



Transgender Inclusion in Pakistan: Analyzing Legal Framework and Societal Attitudes

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This article examines the social inclusion of transgender individuals in Pakistan, highlighting both local and global implications of their struggles. Still, the gulf between legal progress — such as 2018's Transgender Protection Act and its newly revised form in a bill recently introduced to Congress for consideration in 2021 — remains wide with respect to actual rights of transgender people being realized. This paper examines international human rights treaties and regional agreements, which call for greater recognition of gender identity or expression. It focuses on the transgender community in Pakistan to understand social exclusion, access to healthcare and employment discrimination through case studies. One reason lies in cultural barriers, and it is the stigmatization of leprosy because society disapproves of discrimination on grounds that have yet to be defined; for example, religions force this kind of behavior. This article aims to give insight into the struggles transgender people face in Pakistan and stresses the need for targeted relevant changes as well as public awareness that respects their dignity and protects their rights. In a nutshell, this research hopes to contribute to ongoing talks about including and keeping those on the margins safe in a push for freedom by striving for fairer communities that value everyone's rights regardless of how they see themselves.

1. Introduction

"Who am I?" This question hits home for many people worldwide, for those who society overlooks and pushes aside, like transgender people (Gonzalez-Torres, 2024). When others refuse to accept their existence, these people often run into roadblocks that step on their basic human rights (El-Harazi, 2023). A sad event in Pakistan brought this struggle to light when someone shot a transgender woman, and hospitals struggled to decide which ward should take her in showing how healthcare treats transgender people (Tabassum et al., 2024). This awful situation makes us ask big questions about how we see transgender people and their right to be themselves (Bassi & LaFleur, 2022). It shows a bigger ongoing fight for acceptance, rights, and respect pushing society to take a hard look at its rules and laws to get rid of unfair treatment and bias.

Transgender people see themselves as a different gender than what doctors said when they were born, but they often face shame and get lumped in with sex workers or men who have sex with men (MSM) (Faye, 2022). Gender identity—how someone sees their own gender—and sexual orientation—who they're attracted to—are different ideas that we need to understand (Jones et al., 2022). With about 1 in 1,500 to 1 in 2,000 babies born intersex around the world, transgender people face many tough and complex issues (Faye, 2022). Society's mistreatment has a big impact on people leading to mental health problems like depression, drug use, and gender identity issues (Solaiman et al., 2023). Even though the United Nations and other groups push for equal rights, transgender people still face many challenges (Bhattacharya et al., 2022). This shows a big difference between what the law says and what happens in real life. We need to pay attention to this problem and do something about it right away.

2. Literature Review

In "Status and Rights of Transgenders in the Constitution of Pakistan" wriesstone" by Hassnain et al., (2019), the authors examine the non-attainment of basic human rights and the infringement that a transgender community in Pakistan has to endure. Even with the 2018 bill to secure the rights of transgender individuals, there is a lack of change in attitudes in society, which becomes a barrier to successful implementation. The authors show, in their view, that Islam advocates for respect of others' basic rights. However, a general trend of outcasts is promoted by these customs. The paper is a comparative study which looks at the status of transgenders in the society and the laws that are supposed to guide them that have been put into question (Hassnain et al., 2023).

In "Social Exclusion and Mental Health Issues of the Transgender Community in Lahore" is when Sherazi et al. (2021) look into marginalization. This paper discusses about the social exclusion, stigmatization, and transphobia inherent in the transgender community in Punjab affected through the case of livelihood and education. Moreover, it provided data from a sample of transgender individuals of 300 in some of the capital districts of Lahore, which contained details of how poor social, economic, and psychological conditions like losing a job, harassment experiences, and mood disorder are among ways in which these people suffer. This situation has led to negative health-related consequences among the community. Further, the



authors ask for the rejection of these groups and the organizations' activity that will target transgender individuals and review on the following laws concerning physical and sexual assault against transgender people to better the situation of transgender (Sherazi et al., 2023).

