

Robin Dori MADI [DSP2]

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LGBTQ+ Decriminalization

Lesbians, gays, bisexuals, Transgender, and queer (LGBTQ) constitute a solid part of each community that we in Lebanon are not strangers to. In the following pages, the atrocious life of this discriminated minority in Lebanon will be discussed as well as its effects on individual members of this community. This article also discusses the complicated patchwork of laws and jurisprudence governing the establishment of LGBTQ+ rights in Lebanon. In general, the prejudicial treatment applied to the LGBTQ+ community in Lebanon is far more than a simple national issue that should be tackled, it's a matter of basic human rights being at stake.

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I. BEING LGBTQ+ IN LEBANON

No words could have better described the reality of the LGBTQ+ community in Lebanon than the title of the article published on the “Morocco World News” website that states the following:

“Lebanon: A Tale of Leaps and Losses for LGBT Rights”¹

In fact, the living conditions surrounding the LGBTQ+ community in Lebanon is rather qualified as cruel, inhumane and most of all, degrading to the basic human rights the government should provide. You might ask why? Aren’t we the most liberated country in the Middle East? Well, keep reading and the truth shall be unveiled.

A. Meet the Community

1) Definition of the Term LGBTQ+:

According to the “**LGBTQIA Resource Center**”,² LGBTQ+ is an initialism for Lesbian, Gay, Bisexual, Transgender, Queer and more. It’s “an umbrella term that is often used to refer to the community as a whole”.³

In 1923, the term “fag” was first introduced by print in reference to gays in an article called “Fairies or Fags are men or boys who exploit sex for profit.”⁴

However, the common word in the 60’s was “homophile”, subsequently “gay” and “lesbian” in the 70’s. Many disputes had arisen during this era, between Lesbian feminists who wanted the primary focus of the movement to be feminism and Gay men who wanted it

¹ (huggins)

² (LGBTQIA)

³ (LGBTQIA)

⁴ (Norton)



to be gay rights. This led to a huge conflict of interest where both parties refused to take up each other's causes or work with them.

Hence, the term LGBT did not surface until the year 1988, as a result of a battle every sexually-based community had gone through in order to gain respect from other sexually-based groups. It has since then become a positive symbol of inclusion even though the term does not encompass all individuals in smaller communities (asexual, pansexual...).

Overtime, the use of the term LGBT massively helped other marginalized groups integrate into this one general community. Even so, after years of lobbying and advocating for LGBTQ+ rights on Facebook, through creating petitions and awareness pages, the "social media giant"⁵ added in 2014 a customizable feature containing 50 different terms users can pick to specify their gender, as well as three preferred pronoun choices: him, her or them. This step marked a huge victory for the LGBTQ+ community.

2) A Brief Journey Through Time

Over the past decade, the world has made significant progress vis-à-vis respecting the LGBT community and granting it its right. Conversely, this progress wasn't the product of a couple of pride marches, human rights' advocating treaties and NGOs, it's the story of an everlasting battle against tyranny and suppression that goes back to many decades before Christ. Narrating this battle cannot be made within the limited pages of this article but we'll try to display it into two different eras:

- The road towards freedom BCE
- The road towards freedom CE

⁵ (the guardian)



i. The Road towards Freedom BCE

Ever since the earliest recorded times, the world, specifically Middle Eastern countries, accommodated homosexuality and cross dressing among its society.

We begin our journey in Africa, specifically Zimbabwe “home to one of the oldest cave paintings on Earth which depicts, well, an orgy. But not just ANY orgy – a gay orgy!”⁶

Our next stop is in the Middle East during the 15th century BCE, where the Assyrians developed the Code of the Assura.

This code mainly stipulates rules regarding marriage, adultery, and punished sodomy with castration. It is cited that:

“**A20** If a man has had sex with his neighbor (or his fellow soldier) and he has been charged and convicted, he is to be considered defiled and made into a eunuch (castrated)”.⁷

The code of Hammurabi on the other hand, which is one of the most ancient collection of laws that originated from Mesopotamia, does not mention male to male practices, rather focusing on ruling the social and commercial affairs between the people.

