Homosexuality in Sudan and Egypt: Stories of the Struggle for Survival

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[ABSTRACT]

Egyptian and Sudanese legal systems and societies have long led to discrimination and violence against homosexuals. Through a series of anecdotes, this article explores the daily struggles faced by individuals in these conservative and largely Muslim societies. We look for the sources of the discrimination and violence they confront, and we acknowledge that much is rooted in societal gender and sexual norms. Therefore we question whether regional political change following the Arab Spring will necessarily transform the societal circumstances for homosexual in the near future. Nonetheless, we remain optimistic that change is possible, provided LGBT rights advocacy maintains support internationally, nationally, and within their local communities.

In order to protect the privacy of the individuals involved, some of the names in this article have been changed.

Gay and lesbian Sudanese and Egyptians struggle daily to cope with the constant fear, discrimination, and physical abuse that they and their peers face, harboring a relentless feeling of hopelessness in the face of a relatively conservative society, with a majority Muslim population and traditional societal gender roles. We describe the discrimination and abuse that these communities commonly face and analyze what causes such systemic prejudice against this particular minority. While the legal and political systems of both Egypt and Sudan have contained homophobic elements for decades, we find that much of the discrimination is rooted in private, social, and religious beliefs held by the majority of the population. We do not attempt to predict whether political Islam will intensify or subside in the near future as a result of the Arab Spring. However, we worry that discrimination and abuse against sexual and gender minorities in Egypt and Sudan will continue regardless of the political outcome. LGBT organizations like Bedayaa, that work hard to empower their communities and fight for social change, nonetheless provide hope that a public fight for LGBT rights may one day be possible.

Homosexuality is a complex topic in Sudanese society. Due to social norms and prevailing constructs of femininity and masculinity in society, it is considered socially unacceptable by the overwhelming majority of the population. Few people dare talk about it publicly, because doing so would likely lead to personal attacks from members of society at large. Many Sudanese fail to understand the emotional roots of homosexuality and gender diversity, viewing them instead as physical illnesses. They tend to associate homosexuality with sexual harassment and pedophilia, which makes it nearly impossible to discuss it from social, legal, and human rights perspectives.

Frequent stigmatization and discrimination have made homosexuals invisible; consequently, they often lack access to basic rights including personal security, legal protection, health care, and social acceptance.

Several organizations are working to tackle issues related to sexual orientation and gender identity in Sudan, two of which focus exclusively on LGBT rights. Freedom Sudan, formed in December 2006, was the first Sudanese LGBT association. The second is the Bedayaa organization for LGBTQI in the Nile Valley region of Egypt and Sudan, which was created in July 2010 by volunteers who recognized the similarities between the struggles in these two countries, particularly in regards to criminalization, religious prohibition, and cultural perception of homosexuals. Bedayaa seeks to help LGBTQI people live a life free of discrimination and stigma and believes that the best way to tackle societal LGBTQI rights issues is to confront them within their community first. Like their peers, members of this community grew up harboring negative feelings regarding homosexuality, and struggle to reconcile their sexual orientation with societal norms. Bedayaa's strategy is to build an active and self-motivated LGBTQI movement in the region by empowering members to accept themselves for who they are and to promote that acceptance among their friends and acquaintances.

Because many problems affecting the homosexual community are rooted in the lack of education, Bedayaa has in the past hosted workshops to discuss gender and sexuality issues, mobile sexual awareness workshops for low-income community members to spread knowledge about health and well being, and a series of movie nights where gays and lesbians discussed current issues and shared their personal experiences in an open and supportive environment. Given that tackling the unique

issues facing gays and lesbians in Sudan and Egypt will require collaborative efforts, Bedayaa continues to connect with individuals and organizations at the local, regional, and international levels supporting LGBT rights for assistance and information. In keeping with this spirit, Bedayaa encourages anybody who feels motivated by this piece to reach out to the organization.

Islam and Shari'a Law

Religious influence plays an important role in the rejection and prohibition of homosexuality. A number of scholars argue that the Qur'an encourages diversity under the reasoning that individuality and tolerance are all part of divine intent.[1] The Qur'an nonetheless explicitly condemns homosexual behavior. In Chapter 26, Verses 165-166 of the Qur'an, Lut asks, "*How can you lust for males, of all creatures in the world, and leave those whom God has created for you as your mates? You are really transgressing all limits*" (26:165-166). The Prophet Muhammad then adds, "*Doomed by God is who does what Lot's people did [homosexuality].*"[2,3]. Other non-Qur'anic texts that have become part of the Muslim tradition, including *hadith* reports and *fiqh* decisions, often stigmatize Muslims who engage in homosexual acts and criminalize their actions. As a consequence, many Muslim authorities regularly assert that homosexual behavior is sinful and sick[1].

