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Isurinie Anuradha Mallawaarachchi

Intimate Partner Violence

Case Studies of Transgender Women
in Sri Lanka as Victims and Perpetrators

APMA, Master's Programme in Human Rights
and Democratisation in Asia Pacific

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- Mallawaarachchi, Isurinie Anuradha, *Intimate Partner Violence: Case Studies of Transgender Women in Sri Lanka as Victims and Perpetrators*. Supervisors: Kalana Senaratne, University of Peradeniya and Naparat Kranrattensuit, SJD (Judicial Science). Master's Programme in Human Rights and Democratisation in Asia Pacific (APMA-GC Asia-Pacific), coordinated by Mahidol University (Thailand).
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- Orr, Kate, *Missing from the Data, Missing from the Law: Indigenous Women and Girls and the Failures of Anti-Trafficking Frameworks in Latin America*. Supervisor: Davinia Gómez Sánchez, Univeristy of Deusto (Bilbao). European Master's Programme in Human Rights and Democratisation (EMA-GC Europe), coordinated by Global Campus of Human Rights Headquarters.

- Vasilenko, Darya, *Assessing the Extent of Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women: Concluding Observations on Kazakhstan*. Supervisor: Aigerim Kussaiynkyzy, Maqsut Narikbayev University (Kazakhstan). The Master's Programme in Human Rights and Sustainability in Central Asia (MAHRS-GC Central Asia), coordinated by the OSCE Academy in Bishkek (AY 2024-26).
- Yisa, Josephine Boye, *A Human Rights-Based Approach to Overfishing in West Africa: Comparative Study of Guinea-Bissau and The Gambia*. Supervisors: Magnus Killander, University of Pretoria and Emmanuel Kasimbazi, Makerere University (Uganda). Master's Programme in Human Rights and Democratisation in Africa, coordinated by Centre for Human Rights, University of Pretoria.

Biography

Isurinie Anuradha Mallawaarachchi (she/her) is a poet and a researcher. She is an alumna of University of Kelaniya, University of Malaya, Sri Lanka Law College, and Mahidol University. Her work, literary and otherwise revolves around the themes of gender, identity and trauma. Currently, she is pursuing her PhD in Law in Australia.

Abstract

Intimate partner violence (IPV) is traditionally understood in cis-heteronormative contexts, with cis-heterosexual men as the perpetrators and cis-heterosexual women as victims. Concerning the context of Sri Lanka, IPV is observed to be conceptualised within the boundary of legal marriage. As same-sex unions in Sri Lanka are non-marital, cohabiting relationships – due to the criminalisation of homosexuality – this points to an erasure of the experiences of IPV faced by the majority of the LGBT+ community. Studies also have pointed out that women are highly victimised by IPV. Keeping in mind that transgender women in Sri Lanka are a severely marginalised group, this highlights that they would be in an immensely vulnerable position if they were in a relationship before obtaining a Gender Recognition Certificate without which they are institutionally misgendered. This study takes place against this backdrop, where transgender women's experiences of IPV victimisation and perpetration are explored. This study involves a qualitative thematic coding analysis of interviews obtained from nine transgender women regarding their experiences of IPV victimisation and perpetration. As this study delves into the lived experiences of IPV of persons with diverse sexual orientations, the phenomenological approach will be utilised as the method of data analysis. The results showcased a clear expression of the interpersonal transphobia manifested as IPV.

Keywords: *Intimate partner violence / transgender / thematic coding analysis / LGBT+ / phenomenological approach*

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Table of Abbreviations

IPV	Intimate partner violence
LGBT+	The lesbian, gay, bisexual, transgender and the queer community
NGO	Non-Governmental Organization
SOGIESC	Sexual Orientation, Gender Identity, Expression, and Sex Characteristics
UN	United Nations
WHO	World Health Organization

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1. Introduction

1.1 Introduction

This chapter focuses on the contextual information, problem statement, research objectives and questions, and the significance of the study which will help better comprehend the nuances that are explored in this study. Thereby, it is intended to delve into the phenomenon of intimate partner violence (IPV) with the transphobia and homophobia that pervades Sri Lankan society as the backdrop.

In this section, the contextual information that is deemed relevant in fathoming the phenomenon of IPV among trans women in Sri Lanka is briefly discussed. Further arguments and observations relating to theoretical concerns will be discussed at length in the literature review.

1.1.1 Intimate partner violence research

IPV is traditionally understood in cis-heteronormative contexts, cis-heterosexual men are the perpetrators and cis-heterosexual women are the victims. However, my personal experiences and observations as a queer person have pointed to the rampancy of IPV amongst individuals who belong to the LGBT++ community in Sri Lanka, although a minimal amount of research has been conducted in this regard.

There are arguments on the symmetry of the direction that IPV takes place in terms of gender – while some argue that it is done by men where women are at the receiving end, which is connoted by the terms that are used to refer to this phenomenon such as ‘wife battering’, some argue that it takes place symmetrically

where women and men commit IPV alike.¹ According to these same authors, '[t]hose advocating that at least some IPV may be best understood from a gender symmetry position argue that IPV tends to flow in both directions: from males to females and females to males'.² Keeping these observations in mind, it can be argued that the view that IPV is asymmetrical, ie that it is done by men while women are the victims renders the interpretation of the gender relations in same-sex relationships in a problematic position. As the above authors discuss, this could also mean that there has to be more IPV in male same-sex relationships whereas there can be a lesser amount of IPV in female same-sex relationships.

Considering these factors, it is deemed necessary to consider IPV as a bidirectional phenomenon rather than a unidirectional phenomenon. However, whether this bidirectionality should be considered alongside gender identity as discussed in the previous paragraph remains a question, because the focus of this research is essentially on the LGBT+ community. It should also be noted that studies have shown that 'individuals who perpetrate a given type of violence were also likely to be a victim of the same type of violence'³ concerning women from sexual minorities. Considering this argument, I intend to interpret the bidirectionality of IPV as the ability of the same person to be a perpetrator of IPV and a target of IPV.

In consideration of the application of the IPV to the context of the larger LGBT+ discourse, the past few years have shown an increase of the research done on how IPV affects the LGBT community. However, it has been highlighted in several studies⁴ that although the trajectory of research about IPV has been directed to include same-sex relationships, trans experiences in the context of IPV are rarely studied. Thereby, considering these

¹ J Langhinrichsen-Rohling and others, 'Rates of Bidirectional Versus Unidirectional Intimate Partner Violence Across Samples, Sexual Orientations, and Race/Ethnicities: A Comprehensive Review' (2012) 3(2) *Partner Abuse: The Partner Abuse State of Knowledge Project: Part 1* 199 <<https://doi.org/10.1891/1946-6560.3.2.199>>.

² *ibid* 202.

³ ME Sutter and others, 'Patterns of Intimate Partner Violence Victimization and Perpetration Among Sexual Minority Women: A Latent Class Analysis' (2019) 25(5) *Violence Against Women* 572 <[10.1177/1077801218794307](https://doi.org/10.1177/1077801218794307)>

⁴ N Brown, 'Holding Tensions of Victimization and Perpetration' in JL Ristock (ed), *Intimate Partner Violence in LGBTQ Lives* (Routledge 2011); XL Guadalupe-Diaz and J Jasinski, "'I Wasn't a Priority; I Wasn't a Victim": Challenges in Help Seeking for Transgender Survivors of Intimate Partner Violence' (2016) 23(6) *Violence Against Women* 772 <<https://doi.org/10.1177/1077801216650288>>; XL Guadalupe-Diaz, *Transgressed: Intimate Partner Violence in Transgender Lives* (New York UP 2019).

observations, this study aims at exploring the IPV victimisation and perpetration by transgender women in Sri Lanka. For this study, the terms trans women/transgender women refer to individuals who identify as women but were assigned with a different sex at birth. According to Lacombe-Duncan and Olawale, ‘trans women specifically include those labeled male sex at-birth who typically identify as women, trans women, and/or transfeminine’.⁵ Furthermore, although statistics about IPV concerning trans women in Sri Lanka are not available, the statistics in other parts of the world showcase trans women as extremely vulnerable to abuse.⁶

1.1.2 Sri Lankan context

According to Mendis and Deshapriya, the Sri Lankan LG-BT++ community ‘continue to live under a shroud of invisibility’.⁷ These authors argue that this is largely due to the social conservatism in Sri Lanka which rigidly demarcates a male/female binary. As a result, it is observed that LG-BT++ individuals live away from access to the government, community organisations and their peers.

Another noteworthy observation is that ‘sexuality is restricted to marriage and those who pursue sexual activity outside the confines of a marriage, especially women are vilified’.⁸ This can be linked to the next section of this chapter which is about the current legal standing in Sri Lanka regarding the LGBT+ community. I discuss that as per the current legal standing, same-sex sexual relationships are criminalised. What this conveys is that there are no legal provisions for same-sex couples to get legally married; consideration of this inability vis-a-vis the above-discussed stigma on sexual relations outside wedlock would showcase that LG-BT++ individuals who are in relationships are doubly stigmatised.

⁵ A Lacombe-Duncan and R Olawale, ‘Context, Types, and Consequences of Violence Across the Life Course: A Qualitative Study of the Lived Experiences of Transgender Women Living with HIV’ (2020) 37(5–6) *Journal of Interpersonal Violence* 2242 <<https://doi.org/10.1177/0886260520935093>>.

⁶ Brown (n 4).

⁷ M Mendis and P Deshapriya, *Disrupting the Binary Code* (Women and Media Collective 2017).

⁸ *ibid* 20.

1.1.3 Current legal standing in Sri Lanka regarding the LGBT+ community

It can be argued that the ensuring of the rights of the persons who are in same-sex relationships is at an ambiguous state because the law does not explicitly provide for their protection. According to the Constitution of Sri Lanka, '[n]o citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any one of such grounds'.⁹ Interestingly, in this list of grounds that a person could be discriminated against in Sri Lanka, gender and sexual orientation are not included.

Furthermore, the key indicator of this stigma and discrimination lies sections 365 and 365(A) of the Penal Code.¹⁰ Section 365 of the Penal Code reads that '[w]hoever voluntarily has carnal intercourse against the order of nature with any man, woman, or animal'¹¹ could be punished with imprisonment. The above position is further accentuated by section 365(A), which reads 'any person who, in public or private, commits, or is a party to the commission of, or procures or attempts procure the commission by any person of, any act of gross indecency with another person, shall be guilty of an offence'.¹²

In the case of transgender persons, section 399 of the Penal Code applies, where the offence is called 'cheating by personation'. Section 399 of the Penal Code reads a 'person is said to "cheat by personation" if he cheats by pretending to be some other person, or by knowingly substituting one person for another, or representing that he or any other person is a person other than he or such other person is'.¹³ This law, which can be considered transphobic, applies to transgender persons who are in the earlier stages of gender reassignment. However, recent circulars¹⁴ have enabled them to legally change their identification documents from the sex that they were assigned at birth.

