

LGBT issues and the media in Lebanon

An analytical study

General overview

Through the organizational framework they are subjected to and because of their professional role and message, the Lebanese media, mainly the audiovisual media outlets, should strive to achieve a series of requirements and objectives specifically via their news bulletins and programs. These outlets must respect Human Rights, the human persona, the freedom and rights of the others, and the diverse aspects of self-expression in addition to expanding the participation of all the different societal components in public debates and the rejection of hatred and religious intolerance.

Based on the above, this study aims at analyzing the media performance when it comes to LGBT issues in Lebanon, highlighting selected samples from the Lebanese media coverage and analyzing them under the form of “case studies.” These studies highlight some media practices with the aim of showing both the positive and negative aspects of media coverage in the framework of media diversity in the Lebanese society.

In its first part, this study tackles the concept of clause 534 of the Lebanese penal code. This clause is used to incriminate homosexuality in Lebanon. In this part, we will be exposing the development of the Lebanese legal holdings and the main content of the two verdicts issued by the Lebanese Judiciary in 2009 and 2014.

In the second part of the study, we will be tackling the issue of the rectal examinations or “examinations of shame” as dubbed by Human Rights and LGBT activists in Lebanon. This part also tackles the main stages of the struggle for the abolition of this kind of examinations in police stations and the solidarity of a part of the media body with this campaign.

In the third part, we discuss cases of media coverage that captured the attention of the Lebanese public: the case of Cinema Plaza, the case of Hammam al-Agha and the case of Ghost Café.

Part one

The Lebanese judiciary and the interpretation of clause 534 of the penal code

The judiciary and justice for homosexuals

Recently, two initial court judgments were pronounced concerning the implementation of clause 534, which incriminates unnatural sexual relations and is used to prosecute homosexuals and to incriminate them for their sexual orientation.

The first judgment was pronounced by the penal judge in Batroun, Mounir Suleiman on December 2, 2009. This initial judgment indicated that clause 534 of the penal code cannot be applied to homosexual relations. The second judgment was pronounced by the penal judge in Metn, Naji Dahdah, on January 28, 2014. Unlike the earlier ruling, this ruling did not deny the “concept of unnatural sexual relations” but rather indicated that individuals suffering from a perturbation in their sexual identity as a result of a congenital and functional malformation in their reproductive organs have the right to choose and define their sexual identity and engage in sexual relations according to nature’s laws in light of the present transformation.

Rights organizations and LGBT activists welcomed these two rulings and deemed them a victory for the right of individuals to make their own sexual choices. Some media outlets also addressed these two verdicts and deemed them equally important knowing that the former ruling is more important than the second when it comes to interpreting the subject of complaint, clause 534, and to aborting its implementation on homosexual relations.

- The first judgment pronounced in 2009,

This ruling constituted a judiciary first that rejected the concept of “unnatural sexual relations” and deeming them as un-coalescent with human nature, which exceeds other reigning behaviors, patterns and mentalities in society.

The judgment halted investigations targeting two men - who were turned to court for the offense of unnatural sexual intercourse – because no offense was actually committed. The court ruled that the two men were not caught in the act as they were arrested by a patrol from the North litigation squad inside their car as it was parked along the marine road in Batroun.

The judge wasn't content with the fact that the two were not caught in the act to halt all investigations concerning them. This cause stirred his legal and human curiosity to dissect clause 534 of the penal code, specify the realm of its implementation and interpret it to serve the interests of the law and society based on the principles of justice, equity and natural human rights. This quest does not stop at the borders of a judiciary judgment, its facts or circumstances; nor does it stop at the frontiers of an unjust legal clause. It rather goes back to the roots and reality of human nature and Human Rights that are above everything else.

The penal judge of Batroun was keen on playing his pioneering role in society, which pushed him to go further and to assume that the two defendants were caught in the act while performing a full-fledged intercourse. He said: "The law doesn't specify a specific understanding of what a natural act is nor does it provide a standard to measure how natural or unnatural an act is."

He further provided his own take on this matter and said that if things were left to the judiciary, I believe that "man hasn't been able to understand all the laws and aspects of nature. Man is still exploring nature and his own nature as well."

The judge went on to say that the concept of "unnatural actions" is a concept formed out of an internal mental feeling in the collective unconsciousness of the majority in a specific society. A new action, behavior or trend is unfamiliar, and unnatural with respect to the reigning standards, trends, customs, and behaviors in a specific time and place.

The judge further indicated that clause 534 cannot be applied to any human being whether he is homosexual or transsexual, considering that one element of that clause, "the unnatural behavior", does not stand at all. The judge considered that "a human being is part of nature, one of its elements and a cell within each of its cells. Thus, no human action or behavior can be deemed unnatural even if it is a criminal action."

In this context, the judge indicates that a human being who commits a crime cannot be deemed unnatural. Human nature to this day is un-understood and has undefined features. Nevertheless, all human behaviors remain natural. "It's just like a rain during summertime or a heat wave during wintertime or a tree yielding unusual fruits. All these are produced according to the law of nature. They are the nature in itself."

According to the judge's concepts and vision, sexual intercourse between two individuals regardless of their sex cannot possibly be unnatural. It is human that determines individuals' behaviors, which might differ between different societies and eras. However, these behaviors remain part of human nature and can never clash with it.

- **The second judgment issued in 2014,**

This judgment came on the backdrop of the arrest of one individual in a chalet where he lives. This individual was investigated for charged pertaining to him engaging in unnatural intercourse and orgies. The investigations revealed that this individual was a transsexual female although he was registered as a male and was born with distorted genitalia with a tendency to the female sex. In 1994, the individual in question had the male genital organs surgically removed and an artificial uterus transplant. During the investigation, the individual denied being involved in prostitution and orgies but admitted having had sexual intercourse with some men saying that this was a natural intercourse between any man and woman.

This judgment acknowledged the right of individuals suffering from a perturbation in their sexual identity as a result of a congenital and functional malformation in their reproductive organs, to choose and define their sexual identity and engage in sexual relations according to nature's laws in light of the present transformation. Based on this rational, the judge dropped all charges against the defendant who was born with malformed male and female genitalia and then had surgery to turn into a female and has sexual relations with men. The judge considered that the rulings of clause 534 do not apply to her since the annexed medical reports proved that the defendant's outer appearance, character and personality are mostly feminine.