Because of the strict adherence to the story of Lut in the Qur'an by the majority of Muslim clerics, Islamic Shari'a law prohibits homosexuality with a maximum punishment of death by stoning; as a result, Sudanese homosexuals frequently face persecution. A

lesbian Sudanese woman is quoted in an article published by the Inter Press Service as saying, "Talk about lesbian or gay rights is illegal. We are not allowed to express our sexuality, partly because it is considered to be a foreign culture and partly because we lived in a Islamic-Catholic dominated society which does not allow people to live in the way they want," adding that, "The death sentence for gays or lesbians has been in the Islamic book of laws for years, since the teachings of the prophet Muhammad emphasizes that it is a duty of the Islamic state to eliminate sodomy, and those who are guilty of it should be punished by death."[4]

Not all Muslims interpret the Qur'an this way. Many homosexual Muslims seek to reconcile their faith with their sexual identities, and most ultimately do not see a contradiction between their faith and their sexual orientation. In fact, in the same way that faith is a coping mechanism for dealing with poor living conditions, faith plays an important part in preserving hope and strength in the lives of many homosexuals. One community member reported relying on her Muslim faith in order to find the strength and courage to live honestly and openly.

The criminalization of homosexuality is a common element of political systems that base their legitimacy on Shari'a law. In Iran, the Islamic Penal Code subjects the perpetrators of same-sex crimes to the death penalty, or when committed by a minor, to receive lashes. Homosexuals and other sexual minorities are often victims of abuse and violence, and the state unofficially sanctions the harassment and abuse of homosexuals that members of society often engage in, according to a Human Rights Watch report released in 2010.[5] In the 2008 "Human Rights Report: Saudi Arabia," the U.S. Department of State states that "sexual activity between two persons of the same

gender is punishable by death or flogging," and describes numerous cases where citizens engaging in same-sex activities were arrested and given sentences of up to 7,000 lashes.[6]

The Criminal Code in Sudan is equally strict on this matter and explicitly states that same-sex sexual activity is illegal. Article 148 of the Sudanese Criminal Act of 1991 provides as follows:[7]

(1)   There shall be deemed to commit homosexuality, every man who penetrates his gland or the equivalent thereof in the anus of . . . another man's or permits another man to penetrate his gland or its equivalent, in his anus.

(2) (a) Whoever commits the offence of homosexuality shall be punished with 100 lashes and he may also be punished with imprisonment for a term not exceeding five years.

   (b) Where the offender is convicted for a second time he shall be punished with 100 lashes and with imprisonment for a term not exceeding five years.

   (c) Where the offender is convicted for a third time he shall be punished with death or with life imprisonment.

In 2002, the Sudanese government voted against the application by the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) for consultative status with the United Nations Economic and Social Council (ECOSOC).[8] In 2008 it voted against the UN declaration on sexual orientation and gender identity, signing a counter-declaration stating that personal choices related to sexual orientation

and gender identity extend "beyond the individual's sexual interest in copulatory behavior with normal consenting adult human beings, thereby ushering in the social normalization and possibly the legitimization of many deplorable acts including paedophilia."[9] Its actions in the framework of international law demonstrate that the Sudanese government does not consider LGBT rights to be human rights.

Social Discrimination

Because of the importance of family and honor in Sudanese society, little is made public about homophobia in public reports or in the media in general. Yet the experience of many Sudanese homosexuals that Bedayaa interacts with is that the majority of their families and communities strongly condemn homosexuality.

Many do not consider the act of a male penetrating another male to be a homosexual act; usually only the man in the passive role of receiving penetration is considered to be engaging in a homosexual act. Azza Sultan recalls the story of Khalid, a 38-year old Sudanese gay man, who was abused by two police officers in Khartoum in 2012. As he was returning home late at night, the police officers stopped him, pointed their guns at him and ordered him to perform oral sex on both of them for 30 minutes. This experience reinforces the idea that traditional gender roles, along with notions of power and control associated with masculinity, strongly influence which sexual roles are considered socially acceptable.

Social discrimination against homosexuals in Sudan is widespread, and the mere existence of anti-homosexual legislation poses psychological and social threats for Sudanese homosexuals. Many can recall incidents of police harassment against

members of their community. In March 2012, the family of 23-year old Ahmed, one of the members of the Bedayaa community in Sudan, discovered that he was gay. His family locked him in his room for a month, separating him from the rest of the LGBT community and beating him in an attempt to convert him to heterosexuality. Ahmed ran away, but several months later his family found out where he was hiding. They convinced him to come back to Khartoum, pretending that they had accepted his homosexuality. Upon his return, Ahmed was killed by his brother.