Our last stop is Ancient Greece, where sexual intercourse was viewed as an act of dominance and pleasure, rather than the matter of the sexual identities of the partners. In one of Plato’s works, called “Symposium”,⁸ he states that “the highest form of love is between males, allowing them to reach their full potential. Sex with women is for procreation only”.⁹

In addition, the Sacred Band of Thebes (378 BCE), the troop that defeated the Spartans at the historical battle of Leuctra,¹⁰ was considered Greece’s most elite troop and was in fact composed of 150 pairs of male lovers.

⁶ (toomey)

⁷ (G.R. Driver & J. C. Miles with that of Theophile Meek)

⁸ A drinking party or convivial discussion, especially as held in ancient Greece after a banquet (and notable as the title of a work by Plato)

⁹Historical dictionary of the lesbian and gay liberation movement (myers)

¹⁰ (wayback machine)



This goes without mentioning Alexander the Great, who in addition to being one of the most accomplished military commanders in history was also a homosexual who kept many male lovers.¹¹

Shocking isn't it? Truth be told, Homosexuality isn't a modern phenomenon.

ii. The Road towards Freedom CE

In the Common Era homosexuality was mostly considered a sin and a crime punishable by laws. In 13th century France sodomy among males was met with castration while women who practiced sexual relations with other women were executed.

Execution for homosexuality started to take place all over Europe, such as in Italy, Belgium,¹² and Spain where sodomites were “stoned, castrated or burnt”.¹³

The death penalty for sodomy was applied in Germany in 1532.¹⁴

In 1636, the “Plymouth legal code” was the first law drafted in North America by the Plymouth Colonies later known as Pilgrims. This Chart of laws stipulated a series of punishments accorded to certain acts. Sodomy was punishable by the death penalty.¹⁵

This all changed with the French Revolution when in 1791 the constituent assembly decriminalized acts of sodomy between consenting adults.¹⁶ This initiative was the first of its kind making France the first Western European country on the path of homosexual enlightenment.

Many countries have followed France's path since then.

For instance, Germany abolished the death penalty for sodomites¹⁷ in 1794.

¹¹ (rogers)

¹² historical dictionary of the lesbian and gay liberation movement (myers)

¹³ historical dictionary of the lesbian and gay liberation movement (myers)

¹⁴ (myers)

¹⁵ (Plymouth Colony Drafts the First Laws in North America)

¹⁶ (myers), historical dictionary of the lesbian and gay liberation movement

¹⁷ (myers), historical dictionary of the lesbian and gay liberation movement

In 1858, the law in the Ottoman Empire no longer contained explicit articles criminalizing homosexuality. It was decriminalized in Japan (1880), Portugal (1886), Italy (1889), Uruguay (1934), Switzerland (1942), Greece (1951), and Thailand (1956) and so on.

While much of the world was moving forward, a lot of countries were moving in the opposite direction. In 1937 the Nazis banned gay rights and up to 15,000 homosexuals were considered criminals and were incarcerated in concentration camps where most of them died.¹⁸

Homosexuality is illegal in the Middle East today, especially in countries operating under Sharia law such as Saudi Arabia, Qatar, Yemen, Pakistan, Egypt, Iraq, and Iran etc. etc. where it is punishable¹⁹ by torture (whippings, fines, imprisonment, capital punishment, and, for foreigners, deportation). In recent events, and according to www.lgbtqnation.com, Saudi Arabia beheaded 37 men in a mass execution “Most were suspected spies and terrorists allegedly working on behalf of Iran, but one of the men allegedly admitted to having sex with four of his co ‘terrorists’”.²⁰

The 2022 FIFA WORLD CUP host, Qatar, under Article 296 of the Qatari penal code punishes with imprisonment for a term of no less than one year and no more than three years “Leading, instigating or seducing a male by in any way to commit sodomy or dissipation”²¹.

The Islamic penal code of Iran under **Article 233-263** punishes homosexuality and lesbianism,

“Art.233 Livat is defined as penetration of a man’s sex organ (penis), up to the point of circumcision, into another male person’s anus.

Art.234 The hadd punishment for livat shall be the death penalty for the insertive/active party if he has committed livat by using force, coercion, or in cases where he meets the

¹⁸ historical dictionary of the lesbian and gay liberation movement (myers)

¹⁹ https://en.wikipedia.org/wiki/LGBT_rights_in_Saudi_Arabia#cite_note-29

²⁰ <https://www.lgbtqnation.com/2019/04/saudi-arabia-beheaded-5-men-proven-gay-torture/> (villareal)

²¹ (qatari penal code)



conditions for ihsan; otherwise, he shall be sentenced to one hundred lashes. The hadd punishment for the receptive/passive party, in any case (whether or not he meets the conditions for ihsan) shall be the death penalty.