In order to justify the fact that clause 534 cannot be implemented in this cause, the judge further based his judgment on an inverse hypothesis whereby which the investigation would prove that the defendant had sexual relations with women following the surgical removal of the male genitalia and the artificial uterus transplant. The judge considered that, in this case, this would indeed constitute a more “unnatural” act.

Through this judgment of his, the judge did not rule out the possibility of an “unnatural intercourse” and considered that, if sexual intercourse was to take place between women, this would be an “unnatural act.” But in order not to digress in the the interpretation of a penal text, and based on the Human Rights charter with respect to guaranteeing equality between people in a society and shielding their personal freedom, the judge considered that an individual who has been proven, both medically and psychologically, to have transformed into a woman, has the right to have sexual relations with men just like any other woman.

Part two

Anal Tests, a blatant violation of Human Rights

The roots of a anal tests examination dates back to the eighteenth century when it was conducted by a medical examiner at the security forces’ station following the orders of the Public Prosecution with the aim of making sure that a man suspected of being a homosexual has not engaged in an unnatural sexual relationship with another man. This examination lasts for a few minutes. However, its psychological effects last for years. Some likened this examination to rape.

Unnatural sexual relations are banned according to the Lebanese penal law and applied to homosexuals in an unclear interpretation of the legal text; Accordingly, homosexuals are subjected to rectal examinations in police stations and under the supervision of the judiciary. These examinations are conducted by a medical examiner with the aim of uncovering any signs indicating an unnatural sexual encounter. This is the product of the conservative mentality, a

mentality affected by religious movements, which rejects all sexual or intimate relations outside the framework of a marriage between a man and woman; in addition to the incorrect interpretation and unjust implementation of the vague penal texts, and the outdated laws that clash with the most basic Human Rights. Based on the standards of Human Rights, rectal examinations constitute a blatant violation of an individual's privacy, their personal freedom and their human dignity.

Clause 534 of the Lebanese penal code is used to indict sexual relations between homosexuals in Lebanon. The clause indicates that “any unnatural sexual encounter is to be punished by imprisonment up to one year.” Clause 534 was based on the French legislations during the colonization and was made part of the penal code “in observance of the conservative circles that value religious ideas and family norms and that reject homosexuality, which is socially unacceptable.”¹

This examination is still being applied in Lebanon knowing that forensic medicine across the world has proved this examination to be useless in the event that no sperm is found to prove whether a sexual encounter did occur. In Lebanon, the two medical examiners, Sami Kawwas, and Hussein Shahrour, indicated that several developed countries have stopped using this examination. The two doctors also admitted that this examination is pointless and doesn't prove anything except in the presence of sperm within 24 hours and following a DNA testing. This is not possible in the event of a condom use, which is the case most often. ²

Medical examiner, Sami Kawwas, who performs this examination four to five times per month based on the demand of the Public Prosecution, said that the examination should be performed gently and the “victim” should be treated with respect. However, one young man who was subjected to this examination in a police station made a filmed testimony without however

¹ - Helem's website – Study about clause 534 prepared by Heba Abani <http://bit.ly/1ysAIND>

² - Discussion group on “the examinations of shame” organized by the Legal Agenda on May 23, 2012

revealing his identity where he described the feeling during the examination as being “awful.” The young man said, at the beginning, the police station officers tried to make me confess that I am a homosexual. They hung me up like a chicken and used physical and verbal violence to make me confess. Then they subjected me to a rectal examination. All this was caused by a lawsuit filed by my family against me and a photo where I was disguised as a woman. At the beginning, “the inspector prevented the doctor from talking to me. But when the doctor insisted, he let him talk to me and the latter reassured me that the examination won’t be painful. However, at the beginning, the pain was excruciating.” He added: “The inspector stood behind the doctor and watched me. The door of the room was open and people were everywhere. During the examination, someone entered the room and spoke with the inspector.” About his feeling he said, “apart from the fear, I felt that I was stripped of my humanity, humiliated, and devastated like the whole world has ended for me. It’s a terrible feeling still pursuing him until this day without being to overcome it.” The young man insisted that the result of the examination was negative but the inspector did not inform him about the outcome and told him that the examination proved that he had homosexual relations thus forcing him to confess and to sign a false confession. 3

Thanks to the pressure exerted by the civil society on the minister of justice, the Attorney General at the Court of Cassation, Judge Said Mirza, issued a circular number 29/s/2012 on 9/7/2012 asking the Public Prosecutions in the governorates to instruct the security forces including the justice officers and medical examiners on the fact that there will be no rectal examinations unless the suspect agrees on such an examination provided that the suspect is made aware of the fact that his refusal constitutes a proof to his homosexuality.

While this circular was still fresh, 36 individuals were subjected to rectal examinations for charges of homosexuality. These individuals were arrested by the Vice Protection Bureau on 28/7/2012 at Cinema Plaza in Burj Hammoud.

³ - Report prepared by Ali Barakat and Tania Touma from Mokhtar website published on the following link <http://bit.ly/11dlq1C>

The case of Cinema Plaza detonated a media bomb. The LBCI channel launched its new bulletin on 1/8/2012 with the phrase “welcome to the republic of shame; and with the examinations of shame, we shall start our bulletin.” A report was then aired about this matter including criticism against the police measures that violate the basic human rights, intimacy and privacy.

Human Rights organizations⁴ considered that the position of the Minister of Justice, Chakib Kortbawi, was not firm in the issue of banning the rectal examinations that are used to prove an unnatural sexual act. It turned out, through his media statements, that he asked the public prosecutions to stop conducting rectal examinations in a random manner (Al-Akhbar 2-8-2012). Al-Akhbar newspaper’s website indicated on 6-8-2012 that the Cassation Acting Attorney General, Judge Samir Hammoud, redistributed the memorandum issued in agreement between the Cassation Public Prosecution and Minister of Justice, Shakib Kortbawi, on the need that “public prosecutions should be firm about allowing rectal examinations to prove homosexuality.”

The above mentioned memorandum issued by the Cassation Public Prosecution under the number 39/S/2012 on 9/7/2012 is nothing but a blackmailing and intimidation method against individuals accused of homosexuality. This memorandum does not protect the rights of these people as it claims but rather forces them to choose between accepting the inhumane, humiliating and degrading rectal examination and refusing this examination, which would constitute a proof confirming the accusations against them. In addition, the Public Prosecution of Cassation based its above mentioned memorandum on clause 343. It thus distorted this clause’s contents and misinterpreted by fooling the accused individuals of thinking that they must accept the rectal examinations and that, according to this clause, failure to do so represents a proof of conviction. However, upon close examination of this clause, one will see that its first paragraph indicates that no measure can be applied to any human body if this measure was to lead to a serious harm (including physical and moral harm). The second paragraph of the same clause reads that the judge may consider the refusal [to take the examination] as being a proof while the public

⁴ - The legal agenda <http://bit.ly/1rq5jmh>

prosecution distorted the text by indicating that a mere refusal constitutes a decisive legal proof for an unnatural sexual intercourse.