⁹ The Constitution of the Democratic Socialist Republic of Sri Lanka 1978, art 12(2).

¹⁰ Mendis and Deshapriya (n 7).

¹¹ Penal Code Ordinance No 2 1883, s 365.

¹² *ibid* s 365(a).

¹³ *ibid* s 399.

¹⁴ Registrar General's Department, Circular No 6, 2016.

1.2 Statement of the problem

According to Guruge and others, ‘although IPV occurs in all forms of intimate relationships, and despite an increase in non-marital or cohabiting relationships, IPV in Sri Lanka continues to be conceptualized within the context of legal marriage’.¹⁵ In light of this observation, it should be reiterated that same-sex relationships in Sri Lanka are non-marital, cohabiting relationships. This points to an erasure of the experiences faced by persons who are in same-sex relationships.

In addition, according to section 2 of the Prevention of Domestic Violence in Sri Lanka, the measures to counteract domestic violence in Sri Lanka are restricted only to heterosexual households and they do not provide the steps that should be taken if the intimate partners are not married.¹⁶ This indicates an erasure of the individuals who are not legally married, which includes LG-BT++ individuals. This will illustrate how damaging the invisibility created by transphobia and homophobia are for those who fall outside the cis-heteronormative world as they lack the legal protection that their married, heterosexual counterparts experience.

Furthermore, the above research also singles out that ‘women’¹⁷ are highly victimised by IPV. Although this research does not intend to contest that factor, whether the definition of ‘women’ here includes trans women is arguable. It was also noted in a previous section that women who become sexually active outside of wedlock are more prone to stigma and discrimination. Keeping in mind that transgender women in Sri Lanka are a severely marginalised group, this highlights that they would be in an immensely vulnerable position if they were in a relationship before obtaining a Gender Recognition Certificate.

The obtaining of a Gender Recognition Certificate is significant in this context because, without it, transgender individuals are recognised alongside the sex that they were assigned at birth, in the eyes of the law. Therefore, a heterosexual transgender woman who hasn’t received a Gender Recognition Certificate is

¹⁵ S Guruge and others, ‘Intimate Partner Violence in Sri Lanka: A Scoping Review’ (2015) 60(4) Ceylon Medical Journal 133 <<https://doi.org/10.4038/cmj.v60i4.8100>>.

¹⁶ Prevention of Domestic Violence Act 2005, s 2.

¹⁷ Guruge and others (n 15) 136.

legally considered a cisgender gay man and if she is in a relationship with a man that relationship is considered a same-sex relationship. This underlines that transgender women in certain contexts are institutionally misgendered.

The necessity to study the experiences of IPV among transgender women arises in this context, considering the complications in law as mentioned. Furthermore, the existing research as discussed above has pointed out that transgender women are considerably vulnerable to IPV. Thereby, a gap in the existing knowledge repository arises in exploring the ways that IPV takes place amongst trans women and the ways that they deal with it.

1.3 Research questions and objectives

The overarching objective of this research is to document how IPV takes place amongst trans women of whom a majority are involved in sex work. The sample that was analysed for this study contained a majority of sex workers. Furthermore, it is planned to explore how the targets of IPV deal with IPV victimisation and also perpetration. Therefore, the research questions for this study are constructed as follows:

01 —How do trans women in Sri Lanka describe IPV through the accounts of their experiences?

This question is posed to address the first objective of documenting the way IPV takes place amongst transgender women.

02 —How do trans women in Sri Lanka respond to IPV?

This question is posed to address the second objective of exploring the ways in which the targets of IPV deal with IPV victimisation and perpetration.

1.4 Argument

The main argument of this research is that trans women experience a considerable amount of violence from their intimate partners due to the transphobia that pervades Sri Lankan society. This argument is based on the existing research that points out the rampancy of abuses that trans women undergo. Furthermore, it is argued that experiences of IPV faced by trans women could be bi-directional, ie the same person could be both a victim and a perpetrator. This is made on the basis that the same person could be a victim in one relationship and a perpetrator in another relationship, which could occur simultaneously or on different occasions, considering the complexity of IPV. This is described by Oringher and Samuelson as 'both perpetrating and receiving acts of violence'.¹⁸

1.5 Significance of the study

As stated in the section on contextual information, IPV is largely seen in cis-heteronormative contexts whereby the cisgender man is the perpetrator. Thus, this research directs the discussion on IPV from cis-heteronormative contexts to include queer individuals.

According to section 2 of the Prevention of Domestic Violence Act in Sri Lanka, although measures to address domestic violence have been taken in Sri Lanka, it is restricted to heterosexual households.¹⁹ In a context where sections 365 and 365(A) of the Penal Code of Sri Lanka which de facto criminalise same-sex sexual behaviour are still in power; this clearly manifests as an erasure of the experiences of LGBT++ individuals. The significance of this research to policy can be underlined in this context, because it urges the policy makers to acknowledge same-sex relationships.

¹⁸ J Oringher and KW Samuelson, 'Intimate Partner Violence and the Role of Masculinity in Male Same-Sex Relationships' (2011) 17(2) *Traumatology* 68 <<https://doi.org/10.1177/1534765610395620>>.

¹⁹ Domestic Violence Act in Sri Lanka (n 16).

With the current legal standing, a significant portion of the population is left out; if an instance of IPV happens between two persons of the same gender it becomes impossible to complain to the police unless the type of IPV is physical in which case a complaint can be made concealing the fact that the abuser was also the victim's partner. Thereby, this research is of grave importance because it points to the possibility of the existence of IPV in same-sex relationships.

1.6 Conceptual framework

The World Health Organization (WHO) uses 'one or more acts of physical and/or sexual violence by a current or former partner since the age of 15 years'²⁰ as a working definition to measure IPV. In this study, I intend to incorporate psychological and emotional abuse in the definition of IPV. According to Pilcher and Whelehan, violence could be narrowly defined from a legal perspective as physical, however, 'a broader approach defines violence as behavior which harms others, either physically or emotionally'.²¹

Speaking of physical and sexual violence, according to the stated WHO report, physical violence can be specified as:

being slapped or having something thrown at you that could hurt you, being pushed or shoved, being hit with a fist or something else that could hurt, being kicked, dragged or beaten up, being choked or burnt on purpose, and/or being threatened with, or actually, having a gun, knife or other weapon used on you.²²

²⁰ World Health Organization (WHO), *Global and Regional Estimates of Violence Against Women: Prevalence and Health Effects of Intimate Partner Violence and Non-Partner Sexual Violence* (WHO 2013) <www.who.int/publications/i/item/9789241564625> accessed 4 December 2021.

²¹ J Pilcher and I Whelehan, *Fifty Key Concepts in Gender Studies* (Sage 2004).

²² World Health Organization (n 20) 6.

Sexual violence is specified as ‘being physically forced to have sexual intercourse when you did not want to, having sexual intercourse because you were afraid of what your partner might do, and/or being forced to do something sexual that you found humiliating or degrading’.²³

The above study by the WHO did not incorporate emotional violence/abuse as a way of exercising IPV against a target. In this regard, it is intended to adopt the emotional abuse subscales and definitions as posited by Momtaz and others²⁴ in this study. A selection of the stated subscales and definitions for this research is provided below:

Table 1: Emotional abuse subscales and definitions

Subscale	Definition
Verbal abuse	Happens when individuals are harassed verbally, and may be seen in different types, such as: Belittling: verbal behaviours of caregivers by which [the target] feels inferior and worthless (degrading, minimising). Humiliating: shaming [the target] and humiliating him/her for each unacceptable speech or behaviour or for every failing in his/her activities (shaming). Nominating: naming [the target] faultily and contemptuously. Criticising: criticising all of [the target's] behaviour as faulty or wrong. Ridiculing: belittling or criticising [the target] in a ridiculing manner. Failing or refusing to accept [the target] (ignoring, rejecting, coldness, cruelty and emotional unresponsiveness).
Emotional rejection	Isolating: Prohibiting [the target] from communicating with his/her social group and preventing him/her from obtaining social experiences or making friendships.
Overcontrol	Dominating: Depriving [the target] of reasonable autonomy to decide on their desires or activities.

In the proposed study I intend to cover all three types of violence.

²³ ibid 6.

²⁴ V Momtaz and others, ‘Emotional Abuse Questionnaire (EAQ): A New Scale for Measuring Emotional Abuse and Psychological Maltreatment’ (2022) 64(1) Japanese Psychological Research 1 <<https://doi.org/10.1111/jpr.12312>>.

In addition to the above which can be extended to any individual, certain types of violence that are specifically directed at transgender individuals were identified. According to Peitzmeier and others, ‘preventing the trans partner from accessing hormones’, ‘telling the trans partner that they are not a “real” man or a woman’ and ‘threatening to “out” the trans partner’²⁵ are three ways IPV can be directed at transgender individuals. Furthermore, according to Henry and others, ‘(a) safety, outing, and disclosure, (b) community attitudes, (c) gender stereotypes and transphobia, (d) using or undermining identity, (e) violating boundaries, and (f) restricting access’²⁶ can also be considered ways through which transgender individuals are targeted.

Thereby, the concepts that will be employed in the proposed study can be illustrated as follows:

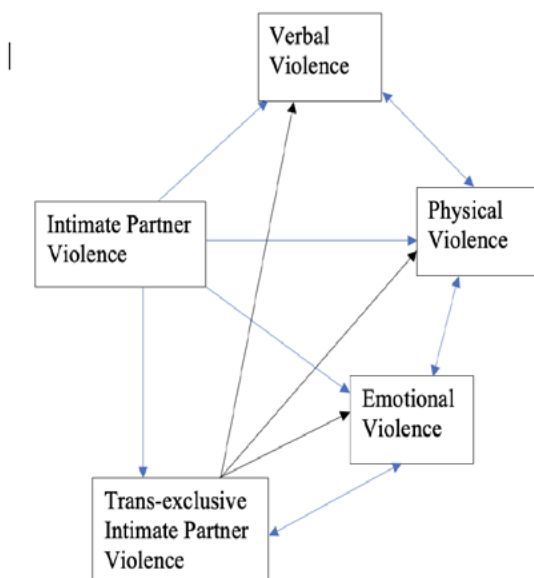


Figure 1: Links between the concepts

²⁵ SM Peitzmeier and others, ‘Development of a Novel Tool to Assess Intimate Partner Violence Against Transgender Individuals’ (2019) 34(11) Journal of Interpersonal Violence 2376 <<https://doi.org/10.1177/0886260519827660>>.

²⁶ RS Henry and others, ‘Intimate Partner Violence and Mental Health Among Transgender/Gender Nonconforming Adults’ (2021) 36(7-8) Journal of Interpersonal Violence 3374 <<https://doi.org/10.1177/0886260518775148>>.