Art.238 *Musaheqeh is defined as where a female person puts her sex organ on the sex organ of another person of the same sex.*²²

We conclude that the Middle East nowadays, which was once considered a region filled with cultural openness and development, holds a homophobic perspective regarding the LGBTQ+ community. This conservative and repressive point of view was imported by the crusades of France and Britain in the 1800 towards the Middle East and were reinforced by Islamic culture who used homophobia as a way to harness anger towards the “western cultures”.

B. What are the Constraints They Face?

The LGBTQ+ community has already gone a long way but continue to face many constraints, most prominent of which are the economic, psychological, physical, and socio-logical constraints.

1) The Economic Constraints:

The sad, untold truth of the economic situation of the LGBTQ+ community is that gay and transgender people suffer from socioeconomic inequality in large part due to pervasive

²² Penal code of Iran

discrimination in the workplace. This discrimination causes job instability and high unemployment and poverty rates among the LGBTQ+ community. This inequality manifests itself in the wage gap between heterosexual and homosexual persons.

As a matter of fact studies around the world have shown higher rates of unemployment within the community²³ compared to the rates of unemployment among heterosexuals. It is not hard to envision these cases. Imagine a gay man getting kicked out of a job because his boss found out that he has a boyfriend, or the case of a transsexual woman who's trying to file an application for a job but constantly gets rejected for the way she talks, walks, or looks.

And in case of arbitrary termination of employment or any form of discriminatory denial of services or rights, because of resulting harassments, the LGBTQ+ find themselves helpless and cannot seek justice at the police or judicial authorities since they can be most probably arrested or not heard at all.²⁴

As a recourse, these minorities often have to mediate to illegal and degrading jobs such as prostitution and drug trafficking and tend to hide their sexual identities and conceal themselves under fake personas in order to fit into their work environment which can lead to anxiety, stress or even worse.

2) The Psychological Constraints:

We often don't realize the repercussions of the hurtful words we say, or the offensive jokes that come out of our mouths. Whether this joke was addressed to our siblings at home or our friends at school, this simple joke could initiate harmful mental conditions and make home or school a hostile environment for LGBTQ+ individuals.

It often starts with bullying at school when a boy is always hanging around his girlfriends or showing interest in makeup and fashion. What happens is that students, due to lack

²³Beyond Stereotypes: Poverty in the LGBT Community (Badgett)

²⁴ "The LGBTIQ+ community in Lebanon, documenting stories of torture & abuse" by PROUD Lebanon



of cultural awareness, start calling him names such as “fag”, “homo”, and “sissy”; bullying him about his effeminacy and harassing him because he’s different. Many learn to cope with this, particularly when they have the support of family and friends. Some even find it helpful to participate in LGBTQ+ organizations or social networks.

Whether this homophobic bullying and physical and verbal attacks happens inside school or on the streets it can cause serious mental harm ranging from anxiety, self-hatred, self-harm, and internalized homophobia – it can sometimes result in suicide.

The recourse here is to start spreading awareness among school students in order to minimize the stigmatization of homosexuality and transsexuality. Maybe this isn’t a huge step in order to abolish this discrimination, but it can surely create a safer environment.

3) The Physical Constraints:

Approximately 90% of the lesbian, gay, bisexual, transsexual and queer community have been subject to sexual harassment sometime in their lives.

According to the Lebanese NGO ABAAD, every four women in Lebanon is subjected to sexual harassment at some point in their lives; 49 percent of sexual harassment acts are perpetrated by a family member or a person close to the victim; yet, only a small percentage of victims report their assault.

These numbers are considerably high especially in these progressive times, and the lack of laws that are able to protect the victims of sexual assault are very limited.

Moreover, the HIV epidemic remains a huge public health crisis around the world. According to the global AIDS update (a research done by the UNAIDS) it is estimated that the number of people who have been infected with HIV in the Middle East and North Africa range between 8000-40000. That is a 10% increase compared with 2010.²⁵

²⁵ (GLOBAL AIDS UPDATE 2019 GLOBAL AIDS UPDATE 2019)

“HIV testing, treatment and care programs in the region are not reaching many people living with HIV, the majority of whom belong to marginalized populations. Less than half (47% [26–80%]) of the estimated 240 000 people living with HIV knew they were HIV-positive, and about one third (32% [18–54%]) of people living with HIV were receiving antiretroviral therapy in 2018, the lowest treatment coverage of any region in the world”.