The confrontation between civil society and the parties concerned with the issue of rectal examinations escalated when Helem called for a sit-in in front of the Order of Physicians on 11-8-2012. On 7/8/2012, the Head of the Order of Physicians, Sharaf Abou Sharaf issued a circular asking all medical examiners to abstain from performing rectal examinations to prove homosexuality under the possible penalty of disciplinary prosecution based on clause 30 of the law of medical ethics.

The head of the Order of Physicians said that, scientifically speaking, this examination is not even considered an experimental examination since it does not yield the required result and constitutes a major violation of people's rights who are subjected to this examination without obtaining their prior approval in addition to being a degrading professional action for the physicians and an act of torture as per the anti-torture treaty. The head of the order asked all physicians who are affiliated to the syndicate mainly the medical examiners to “abstain from performing this kind of examinations under the possible penalty of disciplinary prosecution.⁵”

Following the circular of the Order of Physicians, Helem changed the location of the sit-in, which was to take place on 11/8/2014 and decided that the sit-in will be taking place at a new location: in front of the Ministry of Justice building in Beirut.

On 11/8/2012, the minister of justice addressed a letter to the Public Prosecution of Cassation asking it to issue a circular to all the Public Prosecutions prohibiting them from performing rectal examinations based on the circular of the head of the Order of Physicians. The Public Prosecution of Cassation, represented by the Acting Public Prosecutor, Samir Hammoud, merely distributed the letter of the minister and allowed the public prosecutions to act as they see fit.

5 - Al-Akhbar newspaper issue number 1778. Tuesday August 8, 2012 <http://bit.ly/1vmiRHa>

Despite the circular issued by the Order of Physicians, some medical examiners proceeded with performing these examinations based on the orders of the Public Prosecutions. The Legal Agenda filed a complaint at the Order of Physicians in Beirut against one medical examiner ⁶.

Rectal examinations back to the front

On 8/1/2014, and based on a tip received by the operations' room at the Internal Security Forces, a police force raided an apartment in Beirut and arrested five individuals: two Lebanese men, one of which is the owner of the apartment; and three Syrians. They were all taken to the Mousaytbeh police station where they were placed in custody for three days. During that time, they were subjected to two investigations then released. The investigations focused on learning about their sexual orientation and whether they had sexual intercourse together. In addition to being insulted and detained under bad circumstances, members from the virtue protection bureau came in on 10/1/2014 to continue the investigation. The men were forced to take the rectal examination following the orders of the general prosecutor. The investigators told them that refusing to have this examination will constitute a proof to engaging in unnatural sexual acts. The investigator wrote in his report that they all agreed to have this examination and that one even "wanted" to see the doctor. Thus, rectal examinations were back to the front as one procedure used in police stations to prove unnatural sexual encounters.

Hamмам al-Agha

On the evening of a Saturday, August 9, 2014, a force from the virtue protection office raided Hammam al-Agha in the area of Hamra-Concorde following a tip received by the security forces indicated that "Hammam al-Agha is a place for men looking for sexual relations with other

⁶ - The complaint is published on the Legal Agenda's website <http://bit.ly/1o7t1cF>

men.⁷ Twenty seven men who were at the place were arrested among which the owner of the Hammam, the staff and the customers. Although all the detainees in this case were released on 18/8/2014, some non-Lebanese nationals remained detained by the General Security services based on the latter's jurisdiction to monitor the presence of foreigners in Lebanon.

The detainees at Hammam al-Agha were not subjected to the rectal examinations. However, the legal agenda did note the following violations of Human Rights and the code of criminal procedure:

- The raid on Hammam al-Agha happened when the General Security Services were investigating a foreign individual who had lost his identity paper. The General Security Services' members suspected a feminine behavior on the part of this individual (his attire or some behaviors deemed non-masculine). This, these members violated their jurisdictions and expanded the investigation by searching his personal phone and questioning him.
- Mass punishment at the expense of individual rights: the security forces raided the hammam and arrested everyone there based on a judicial decision
- The detainees' rights were violated as a result of stereotypes pertaining to homosexuality. They were all subjected to an HIV test and a drug screening test without any justification. In addition, their personal phones were search and they were questioned about their sexual tendencies. Their personal and private affairs were scrutinized in order to learn their sexual orientation and they were also asked if they were subject to sexual harassment during their childhood⁸.
- Homosexuals' rights violation in police station is not limited to conducting random rectal examinations. It also mainly consists of the discriminatory treatment that these

⁷ - Statement issued by Helem <http://bit.ly/1v6TlyK>

⁸ - The Legal Agenda <http://bit.ly/1ESmBTu>

individuals are subjected to including the use of verbal and physical violence against them in addition to treating them as crime suspects because of their sexual orientation or even their external look and the way they talk.

Part three

Media coverage of homosexuality cases

The case of Cinema Plaza

On July 28, 2013, Cinema Plaza in the area of Borj Hammoud was shut down and the vice squad arrested 36 individuals who were there. All these individuals were taken to the virtue protection bureau where they were subjected to rectal examinations following the orders of the public prosecution and in the presence of a medical examiner, a violation of the circular issued by the doctors' syndicate, which prohibits this kind of examinations as well as the circular issued by the minister of justice, which bans virginity examinations conducted without the approval of the target person. It should be noted that this movie theater had been shut down twice before. The Al-Hamra movie theater in Tripoli was also shut for the same reason following complaints on "things that are taking place inside that theater such as broadcasting porn material, unethical behaviors, and abnormal actions..." as per a statement issued by MTV.

How did the audiovisual media outlets interact with this incident? And how did they cover the arrest of 36 individuals who were investigated for charges pertaining to violation of public virtue and homosexuality? Were the rights of these people discussed? Were the inhumane actions and violations against them highlighted?

LBCI's reaction was strong as the channel opened its evening news bulletin with the phrase, "welcome to the republic of shame." The channel condemned the actions taken against the arrested individuals and the violation of their private rights. As a result, several voices rose protesting the arrest of the homosexuals and their subjection to examinations that violate human dignity. Similar positions followed in printed and electronic media including social communication networks that condemned these random policies and actions targeting weak people including foreigners, women, and homosexuals.

