**Through a coloured lens**

A Bashir

Tuesday, Nov 02, 2021

The tumultuous journey that is life is a myriad of obstacles and hurdles, but even more so for marginalised communities, like those with differing sexual orientations.

Modernisation has induced profound changes in present-day civilisation, but as much as our surroundings evolve, the stigma surrounding such marginalised communities in the past has managed to escape the clutches of time. Evolving alongside us, these preconceived notions have seeped into the fragile and precarious climate of today’s society, forcing these communities into reclusion.

Pakistan, while once depicting the stark picture of a third world civilisation responding to its rising sexual minority population with oppression and persecution, has vastly turned around its image, taking stringent measures towards improved tolerance.

Earlier this month, Federal Minister for Human Rights Dr Shireen Mazari inauguratedPakistan’s first Transgender Protection Centre, a hub of legal aid, counselling, and medical care, and atemporary shelter for the impoverished members of the transgender community. It is the first of many such centres planned for cities spanning across the country.

The plight of the transgender community persists, despite legislative action in recent years. The Transgender Persons Act of 2018 was enacted to legally provide recognition of transgender individuals and safeguard their rights, using legal means to protect them against prevalent harassment, abuse, and other forms of discriminative and disparaging behaviour.

This marked another step forward for the transgender community following the 2009 ruling of the Supreme Court of Pakistan, giving civil rights to trans-citizens through sanctioning egalitarianism in terms of equal benefit and protection under the law. This Act draws attention to the fundamental rights that should be ubiquitous among all members of society: inheritance, education, property, employment, voting, and access to public venues and medical institutions.

The Act marks a breakthrough for the Pakistani transgender community, additionally empowering them with the decision of how they would like to present their gender identity on official documents, whether it be male, female, both or neither. This is particularly progressive when considering the US has only just begun issuing passports with an ‘X’ gender marker.

While Pakistan’s new, increasingly tolerant stance synthesised with recent anti-discriminatory measures taken by the legislation has undoubtedly improved living conditions for the local sexual minority community, other conservative nations have yet to take affirmative action.

In some countries, violators of the cisgender norm are regularly imprisoned by law-enforcement authorities. Despite their frequency, such cases are under-reported in the media. For example, rather than being recognised as transgender by the public sphere, two Singaporean nationals were charged for attempted female impersonation in a shopping mall in a Middle Eastern country in 2017. While the basis for arrest was claimed to be in accordance with sanctioned laws, local legislation warrants arrest only in unique cases that involve attempted entry into female-designated spaces. Therefore, the instance was a violation of the right to freedom of expression.

Although some Middle Eastern countries have begun to recognise gender dysphoria and now permit gender-reassignment surgeries for individuals whose sexual anatomy does not comply with the typical definition of male or female, neither are non-binary options available on documents, nor have measures been taken to mitigate discriminative conduct and behaviour. There have been cases where those who had undergone gender reassignment surgery were denied their case to have their legal documents amended.

Although members of the transgender community are legally recognised in Pakistan, much remains to be done. The petitions challenging the Transgender Persons Act of 2018 on the basis of religious convictions are a heavy blow, placing this minority group in a precarious position.

Now, more than ever, we must continue to move forward, for it is not very often that news regarding the transgender community receives the front-page media attention that it rightly deserves.

By elevating the position of sexual minorities in society and workforces across the country, we can benefit from their talent, innovation, and productive capacity. In fact, according to the World Economic Forum, evidence from recent years points to a correlation between the exclusion of sexual minority groups and a drain in a country’s potential economic output, showing the extent to which a shrunken labour force results in lost productivity.

Recent events are a paradigm of the much-needed efforts and unparalleled activism needed to ensure the integration of the transgender community within the social fabric of today’s society, and it us up to us to move beyond the taboos and stigmas that have plagued us as a nation in the past.

The writer is a freelance contributor.