The links between the concepts can be elaborated as follows: the umbrella term 'IPV' can be categorised under the four main types of violence namely verbal violence, physical violence, emotional violence and trans-exclusive IPV. Similarly, trans-exclusive IPV which is a subcategory under IPV can be further categorised as trans-exclusive verbal violence, trans-exclusive physical violence and trans-exclusive emotional violence. Further, as shown by the double arrow symbol, the types of verbal violence, physical violence, emotional violence and trans-exclusive IPV are intertwined with each other.

1.7 Conclusion

In this chapter, contextual information relating to IPV generally, and concerning the LGBT++ community specifically, was discussed. The legal provisions that apply in this regard were also explored. Also, the objectives of this study and the research questions were introduced. I posited the significance of this study for the existing literature on IPV and LGBT++ discourse. Finally, the conceptual framework of the study in which the phenomena that are discussed are viewed is also examined.

2. Literature review

2.1 Introduction

This chapter explores various nuances of IPV about the existing literature on IPV. This is done under four subheadings, namely, violence based on sexual orientation and IPV, factors that perpetuate IPV, trans-specific IPV, and existing interventions and support services.

2.2 Violence based on sexual orientation and intimate partner violence

IPV is defined as ‘physical violence, sexual violence, threats of physical or sexual violence, and/or psychological/ emotional abuse by current and former spouses and dating partners. This is inclusive of any intimate relationship regardless of the couples’ marital status, age or gender’.²⁷ It is also defined as ‘physical, sexual, or psychological harm by a current or former partner regardless of marriage status, cohabitation, or sexual intimacy’.²⁸ However, a WHO report on violence against women specifies ‘one or more acts of physical and/or sexual violence by a current or

²⁷ KS Gehring and JC Vaske, ‘Out in the Open: The Consequences of Intimate Partner Violence for Victims in Same-Sex and Opposite-Sex Relationships’ (2015) 32(23) *Journal of Interpersonal Violence* 3669 <<https://doi.org/10.1177/0886260515600877>>.

²⁸ SM Peitzmeier and others, ‘Development of a Novel Tool to Assess Intimate Partner Violence Against Transgender Individuals’ (2019) 34(11) *Journal of Interpersonal Violence* 2376 <<https://doi.org/10.1177/0886260519827660>>.

former partner since the age of 15 years'²⁹ as a working definition. It can be observed that in the third definition, psychological/emotional abuse is not considered a way through which a target can be abused. This may be due to the difficulty in measuring emotional abuse. This problematises the issue of defining and measuring IPV, which could be a concern that requires further research.

A factor that is emphasised in several studies³⁰ is that women are subjected to IPV more than men. According to the WHO report, the global prevalence of physical and/or sexual IPV that is experienced by women is 30.0 per cent.³¹ A key finding of the Women's Wellbeing Survey is that one of the most prevalent kinds of IPV that are perpetrated towards women is controlling behaviours.³² Commenting on the prevalence of female targets of IPV, Harden and others state that '[w]hile IPV affects all kinds of women, women who hold additional marginalized identities such as intersections with sexuality, gender, race and class are likely to be at a higher risk of victimization'.³³

According to Messinger and Guadalupe-Diaz, transgender individuals are at an increased risk of 'poly victimization, that is, exposure to multiple types of violence over the life course'.³⁴ As apparent, numerous sources have looked at the victimisation of transgender women throughout their lives due to different types of violence such as child abuse, maltreatment and sexual violence.³⁵

²⁹ World Health Organization (WHO), *Global and Regional Estimates of Violence Against Women: Prevalence and Health Effects of Intimate Partner Violence and Non-Partner Sexual Violence* (WHO 2013) <www.who.int/publications/i/item/9789241564625> accessed 4 December 2021.

³⁰ S Guruge and others, 'Intimate Partner Violence in Sri Lanka: A Scoping Review' (2015) 60(4) *Ceylon Medical Journal* 133 <<https://doi.org/10.4038/cmj.v60i4.8100>>; J Harden and others, 'The Dark Side of the Rainbow: Queer Women's Experiences of Intimate Partner Violence' (2020) 23(1) *Trauma, Violence, and Abuse* 301 <<https://doi.org/10.1177/1524838020933869>>.

³¹ World Health Organisation (n 29).

³² Department of Census and Statistics Sri Lanka, 'Women's Wellbeing Survey' (Department of Census and Statistics Sri Lanka 2020).

³³ Harden and others (n 30).

³⁴ AM Messinger and XL Guadalupe-Diaz, 'The Intersection of Transphobia, Human Rights, and Transgender Intimate Partner Violence' in AM Messinger and XL Guadalupe-Diaz (eds) *Transgender Intimate Partner Violence: A Comprehensive Introduction* (New York UP 2020).

³⁵ J Hereth, "'Where is the Safe Haven?'" Transgender Women's Experiences of Victimization And Help-Seeking Across the Life Course' (2021) 16(4) *Feminist Criminology* 461 <<https://doi.org/10.1177/15570851211010951>>.

Interestingly, the above views strongly suggest that the studies have observed this phenomenon of IPV through the presumption that gender is binary. Thereby, these studies are silent on how IPV affects gender non-conforming persons and non-binary persons. What could be deciphered is that they may have used 'women' as an umbrella term to convey transgender women, cis-gender women and non-binary persons who are assigned female at birth. In the same manner that the inclusion of emotional/psychological abuse problematises the definition and the measure of IPV in research, researching to include all the sexual orientations, gender identities and expressions and sex characteristics (SOGI-ESC) could be a challenge. Thereby, Gehring and Vaske point out that research that explores IPV in the context of same-sex relationships has rendered 'inconsistent results'³⁶ likely due to the difficulty of researching this marginalised community. Another challenge that is underlined by the said research is the difficulty of obtaining a representative sample.

Furthermore, according to a report by the UN independent expert on discrimination and violence based on sexual orientation and gender identity,³⁷ perpetrators of discrimination and violence include partners and family members, especially in cases where lesbian and bisexual women are in forced marriages. This report emphasises the necessity to view these issues through an intersectional angle. The above-stated factors about perpetrators being known persons and that bisexual and lesbian women are quite extensively subjected to IPV are highlighted.³⁸

In this regard, McOrmond-Plummer, Levy-Peck and East-eal state that 'the partner rapist is seldom recognized as a rapist or sexual offender in the same sense as a stranger rapist or paedophile, even though the rape of a spouse has been a criminal act in the Western world for several decades'.³⁹ Although aggression is

³⁶ Gehring and Vaske (n 27).

³⁷ Human Rights Council, 'Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity' (2018) UN Doc A/HRC/38/43.

³⁸ Equal Ground, *Struggling Against Homophobic Violence and Hate Crimes* (Equal Ground 2011).

³⁹ L McOrmond-Plummer, JY Levy-Peck and P East-eal, *Perpetrators of Intimate Partner Sexual Violence* (Routledge 2016).

traditionally understood as how a rape target is coerced into rape, the above writers also point to withdrawing affection, withholding house-keeping money and continued badgering to involve in sexual activity as factors that lead to sexual assault/rape.⁴⁰

The above source also underlines that the violence against lesbian, gay, bisexual, transgender and gender non-conforming persons is perpetuated by the state in the cases where same-sex relations are criminalised. Sections 365 and 365(A) of the Penal Code of Sri Lanka criminalise sexual relations between the same sex.⁴¹ According to section 365(A) of the Penal Code, 'any person who, in public or private, commits, or is party to the commission of, or procures or attempts to procure the commission by any person of, any act of gross indecency with another person'⁴² is punishable. This section criminalises consensual sexual acts that are done in private spaces. Thereby, it could be argued that the state does not recognise the existence of same-sex relationships. The effect of this on the issue of IPV is detrimental. It is arguable that through this criminalisation of same-sex relations in Sri Lanka, the state refuses to recognise intimate relationships between individuals; this leads to silence in law where IPV in same-sex relationships is concerned which negatively affects the safety of individuals who are in same-sex relationships.

2.2.1 Bidirectionality of intimate partner violence

In this study, both victimisation and perpetration of IPV by trans women are taken into consideration. In this respect, it is important to note that Oringher and Samuelson consider the focus on victimisation in the research about same-sex IPV a limitation.⁴³ Commenting on this argument, they posit that the persons who attacked back in self-defence would not self-identify as a victim of IPV. Here, in the study mentioned above, bidirectionality is defined as 'both receiving and perpetrating'⁴⁴ violence which will be the definition that would be adopted in this research.

⁴⁰ McOrmond-Plummer, Levy-Peck and Easteal (n 39).

⁴¹ Penal Code Ordinance No 2 1883, s 365.

⁴² *ibid* s 365(A).

⁴³ J Oringher and KW Samuelson, 'Intimate Partner Violence and the Role of Masculinity in Male Same-Sex Relationships' (2011) 17(2) *Traumatology* 68 <<https://doi.org/10.1177/1534765610395620>>.

⁴⁴ *ibid*.

However, early theorists on IPV observed it as a unidirectional phenomenon where men were considered to be the perpetrators and women to be the victims.⁴⁵ The above source refers to terminology such as ‘wife battering’ and ‘wife abuse’ as terms that would showcase this – where IPV was considered that be directed towards women. Developing on this observation, they view that many of the early studies focused on women and girls rather than men and boys concerning IPV.

Diverting from Oringher and Samuelson⁴⁶ here the bidirectionality refers to the symmetry of the way IPV takes place, in respect of the gender. This puts same-sex relationships in a problematic position, as this would mean that there has to be a greater amount of IPV in male same-sex relationships and a lesser amount of IPV in female same-sex relationships. Swan and others note that ‘patterns in IPV perpetration and victimization among sexual minority women, [observing] that those who are victims of physical and psychological IPV are also more likely to be IPV perpetrators’⁴⁷ which disrupts this assumption.

2.3 Factors that perpetuate intimate partner violence

According to Gehring and Vaske, ‘[m]inority stress, internalized homophobia and identity concealment are factors that may affect the perpetration and victimization experiences of same-sex IPV’.⁴⁸ The researchers further state that this could manifest as convincing the victim that it would be dangerous to reach out for help in respect of an IPV happening in a same-sex relationship. The above researchers further argue that the perpetrators of IPV would use the invisibility of same-sex relationships to define relationship norms. Beliefs such as ‘women cannot abuse women’

⁴⁵ J Langhinrichsen-Rohling, A McCullars and TA Misra, ‘Motivations for Men and Women’s Intimate Partner Violence Perpetration: A Comprehensive Review’ (2012) 3(4) Partner Abuse: The Partner Abuse State of Knowledge Project: Part 3 429 <<https://doi.org/10.1891/1946-6560.3.4.429>>.

⁴⁶ Oringher and Samuelson (n 43).