The MTV channel had a different approach to this case as it considered that the shutting down of the movie theater occurred following the orders of the public prosecutor and because that theater had turned into a place for prostitution and unnatural acts. The channel added that 36 individuals

were arrested there most of them were homosexuals who were caught red handed in addition to arresting the owner of the movie theater.

The terms used by MTV to describe the Cinema Plaza incident were biased in favor of justifying the arrest. Such terms include: “the theater had turned into a place for prostitution and unnatural acts” and “were arrested” and “most of which were homosexuals” and “they were caught red handed.”

As for the terms used by LBCI, these were more biased in favor of the arrested individuals. The channel condemned the decisions taken by the state and its institutions and considered them abusive of Human Rights and human dignity. Such terms include: “The state decided that this represents a threat to ethics, so it decided to...” and “the virtue protection bureau decided to arrest 36 persons for homosexuality charges” and “the police force is violating the arrested individuals” and “the examinations violate the least amount of Human Rights, privacy, and intimacy.”

This difference in the media-related, rights, and human view of the issue of homosexuals, which is stirring a lot of religious and social sensitivities in Lebanon, has caused a media outlet to judge homosexual individuals and to call them prostitution cells and a threat for public ethics. Another media outlets however considered that homosexuality does not constitute a crime or an unnatural act and that attacking homosexuals in this manner constitutes a Human Rights violation and a violation of people’s privacy and intimacy.

The case of Hammam al-Agha

The security forces obtained a tip indicating that “Hammam al-Agha is a place for men looking for sexual encounters with other men.”⁹ This tip was enough for the security forces to invade the place on Saturday, August 9, 2014 and arresting all the people there based on the orders of the Public Prosecution in Beirut. Thus, 28 individuals were arrested including the owner of the

⁹ - Statement issued by Helem <http://bit.ly/1v6TlyK>

hammam and all the staff in addition to anyone who was present there. No one was caught red-handed or in a suspicious position at the hammam. People's mere presence there was used as a pretext to arrest them, which clashes with the most basic rules of arrest and the rights of individuals not to have their freedom restricted in an unjust and random manner as long as no real proofs exist to their involvement in criminal acts that jeopardize public safety and security. The last individual who was arrested in this case was released on August 18, nine days following the arrest and illegal detention. Other non-Lebanese nationals remained detained by the General Security pending the completion of the investigations.

How did the media generally react to this incident and how did the media outlets cover the arrest of 28 individuals under charges pertaining to public morality, homosexuality, dealing in secret prostitution and other crimes? Were issues pertaining to the rights of these prisoners raised? Were the inhuman practices and violations against these prisoners highlighted?

LBCI is the only channel that aired a report on the incident several days later. The time of the report was two minutes and seven seconds. The report first indicated that the rights of these people were violated as they were arrested for a long time: "Twenty men are still under arrest for the fifth day in a row." The report then addressed some of the charges that the Public Prosecution listed against the detainees including the charge of violating public morality (clause 521) and the charge of engaging in unnatural sexual encounters (clause 534). At the same time, the report included pictures from the archives showing the internal space of Hammam al-Agha with people wearing their bath robes and relaxing there. The report also included an interview with an activist engaged in LGBT rights who went over the case and who alluded to clause 534, which is still being used by the security forces to track down homosexual individuals knowing that the real content of that clause does not apply to homosexuals. The activist also alluded to the right of the detainees to appoint a lawyer to defend their rights and the need to make sure that the detainees were not subjected to pressures and to rectal examinations, which should cease completely.

The report also mentioned the statement issued by the Helem organization. The statement indicated that Helem got in touch with some of the detainees and insisted that there were no

public sexual encounters going on in the hammam during the arrest. The report also indicated that Helem is concerned about the contents of the investigations conducted at the police station that mainly revolved around the detainees' sexual orientation, deeming this as "homophobia" and interference in the detainees' sexual freedom.

The report was concluded with photos showing protests and groups supporting homosexual rights and brandishing banners that read "we resist homophobia" and "torture is a violation to the constitution and the international treaties." The report also mentioned that shielding morality in Lebanon is now about raiding cinemas (in reference to the case of Cinema Plaza), night clubs, houses, and recently Turkish hammams. Shielding morality now consists of violating people's sexual freedom.

The report was completely supportive of homosexual rights placing them in the context of individual freedoms and rights rather than taboos and scandals. The report also included a blatant criticism of the security services' actions, which consist of raiding some private areas and violating individuals' rights and sexual freedoms under the headline of shielding public morality. The report also criticized clause 534 on several instances considering that this clause is a violation of human nature and individual freedom.

LBCI was the only TV channel that tackled the cause of Hammam al-Agha. MTV published a special piece on its website under the title, "Mass sodomy at a Beirut hammam." The report used prejudiced and offensive terms against homosexuals such as: "Information were obtained about suspicious acts taking place there" and "the charge consisted of the practice of sodomy" and "Information indicated that unnatural practices are taking place at the Hammam" and "information indicated that a number of homosexuals attended the hammam that witnessed gay orgies at some instances" and "they all confessed of practicing homosexuality at the hammam."

The MTV website approached the issue of Hammam al-Agha in a different manner than LBCI. The title listed by the website was unprofessional and one that aims at influencing the readers by insinuating that the men were caught red handed and were attending the Turkish hammam in Beirut to engage in homosexual orgies. The use of the term "sodomy" also enhances

homophobia and the idea of deviation and wrong doing when it comes to homosexuals' private or public life.

The use of offensive and prejudiced terms and the fact that the story was essentially built on pieces of information from unknown sources accusing the detainees of unproven acts: all this indicates that the report was completely biased to the arrests and investigations. The following text is quoted from the report and constitutes proof to this bias:

“Available pieces of information indicate that the virtue protection bureau at the judicial police unit received reports indicating some “unnatural” actions that are taking place inside the Turkish hammam, which is devoted exclusively to men except for one day per week when the hammam is devoted to women. The pieces of information also indicated that a number of homosexuals attend this hammam which sometimes witnesses gay orgies. Thus, a unit from the bureay raided the hammam and arrested 27 men who all but 3 confessed that they were practicing sodomy inside the hammam.”