The Human Rights of the Trans-Community in a Developing Country Report, 2020 Pakistan written by LA, Nusrat & Marjea focuses on the human rights violations and social exclusion facing the most marginalized group of people in developing countries i.e., transgender. This transgender community of people is being isolated and discriminated against around the world particularly living in developing countries. The purpose of designing this study was to check the social exclusion impact on transgender people with respect to the Sustainable Development Goals (SDGs) specified by the UN Charter. The study employed a snowball sampling technique and data were collected from 150 respondents from Sargodha City. Results indicated that transgender is abandoned by family, right of inheritance, which leads toward social exclusion that violate several SDGs i.e., SDG 3: Good Health and Well-being, SDG 10: Reduced Inequality SDG16: Peace justice and Strong Institution. Exclusion can be stopped through equality (Khan et al., 2022).

In “A Systematic Review of the Relationship Between Religion and Attitudes Towards Transgender and Gender-Variant People” 2021 by Marianne and Joel R. Anderson, the authors address the widespread prejudice against transgender people and note the association between religion and prejudice. Research shows that religious self-identification in general, particularly as Christian or Muslim, is associated with greater prejudice compared to non-religious self-identification. Certain forms of religiosity such as fundamentalism and regular church attendance are also related to transphobia. The review suggests that there is a need for more research on what aspects of religiosity are related to these attitudes (Campbell et al., 2019).

In "Issues Faced by the Transgender Community in Lahore" by Alam et al. (2023), the authors carried out a study using descriptive and analytical means in order to explore the problems which the transgender population is going through in Lahore. The investigation was conducted through interviews with 20 transgender individuals, in which open-ended questionnaires and snowball sampling strategies were used. They were able to promote the quality of the research by remaining sensitive and granting them the right to choose whether or not to remain anonymous, thus maintaining a sense of privacy. The findings underscore the various kinds of discrimination that transgender people encounter and the urgency of enacting legal and social changes that can address these issues (Alam et al., 2019).

Another author of “Transgender Rights in Pakistan: A Long Way to Go,” published in The Express Tribune in 2020, believes that the legal landscape has improved since the introduction of the 2018 Transgender Persons (Protection of Rights) Act. However, it stresses that the firm and unchanged negative perception of transgender continues to affect every aspect of their lives and results in discrimination and violence against them. The article suggests that more efforts should be made towards awareness and education so as to achieve acceptance of such minorities in society (Ali, 2020).

In 2022, The News International published “The Plight of Transgender People in Pakistan,” the author touches sensitive points of poverty combined with discrimination against transgender people. It stresses how economic deprivation exacerbates their vulnerability

making large number of them leading precarious lives. It pleads for policy innovations that tackle both economic and social injustice (Siddique et al., 2024).

3. Research Methodology

The design incorporates quantitative and qualitative research to investigate the social inclusion of transgender people in Pakistan. Using secondary and desk-based data such as legal documents, email/article correspondence, journal information official foreign government reports on human rights have been adopted to realize comparative assistance about the Transgender Protection Amendment Act 2021 alongside Transgender Protection Act 2018. That summary also analyzes the book in the context of global human rights standards. Furthermore, structured interviews and survey data are also to be conducted on the transgender population specifically in Lahore aiming at identifying areas of discrimination, issues related with health accessibility as well as employment opportunities. Theoretical framework: Analyzing legal practices emphasizing on the rights, vulnerabilities and resilience of transgender ideologically conducting to this study.