⁴⁷ LET Swan and others, ‘Discrimination and Intimate Partner Violence Victimization and Perpetration Among a Convenience Sample of LGBT Individuals in Latin America’ (2019) 36(15-16) Journal of Interpersonal Violence NP8520.

⁴⁸ Gehring and Vaske (n 27).

would also be utilised to undermine the abuse.⁴⁹ It has been argued that bisexual persons are more prone to IPV, due to the minority stress from their LGBT++ partners and internalised homophobia from their heterosexual partners.⁵⁰

Discussing the consequences of IPV, Gehring and Vaske state that victims of IPV are likely to engage in self-destructive behaviour.⁵¹ Studies have been conducted that specifically observe the role of ‘internalized homophobia’ in the perpetration and victimisation of IPV. According to Badenes-Ribera, Sanchez-Meca and Longobardi, the consequence of this could be two-fold:⁵² LGB people who contain an internalised homophobia towards themselves would project their negativity towards their same-sex partners and perpetrate IPV. The victims who contain internalised homophobia in themselves would passively accept the violence that is perpetrated by their partners without counteracting it. Accordingly, the findings of this study provide empirical evidence for the minority stress theory which could be used to understand the correlation between IPV amongst LGBT++ individuals.⁵³

The ‘fear of contributing to negative views society has towards lesbians by talking about abuse’⁵⁴ is one of the factors that prevent the targets from seeking help against IPV. This can be further connected to the notion of ‘lesbian utopia’⁵⁵ which can be simply described as the view that women cannot abuse women. Traditionally, women are not seen as perpetrators but victims which may affect the ways that targets of IPV in same-sex relationships seek help.

⁴⁹ Gehring and Vaske (n 27).

⁵⁰ DL Whitfield and others, ‘Experiences of Intimate Partner Violence Among Lesbian, Gay, Bisexual, and Transgender College Students: The Intersection of Gender, Race, and Sexual Orientation’ (2021) 36 (11-12) *Journal of Interpersonal Violence* NP6040.

⁵¹ Gehring and Vaske (n 27).

⁵² L Badenes-Ribera, J Sanchez-Meca and C Longobardi, ‘The Relationship Between Internalized Homophobia and Intimate Partner Violence in Same-Sex Relationships: A Meta-Analysis’ (2019) 20(3) *Trauma, Violence, and Abuse* 331 <<https://doi.org/10.1177/1524838017708781>>.

⁵³ *ibid* 9.

⁵⁴ Harden and others (n 30).

⁵⁵ *ibid* 6.

It should be noted that studies have also been conducted to examine the role gender expression plays in perpetuating IPV. According to Jacobson and others, 'greater masculinity tended to report higher levels of victimization and perpetration'⁵⁶ in comparison to those whose gender expression was feminine. As a possible explanation, it is said that females who identify as masculine may experience various stereotypical expectations based on their gender roles. Oringher and Samuelson note that greater conformity to traditional masculine gender norms could predict perpetrator behaviour.⁵⁷

Moreover, law enforcement is not seen as a viable option in an instance of IPV, due to the nature of the violence that takes place. For example, psychological/emotional abuse is difficult to prove to the police and particularly in the context of Sri Lanka there are limitations in the law that could be used against psychological and emotional abuse. Furthermore, King, Restar and Operario have attempted to analyse IPV alongside the 'indicators of social marginalization of incarceration, sex work and homelessness'.⁵⁸

Many studies that have discussed IPV concerning the LG-BT++ community have discussed 'minority stress theory'⁵⁹ as a way of conceptualising the plight of trans women experiencing IPV. Minority stress theory⁶⁰ states that 'the minority person is likely to be subject to such conflicts because dominant culture, social structures, and norms do not typically reflect those of the minority group'. One way that one could link this to IPV experienced by trans women is that it could explain the reasons behind perpetration of IPV as well as the passive victimisation.

⁵⁶ LE Jacobson and others, 'Gender Expression Differences in Same-Sex Intimate Partner Violence Victimization, Perpetration, and Attitudes among LGBTQ College Students' (2015) 9(3) *Journal of LGBT Issues in Counseling* 199 <<https://doi.org/10.1080/15538605.2015.1068144>>.

⁵⁷ Oringher and Samuelson (n 43).

⁵⁸ WM King, A Restar and D Operario, 'Exploring Multiple Forms of Intimate Partner Violence in a Gender and Racially/Ethnically Diverse Sample of Transgender Adults' (2021) 36(19-29) *Journal of Interpersonal Violence* NP10477 <<https://doi.org/10.1177/0886260519876024>>.

⁵⁹ Badenes-Ribera and others (n 52); Harden and others (n 30).

⁶⁰ IH Meyer and DM Frost, 'Minority Stress and the Health of Sexual Minorities' in CJ Patterson and A R D'Augelli (eds), *Handbook of Psychology and Sexual Orientation* (OUP 2013).

2.4 Trans-specific intimate partner violence

It has been observed that ‘IPV victimization prevalence is high among transgender individuals, who have a gender identity that differs from their assigned birth sex’.⁶¹ Discussing the violence that transgender women experience across the course of their life, Lacombe-Duncan and Olawale state that:

the high rates of violence can be contextually understood as driven by social, cultural, and religious norms which denigrate trans, nonbinary (non-feminine/masculine expressions of gender) as less than, prohibiting people from engaging authentically as themselves and trans women’s safety.⁶²

In this context, Peitzmeier and others note that ‘[p]erpetrators often leverage transphobia as a potent tool of power and control, which may explain why transgender individuals are more likely to experience IPV than are cisgender individuals’.⁶³ Furthermore, according to Goodmark, ‘transgender people are uniquely vulnerable to abuse due to their marginalization within mainstream culture’.⁶⁴

In this discussion of trans women’s experiences of IPV, Rogers makes an important discussion on ‘cisgenderism’, ie the normativity of cisgender identity.⁶⁵ He states that cisgenderism can have multiple dimensions and that it includes abuse in the form of misgendering and pathologising. Misgendering, which is the specious use of gendered language which does not reflect how

⁶¹ Peitzmeier and others (n 28); A Lacombe-Duncan and R Olawale, ‘Context, Types, and Consequences of Violence Across the Life Course: A Qualitative Study of the Lived Experiences of Transgender Women Living with HIV’ (2020) 37(5–6) *Journal of Interpersonal Violence* 2242 <<https://doi.org/10.1177/0886260520935093>>; E Fedele, RP Juster and S Guay, ‘Stigma and Mental Health of Sexual Minority Women Former Victims of Intimate Partner Violence’ (2022) 37(23–24) *Journal of Interpersonal Violence* NP22732 <<https://doi.org/10.1177/08862605211072180>>.

⁶² Lacombe-Duncan and Olawale (n 61).

⁶³ Peitzmeier and others (n 28).

⁶⁴ L Goodmark, ‘Legal System Reform’ in AM Messinger and XL Guadalupe-Diaz (eds), *Transgender Intimate Partner Violence: A Comprehensive Introduction* (New York UP 2020).

⁶⁵ MM Rogers, ‘Exploring the Domestic Abuse Narratives of Trans and Nonbinary People and the Role of Cisgenderism in Identity Abuse, Misgendering, and Pathologizing’ (2021) 27(12–13) *Violence Against Women* 2187 <<https://doi.org/10.1177/1077801220971368>>.

a person self-identifies, can occur in the forms of using a person's previous name or gender pronouns which does not accurately convey a person's gender identity.⁶⁶ The above source also singles out that misgendering occurs at a macro-level when 'a system, structure or a norm does not recognize a person's self-identification or self-designated body'.⁶⁷

A key concern that will be explored in depth in Chapter 4 is the normalisation of abuse in intimate relationships that involve transgender individuals. Shedding light on this, Quinn states that 'IPV can be hard for survivors to identify when it does not fit the dominant narrative of a man abusing a woman where both people are heterosexual and cisgender'.⁶⁸

Both misgendering and pathologising, ie 'the intentional action of labelling and treatment of people's self-identified gender, body, presentation, and practice as abnormal or deviant', are considered 'microaggressions' which focus on a person's gender identity and expression.⁶⁹ This study, which focuses on domestic violence and abuse of trans and non-binary individuals conceptualises domestic violence and abuse as 'heterosexual and gender normative' which is a systemic practice that is known to erase trans experiences. The above-stated abuses are thus considered 'identity abuse'.⁷⁰ It has been observed that these transgender-related forms of IPV are uniquely experienced by transgender individuals but can intersect with and reinforce broader types of IPV such as physical or sexual IPV.

Peitzmeier and others note that although IPV could manifest differently for transgender individuals, 'there are no validated instruments to assess these transgender-related forms of IPV'⁷¹ at the time of their research. Referring to research done in the United States in 2016 which they consider one of the first studies on this concern, they single out three main areas that were probed into when researching IPV amongst transgender individuals. They are 'preventing the trans partner from accessing hormones', 'telling the trans partner that they are not a "real" man or a woman'

⁶⁶ Rogers (n 65).

⁶⁷ *ibid.*

⁶⁸ X Quinn, 'Tactics and justifications of abuse involving transgender individuals' in AM Messinger and XL Guadalupe-Díaz (eds), *Transgender Intimate Partner Violence: A Comprehensive Introduction* (New York UP 2020).

⁶⁹ Rogers (n 65).

⁷⁰ *ibid.*

⁷¹ Peitzmeier and others (n 28).

and ‘threatening to “out” the trans partner’.⁷² Furthermore, according to Henry and others, ‘(a) safety, outing, and disclosure, (b) community attitudes, (c) gender stereotypes and transphobia, (d) using or undermining identity, (e) violating boundaries, and (f) restricting access’⁷³ are six ways in which IPV can be directed towards trans and gender non-conforming individuals, specifically.

What the literature on the experiences of transgender individuals regarding IPV emphasises is that trans individuals are vulnerable to violence in both personal and institutional spheres. This is highlighted in the study by Brown where the writer states that trans activism has pointed to the mistrust the community has with the police.⁷⁴ This factor has a direct connection with the second research question of the proposed study.

In this regard, it is noteworthy to observe the intersectional implications in the experiences of IPV experienced by transgender individuals. In a study that sought to examine the patterns of IPV concerning race/ethnicity, gender identity and social marginalisation indicators among transgender individuals using the United States Transgender Survey as the source, it was revealed that there were high levels of psychological, physical and trans-related IPV among the gender and racially/ethnically diverse transgender individuals.⁷⁵

2.5 Existing interventions and support services

Numerous studies have examined the effectiveness of the strategies that are utilised to combat IPV amongst transgender individuals. Kurdyla, Messenger and Ramirez have explored the help-seeking behaviours and perceptions among trans individuals in the United States, drawing from a questionnaire done among LGBT+ individuals regarding their intimate relationships.⁷⁶ This

⁷² Peitzmeier and others (n 28).