We also observed this hostile stereotypical approach of homosexual matters in a number of headlines posted on news websites in Lebanon following the Hammam al-Agha incident. Some headlines defended homosexuals' rights and some others were neutral. Below is a list of headlines pertaining to the raid against Hammam al-Agha in Lebanese newspapers and websites:

- “An unnatural law”: Homophobia strikes again. **Al-Akhbar newspaper** <http://bit.ly/1vqF2Me>
- “NGOs deplore arrest of 'gay' men in Beirut” - **The Daily Star** <http://bit.ly/1xO5TQB>
- “À Hamra, 27 hommes arrêtés dans un hammam en raison de leurs orientations sexuelles” - **L'Orient-Le Jour** <http://bit.ly/1o8SbHS>
- “Les détenus de Hammam el-Agha transférés à la prison de Zahlé” - **L'Orient-Le Jour** <http://bit.ly/1qngXZ9>

Websites:

- “Unnatural sexual practices in a Beirut Hammam” **Lebanon 24** <http://bit.ly/1tVvfbn>

- 27 men arrested for sodomy charges at Turkish Hammam in Beirut. **Sawt al-Jabal website** <http://bit.ly/1o7AbgR>
- “Mass sodomy at a Beirut hammam!” **MTV website** <http://bit.ly/1qSLXWT>
- What’s the truth concerning the Hammam al-Agha incident in Verdun? **Akhbar lel Nasher website** <http://bit.ly/1o7AF6F>
- 27 individuals arrested over their sexual orientation. **Now website** <http://bit.ly/1xK1huw>
- “ISIL style campaign against sexual freedom” **Now website** <http://bit.ly/1sAteG4>

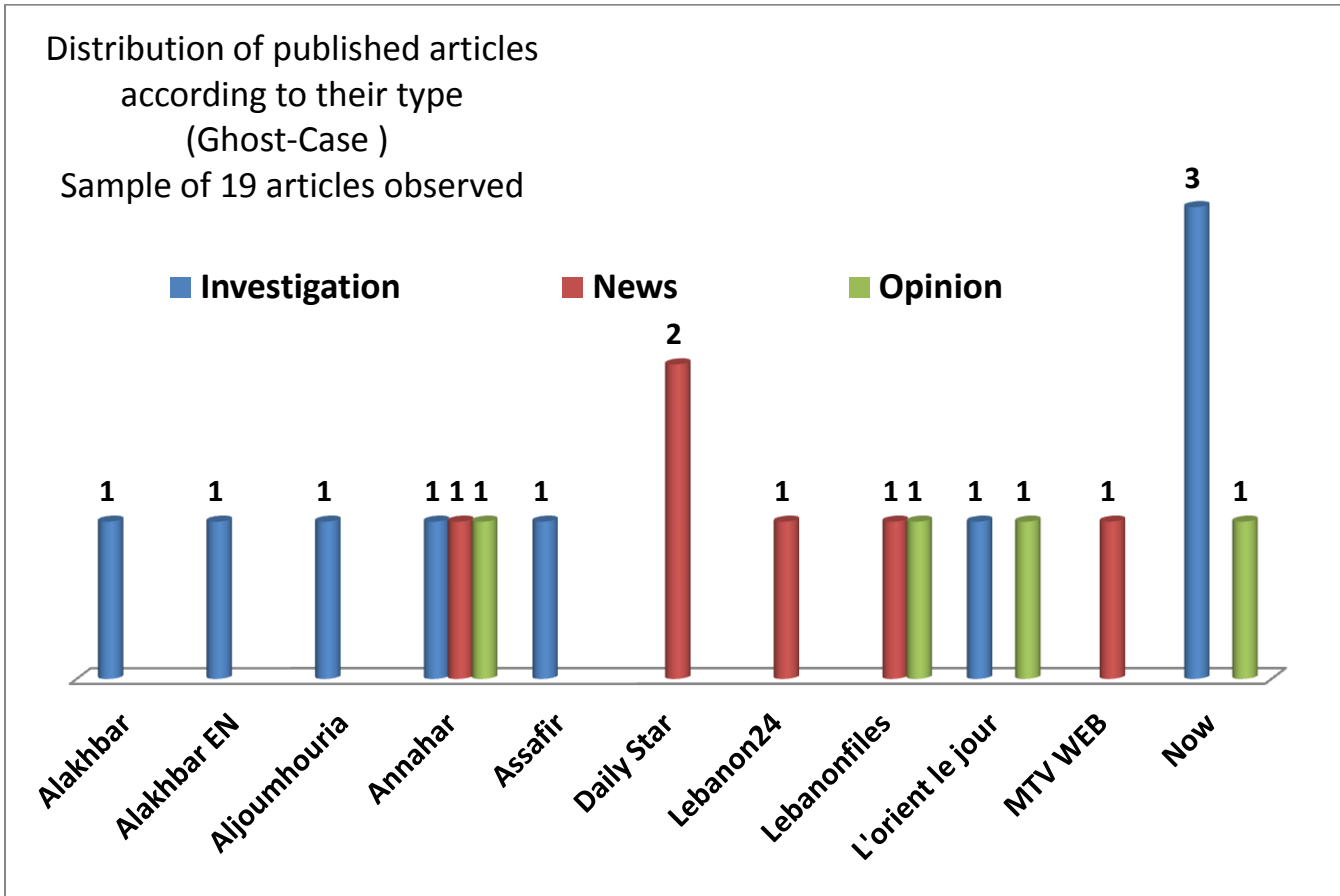
- “Lebanese security forces raid gay-friendly establishment, arrest 27” **Alakhbar English website** <http://bit.ly/1tZSyAU>

