiences are far more frequent. Once, a shopkeeper beat me when I stopped to drink water from his cooler that he kept outside of his shop. I don't know what I did to deserve such behaviour, I was just drinking water because I was thirsty.

**5. What has your experience been like with your family in terms of acceptance and support?**

My mother has tried to understand me, but my father is still very much against the idea of having a transgender child. He didn't talk to me and always avoided me. I was told that I would make the lives of my other siblings' tough too. There's a lot of pain, and sometimes, it feels like I'm alone in the world.

## **Experts Interviews.**

### ***Interview Participant (IP-11)***

#### **1. What are the challenges faced by Transgender community in Pakistan.**

The challenges faced by transgender community that we have seen so far are first of all, Acceptability. They face challenges about their family not accepting their sexual identity, their orientation due to which they're forced to leave their houses. When that happens, they get stuck in the system of Guru Chela System. It is a system of slavery and exploitation. Most of transgenders are involved in sex work, dancing in weddings and other private functions, that also become source of exploitation as they're not paid enough. They're abused by them. Then comes the police, there's always some sort of discrepancy between the police and the transgender community. The police bribe the trans people who're involved in begging or sex work in order to get paid.

As for opportunities, there are not a lot of opportunities for them. There is a set quota for them but not everyone has the access to the resources, to avail those work or education opportunities.

#### **2. What are the current policies in Pakistan to protect the trans rights? Should there be any amendments or changes in it?**

So we have Transgender Protection Rights Act 2018, it's been suspended as of now. That act was specifically for transgender persons and the constitution does say that they have the right to basic necessities, to basic human rights as said under the Universal Declaration of Human Rights. And that's without any discrimination for everyone. So the constitution does ensure the rights for transgender persons however the Trans act 2018 that has been suspended as of now should need to be taken back. The suspension needs to be taken back for better efforts and to safeguard the transgender rights in Pakistan.

#### **3. What efforts are being made by Government for transgenders and is Trans community co-operating with the Government on its taken initiatives for them?**

So in continuation of the efforts being done by the government for the transgender community, a lot of political parties added the initiatives such as education opportunities, job opportunities and inclusive spaces for this community as a part of their political manifestos. And now those political parties are in the Government, they have announced a number of protection centres, vocational schools, life-skilled based education for the trans genders community. They're also pushing to undo the suspension of Trans Protection 2018 bill. So now they're also inviting the transgender persons, trans genders representatives to various national and international level to expedite their inclusion in the mainstream.

## *Interview Participant (IP-12)*

### **1. What are the challenges faced by transgender community in Pakistan?**

Pakistan is a religious and patriarchal society dominated by men. We have gender roles associated with men. Here comes the issue of vulnerability. Vulnerability is when something like women, children, minority or marginalized community such as transgenders or any lesser community or different ethnic backgrounds faces. All of these groups end up facing backlash and facing violence of different types. It starts from a very basic intrinsic conditioning, that is done by the society in which we grow up and as a part of that society, it is okay to realize that we own these prejudices. These prejudices are within us because we all are born into the society. It's not our fault that we hold them but to be aware of them is something that's important. Additionally, transgenders people face abandonment and they are not being accepted and feel left out by the society and their families too.

The trans bill was challenged and taken up to shariah court and lots of issues have been raised. Many people were not in the favour of this at very large because many clauses in it were against the intrinsic values of Islam. And Pakistan being Islamic republic, we cannot adopt anything that goes against the religion. This was the main hurdle that came up as this was the nonreligious matter as this was western agenda and western people are taking forward this initiative. However, this wasn't the case as it was drafted and formulated by transgender people and transgender community of Pakistan itself. They were the driving force, they were involved and took their own forward.

### **2. What are the current policies in Pakistan to protect trans rights? Should there be any amendments or changes in it?**

Trans people are given an identity through Trans protection Act which I believe is a huge milestone. The state is recognising these individuals as gender X. However, the counter narrative passed at shariah court has even made the trans community in itself very confused. Those who are uneducated, they just don't understand it. These people are into begging and other professions instead of capacity building, skill building etc. They are forced to be in other fields that are not really suitable to be taken up. But they take those professions because they have no other option.

This policy is not being able to accurately tackle the layman problems. The policies are not being penetrated into the roots. People who are literate or who use mobile phones or media, for them it is easy to talk and understand. But the actual people who are suffering in real, the help and policy is not reaching there. The biggest problem is the failure of penetration into the grass root level. Until or unless it's done by the government. For instance, during elections the politicians come up with different manifestos and many do include transgender rights too. But only those initiatives or manifestos would be considered which are passed by the sitting government.

### ***Interview Participant (IP-13)***

#### **1. What are the challenges faced by transgender community in Pakistan?**

Acceptance issue is the major challenge. We don't demand for women share, we don't demand for men share. All we demand is to put us in 3<sup>rd</sup> category, give us different jails and areas from the previously mentioned genders. We are trans women but we never claimed or wished to be bamboozled into women washrooms or areas. Because if women are not comfortable sharing their spaces with us, then we are too not comfortable using their spaces and want our own.

One of the major challenges faced by trans individuals is leaving their homes. They have to choose between the expression of their gender and their family. So they end up choosing the expression of gender. Because even if the family doesn't force them to move out of the homes, they make such conditions and circumstances for trans individuals that they end up leaving homes. This is because you cannot stop anyone from expressing their gender, if you do so, you end up suffocating and dying. And if you go away from your relations and bonds, you become emotionally disturbed. So if you have to pick between distance and dying, you'd pick the distance from your relations who force you to silence your expression. So anyhow, we do have to leave the home because the parents have the definition of "intersex" in their minds when they think of transgender. They think that they are born with defected or ambiguous genitalia. So our child doesn't have any physical challenge and he has drifted away for the time being or has lost the track due to bad and wrong company. So if we get strict with them, they might change or maybe we should wed them off.