⁷³ RS Henry and others, ‘Intimate Partner Violence and Mental Health Among Transgender/Gender Nonconforming Adults’ (2021) 36(7-8) *Journal of Interpersonal Violence* 3374 <<https://doi.org/10.1177/0886260518775148>>.

⁷⁴ N Brown, ‘Holding Tensions of Victimization and Perpetration’ in JL Ristock (ed), *Intimate Partner Violence in LGBTQ Lives* (Routledge 2011).

⁷⁵ King, A Restar and D Operario (n 58).

⁷⁶ V Kurdyla, AM Messenger and M Ramirez, ‘Transgender Intimate Partner Violence and Help-Seeking Patterns’ (2021) 36(19-20) *Journal of Interpersonal Violence* NP11046 <<https://doi.org/10.1177/0886260519880171>>.

study seeks to single out if there is a difference between the help-seeking behaviours amongst trans individuals and cisgender individuals. This study concludes that it seems that transgender survivors are more likely to seek informal methods such as friends and family to seek help rather than going to the police or survivor agencies.⁷⁷

In this respect, Hereth discusses that a transgender woman experiences violence in different forms throughout their lives.⁷⁸ Commenting on this point, the author highlights that ‘family members often blame transgender youth for experiencing victimization, leaving youth with few options to seek support or safety’.⁷⁹ Therefore, it is clear that the identity of trans individuals is a crucial factor that affects their ability to seek help once they have been victimised.

Langenderfer-Magruder and others have examined the way IPV victimisation and police reporting prevalence amongst LGBT individuals discerning the differences between cisgender and trans/gender non-conforming individuals.⁸⁰ Deviating from the studies that were discussed thus far, this research reveals that there was no significant difference in IPV reporting to police between cisgender and transgender participants. The authors of the above study further comment that police reporting among LGBT+ individuals is generally low, alluding to homophobia and heterosexism.

Das and others, in this context, consider healthcare services a crucial access point concerning IPV support despite the view that transgender individuals face numerous barriers in respect of this.⁸¹ From a human rights perspective, the lack of access to adequate support indicates a violation which needs further attention. A common factor about these studies on existing interventions and support services is that all of them are set in the context of the United States. Therefore, the generalisability of the outcomes can be a concern.

⁷⁷ Kurdyla, Messinger and Ramirez (n 76).

⁷⁸ Hereth (n 35).

⁷⁹ *ibid.*

⁸⁰ L Langenderfer-Magruder and others, ‘Experiences of Intimate Partner Violence and Subsequent Police Reporting Among Lesbian, Gay, Bisexual, Transgender, and Queer Adults in Colorado’ (2014) 31(5) *Journal of Interpersonal Violence* 855 <<https://doi.org/10.1177/0886260514556767>>.

⁸¹ KJ Das and others, ‘Intimate Partner Violence (IPV) Screening and Referral Outcomes Among Transgender Patients in a Primary Care Setting’ (2021) 37(13-14) *Journal of Interpersonal Violence* NP11720 <<https://doi.org/10.1177/0886260521997460>>.

2.5 Conclusion

In this section, the existing literature about the broader topic of IPV was explored. I examined the definitions of IPV, the bi-directionality of IPV, factors that perpetuate IPV and trans-specific IPV. The key lessons and gaps that arose as a result of the analysis of the literature were also identified.

3. Research methodology

3.1 Introduction

In this chapter, I discuss the data and research methods that would be employed in this research. Thereby, this section contains five subsections, namely, primary data, research participants, methods of analysis, ethical concerns and limitations of the study.

3.2 Primary data

Nine interviews with nine transgender women were conducted as the primary data of this research. Many of the research participants were sex workers. In this context, I adopt the views expressed by Mishler on ‘interviewing’ which is considered ‘a form of discourse between speakers’.⁸² Accordingly, the interviewer and interviewee jointly construct a discourse on what is being discussed. According to Lindlof and Taylor, ‘generating factual information about the world, especially about things or processes that cannot be observed effectively by other means’⁸³ is seen as the major purpose of the qualitative interview.

However, as for the problems in utilising information obtained from qualitative interviews, Lindlof and Taylor also shed light on the trustworthiness of the research participants. They opine that ‘[p]eople also exaggerate, repress, lie about or withhold

⁸² EG Mishler, *Research Interviewing: Context and Narrative* (Harvard UP 1991).

⁸³ TR Lindlof and B Taylor, *Qualitative Communication Research Methods* (Sage Publications 2019).

information about the “facts” of their lived experiences’.⁸⁴ Furthermore, they also state that in constructing the narratives in each interview, the participants are also biased towards their values and interests which should also be considered.

In this endeavour, a semi-structured interview was conducted and I facilitated the interview in a manner that would assist the research participants in constructing their narratives of IPV. However, the interview questions (Appendix 1) focused on probing into their knowledge of IPV, their experiences of IPV, whether they complained to the police or not and their own experiences and reasons for causing IPV in situations where they have committed IPV. There were instances where the research participants referred to instances of IPV that happened to their friends and these incidents were also taken into consideration in conducting the analysis.

3.3 Research participants

The criteria for recruiting research participants for this study was that they self-identify as transgender women. Some of the participants referred to themselves as ‘post-operated trans women’. Some research participants were in the process of changing their legal status to a transgender woman and some research participants had already changed their legal status.

Nine interviews were conducted for this research, some of which were done in the residence of each research participant and some of which were online. Although I attempted to recruit interviewees from diverse socio-economic backgrounds, many of the interviewees that I could interview were sex workers. A common perception among the transgender women that I interviewed was that finding a trans woman who did not work as a sex worker at some point in their lifetime is rather challenging. The research participants were from the age range of 22 years to 38 years.

I received assistance from Venasa Transgender Network, a local trans non-governmental organisation (NGO) to recruit participants for the interviews. Some participants were known to me as targets of IPV.

⁸⁴ Lindlof and Taylor (n 84).

The following table summarises the details of the participants who took part in the interviews.

Table 2: Research participants' information

Interview n°	Pseudonym	Age	Occupation	Location of the interview
1	Nisansala	36 years	Sex worker	The residence of the participant
2	Anjula	22 years	Sex worker	The residence of the participant
3	Shakthi	35 years	Project officer	Online
4	Narmada	35 years	Sex worker	The residence of the participant
5	Kurulu	38 years	Activist	The residence of the participant
6	Nimesha	28 years	Project officer	Online
7	Maduwanthi	24 years	Field officer	Online
8	Nishika	24 years	Works at a spa	Telephone interview
9	Nathasha	24 years	Dancer	Telephone interview

3.4 Method of analysis

As this study delves into the lived experiences of IPV of transgender women, phenomenological approach will be utilised as the method of data analysis. As Creswell and Poth posit, 'a phenomenological study describes the common meaning for several individuals of their lived experiences of a concept or a phenomenon'.⁸⁵ Here, the focus/phenomenon would be IPV and the research participants will assemble to constitute the meaning of IPV through the accounts of their experiences.

Interestingly, Eberle notes that 'phenomena are constituted with an outer horizon – against a “background”, within a “context” – but they also have an inner horizon which is constituted by appresentation'.⁸⁶ Thereby, the socio-political factors that accentuate IPV and the nuances in relation to that could be deciphered using this approach.

⁸⁵ JW Creswell and CN Poth, *Qualitative Inquiry and Research Design: Choosing Among Five Traditions*. (Sage 2018).

⁸⁶ TS Eberle, 'Phenomenology as a Research Method' in U Flick (ed), *The Sage Handbook of Qualitative Data Analysis* (Sage 2017).

The method of data analysis of this study would be thematic coding analysis.⁸⁷ Firstly, the interviews would be transcribed and then coded according to common concerns/issues that are raised by the participants. Afterwards, the data will be further analysed to uncode the patterns within the themes. In this endeavour, the primary data will assist in directly addressing the research questions and the secondary data will provide the nuances of the issues that would be instrumental in deciphering the concerns raised in primary data.

3.5 Positionality

In the process of conducting this research, I position myself as a victim/survivor of IPV that took place in both same-sex and opposite-sex relationships. I acknowledge that my experiences in dealing with IPV will make a positive contribution to deciphering the nuances of the concerns that are put forth by the research participants.

Furthermore, as a cisgender female individual, I also acknowledge that I might not be capable of deciphering certain subtleties of the accounts narrated by transgender women. Citing Goodmark's in response to this view, I would like to state that 'I have nonetheless chosen [to conduct this research] because of the dearth of legal scholarship on the intimate partner abuse of transgender people'.⁸⁸

⁸⁷ C Robson and K McCartan, *Real World Research* (Wiley 2016).

⁸⁸ L Goodmark, 'Legal System Reform' in AM Messinger and XL Guadalupe-Diaz (eds), *Transgender Intimate Partner Violence: A Comprehensive Introduction* (New York UP 2020).

3.6 Ethical concerns

As it is intended to probe into the emotionally-taxing, traumatic experiences of the research participants this research qualifies to be considered 'sensitive research'.⁸⁹ Thereby, several safety protocols were followed to ensure the safety of the participants. Firstly, the research design and the research proposal were submitted to the Institutional Review Board for approval and the interviews were conducted only after receiving the approval.

The informed consent of the interview participants was obtained in the following manner:

- Interviewees were provided with information about the research and its focus. They were given the chance to ask questions and clarify their concerns in instances where they were unclear about a certain piece of information.
- The interview participants were also given sufficient time to consider their answers to the questions that were asked.
- The interview participants were informed that they could withdraw from the interview or refrain from answering any questions.
- As some of the participants were not conversant in English, the interview questions were translated to Sinhala and the interviews were conducted in Sinhala.

Furthermore, the 'do no harm' principle was adhered to in the process and the interview participants' identities will not be revealed. Instead, pseudonyms will be utilised to refer to the interview participants.

3.7 Limitations of the study

A main limitation that was identified was that the research participants were hesitant to talk about relationships. Physical and verbal violence against the intimate partner was so normalised to the extent that many research participants did not consider

⁸⁹ V Dickson-Swift, EL James and P Liamputtong, *Undertaking Sensitive Research in the Health and Social Sciences Managing Boundaries, Emotions and Risks* (Cambridge UP 2008).

that to be an issue. Thereby, there is a possibility that they might have avoided talking about it as violence. Having observed this in the first few interviews, I ensured to specifically direct their attention to physical and verbal violence.

This normalisation affected the study in the following ways: Firstly, the research participants were not able to fathom the intensity of the violence that occurred to them, in many cases daily, as it was a part of their daily routine. Therefore, as the interviewer, I had to rephrase the questions continuously for them to reflect on it and discuss what happened. Secondly, the normalisation of IPV was seen as 'how it should be' when one is in an intimate relationship. This applies particularly in instances where certain types of emotional violence like overcontrol are taking place. Thirdly, the tacit acceptance that 'we are trans, this our fate' had a remarkable role to play in this normalisation, as the research participants believed that they 'deserved' to experience the violence as they have transgressed their assigned-gender role.