3.1. Research Gap Analysis

Though there has been considerable progress in transgender rights in Pakistan, particularly through the Transgender Protection Act of 2018 and its amendments, there is a notable research gap that speaks to understanding the real and direct impact that these legal developments have on the daily lives of transgender persons. Most studies are based on legal rights, lobbying, and advocacy, with few looking into the socio-cultural factors that continue to marginalize and disenfranchise such communities. The literature on access to healthcare, employment barriers, and social exclusion is also heavily quantitative and thus lacks the qualitative insights necessary to understand personal experiences, their psychological echoes, and cross-cutting issues such as cultural and religious ideologies that influence public attitudes. Comparative studies on other South Asian countries that have adopted this kind of legislation are not available; hence, the institutional memory and best practices do not evolve.

4. International Conventions and Standards

4.1. United Nations Human Rights Framework

The United Nations has adopted a whole span framework for human rights, including the rights related to gender identity and expression. The most important conventions include, Universal Declaration of Human Rights (UDHR) (1948): Article 1 states that "All human beings are born free and equal in dignity and rights." International Covenant on Civil and Political Rights (ICCPR) (1966): Article 26 spots the Freedom of speech and freedom of the press as the centerpieces of democratic rule. Eliminating discrimination based on gender as an aspect of this particular right is also emphasized (Tabassum & Jamil, 2014).

Various UN recommendations therein denounce discrimination against LGBT people by state authorities in terms of the termination of gender recognition, protection of every individual's right to expression in accordance with their gender identity. For instance, in the context of sexual orientation and gender identity, the Yogyakarta Principles, a set of guidelines on the application of international human rights law, point out that such rights have to be

enjoyed by all, including transgender persons, without any form of discrimination (Rawal, 2008).

4.2. Regional Human Rights Instruments

South Asia has regional human rights instruments, such as the agreements of the South Asian Association for Regional Cooperation (SAARC) that also deal with human rights but do not include distinct provisions for transgender rights. Yet, they stress gender equality, which has a contribution to the struggle for transgender rights in the region as well. This would indirectly imply such striving (Hayes et al., 2008).

4.3. Legal Framework in Pakistan (The Transgender Protection Act 2018.)

The idea of a Transgender Persons (Protection of Rights) Act 2018 came as a landmark piece of legislation for rights of the trans persons in Pakistan. The Transgender Persons (Protection of Rights) Act 2018 is a path-breaking law in Pakistan — assented on May 8, which gives every transgender person the right to be recognized as they perceive themselves without requiring any medical certification. It outlaws' discrimination in education, health care, employment and public services sworn the right to self-identified gender on official documents such as national ID cards (CNICs) like those nominally female or passing for women could be imprisoned if they hadn't first had their National Identity Card status amended from male. It also guarantees inheritance rights as well a protection centers for people who have faced violence due to their gender minority status. However, these provisions were slow to implement, and social attitudes are a stonewall (Islam, 2020).

4.4. Amended Bill 2021

The Amended Bill 2021 was presented to the Transgender Protection Act of 2018 by the Transgender Protection Act of 2018 in Pakistan to amplify the protections offered to transgender individuals. This amendment was forwarded to fix the aforementioned issues and thus the causes of the transgender, including the on-going discrimination, violence and lack of the access to the health services, were taken into account. The main goals of this amendment were increasing the penalties for hate crimes against transgender, ensuring their rights to the medical services and making the legislation fully compatible with the concept of self-identification and legal recognition. Amendment IV faced significant opposition from conservative groups and religious groups. The critics affirm the fact that this bill legalizes the disregard of the traditional gender norms and thus, threatens women's rights by denying the binary system of gender. Moreover, they argue that people may use this bill's provisions for their selfish reasons. The protestation of this bill accentuates the broader societal tensions about the way we look at gender identity and the rights of the people; therefore, the ongoing struggle for acceptance and inclusion that the transgender community faces in Pakistan is very evident (Farhat et al., 2020).