The case of Ghost Club

The media coverage

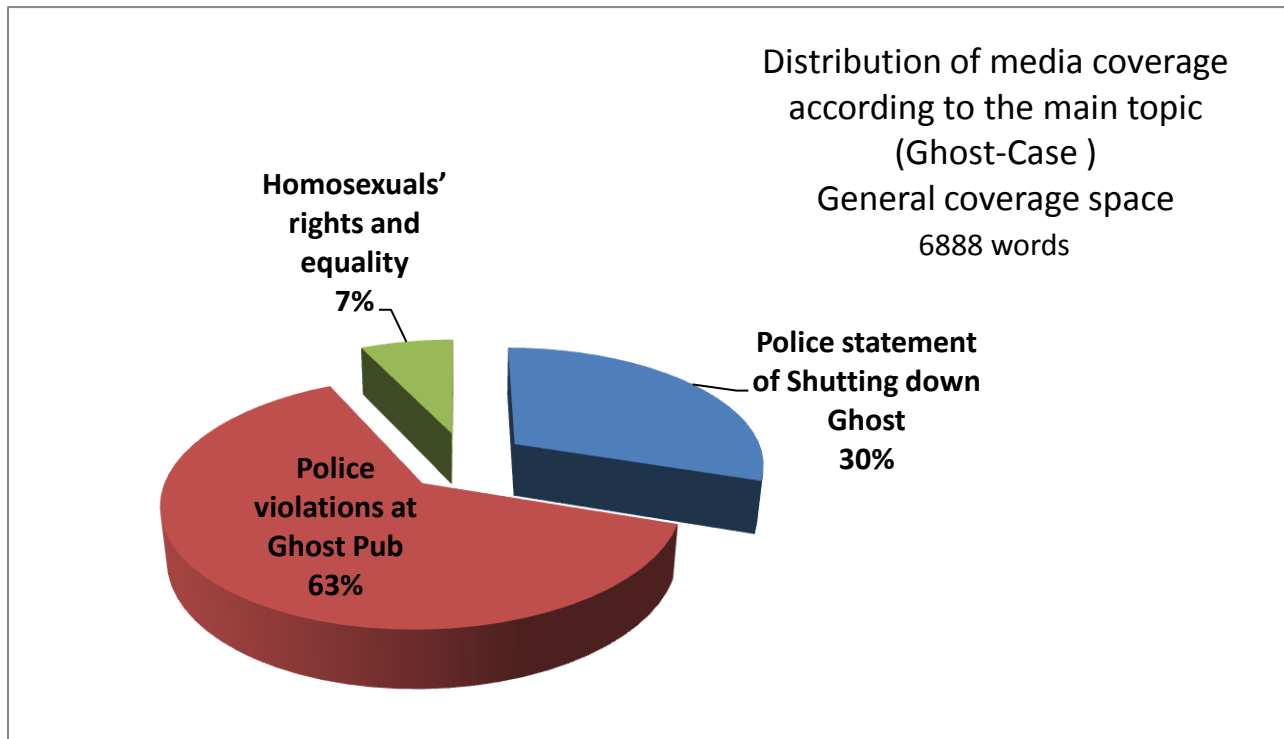
The total number of articles tackling the case of Ghost Club in Dekwaneh amounted to nineteen. Coverage differed across the different media outlets. Below is a depiction of the main outcomes:

Distribution of the observed, electronically published articles according to their type:



The results seen in the above chart indicate that the nineteen published articles consisted of three types: opinion pieces, news, and investigations. Nine articles were actually investigations, four were news stories and four were opinion pieces. NOW website had the highest number of investigations (3 investigations).

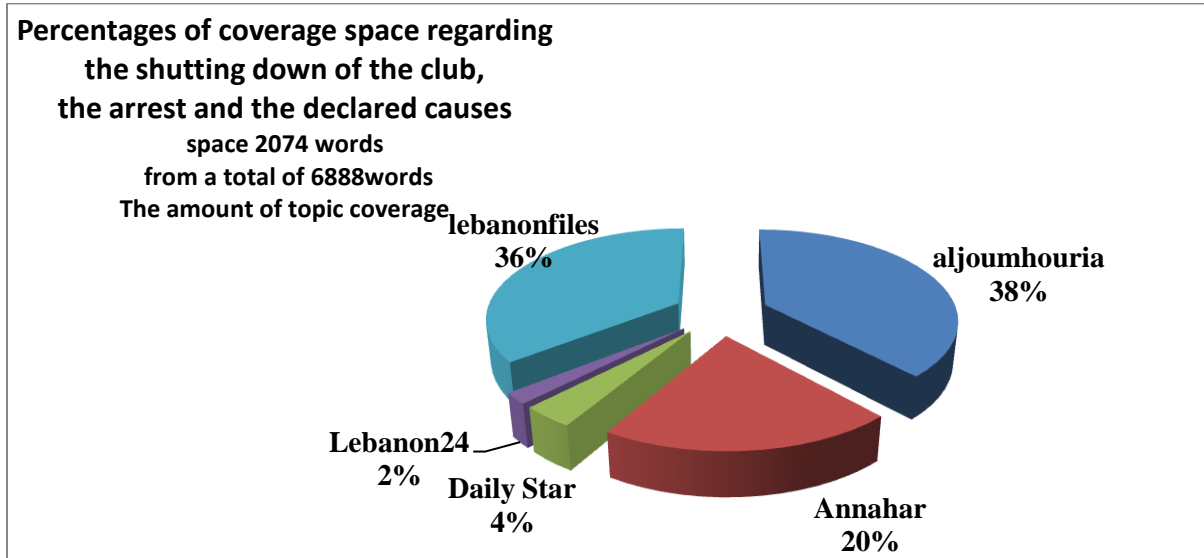
Distribution of media coverage pertaining to the case of Ghost café according to the main topic:



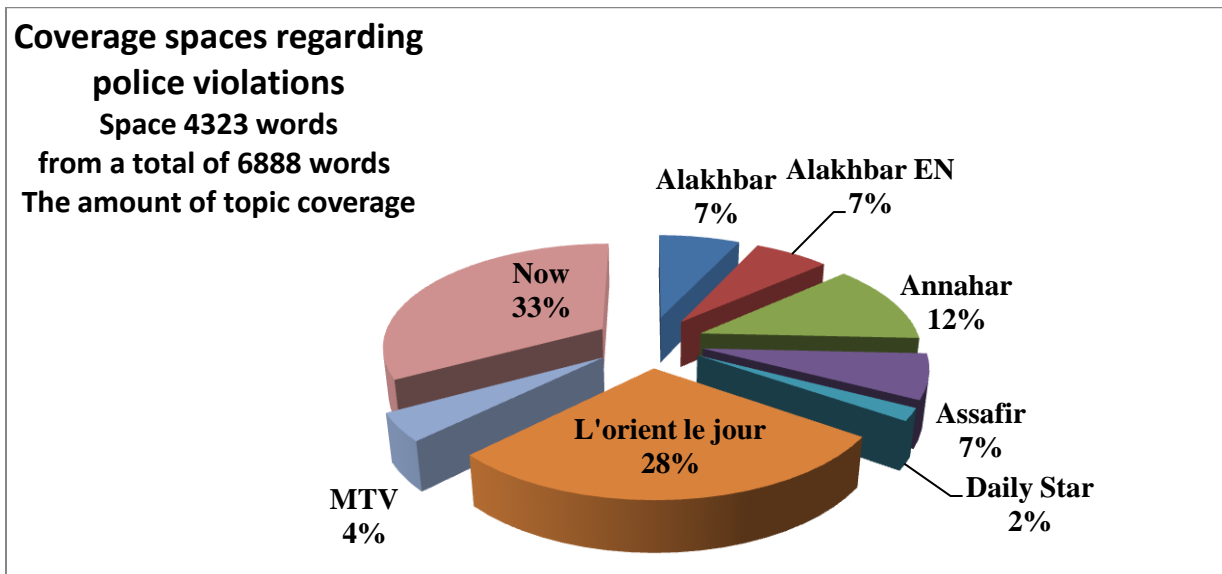
The topic of the municipal police violations in the case of Ghost club received the highest percentage of coverage, 63% vs. 30% for the coverage pertaining to the shutting down of the club, the arrest of some individuals, and taking them to the Dekwaneh municipality headquarters. The space devoted to the topic of homosexuals rights and equality was 7%.