As the sexual orientation of the research participants was either pansexual or heterosexual, this study only focuses on the incidents of IPV as experienced by them. Experiences of IPV experienced by transgender women who belong to other sexual orientations (eg trans lesbians) were not taken into consideration. Notably, all the research participants had cisgender male partners which also affected the results of this study.

Another limitation is the fact that I identify as a victim/survivor of IPV. While I attempted not to allow my personal biases to influence the outcomes of this research, I also acknowledge that this may have an impact.

3.8 Conclusion

This chapter sought to unearth the data and research methods that were used in this study. Therefore, nine research participants were recruited for the study who discussed IPV that occurs in their daily lives. The limitations of the study are that IPV is considerably normalised and considered a non-issue by many of the participants. I also discussed my positionality as the researcher and the ethical concerns that were followed while conducting this research.

4. Findings and discussion

4.1 Introduction

This chapter focuses on analysing and discussing the results of the analysis that was conducted of the interviews with transgender women. All the interviewees considered themselves to be targets of IPV and considered their identity as transgender women to be the primary cause. This chapter is divided into two main subsections, IPV victimisation and IPV perpetration. In the first section, I strive to analyse the data alongside the concepts that were brought forth in the conceptual framework. Thus, the first subsection of the findings is divided into three categories: verbal violence, physical/sexual violence and emotional violence, which are the main preoccupations of this study. The second subsection focuses on the IPV perpetration by the research participants and how they navigate through certain nuances arising from the issues discussed in the first subsection.

As I have illustrated in the conceptual framework of this study (Chapter 1), the main concept of IPV can be divided into subsections of physical violence, verbal violence, emotional violence and trans-exclusive IPV. I have identified the main elements under each category in Table 1 which would be instrumental in deciphering the types of violence that are occurring to the research participants of this study.

4.2 Trans-exclusive intimate partner violence and intimate partner violence victimisation

The key argument in this section is that the IPV experienced by transgender women is inherently intertwined with the transphobia that pervades the Sri Lankan society. As demonstrated in the conceptual framework diagram (Chapter 1), verbal violence, sexual violence and emotional violence experienced by transgender women are inherently connected to transphobia. The observation that was made in Chapter 2 that 'IPV victimization prevalence is high among transgender individuals, who have a gender identity that differs from their assigned birth sex'⁹⁰ was accentuated in the data analysis. In addition to the victimisation due to IPV, it should be noted that Hereth has pointed out that a transgender woman is exposed to numerous types of violence such as child abuse, maltreatment and sexual assault throughout their lives.⁹¹

At certain points, this transphobia can manifest itself as expressed transphobia by the intimate partners, as well as internalised transphobia by the transgender women who were interviewed. Furthermore, it also should be noted that Messinger and Guadalupe-Diaz state that 'cisnormativity and transphobia motivate and enable many abusers to shame and control their transgender partners'.⁹² Bearing these observations in mind, this section is discussed under three main topics: transphobia and verbal violence, transphobia and sexual violence, and transphobia and emotional violence.

⁹⁰ SM Peitzmeier and others, 'Development of a Novel Tool to Assess Intimate Partner Violence Against Transgender Individuals' (2019) 34(11) *Journal of Interpersonal Violence* 2376 <<https://doi.org/10.1177/0886260519827660>>; A Lacombe-Duncan and R Olawale, 'Context, Types, and Consequences of Violence Across the Life Course: A Qualitative Study of the Lived Experiences of Transgender Women Living with HIV' (2020) 37(5-6) *Journal of Interpersonal Violence* 2242 <<https://doi.org/10.1177/0886260520935093>>; E Fedele, RP Juster and S Guay, 'Stigma and Mental Health of Sexual Minority Women Former Victims of Intimate Partner Violence' (2022) 37(23-24) *Journal of Interpersonal Violence* NP22732 <<https://doi.org/10.1177/08862605211072180>>.

⁹¹ J Hereth, "Where is the Safe Haven?" *Transgender Women's Experiences of Victimization And Help-Seeking Across the Life Course* (2021) 16(4) *Feminist Criminology* 461 <<https://doi.org/10.1177/15570851211010951>>.

⁹² AM Messinger and XL Guadalupe-Diaz, 'The Intersection of Transphobia, Human Rights, and Transgender Intimate Partner Violence' in AM Messinger and XL Guadalupe-Diaz (eds), *Transgender Intimate Partner Violence: A Comprehensive Introduction* (New York UP 2020).

4.1.1 Trans-exclusive intimate partner violence and verbal violence

The key argument in this section is that verbal violence as a form of IPV amongst transgender women in Sri Lanka is quite prevalent. In addition to that, I also argue that it is constantly normalised in the community to the extent that it is unrecognisable by the research participants. From the words of Nimesha, ‘for the Sri Lankan transgender women to identify that there has been a violation, they should be able to recognise that a harassment has been taken place’. The normalisation of verbal violence was a major concern and may have affected the outcome of this research: it was considerably normalised and considered a non-issue by many of the respondents. According to Momtaz and others,⁹³ there can be several ways that verbal violence could take place. They are belittling, humiliating, nominating, ridiculing and criticising (as discussed in Chapter 1). In addition to the normalisation of verbal abuse, another perspective on this factor is brought about by the relevant literature. According to Messinger and Guadalupe-Diaz, ‘there are fewer opportunities in society to learn what constitutes healthy and unhealthy relationships among transgender people’ because of the ostracisation that they experience.⁹⁴

It can also be argued that the trans-exclusive IPV coupled with verbal violence is seen in the element of ridiculing that is done by the partners of the research participants.⁹⁵ The research participants revealed a constant ridiculing that is done through the usage of transphobic and homophobic slurs.⁹⁶ From the point of view of Anjula, a participant in this research, they are inevitably being called ‘pons’ by their partners which is a derogatory term that is used to refer to queer men. An instance where the above-stated humiliation was extended to the public sphere was revealed by Nisansala, who said that her partner referred to her as a ‘pons’ on a bus to her fellow passengers and named her a stalker. A common factor in both instances is that the humiliated transgender women did not perceive this as ‘transphobic’ but as name-calling which is a part and parcel of their daily life. This is a

⁹³ V Momtaz and others, ‘Emotional Abuse Questionnaire (EAQ): A New Scale for Measuring Emotional Abuse and Psychological Maltreatment’ (2022) 64(1) Japanese Psychological Research 1 <<https://doi.org/10.1111/jpr.12312>>.

⁹⁴ Messinger and Guadalupe-Diaz (n 92).

⁹⁵ Momtaz and others (n 93).

⁹⁶ *ibid.*

telling example of pathologising⁹⁷ that is extended to trans women by themselves; although they react to being called derogatory names, there is a subtle endurance of it too which could be a consequence of their awareness of the fact that they are trans thus a distinct group.

Connected to the argument in the opening of this section, verbal abuse was normalised amongst transgender women to a significant extent. Thus, a major challenge I faced while conducting the interviews was that the participants were not aware of the fact that IPV was taking place. Verbal violence is normalised to the extent that it is considered a part of being in an intimate relationship. It can be posited that this leads to a high amount of IPV perpetration and victimisation, which was apparent in the accounts of the research participants. All the research participants, in this respect, admitted having caused verbal violence as a means of responding to IPV that they experienced.

How the research participants define IPV accentuates the above-stated argument regarding the normalisation of verbal abuse within the sphere of IPV. Out of nine participants who took part in the interviews, only three participants were able to construct a definition for IPV. A case in point would be that when asked if she had experienced violence when she was in a relationship with her partner, Kurulu responded that ‘small issues happen, but they are a part of relationships’. When requested to define ‘small issues’ she described the assaulting and verbal violence that takes place further stating that it occurs from her partner as well as herself. This has important implications regarding the point made above about the normalisation of violence; reiterating Nimesha, if one is not able to identify violence, how can they identify that violence is happening to them?

4.1.2 Transphobia and physical violence

The key argument in this section is the physical/sexual violence that transgender women who took part in this research experience is significantly amalgamated with transphobia and cis-heteronormativity. A significant factor regarding the data set that I have utilised is that a significant number of research participants

⁹⁷ MM Rogers, ‘Exploring the Domestic Abuse Narratives of Trans and Nonbinary People and the Role of Cisgenderism in Identity Abuse, Misgendering, and Pathologizing’ (2021) 27(12-13) *Violence Against Women* 2187 <<https://doi.org/10.1177/1077801220971368>>.

who took part in this research are sex workers. It was revealed that sexual coercion is normalised and trivialised as part of their daily life. In this regard, I elicit the following statement by Narmada to support my argument: ‘my partner takes drugs. He does not do a job. I am the one who should provide him money to buy the drugs ... he has sold me as a sex worker to get cash. He has forced me to take drugs’. This statement is significant as it sums up a significant number of issues.

Firstly, the partner in this situation is not financially independent, therefore, he is dependent on the research participants for the money. This financial dependency goes to an extent where he forcefully utilises Narmada as a sex worker that he can sell to others to obtain money. This points to two types of violations: firstly, there is sexual abuse⁹⁸ as Narmada is coerced into having sex with someone for money. Thereby, the ability of Narmada to consent voluntarily is compromised. This has been observed in King, Restar and Operario where they argue that there is a relationship between sex work and IPV.⁹⁹ According to this source, ‘past-year sex work and lifetime homelessness were also associated with increased odds of forced sex by an intimate partner’.

Secondly, the money that Narmada earns through sex work is taken away by the partner to spend on drugs which is financial abuse. In this regard, financial abuse is a concept that I did not identify in the conceptual framework; however, the accounts of the research participants reveal a thorough engagement with financial abuse that is taking place.

The key argument that I stated in the opening of this subsection that sexual violence is connected to transphobia can be elaborated with the use of the account by Shakthi. As elaborated in the conceptual framework, the definition of sexual violence according to WHO is ‘being physically forced to have sexual intercourse when you did not want to, having sexual intercourse because you were afraid of what your partner might do, and/or being forced to do something sexual that you found humiliating or

⁹⁸ World Health Organization (WHO), *Global and Regional Estimates of Violence Against Women: Prevalence and Health Effects of Intimate Partner Violence and Non-Partner Sexual Violence* (WHO 2013) <www.who.int/publications/i/item/9789241564625> accessed 4 December 2021.