4.5 Grey Areas

Despite the Transgender Protection Act 2018 passed in Pakistan, other facets remain outside its scope with major loopholes. However, the Act does not clarify any such employment standards for private sector companies and hence job security remains unknown. The Act also fails to protect transgender people in public restrooms, transportation facilities and recreational



areas by failing to set forth a standard that embraces the full range of facility choices. It does not set out concrete penalties for those institutions that refuse to serve transgender people, nor require public servants or police — let alone healthcare providers — take diversity training. The legislation also fails to address important issues related to pension/retirement benefits, housing rights and exclusion from the banking system. Moreover, there is no specific arrangements for legal aid or a special helpline to provide relief in emergency. It allows for no rights to adopt, recognition of partnership nor protection in custody suits (Hassnain et al., 2023).

4.6 Case Studies

The tragedies of Alisha, Maya and Zarina give a face to the difficulties eunuchs face in Peshawar. The 23-year-old activist, who was shot seven times in a heinous crime, died as hospital staff took time to attend her maybe because she bled from the groin which evidently created confusion among doctors. The stoning of the trans person led to heavy protests and threatened out anger, demonstrating once again, yet no one learned that transgender people face enormous barriers in healthcare. Earlier, Alisha had said they were in a position of helplessness as their rights are being violated on consistent basis making them all spotted skin not the bright colours and safe zone for weak lives (Islam, 2020). For Maya, a transgender woman from Nowshera the stakes were even higher. She was stabbed to death by her family who found after she ran away because of the violence, and it is widely believed that her own brother and uncle were responsible. The police investigation into her death was heavily criticized for its lacuna in the justice system and raised questions about whether there ever could be any Justice here, except groups continued to hope they would see implementation of such laws (Islam, 2020). Third community member, Saba also narrates some incidents of how thesetransgender are exploited in desperation and underlines the pathetic conditions transgender go through. But while a few live in splendor, these tales together portray hardships which continue over the recognition of legal rights concerns with reference to safety and dignity for this own transgender population categorically within Pakistan (Khan, 2014).

4.7 Social Exclusion of Transgender Individuals

A 2022 census and reports published by the non-governmental organizations puts population of transgender people between 300,000 to half a million in Pakistan. This population has a high degree of challenges and in particular the rate of literacy within transgender is extremely low at around 20%, comparing to national average, which stands neat about 59%. This educational disparity underscore systemic obstacles to ensure quality learning for transgender persons, informed by societal discrimination and stigma (Hayes et al., 2008). One of the starkest examples of the exclusion faced by transgender individuals in Pakistan can be seen in the case of Lahore. A study conducted that transgender individuals in Lahore experience severe discrimination in public spaces, often being denied basic services such as healthcare and education. The lack of family acceptance further compounds their marginalization, pushing many into begging or sex work for survival.

4.8 Violence and Discrimination

In Pakistan, the violence against transgender is still alarming. According to trans activists, more than 200 violence cases were documented in the last year, many that go unreported due to fears of retaliation and social vilification. Among them is the known fact that between 2015 and 2021, at least sixty transgender persons were brutally killed, most of these murders preserved as honor killings. But it was violence born of societal bias and highlighted internationally as an example of the dire need for legal reform to protect transgender people (Hayes et al., 2008).

4.9 Economic Marginalization

Economic marginalization is another critical issue. Transgender people in Pakistan are often denied employment opportunities, leaving them with limited options for economic independence. The unemployment rate in the transgender population is majorly out of control, almost 80% reported unemployment. It is through this economic exclusion that many transgender people have to beg or get involved in the sex industry. An average transgender earns around PKR 8,000 (US\$50) per month as compared to a national average of about PKR 35,000. This income inequality demonstrates not only the obstacles to employment built into our systems but also indicates that we need broader economic justice solutions help bring transgender people into the workforce (Khan, 2014).

4.10 Education and Awareness

In education, only 10% of for transgender people are attending school which is a result to many challenges such as exclusion from society and policy that does not make transgender life easier. Many NGOs and Go into end initiatives have been introduced to overcome these significant issues. There are more than 50 NGOs which have been working on awareness and educating about transgender rights from year of 2023. This work is imperative, serving to normalize and protect the rights of those who are transgender by working together with institutions in GOP led states so that we can even further breakdown barriers trans folks face surrounding both education schools or society (Stryker, 1998).

