

## **Role of Pakistani Academia in Enabling the Pakistani Intersexual Community**

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### **Abstract**

This paper explores the different avenues for Pakistani academics from major streams of academia through which they can play a role in the improvement of the Pakistani intersexual community. It discusses their potential impact on the medical procedures available to - and forced upon - the community, its access to education, and - briefly - the importance of the inclusion of intersexuality in curricula for medicine and gender theory.

The suggested roles of Pakistani academia in this paper have been arrived at after a quick review of western intersex literature on the topic, because unfortunately the Pakistani intersex community has never been enabled to speak out for itself academically.

The author has employed a descriptive approach in this paper.

**Keywords:** Intersex, Pakistani, *Hijra*, Transgender Rights Act 2018, Intersex Rights, Civil Rights, Inclusion, Khuntha.

### **Introduction**

Appearing by many names at all junctures of the history of the Indian subcontinent, and living under many others in modern-day Pakistan, intersex individuals have never enjoyed a higher visibility than in the past few years in the conservative country. Policies, laws & amendments have enabled them to secure comparatively better jobs and equal rights as citizens of Pakistan; the reform in the situation (legally, for the social situation is changing slowly and painstakingly) can be traced to the groundbreaking and controversial Transgender Protection Act of 2018.

This work seeks to understand foremost what intersexuality is, and what it is

not, before attempting to explore the different avenues for academia to create a safer and more equal country for Pakistan's intersexual community.

Intersexuality is a condition defined as the "congenital anomaly of the reproductive & sexual system".<sup>1</sup> More often than not, intersex individuals are identified at birth through atypical genitalia or during their adolescence with disorders in sex development. Intersex individuals form 1 - 2 % of the global population, with there being several diverse manifestations of the intersexual condition.<sup>2</sup>

In the TGP Act 2018, intersex rights have been addressed under the umbrella term "Transgender", which at the time of the act's

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<sup>1</sup> (Koyama, 2003, p. 3)

<sup>2</sup> (Simons et al., 2020, pp. 191-192)

passage was not challenged by parliamentarians because of the common conflation between transgender individuals (who change their gender on the basis of their self-perceived gender identity) and intersex individuals (who are born outside of a specific biological sex). It took three years for the conflation - and its subsequent effects on the legislation - to be identified and for concerned parties to raise their voices against the definition of the term transgender in the Act<sup>3</sup> which included under it:

- a. Intersex Individuals
- b. Castrated or excised persons assigned male at birth
- c. Transgender individuals who perceive themselves to be of a different gender than that which conforms with the biological sex into which they were born.

The act thus appears to dole out in equal proportion general legal representation to all groups that tend to fall outside of the traditional gender binary.<sup>4</sup>

Conservative political and social elements in Pakistan vehemently opposed this definition which gave transitioning rights to transgender individuals, but the consequent discussion managed for the first time to introduce to the public the term intersexuality, and prime-time Pakistani TV show hosts were seen discussing for the first time the conflation between intersexuality and transgenderism, and were heard

accepting intersexuality as a natural condition on the basis of which none could be ostracized from a civilized Muslim society.<sup>5</sup>

Conversations arose on the meaning of intersexuality, and about the categories of Pakistani hijras who were plunked together under the same umbrella for decades with no attempt to address their medical, social & legal needs - many of which were different for each category.

It is a blessing, then, that with the Transgender Protection Act of 2018, these confluences have been identified and highlighted for the public by academics and lawmakers. It is now important to think about where we move on as a nation from this point as far as intersex rights are concerned.

Academia's role in policymaking and in raising public awareness is no secret, and as a Pakistani academic, the author believes that the country's academia must recognize its potential to play a poignant role in this issue in several ways.

The most important role is to listen - and internalize - the Pakistani intersexual experience. The voices from within the community must be amplified, and spokespersons from within the community must be given spaces in which they can safely - and without interruptions, recommendations and censorship - talk about what it means to be an intersexual in Pakistan, to what degree one is ostracized for

<sup>3</sup> Transgender Persons (Protection of Rights Act), 2018, p.2

<sup>4</sup> (Farhat et al., 2020, p. 15)

<sup>5</sup> ("Khantha aur Khawja Sira ke Muta'alliq Mazhabi Tabqey ki Zimmedāri," 2022)

being one and what it would mean to be truly accepted by Pakistani society for intersexual individuals.