⁹⁹ WM King, A Restar and D Operario, ‘Exploring Multiple Forms of Intimate Partner Violence in a Gender and Racially/Ethnically Diverse Sample of Transgender Adults’ (2021) 36(19-29) *Journal of Interpersonal Violence* NP10477 <<https://doi.org/10.1177/0886260519876024>>.

degrading’.¹⁰⁰ The humiliation as mentioned in this definition coupled with transphobia is something that was highlighted in the interview with Shakthi: ‘when we have sex, we cannot do as they show it in porn right? They want the penis to completely penetrate the vagina. This is not possible with our vaginas because they do not stretch as much’. Shakthi further stated that this expectation leads her partner to compare her to cisgender women and use it as an excuse in instances when the said partner was disloyal to her. What is observable in this scenario is the cis-normativity experienced by the victimised transgender woman. Further, according to Goodmark,¹⁰¹ ‘insisting that rough sex is the way that “real” men or women enjoy intercourse’ is categorised as physical violence.

It can also be argued that emotional manipulation and abuse can also result from physical violence. The point that was made earlier regarding consent was reiterated by Shakthi as well: ‘What I have seen is that our consent is not important for them. If I am not in the mood, I cannot tell that to him. If I say that I am tired, he will not consider it’. Thereby, the objectification of the intimate partner and the sexualisation are prominent in this situation. Madhuwanthi, another research participant, revealed another side of this sexual IPV done by the partners. She expressed that the partner ended the relationship because she did not agree to take part in some of the sexual activities that her partner wanted to engage in. What this suggests is that there can be instances where the victim was coerced into taking part in the sexual activity due to the fear of losing her partner.

4.1.3 Transphobia and emotional violence

The key argument of this section is that the research participants were more vulnerable to emotional abuse as they do not receive emotional support from their families. It is noteworthy that in the interview with Narmada while referring to this, she expresses that she allowed herself to be exploited because she ‘loved’ her partner. What this signifies is a lack of awareness regarding one’s rights. Furthermore, this factor of allowing ‘love’ to be a loophole so that the partner can abuse the research participant

¹⁰⁰ World Health Organization (n 98).

¹⁰¹ L Goodmark, ‘Legal System Reform’ in AM Messinger and XL Guadalupe-Diaz (eds), *Transgender Intimate Partner Violence: A Comprehensive Introduction* (New York UP 2020).

was observed in many narratives. Goodmark explains this phenomenon: ‘transgender people receive less emotional support from their families than cisgender people, which may make them more reliant upon their partners for love and stability’.¹⁰²

As mentioned in the previous section, it is notable that financial abuse can be categorised under the realm of IPV victimisation of transgender women. The interviews that were conducted for this research revealed a culture of financial exploitation that is done to transgender women by their partners. According to Nimesha, ‘there is a belief in the trans community that a trans woman keeps a cisgender man by spending money for him. We call this being the Soma (සමෝමා වනවා)’. This statement has multiple implications: this can be considered a compelling example of the internalised transphobia that pervades the transgender community in Sri Lanka where they are made to believe that they cannot ‘keep’ a man unless they go the extra mile of being financially vulnerable for him. In this respect, this could imply a belief that transgender women are inadequate for cisgender men, which is amended by them allowing their cisgender partners to financially exploit them.

In this regard, it can be argued that there can be an element of belittling done by trans women to themselves. This is conveyed clearly in the above comment by Nimesha. Adding to the above statement she also mentioned that sex work and not being committed to a relationship is widely viewed in the transgender community as a feasible option. What this conveys is the extent to which IPV takes place; it has expanded to an extent where transgender women are compelled to believe that not being in a romantic relationship is a safer path. Notably, when I was in the process of recruiting research participants for this study, I was made aware of the difficulty of finding a Sri Lankan transgender woman who has never been involved in sex work. While I do not intend to imply a negative connotation in respect of sex work, what I require to highlight here is that Sri Lankan transgender women, due to the circumstances that they face, are compelled to do sex work which is not given legal safety in Sri Lanka.

It is argued that the elements in the emotional abuse subscales and definitions by Momtaz and others¹⁰³ were constantly experienced by the research participants and also that they are considerably normalised. According to these subscales and definitions,¹⁰⁴ emotional rejection and overcontrol including failing or refusing to accept [the target] (ignoring, rejecting, coldness, cruelty and emotional unresponsiveness), isolating the target and dominating the target, that is, depriving them of reasonable autonomy to decide on their desires or activities can be posited as the main categories that will be taken into consideration in this study. These types of violence were constantly reiterated by all the research participants. Interestingly, some of them viewed this factor as being overcontrolling a 'normal' occurrence if one is to be in an intimate relationship. The toxicity is considerably normalised and viewed as something inevitable.

It can also be argued that pathologising of the participants, which is one of the two branches of cis-genderism¹⁰⁵ (the other branch being misgendering), was pervasive in all the narratives. The participants considered themselves a distinct group whose rights are not granted, and they passively accept that as something normal. This passive acceptance runs through all the narratives of the participants.

Several research participants referred to incidents which can be described as cis-normative and transphobic. I referred to an incident above concerning a research participant named Shakthi, where the specific nature of her genitalia as a transgender woman was ignored by her partner and compared to that of a cis-gender woman. Maduwanthi described that she met her partner after talking to him for a few months on the phone. She stated that she sounded tenor over the phone (male voice in traditional terms) and that she was wearing feminine clothes when she met her partner. The fact that she presented herself as feminine was rejected by the partner.

Describing a similar situation, Nimesha also stated that she has had an intimate partner who treated her as a gay male. Commenting on this phenomenon, Goodmark¹⁰⁶ states that 'if intimate partner abuse is in large part about controlling and

¹⁰³ Momtaz and others (n 93).

¹⁰⁴ *ibid.*

¹⁰⁵ Rogers (n 97).

¹⁰⁶ Goodmark (n 101).

enforcing gender norms within relationships, transgender people, by virtue of their failure to conform to such norms, are particularly vulnerable to abuse' which can be considered a noteworthy observation in this regard.

4.3 Intimate partner violence perpetration

The key argument in this section is that many transgender women who experience IPV commit violence, ie perpetrate IPV back as a means of responding to the IPV that is extended to them. I further argue that the internalised transphobia of the victims which is expressed through a passive acceptance of themselves as an inferior group has a role to play in determining the ways that they respond to IPV.

In this regard, drug abuse was a central preoccupation: Here, I refer to the addiction to drugs such as heroin, methamphetamine and marijuana by the research participants' partners as the issues about drug abuse. This is rather connected with financial abuse as the partners view the research participants as a method through which they can receive the finances that are necessary for the purchasing of the drugs. Furthermore, as a means of dealing with the emotional distress caused by the partner, Nisansala revealed that she used to consume an addictive tablet for intoxication. As cited previously, this may showcase the alienation that a transgender individual faces and the steps that they might take to lessen the emotional distress.

It should be noted that transgender women were found to be committing IPV, in contexts where there are minimal remedies to formally tackle IPV. During her interview, Anjula revealed an instance where she stabbed her former partner with a knife to take revenge for cheating. A similar instance was revealed by Nisansala where she is said to have assaulted her partner with a coconut scraper. Interestingly, these incidents are casually stated by the research participants as a part of their daily routine. It was also clear that incidents like these are not considered a breaking point in their relationships which shows the normalisation of assault and humiliation.

It can be argued that public humiliation is another method that is utilised by transgender women who perpetrate IPV. According to the interview with Anjula, 'my then partner mistakenly took a video call to me while he was with another person naked in bed. I was infuriated. I went to the place that they were in immediately and fought with him and "destroyed" him so that he will not be able to go to that place again'. Furthermore, in the interview with Nisansala where it was revealed that her partner publicly humiliated her calling her a 'pons', she states that she went in front of the passengers in the bus and revealed that her partner had an intimate relationship with her.

In the case of Anjula it can be seen that the partner transgressed the traditionally accepted norm in a monogamous relationship that he ought not have other relationships. Furthermore, in the case of Nisansala she shames her partner back as a response to the public humiliation and verbal harassment that was done to her. Although I do not intend to trivialise the harassment that was perpetrated by the above-mentioned trans women, what is observable is that they committed IPV as a response to wrongdoing that was done to them.

It can also be argued that many research participants alarmingly lacked an emotional support system which is not their intimate partners. The role that the peers of transgender women play in their intimate relationships is a concern that was brought to the fore by numerous participants. Commenting on the extent that peer support takes place within the transgender community, Nimesha stated that:

as someone from the [trans] community, what I have observed is that if you entrust someone with your grievances it boomerangs back to you. I can go to a fellow trans woman after being abused crying, she will listen to everything that I say and laugh at me in my absence.

In the narratives of Nisansala, Anjula and Narmada, the view that 'a woman obstructs the path for another woman's success' was highlighted.

It is noteworthy that there is a hierarchy of privilege that exists within the community of transgender women, where the women who have not undergone medical interventions and changed their official documents are at the lower layers of the

hierarchy. In Shakthi's interview, she specifically identified herself as a 'post-operated trans woman' who has 'changed the national identity card and has come a bit ahead in the journey'. Her emphasis on the fact that she has changed her official documents and has had surgeries conveyed a necessity to dissociate herself from the transgender women who have not changed their official documents and undergone medical interventions. The fact that this hierarchy is imposed by a trans woman herself showcases that the community itself is divided alongside these categorisations. The negative impact of this is that this leaves the victimised transgender women with limited freedom to seek peer support if they are experiencing IPV.

Another argument that can be made regarding police interventions is the lack of trust amongst trans women when it comes to the police. This is a factor that is emphasised by Kurdyla, Messinger and Ramirez as well: referring to a sample of transgender individuals in the United States, they argue that transgender individuals are more likely to resort to informal help-seeking methods such as friends and family, rather than going to the police or survivor agencies.¹⁰⁷ However, a study done by Langenderfer-Magruder and others has shown that there was no significant difference in IPV reporting by transgender participants and cisgender participants.¹⁰⁸

Amidst the observations from existing literature on this area, as a part of the interview questions that were posed to the research participants, it was asked if they sought relief at the police station to which the responses were largely negative. Shakthi, who is a project officer, stated that she is well aware of the issue of IPV because she works at an NGO dedicated to transgender individuals. However, despite her awareness she stated that she is afraid of going to a police station to complain due to the mistrust

¹⁰⁷ V Kurdyla, AM Messinger and M Ramirez, 'Transgender Intimate Partner Violence and Help-Seeking Patterns' (2021) 36(19-20) *Journal of Interpersonal Violence* NP11046 <<https://doi.org/10.1177/0886260519880171>>.

¹⁰⁸ L Langenderfer-Magruder and others, 'Experiences of Intimate Partner Violence and Subsequent Police Reporting Among Lesbian, Gay, Bisexual, Transgender, and Queer Adults in Colorado' (2014) 31(5) *Journal of Interpersonal Violence* 855 <<https://doi.org/10.1177/0886260514556767>>.

she has with the police officers and how the complaints by transgender individuals are handled. This factor about the mistrust the transgender community has with the police has been reiterated by Brown.¹⁰⁹

It was argued earlier that many transgender women do not receive adequate emotional support from their families which makes them rely quite extensively on their intimate partners for emotional support. If we are to connect this argument with the above-stated observation from Kurdyla, Messinger and Ramirez,¹¹⁰ it can be concluded that they are in a severely vulnerable state, as they do not receive adequate support from their families in addition to the mistrust that they have on law enforcement agencies like the police.