The following are the main results of the distribution of spaces coverage percentages between the monitored media regarding the basic topics of coverage:

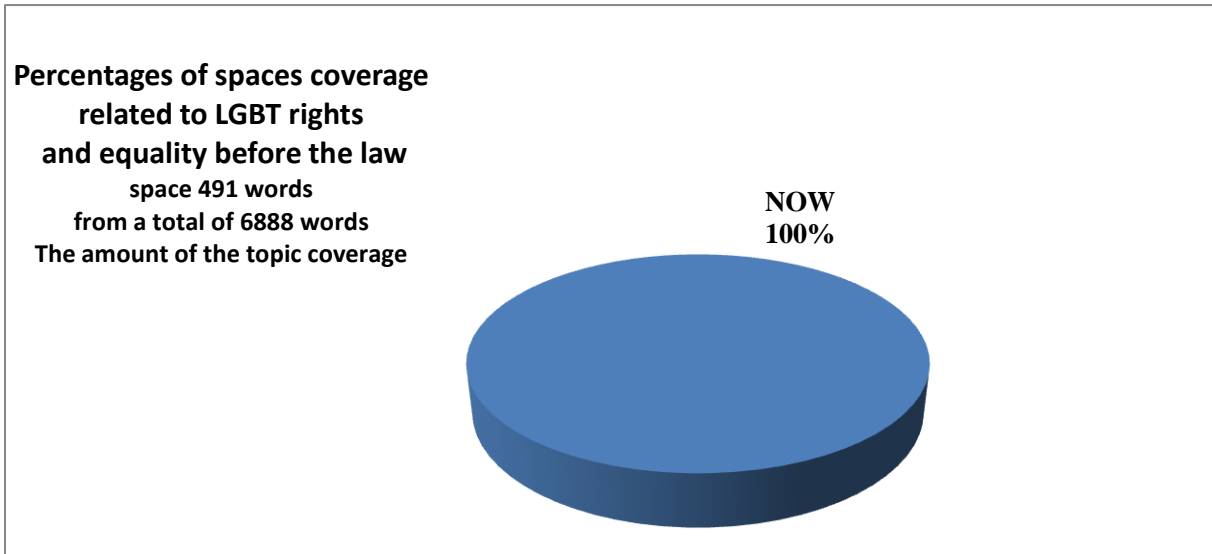
- Distribution of spaces coverage percentages between the media outlets regarding the arrests and the shutting down of the club:



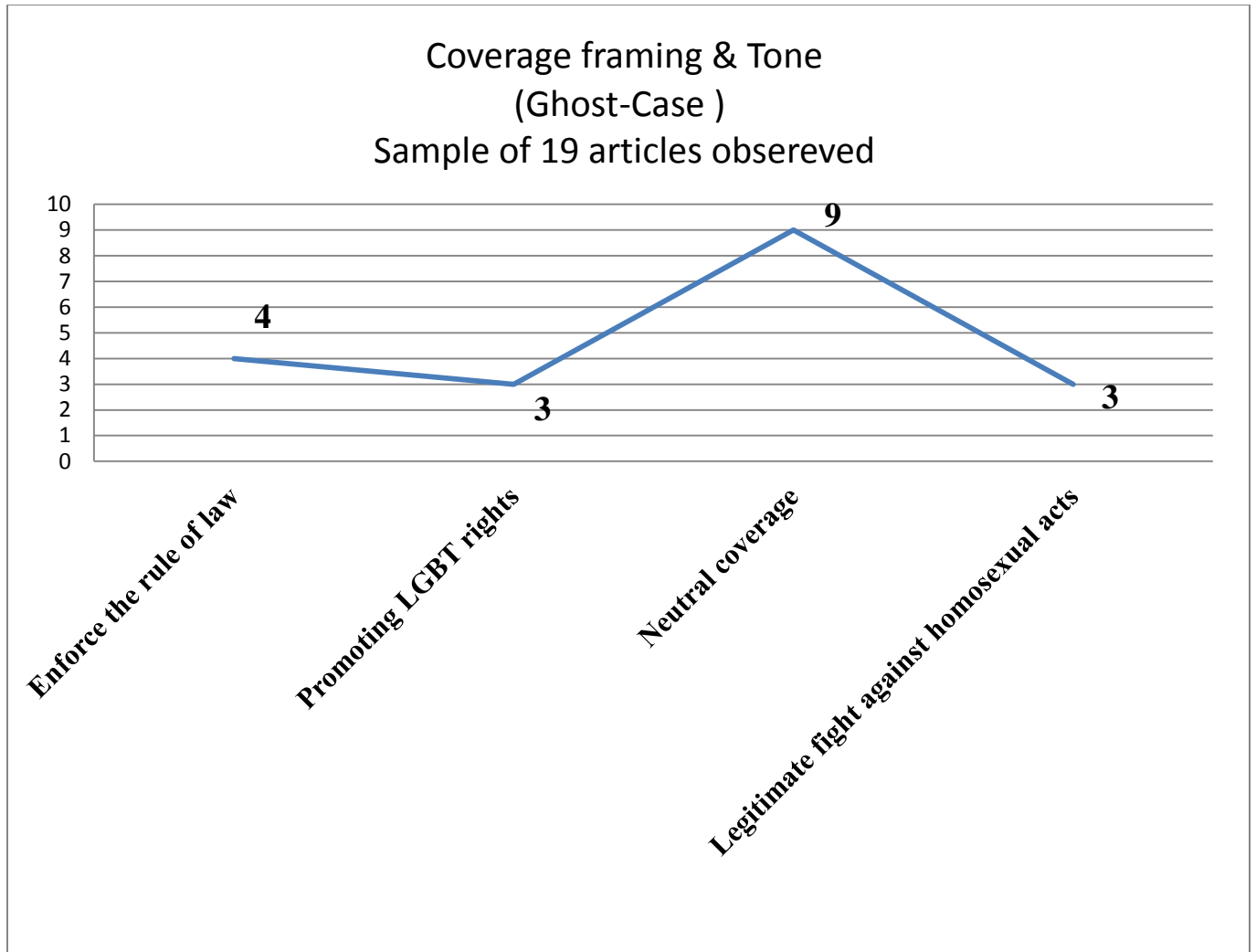
- Distribution of spaces coverage between media outlets regarding police violation