Another important point is to conduct honest and focused research on intersexuality and issues that are unique to the Pakistani intersexual community. It is imperative that such research be framed outside the scope of the LGBTQ movement so that it can focus primarily on the condition and needs of the community in question, for when framed under the umbrella term of transgenderism, conversations on intersexual rights end up overshadowed.<sup>6</sup>

It is important, too, to open educational institutes - and not just higher educational institutes but schools and colleges - to intersexual adults and children. With the community's recently won right to education in 2018, legalities no longer stand in their way into the educational system, but for many intersexual adults, higher education is completely inaccessible simply because they have not had primary, secondary or higher schooling. A good rectification would be to introduce in public and private schools and colleges evening programs for intersexual persons in which they can enroll and educate themselves without compromising their livelihood. This is something that academics can play a very active role in, and it is understood that this role would be a groundbreaking one that could potentially change the social dynamic

of the country as far as intersexuality is concerned.

Alongside this educational & intellectual enabling of the intersexual community, Pakistani academics must generate platforms to bring together representatives from within this community, and the country's leading policymakers, in an attempt to bridge the gap between the theoretical & practical application of policies concerning the community.

There is also a significant dearth of conversation in Pakistan surrounding the various surgeries intersexual children are subjected to in early childhood in an attempt to present them as "normal" - which are "considered a human rights violation by the United Nations"<sup>7</sup> Religious streams of academia need to explore and discuss whether a child may be subjected to such procedures, what the scope of such procedures would be for an adult - especially considering many such surgeries leave the patient with long-term psychological and sexual problems that eventually hinder their social adjustment<sup>8</sup>- and how an intersex person who chooses not to undergo such surgeries for any reason can withstand the social pressure to embrace the gender binary.

Similarly, medical streams of academia in Pakistan need to reflect deeply upon the availability and accessibility of the latest procedures and surgeries to the intersex community in Pakistan. Often, such

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<sup>6</sup> (Simons et al., 2020, p. 193)

<sup>7</sup> (Ahmer et al., 2021, p. 4)

<sup>8</sup> (Koyama & Weasel, 2002, p. 169)

conversations center around transgenderism and the access of the trans community to gender reassignment surgeries<sup>9</sup> which needs to change. Surgeries and procedures peculiar to the intersex condition must be reviewed to see whether they are performed to "fit" the patient into the gender binary or enable the patient to live a healthy and fulfilling life. Similarly, medical health providers must understand when the surgeries or procedures must be avoided, instead of continuing to experiment - in a way - on bodies they are not equipped to understand or appreciate.

The inclusion of intersexuality in medical curricula, and the training of medical students to deal with intersex patients and understand their bodies is imperative, and regrettably not all that common.<sup>10</sup>

The scope of this piece is so small that it could not possibly examine the recently introduced gender studies programs in Pakistani universities, but it can safely glean from the general appearance of the liberal feminist movement and the transgender movement in the country that intersexuality is not a priority of the agenda of mainstream movements and classrooms concerned with gender and sexuality. It is important for such academic programs to reframe the discussion on intersexuality to center it on "issues of medical ethics, social justice & erasure"<sup>11</sup> instead of sexualizing or 'gender'-ising the topic by focusing on gender or sex-deconstruction<sup>12</sup> thereby "reinforcing

the exoticization" of the intersexual community. Similarly, the use of academic sources penned by intersexual individuals for courses or lectures related to intersexuality is integral. Intersexuality should be incorporated into such programs consciously and not as useful garnishing to the gender spectrum conversation.

These are a few measures which spring to one's mind when one attempts to test the limits of Pakistani academia in an effort to gauge just how much of an active role it can play in the fight for intersexual rights, and the acceptance of intersex individuals into the folds of Pakistani society.

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<sup>9</sup> (Koyama & Weasel, 2002, p. 171)

<sup>10</sup> (Ahmer et al., 2021, p. 4)

<sup>11</sup> (Koyama & Weasel, 2002, p. 174)

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