These elevated numbers are mainly caused by the large amount of HIV stigmatization and the lack of treatment funding. In fact, most Middle Eastern countries rely on global funds to fight AIDS.

What does all of this have to do with LGBTQ+? Well, the high levels of discrimination towards the community enables HIV to become much more widespread; this is due to the lack of awareness and medical funding preventing people from testing and seeking treatment.

Practical solutions could come in the form of:

- Massive government public health funding,
- Increasing societal HIV awareness, and
- Reducing stigmatization by activating the role of NGOs within our society.

4) The Sociological Constraints

Along with high levels of stigmatization, discrimination, and harassment, the LGBTQ+ community faces considerable levels of prejudice, social exclusion, and ostracism violating their rights of life.

Many learn to cope with this, however the majority are forced to leave their families, and sometimes even migrate to other countries seeking asylum. Many more get kicked out of their religions due to their sexual orientation as well and become shamed and discriminated for who they are.

In one case in 2013, two women in the northern region of Lebanon were ordered by the police to refrain from residing in the city for indecency after they were being blackmailed to be ousted by an anonymous individual.²⁶

²⁶ “The LGBTIQ+ community in Lebanon, documenting stories of torture & abuse” by PROUD Lebanon



II. Law v. Reality: What is the Legal Aspect of LGBTQ+ in Lebanon?

While some might say that we are the most progressive country in the Middle East regarding the liberties we grant for gays, lesbians, transsexuals and queers, our law will most certainly disagree with this idea.

How? A series of miss-interpreted laws have been condemning homosexuality and every other form of sexual identity since 1 March 1943, the year the Lebanese Penal Code was officially applied within the Lebanese Jurisdiction, and yes since the final days of French Mandate over Lebanon.

But what are these laws? And are the courts still ruling by their traditional ways?

A. What are the Laws that Govern the LGBTQ+ Situation?

1) The National and International Laws Governing the LGBTQ+ Community

We start with the infamous Art. 534 Lebanese Penal Law that stipulates that:

"Any carnal union against the law of nature it to be punished by imprisonment for up to one year".

"كل مجامعة على خلاف الطبيعة يعاقب عليها بالحبس حتى سنة واحدة".

It is necessary to define the term "union against nature" in its legal context in order to break down the legal jurisdiction of the previous article.

Historically speaking the term "union against nature" included unnatural sexual acts punished by the law such as sodomy, bestiality, and necrophilia. However, over time, the

vagueness of the term “against nature” changed and became more specific especially after the global awareness regarding homosexuality.

In this context the definition of “union against nature” started focusing on pedophilia, incest, public sex, and bestiality, disregarding sodomy. However this is not the case in Lebanon where we there endures the old interpretation of the term “crimes against humanity”.

This law was originally inspired by the French Penal Code of 1810 that actually prosecuted same-sex relations between adults and minors under 21. This amend was regulated in order to prosecute the German soldiers who raped French children during the World War 2. So how did the article 534 came to such misinterpretation of the French law? As with most of our laws the true meaning of the French legislation got lost in the translation into Arabic, and since then courts have used this misinterpretation to their advantage.²⁷

On the other hand, article 183 of the Lebanese Penal Code states that:

“An act undertaken in exercise of a right without abuse shall not be regarded as an offense.”

“لا يعد جريمة الفعل المرتكب في ممارسة حق بغير تجاوز”

This article can indirectly pose a major counter argument to the jurisdictions of article 534 of the same code.

In fact it enables Lebanese citizens the liberty to enjoy their rights and freedoms as long as they do not breach the law.

These rights are granted by chapter 2 of the Lebanese constitution, most importantly:

“ARTICLE 7: All Lebanese shall be equal before the law. They shall equally enjoy civil and political rights and shall equally be bound by public obligations and duties without any distinction.

