

Pakistan: Abusing trans people

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“WHAT happened at Minar-i-Pakistan on Aug 14 to the cis woman [non-trans woman] is what happens to us routinely, and in a much more violent manner, but remains hidden from society’s view,” said Sophia-Layla Afsar, a trans woman, who worked as a corporate lawyer for 10 years till it became suffocating to continue in the transphobic office culture.

The abuse, almost always by men who are their intimate partners, can range from searing with cigarette butts, slapping, chopping off hair, rape, gang rape and ultimately murder. According to the Karachi-based Gender Interactive Alliance (GIA), an organisation working for trans people, since the beginning of the year, 10 trans women have been murdered across Pakistan.

Fighting societal transphobia and unable to fall back on their family because the latter were the first to reject them, they have no one to turn to but the trans community.

In Karachi, the violence is often committed by beelas. They are part of a larger syndicate of men operating in the city and have grown in numbers and gained notoriety.

Trans women have found the courage to lodge complaints.

They organise underground dance parties where trans women perform. This is sometimes followed by sex. With educational institutions reluctant to enrol trans women and offices unwilling to hire them, a majority in the community make a livelihood in this manner.

The beelas, for their part, consider the trans women their playthings to do what they please with them, even offering them to their friends. They brook no dissent and if a trans woman resists, she is penalised.

The beelas are able to operate with impunity because they have powerful connections in the police as well as with local politicians. If by chance one is arrested, the trans woman is harassed and threatened by the entire gang with dire consequences, forcing her to recant.

For many the worst form of punishment is getting their hair chopped off, a seemingly less violent abuse, but for them, it is a death sentence. With their honour and their livelihood closely linked to their locks, the abuse leaves them totally devastated.

Today, the trans women have found the courage to lodge complaints and in the last two years, GIA was able to file for over three dozen cases of extreme violence.

However, the transphobic treatment at the police station makes it difficult for the trans community to seek redressal or report these crimes, they say.

Further, the current Penal Code provision on rape only recognises cis women as victims. Unfortunately, the only trans friendly law — the Criminal Law (Amendment) Ordinance, 2020 — which made the definition of rape gender neutral and victims and perpetrators inclusive of all

genders, has lapsed.

Another dilemma faced by most trans women is that since they continue using the male name and gender on the national ID card, when they report a rape, it is registered as sodomy. But even where their gender is identified as a khawaja sira (X), in the absence of female genitalia (and because they are labelled as commercial sex workers), the complainant risks being booked for unnatural sex.

The cumbersome reporting process often results in the complainant returning home disheartened and without filing a complaint. Where complaints are filed, these often end in 'reconciliation' as the complainant is unable to bear with appearing in front of the investigating officer and suffering thoughtless interrogation.

Although the Transgender Persons (Protection of Rights) Act, 2018, was a historic step giving trans people a legal cover, perhaps the only positive outcome has been recognition of their identify on the national identity card. However, being a federal law, it is limited in assuring jobs, education or even protection to trans people beyond Islamabad Capital Territory.

The law drafted by the trans community in Sindh in 2016, based on the crimes they experience routinely, is gathering dust because no political party has found the time in the last five years to study the document, get it vetted and table it in the provincial assembly.

If the [Minar-i-Pakistan](#) incident and [Noor Mukaddam's brutal murder](#) filled us with horror, why are we not repulsed by the violence meted out to trans persons? The state needs to show its seriousness in protecting this community. The type of violence experienced by them is specific, they say, and requires specific laws.

But treating other humans with respect should not be forced upon us because of fear of the law alone. It is time for some introspection of why we have become apathetic. We need to be kinder towards the vulnerable and the marginalised. It is time to turn the tables on the beelas and 'intimate partners' by castigating them instead of offering protection.

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