Table No 1: Transgender Population and Statistics in Pakistan

Category	Value/Percentage
Trans Estimated Population	5,00000
Literacy Rate	20%
Unemployment Rate	79%
Average Monthly Income	PKR 8000
Violence Cases	267
Murder Cases	61
Education	20%
NGOs Working for Trans	52

Table 1. shows the data of the Transgender from the Bureau of statistics Pakistan of the year 2023.

4.11 Health Care Access Issues

Pakistan certainly has a problem when it comes to transgender individuals accessing healthcare. The specific needs and discrimination of transgender patients, much less known will be the sensibilities in general to many health care providers. A case in point is Alisha, a

poignant example of how trans people fail to get proper treatment due to systemic inadequacies. Studies indicate that up to 70% of trans people had experienced discrimination in healthcare settings. Transgender populations are 50% more likely than the general population to experience mental health problems (Tabassum & Jamil, 2014).

Table No 2: HealthCare Statistics in Pakistan

Health Indicator In Pakistan	Percentage
Discrimination in Healthcare Seeking	70%
Mental Health Issues	50%
Educational Barriers	90%
Social Isolation	85%

Table No 2. indicates the health access discrimination to the transgender in Pakistan.

4.12 Challenges to Social Inclusion

4.13 Cultural and Religious Factors

Cultural norms and religious beliefs play a significant role in shaping societal attitudes toward transgender individuals in Pakistan. While Islam advocates for the dignity of all human beings, conservative interpretations have often been used to justify discrimination against transgender individuals. The rigid gender binary in Pakistani society, reinforced by religious and cultural traditions, excludes those who do not conform to these norms. Transgender individuals, therefore, face ostracization, with many being forced into isolated communities. The transgender population in Pakistan is estimated to be between 300,000 to 500,000, though exact figures remain elusive due to the social stigma attached to gender identity. In a 2016 survey conducted by the Aurat Foundation, it was found that 64% of transgender individuals had faced physical violence, while 92% had experienced verbal abuse. These statistics paint a grim picture of the challenges faced by the transgender community in Pakistan, despite the legal frameworks in place (Siddique et al., 2024).

4.14 Legal and Political Barriers

Despite the passage of the Transgender Protection Act 2018, legal and political barriers continue to impede progress. The lack of enforcement mechanisms and the prevalence of societal stigma mean that transgender individuals remain vulnerable to violence and discrimination. The 2021 amendment to the Act also raised concerns about the weakening of legal protections, with critics arguing that it erodes the right to self-identify—a cornerstone of the original legislation (Divan et al., 2016).

4.15 Recommendations

4.15.1 Getting Clear on Inclusive Workplace Policies

Alright, let's talk about something that's super important these days—making workplaces inclusive for everyone, you know? It's crucial that we kick off clear, non-discriminatory policies that really cater to all employees, including our transgender friends, whether they're in private companies or public organizations. By providing straightforward templates and guidelines, businesses can create solid frameworks to foster a more inclusive environment. And hey, research has shown that when workplaces embrace diversity, productivity can soar by as much as 35%! So, yeah, these initiatives are pretty urgent.



4.15.2 Mandatory Training for Health Professionals

Now, switching gears a bit—let’s discuss health professionals. It’s time to roll out mandatory gender-sensitivity training programs for healthcare workers, focusing on the specific medical needs of transgender individuals. Partnering with medical schools and health organizations to weave these training modules into their curricula will help make this change stick for the long haul. Studies from around the world have found that when healthcare is inclusive, satisfaction rates among marginalized groups can jump by a whopping 20%. Isn’t that something?