²⁷ “The LGBTIQ+ community in Lebanon, documenting stories of torture & abuse” by PROUD Lebanon

ARTICLE 8: *Individual liberty is guaranteed and protected by law. No one may be arrested, imprisoned, or kept in custody except according to the provisions of the law. No offense may be established or penalty imposed except by law*".²⁸

Furthermore Lebanon took part in a series of conventions and treaties that guarantee civil and political rights for the Lebanese citizens such as:

- The Universal Declaration of Human Rights (UDHR)

Article 7 *All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.*"²⁹

- The International Covenant on Economic, Social and Cultural Rights (ICCPR)

"Article 26 *All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.*"³⁰

- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

That being said, and given the fact that the constitution and the international treaties protect the individual's rights against any kind of discrimination, together with the principle of the "**hierarchy of norms**" مبدأ هرمية القوانين, which is a general rule stated in **article 2 of the Lebanese code of civil procedure** :

²⁹ https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf

³⁰ <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

“The courts shall comply with the principle of the rules of hierarchy. In the event of conflict between the provisions of international treaties and those of ordinary law, the former shall take precedence over the latter”.

This principle not only ensures the superiority of the ICCPR and UDHR over article 534, but also makes every prosecution under this article, against homosexuality and sexual orientation ILLEGAL.

Alas, several law infringements and breaches are being called into question by the day proving the incapability of the Lebanese authorities to uphold the jurisdiction of these treaties. What is happening and who’s stopping them?

2) How are We Breaching the Rules?

According to the Lebanese center for human rights, in an article published in 2012:³¹

“Multiple violations of human rights are reported in Lebanon, such as torture, ill-treatment, arbitrary detention and very poor prison conditions. The Lebanese state encounter difficulties in meeting its obligations arising from its accession to various international treaties. On several occasions, the State has failed in its obligation to submit reports to the various bodies in charge of monitoring the effective implementation of international instruments such as the Human Rights Committee for the ICCPR or the Committee against the torture for the Convention against Torture. The last report by the Lebanese State to the Human Rights Committee, body monitoring the ICCPR, was submitted on June 8, 1996. Following the examination of the report, the Committee requested a new report and additional information on the exercise of civil and political rights in Lebanon. No report has been issued by Lebanon since 1996, and the Committee is still awaiting two periodic reports of Lebanon planned for 1999 and 2003. For all these reasons, NGOs such as CLDH took over the Lebanese state to

³¹ http://www.rightsobserver.org/files/Civil_and_Political_Rights_2012_ENG.pdf



report firstly to the Lebanese public opinion, and secondly to the international community, on the human rights situation in Lebanon. Numerous reports and press releases were published by NGOs in various fields of human rights such as torture, asylum, racism, arbitrary detentions, the judicial system flaws or freedom of expression.”

In this context we can enumerate many incidents that scream discrimination:

-In 2009, a mother reported her son for the police stating that he was “acting like a woman” and accused him of homosexuality³². The young man was arrested, interrogated and forced to submit to an anal examination.

-On the 28th of July, 2012, a police raid took place in a Lebanese Theatre where 37 men were arrested after suspected for screening pornographic movies. The suspects were later on transferred to Hobeich police department where a series of horrifying anal examinations and tests were conducted by forensic doctors on order from the public prosecutor.

-In April 2013, a major police raid targeted a gay friendly club in Dekwaneh and shut it down based on commands from the Mayor. The people who were present at the club were forced to undress in the Municipality building where they were photographed naked. Marwan Charbel who was, at the time, Interior Minister of the interim Government, supported the mayor’s actions saying that Lebanon condemns Homosexuality.

-In 2018, Mashrou’ Leila’ was banned from performing at the BYBLOS INTERNATIONAL FESTIVAL following accusations from Christians Groups of blasphemy and hate towards openly-gay lead singer Hamed Sinno³³, however the segment “Majdi w Wajdi” in the

³² “The LGBTIQ+ community in Lebanon, documenting stories of torture & abuse” by PROUD Lebanon https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/LBN/INT_CCPR_ICO_LBN_27260_E.pdf, page 6

³³https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=11&cad=rja&uact=8&ved=2ahUKEwjxy6_TxYDnAhXIy4UKHRCxBFoQFjAKegQIChAB&url=https%3A%2F%2Fwww.theguardian.com%2Fmusic%2F2019%2Fjul%2F31%2Fmashrou-leila-byblos-festival-concert-cancelled-after-pressure-from-christian-groups&usg=AOvVaw3rJtx1pu7H2jsaSaREc3tc



MTV show Mafi Metlo, that demonstrated an offensive image of 2 gay men, was never taken down.