#### **2. What are the current policies in Pakistan to protect trans rights? Should there be any amendments or changes in it?**

It took a lot of efforts and hard work and many people were involved in making this bill change into act, so the passing of this act in parliament is in itself a win. The main problem is the proper implementation of this act. So we don't need any amendments or any changes in this act, we just want the institutions and structures to properly implement this. Trans Persons act 2018, covers every type of people and not just intersex. It protects intersex, eunuch, trans men, trans women, khawajasira and every individual who feels that their gender doesn't align with the gender they were given at birth. Non-binary trans people, who do not wish to be in the bracket of men or women, they say that they're free.

#### **3. In Pakistan, what efforts are being made to change societal and cultural attitudes towards them?**

The type of intervention that the people at grassroots want, you can say that its not being done. Eg: if a grass root level trans wants to have a monthly scholarship by government, the state cannot provide them that. Right now its not possible, however the government can and is working on building skills of these individuals. There are two types of intervention. Policy intervention and behavioural intervention.

### *Interview Participant (IP-14)*

#### **1. What are the challenges faced by transgender community in Pakistan?**

The violence and discrimination level for intersex and transgenders are almost equal. It's not that our society is forsaking the intersex individuals. This is because people can't differentiate them and have no understanding of it. They go through rape offences and forced sexual abuse. Or when they go to register the case in Police, they suffer at the hands of police too. Apart from that, they have no families most of the times and the absence of any social support makes things more difficult. They have to forsake their education and leave homes. Moving to different parts of the country into their communities, they have to make their ends meet and have to restore to begging, immoral practices. Even though they have employment quotas, but they still don't get hired and even if they are offered the opportunities, most of them prefer restoring to old ways of earning income. Change is difficult for everyone.

#### **2. What are the current policies in Pakistan to protect the trans rights? Should there be any amendments or changes in it?**

So there are a couple of laws, based on those laws the policies are formed. In that we have Trans Protection Rights Act 2018, of course in that act there are rights given. There is entitlement to them, given them the right of citizenship. Additionally, there are quotas for employment, not just in government sector but also in private sector and they are encouraged to apply. But as a lawyer I believe that act is just the reiteration of constitutional rights that are already present in the constitution of 1973.

Furthermore, for instance, the families of transgender abandon them so when this happens, their education, health and other things automatically are paused and are denied. There are left with no kind of social protection. So the rule and law was supposed to address these issues more but unfortunately it's not addressing or talking openly about these issues as it should have.

So I think whatever has been mentioned in that act, it was not needed as it's just the repetition of 1973 constitution. Eg, the act talks about right to education for everyone and the act also talks about it. You issuing them ID cards, and giving them the citizenship is same as that in the constitution. So what's the need for the special act then? The answer is that we need the act so that we can address the special, specific and detailed problems of this community. This act has failed to address the specific problems of this community. As it consequences, our department such as NADRA, Passport Immigration Department or the departments dealing with identity, keep making and introducing new policies but they don't take account the existence of the transgender community within Pakistan. For example, the refuse issuing X cards most of the times.

### *Interview Participant (IP-15)*

#### **1. What are the challenges faced by transgender community in Pakistan?**

People abandon such people from their homes, which is totally against the teachings of Islam. Such children are left in the open, without any support from families which is a sin in Islam. Islam rather says to treat such kind of individuals with more love, care, and affection than the normal kids. Because these are special children and are more sensitive. Parents must avoid doing this, they should own them

#### **2. What are the current policies in Pakistan to protect trans rights? Should there be any amendments or changes in it?**

A petitioner named Hammad filed a petition in Shariah Court that the Trans Bill 2018. Supports LGBTQ. Initially, the words used in the petition were not decent, so the judges asked to improve the wordings of the petition. The main issue was regarding the “self-perceived transgender”. The petition said that it’s not permissible to change the creation of Allah and people might take the help of this clause about self-perceived transgender, any normal male and female can go on to change their identity too.

It’s not necessary and mandatory to ask for the approval and opinion of Shariah Court for passing any legislation. Normally, the permissions and approval of Islamic Nazriyati council is taken. The constitution article 227 to 230 says, that no law can be passed which is against the spirit of Islam. The role of Shariah court is to examine the already **existing laws** to check if they’re in accordance with the principles of Islam or not. So after the passing of this bill in 2018, there were many petitions filed against this act. So the FDC called on many experts, such as doctors, psychologists, gender activists, HR activists and were asked for their judgements and opinions on this issue. The case was studied in depth and it was concluded in the light of Islam that the clause or statement introduced in 2018 Trans Act about “**self-perceived identity**” is not in accordance to the principles of Islam and should be changed

#### **3. In Pakistan, what efforts are being made to change societal and cultural attitudes towards them?**

In Islam, there are two stakeholders in this aspect: Parents and Government. The parents should be advised to take care of their such children and fulfil their rights rather than throwing them out of the homes. Parents must be taught from Islamic teachings that they should be patient and act kindly if they’re tested with such trial.

The second stakeholder in Islam is the State. The state has a huge responsibility. In this case, the state must take responsibility of such individuals. It should work on their education, food, health etc. The state should open certain institutions specified just for handling the issues of these people. The state must provide facility for them, like providing them with specific quotas for education and employment because these people are the equal citizens of the state.