- **Distribution of the spaces coverage percentages regarding LGBT rights and equality before the law**



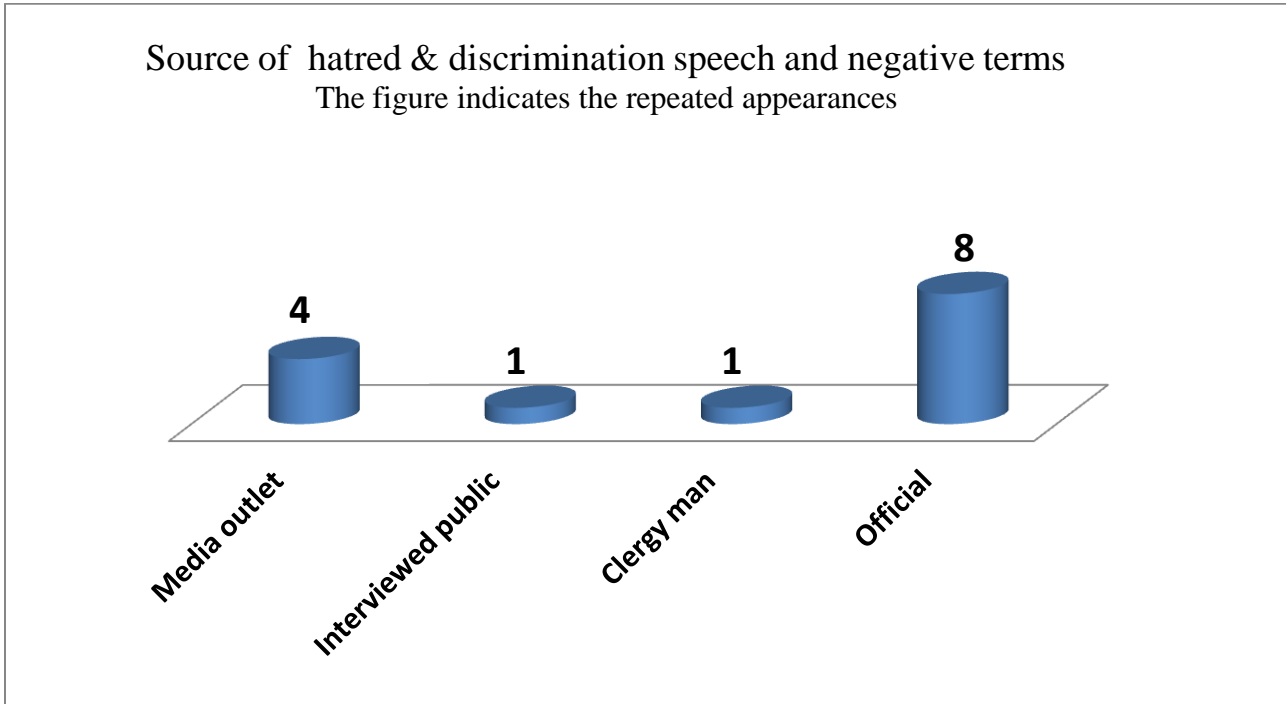
Coverage Framing and Tone:



Framing is important to understand how media are orienting the general public regarding the tackled media material.

The numbers in the table above show that 9 articles were presented as news, 4 articles promoting that the procedures taken by the municipality of Dekwaneh fall within the normal context of law enforcement and implementation as per the Lebanese laws, specifically article 534 of the penal code. In addition to 3 articles that described the events following the shutting down of the club and the arrest of some people as an alleged legitimate fight against homosexual acts considered abnormal and unethical. And last, 3 articles were in the context of defending the rights of the LGBT community and their sexual orientations as a free choice.

The source of hatred and discrimination speech and the negative terms:



The above chart shows that the hatred speech against homosexuals and their issues is mainly made by official authorities, clergy men, the interviewed public and the media outlets covering these issues. The figure in the chart indicates the repeated appearances of the source but does not necessarily indicate the number of hatred speeches made by that entity. For instance, a clergy man that appears once as a speaker in an article according to the above chart has made several racist and discriminatory speeches during the interview that he gave.

Conclusion

Media outlets play a main role in defending homosexuals' legitimate rights. This role constitutes part of the diverse media, which is based on involving all societal classes in a public debate and allowing them to express their needs and opinions in the framework of freedom and outside the circle of fear from authoritarian actions and unjust policies and laws.

This study raises a series of questions for discussion when it comes to issues pertaining to homosexuality such as:

- Are the rectal examinations conducted at police stations under the supervision of the judiciary to determine the homosexuals' sexual orientation legal and ethical?
- How did the media follow on the issue of the examinations in police stations and to which extent did the media support a campaign for aborting these abusive tests?
- Does clause 534 of the penal code – which incriminates unnatural sexual intercourse – apply to homosexuals?
- What is the role played by the judiciary judgment to preserve individuals' rights in determining their sexual identity? And is the media keeping pace with the judiciary's actions in this matter?
- Is the Lebanese media covering the causes of homosexuals as part of its news coverage?
- How is media coverage keeping pace with issues of homosexuality? And is there a media commitment to reject the actions that fall in the context of homophobia and to take a clear stand in this regard?
- Is the media coverage of homosexuality issues confined to the prosecutions or does it strive to merge this vulnerable and marginalized class in the society?
- Does the media coverage favor the homosexuals and homosexual rights activists against those individuals who reject their sexual rights or those who confine homosexuality issues to the practice of sexual relations between people of the same sex?

- Does the media look at issues of homosexuality as being scandalous matters or Human Rights issues par excellence?
- What are the means that could encourage media outlets to carry out a more effective and positive coverage?

Annexes:

- Circular of the public prosecution of cassation on the performance of rectal examinations
- The two judiciary judgments on the issue of unnatural intercourse