Regarding the mistrust of police, notably, Shakthi narrated an incident where a transgender person complained to the police and this backfired: she stated that after the complaint was being made, the Officer in Charge made unprofessional remarks and invitations to the said transgender woman. This harassment had continued until the victim was forced to withdraw her complaint and told the Officer in Charge that she left Sri Lanka. This is a case in point where the victim is doubly victimised: although she visited the police to seek justice against the harassment that was done to her, she gets further harassed by the police. This perspective has been highlighted by Messinger and Guadalupe-Diaz¹¹¹ who argue that cis-normativity and transphobia 'hinder the ability of transgender people in abusive relationships to seek help'.

Transgender individuals are forced to tread the delicate path of being safe and not being 'too demanding of their rights' to the point where their existing rights also would be taken away. According to Shakthi:

I think post-operated trans women are very scared to talk about these issues [refers to a sexual assault that occurred to a friend of hers]. The reason for this is that we have changed our official documents and have come further ahead in the journey. We are scared that it will backfire and become a black mark if we speak or shout out.

¹⁰⁹ N Brown, 'Holding Tensions of Victimization and Perpetration' in JL Ristock (ed), *Intimate Partner Violence in LGBTQ Lives* (Routledge 2011).

¹¹⁰ Kurdyla, Messinger and Ramirez (n 107).

¹¹¹ Messinger and Guadalupe-Diaz (n 92).

Because transgender individuals only have a circular to change their official documentation, which could be cancelled at any time by a cabinet minister, I posit that the above fear of Shakti is not groundless. This is an example where self-imposed pathologising comes into play, as many of the interview participants did not recognise that these rights are robbed from them, instead, they believe that they are ‘granted’ these rights.

Arguably, the said mistrust in the police accentuates if the transgender woman has not legally changed her documents. According to Narmada, ‘it is possible to complain to the police, but when we do, they ask for marriage certificates’. This reveals an institutionalised transphobia where transgender women before they change the official documents are seen as men in the eyes of law. Further, if they are attracted to men (ie heterosexual transgender women) which is the case in many of the interview respondents of this research, they are viewed as gay men in the eyes of law. Thereby, this can be considered an institutionalised misgendering that is done to Sri Lankan transgender women by the legal system. This poses the question if the legal system does not recognise the existence of a certain individual, can that individual rely on that same system to seek justice? In an instance like this, a logical next step would be to accept the circumstances and create a justice of one’s own, which can be observable in the case of Sri Lankan transgender women who are victims of IPV.

4.4 Conclusion

To summarise the issues that were raised in this chapter, it can be said that all the research participants experienced IPV in the forms of verbal violence, sexual violence and emotional violence, all of which are intertwined and rooted in expressed and internalised transphobia. A key concern that runs through all the narratives is the normalisation of all forms of IPV.

Furthermore, IPV perpetration by trans women was deciphered to be a method through which they respond to IPV. They experience transphobia on a micro level through their partners and on a macro level through institutions such as the legal system of the country and the police which hinders their ability to formally seek justice for IPV victimisation.

5. Conclusions and recommendations

5.1 Introduction

In this chapter, I elaborate on the conclusions I draw concerning the two research questions that are posed in this study, namely: how trans women in Sri Lanka describe IPV through the accounts of their experiences and how trans women in Sri Lanka respond to IPV. In this endeavour, I first summarise the points that were raised in the discussion and discuss the key responses to the research questions. In this chapter, I will also recommend certain steps that could be taken to alleviate the negative consequences that transgender women are made to experience due to IPV.

5.2 Summary of findings

The findings and discussion in Chapter 4 of this study are presented under two thematic categories, namely, IPV victimisation and IPV perpetration. The section on IPV victimisation is further subdivided into the themes of transphobia and verbal violence, transphobia and physical violence and transphobia and emotional violence, following the elements in the conceptual framework in Chapter 1.

The key argument in the section on IPV victimisation is that the IPV experienced by the research participants is inherently intertwined with the transphobia that pervades the Sri Lankan society. At certain points, this transphobia can manifest itself as expressed transphobia by the intimate partners, as well as internalised transphobia by the transgender women who were interviewed.

It was argued that verbal violence as a form of IPV is quite prevalent in the accounts of the research participants. In addition to that, it was also posited that it is constantly normalised in the community to the extent that it is unrecognisable by the research participants. This trans-exclusive IPV coupled with verbal violence is seen in the element of ridiculing¹¹² that is done by the partners of the research participants. Furthermore, how the research participants were able to construct a definition for IPV is reflective of this normalisation of verbal violence as a form of IPV.

The key argument in the section on is the physical/sexual violence that transgender women who took part in this research experience are significantly amalgamated with transphobia and cis-heteronormativity. Further, it can also be argued that financial abuse can be categorised under the realm of IPV victimisation of transgender women.

It is noteworthy that the research participants were more vulnerable to emotional abuse as they did not receive emotional support from their families which was a major concern that was brought to the fore in the discussion. I was also able to identify that there is a hierarchy of privilege that exists within the community of transgender women, where the women who have not undergone medical interventions and changed their official documents are at the lower layers of the hierarchy.

The key argument in the section on IPV perpetration is that many transgender women who experience IPV commit violence, ie perpetrate IPV back as a means of responding to the IPV that is extended to them. This is in contexts where there are minimal remedies to formally tackle IPV – the mistrust in the police and the law was a major concern.

¹¹² V Momtaz and others, 'Emotional Abuse Questionnaire (EAQ): A New Scale for Measuring Emotional Abuse and Psychological Maltreatment' (2022) 64(1) Japanese Psychological Research 1 <<https://doi.org/10.1111/jpr.12312>>.

5.3 Key responses to research questions

As elaborated in the first chapter, the overarching objective of this research is to document how IPV takes place amongst trans women. Furthermore, I also attempted to explore how the targets of IPV deal with IPV victimisation and perpetration. Bearing these objectives in mind, the research questions were formulated.

- How do trans women in Sri Lanka describe IPV through the accounts of their experiences?

All branches of IPV that were examined in the conceptual framework, namely physical violence, verbal violence, emotional violence and trans-specific IPV, were observed in the accounts of the research participants. In addition, financial exploitation was also a prominent concern. Internalised and expressed transphobia runs through all of these phenomena.

- How do trans women in Sri Lanka respond to IPV?

I identified several ways through which Sri Lankan transgender women who took part in this research respond to IPV. Committing IPV back at the perpetrator, ie perpetrating IPV against the abusive partner, was reiterated by all the research participants as a method of responding to IPV. I did not single out an instance where a research participant in isolation perpetrated IPV; it always takes place as a response to an ongoing violation.

In considering how the research participants responded to IPV, transphobia that operates on an institutional level and on a personal level amongst the individuals involved was observed. The mistrust the participants have with the police has a significant impact, as this prevents them from lodging a formal complaint with the police. In addition, the interviews pointed to drug addiction, mental health issues and attitudinal change towards romantic intimate relationships as the ways that the interview participants responded to IPV.

5.4 Recommendations

Considering the outcomes of this study, the following recommendations can be made:

- The key findings of this research pointed to the necessity of implementing a support service/helpline for the victims who are affected by IPV. These services require to be culturally competent, trans-inclusive and sensitive to the unique concerns that trans individuals face. The insights gained through the sections on trans-exclusive IPV would be instrumental for this purpose.
- In addition to the support services/helpline for the victims, community empowerment for transgender individuals is deemed vital in this endeavour. The outcomes of this research pointed to the necessity of making transgender individuals aware of their basic rights. It was reiterated throughout the research that certain elements such as verbal violence were considered non-issues which is a concern that requires to be addressed.
- The mistrust of police that was revealed in this research accentuates the necessity for sensitisation programmes that are conducted for the police/relevant authorities which would encourage them not to pathologise and misgender transgender individuals are thus deemed essential.
- Further research to delve into how certain intersections such as race, class, ethnicity, religion and language play a role in accentuating/minimising the IPV amongst transgender women could be conducted.
- The above-stated sensitisation programmes could extend to the policymakers and the government officials who are involved in decision-making.
- I recommend that a rapid change is required to address institutional transphobia stemming from law enforcement agencies such as the police and the legal system. For this, trans-inclusive policies and legal protections for transgender individuals are required. The changes in the legal system thus would be the following:
 - Decriminalising same-sex relations amongst individuals which is enforced by sections 365 and 365(A) of the Penal Code of Sri Lanka.

- Section 399 of the Penal Code, which concerns ‘cheating by impersonation’, should be interpreted in a manner that is not wrongly utilised to prosecute transgender individuals. However, these are legal proceedings that consume a considerable amount of time and social and cultural change; despite this, it is necessary to highlight the need for change in the legal system.
- Section 2 of the Prevention of Domestic Violence Act also requires to be amended to include a broader definition of who an intimate partner can be, without restricting it only to heterosexual and married persons. This would pave the way for more complaints to be included, which would mean ensured inclusion and visibility.
- In addition to this, a change that would not take place overnight, but deemed essential is the change in attitudes of the general public, the trans women involved and the police where the complaints regarding IPV are directed.

5.5 Conclusion

This chapter, which was written under the sub-headings summary of findings, key responses to research questions and recommendations seeks to bring this study to a conclusion. As argued in Chapter 1, IPV amongst transgender women was identified as a rampant phenomenon which requires immediate attention.

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Appendix

Interview questions

- 01 — How old are you?
- 02 — Where are you from?
- 03 — What is your sexual orientation?
- 04 — What is your occupation?
- 05 — Do you know the meaning of the term IPV? (Yes/No/
Somewhat – Depending on the answer a brief introduction
to IPV can be provided)
- 06 — In spite of the definitions given, in your opinion, how does
IPV take place?
- 07 — How would you explain such incidents that you had to
experience?
- 08 — Where, when, how, by whom?
- 09 — What was said/done?
- 10 — Is it still ongoing?
- 11 — What response did you make when the incident was taking
place or afterwards? (how did you defend yourself)
- 12 — Did you lodge a complaint with the police?
- 13 — Yes – What was the response?
- 14 — No – Why not?
- 15 — How has this incident affected your ways in respect of
being in intimate relationships?
- 16 — How has this incident affected you in general?
- 17 — Do you think you have ever caused IPV?
- 18 — If yes, why do you think you committed IPV? What are your
reasons?
- 19 — How would you like this issue resolved?
- 20 — What are your final thoughts?



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