These examples reveal a horrible investigation process that leans on “appearances” rather than tangible evidence. This exposes a huge flaw within the judicial authorities who use ill-treatment and torture as “part of the job”,³⁴ exercising serious violations towards the rights of the detainee such as verbal abuse, forbidding phone calls and family visits, serious physical abuse on the body using canes and rulers, and denial from food and water.

However, the ISF launched a new Code of Conduct in 2011 in order to define and improve the rules and obligations of the security forces. Following that, many donors such as the EU, UK and the US have invested a huge amount of money in order to modernize the security forces equipment and conduct.

The effectiveness of these legal measures remains questionable and under close surveillance from NGOs.

As a matter of fact, due to this unprofessional degrading conduct, many non-profit organizations concerned with the advocacy of human rights have surfaced in 2002 in order to protect the LGBTQ+ and prevail the injustices they’re enduring such as HELEM and PROUD.

More positive action on the LGBTQ+ case has been taken by the Minister of Justice Shakib Qortobawi in 2012 banning anal examination or as known as “test of shame” for men suspected of Homosexuality.

Needless to mention too the statement from the Lebanese Psychiatric Society in July 2013, that affirmed that homosexuality is not a “mental disorder”,³⁵ and urged the Lebanese authorities to abolish article 534 of the Lebanese penal code.

³⁴ It's Part of the Job"

Ill-treatment and Torture of Vulnerable Groups in Lebanese Police Stations <https://www.hrw.org/report/2013/06/26/its-part-job/ill-treatment-and-torture-vulnerable-groups-lebanese-police-stations>

³⁵ <https://www.lebmash.org/statement-lebanese-psychiatric-society/>



In May 15, 2015, PROUD launched a media campaign in 15 May 2015, in celebration of the International Day against Homophobia, Transphobia and Biphobia.

In 2018, Al-Kataeb was the first political party to support the decriminalization of LGBTQ+ in Lebanon, as well as 66 candidates from Koulouna Watani in the elections that happened during that same year.

The positive degree of liberation that occurred during the years is significantly remarkable, allowing more minorities to exercise her freedom of speech.

But what is the value of all this positive intake if our judges still rule against the LGBTQ+? Or are they?

B. Where do Courts Stand Regarding LGBTQ+?

Up till today, the Lebanese courts have been describing homosexuality and other sexual orientations as “acts against nature”, automatically falling into the jurisdiction of article 534, condemning this way every individual suspected with homosexuality.

Nevertheless, judges have been ruling in favor for the LGBTQ+ cause in a series of unprecedented decisions.

For instance, the first ever judge to question the application of the term “acts against nature” on homosexuality was Judge Mounir Suleiman in 2007 who called a halt on criminal investigations regarding two men accused of homosexuality. He argued what was seen as “unnatural” reflected the social morals of the time.³⁶

In 2014, a court discharged a transgender woman who was accused of having sexual relations with a man ruling that homosexuality should no longer be considered unnatural.

³⁶ <https://76crimes.com/2017/02/03/lebanon-court-gay-sex-is-natural-anti-gay-law-weakens/>

In mid-January 2016, Judge Janet Hanna of the Beirut Court of Appeal confirmed the right of a transgender man to change his gender on his official papers. What was worth mentioning here is that even though sex reassignment surgery is legal in Lebanon, changing one's official papers wasn't. This gap created a lot of problems for transsexuals who faced verbal and physical abuse at work since their appearance don't match their name on their official documents. Nonetheless, this ruling was considered a victory for Transsexuals since it originated from the Court Of Appeal and can be taken from now on as a precedent.

In 2017, Judge Rabih Maalouf challenged the legal jurisprudence that was based on the misinterpreted term of article 534, and ruled that "homosexuality is a personal choice, not a criminal offence". He based his ruling on article 183³⁷ of the Penal Code adding that "*if no harm was done, there is no crime*", refuting the legal basis of article 534 due to its unspecified vague wording.

All these positive rulings that came in favor for the LGBTQ+ cause in Lebanon have restored faith in the power of the juridical system.

While we can consider all this as small win for the LGBTQ+ community, it is however insufficient.

³⁷**Art.183 Penal code:** "An act undertaken in exercise of a right without abuse shall not be regarded as an offense".

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