4.15.3 Setting Up Community Support Centers

So, the idea here is to create these community hubs think of them as safe spaces where transgender folks can find a bit of comfort and help. We are discussing essential services like legal aid, mental health resources, and job placement support. These centers mustn’t just pop up and disappear; we need them to be sustainable. One way to do that is by teaming up with both the public and private sectors. There have been some pretty effective models in places like India and Thailand that we could learn from.

4.15.4 Government Grants for Transgender Entrepreneurs

Now, let’s shift gears a bit. What if the government stepped in to offer grants specifically designed for transgender entrepreneurs? That could make a difference! This isn’t just about handing out money; we’re looking at a whole package that includes mentorship, workshops on business planning, and even training sessions on financial literacy. Research shows that when marginalized groups start their own businesses, it can actually lead to a 15-20% increase in job opportunities within the community. Pretty impressive, right?

4.15.5 Public Awareness and Education Campaigns

So, here’s the deal: we really need to kick off some long-term public awareness campaigns. The goal? To challenge those pesky stereotypes and promote a culture of acceptance. Think about it—using a mix of media platforms, teaming up with local influencers, and getting community leaders involved can really make a difference. And guess what? Countries that have tried similar approaches have seen a 25% drop in social stigma within just three years. Pretty impressive, right?

4.15.6 Strengthened Monitoring Mechanisms

Now, let’s talk about keeping things in check. We ought to set up an independent regulatory body that’s dedicated to enforcing the Transgender Protection Act. This body should have the authority to look into violations, hand out penalties, and make sure everyone’s on board with the rules. Honestly, without transparency and accountability, these mechanisms won’t really work as they should.

4.15.7 Incorporating Gender Diversity in Education

And what about education? We must weave comprehensive lessons on gender diversity into school curricula. This way, we can nurture understanding and acceptance right from the



start. We should focus on creating materials that are age-appropriate and sensitive to cultural differences, and it'd be great to collaborate with teachers and activists on this. Doing this can make a lasting impression on young minds.

4.15.8 Dedicated Legal Assistance Hotlines

You know, it would be really helpful to create some easy-to-reach, confidential hotlines where transgender folks can get legal support—especially when they're dealing with discrimination or violence. Just think about it: having immediate advice and resources could really boost how we respond to violations of their rights.

4.15.9 Strengthening NGO Partnerships

It's super important to build stronger ties between government agencies and those NGOs that are all about fighting for transgender rights. By combining resources and expertise, we could roll out some pretty powerful initiatives—like workshops to build skills or advocacy campaigns that really make an impact.

4.15.10 Research and Data Collection on Transgender Issues

Let's talk about money for a second. The government should seriously consider funding research into the socio-economic hurdles that transgender individuals face. You know, when policies are based on solid data, they tend to be way more effective. Take a look at countries that have invested in this kind of research—they saw a whopping 30% improvement in policy outcomes! Isn't that something? It just shows how important it is to understand the issues at hand.

5. Conclusion

In conclusion, while legislative frameworks such as the Transgender Protection Act represent significant progress for transgender rights in Pakistan, their effectiveness is hindered by societal attitudes and systemic discrimination. The gap between legal recognition and lived reality underscores the urgent need for comprehensive reforms that go beyond mere policy changes. By addressing cultural stigmas through education and advocacy, society can foster an environment where transgender individuals are not only recognized legally but also accepted socially. Moreover, implementing robust support systems—such as healthcare access tailored to transgender needs and employment initiatives—will be crucial in facilitating genuine inclusion.

The recommendations outlined herein serve as a roadmap toward achieving these objectives. By prioritizing awareness, enforcement of existing laws, and providing targeted support services, Pakistan can take meaningful steps toward ensuring that all individuals, regardless of their gender identity, can live with dignity and respect. This multifaceted approach will not only benefit the transgender community but will also enrich society as a whole by promoting diversity and inclusion. As we move forward, it is imperative that all stakeholders—including government bodies, civil society organizations, and community members—collaborate to create a more equitable future for everyone.

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