The excerpt below was previously published by Bedayaa and Freedom Sudan on their and other online media outlets.[11] In it, Ali, a co-founder and the former president of Freedom Sudan recalls his own terrifying story. In April 2009, while Ali and 11 of his friends were at a private party in one of their homes, agents from the Sudanese intelligence agency raided their party, arrested them, and took them to an unknown location. Ali recalls how each of them was put in solitary confinement cells of 1.5 meters long and deprived of water and food for two days. Of his interrogation, Ali recalls the following:

> They stripped me naked, and they started to interrogate me. They asked
> me about my friends, family, and political and LGBT association activities.
> They started to hit me. One of them put a pistol to my head and said "I
> wish I can kill you right now." They dragged me from my legs and tied me
> upside down, and they started hitting me with a metal stick all over my
> body. They stuck the stick in my anus while laughing out loud, and asked
> me "Do you like it, do you want more?" I was screaming from pain, and I

was bleeding from everywhere; urine came out. They did that until I lost consciousness.

He remained there for almost four weeks and spent another three and a half months in prison. While waiting for the trial by which he was expecting to be sentenced to death, family members succeeded in smuggling him out of prison, and he was able to leave the country using a fake passport. Of Ali's 11 friends, eight later received 100 lashes each. The fate of the remaining three members, including his boyfriend, was never determined. This is but one of many cases that remain largely unknown except to the victims and their friends. Like Ali, many victims end up leaving their homes or the country out of shame and fear.

Even Sudanese homosexuals who have not faced persecution by police forces frequently encounter discrimination, verbal abuse, and physical abuse at home. Lesbians are frequently forced to marry men by their families, though Samar Yehia notes that many of her married lesbian friends have informal homosexual relations outside of their marriage. While Samar has been lucky to not have been forced into a marriage, she must live at home while she remains unmarried. Of Samar's parents and six siblings, only her mother and two siblings know that she is a lesbian—her mother discovered her sexuality by opening text messages on her mobile phone. They confront her about it regularly:

> I get all types of beating: slapping, hair pulling, kicking, belt, wire. The worst type is being beaten by leather whip. Whatever is available will be used on me if I get caught talking to one of my lesbian friends, or spend

the weekend out of my room in the family house. My mother tells me I am sick. She tells me I disgust her; that there is nothing more disgusting than lesbians, and that she regrets giving birth to me. She will tell me that homosexuals were the first carriers of AIDS, and that God is punishing her by giving me the homosexuality disease. She says "Stay away from your sisters; I don't want them to be like you." She tells me I'm disgracing the whole family and that I should be ashamed.

Samar explains that many Sudanese believe that the Sufi Sheikh can cure homosexuality. A Sheikh is a religious scholar, and a community and spiritual leader of Sufism, which is a spiritual and philosophical school of thought within Islam. It is believed that the Sheikh can use the Qur'an to cure people from their diseases by expelling the bad spirit, the devil, from the body. When a girl cannot find a spouse, it is common for her family to take her to the Sheikh so that she will be blessed and thereby find a suitable husband. Hoping to cure her daughter from the "disease" of homosexuality, Samar's mother sought the help of their local Sheikh. Samar describes the experience as follows:

The Sheikh ordered me to burn sheets of penciled script and inhale the smoke twice a day. On our last visit he asked me if I had prayed that day, and I told him that I had not. He started fumbling around near his chair. I asked what he was looking for and he said he wanted his *tawse*—a long leather whip. I was shocked, as I knew what he would use this for. I was ordered to go to his sister's abode next door and fetch it. I walked off in tears, feeling an overwhelming sense of pain, fear, and desolation. I left

the Sheikh's house and went home. All I could think of was to get as far away from this man as possible.

My mother was worried that I ran away permanently. I avoided any clashes with her. I never went back to the Sheikh, nor did my mother suggest any more visits—it was a truly harrowing experience. I wish society would give us a chance to live and love one and all.

A well-known incident took place in August 2010, when Alnezam Alaam, the Sudanese public order police, raided a private party celebrating the informal wedding of two homosexual men in Khartoum, where several attendees were reportedly cross-dressing. Since none of the attendees were caught engaging in any sexual acts, the charges against them were limited to breaking public morality codes by wearing feminine clothes, applying makeup, and dancing "in a womanly fashion."[12] Reuters reported that 19 of the attendees were flogged publicly with 30 lashes and fined, quoting a lawyer as stating that "public opinion and the media prejudged them and lawyers were too scared to come and defend them."[12] The Sudan Tribune later reported the arrest of 25 people in Khartoum at the country's first mixed-gender fashion show, where several male models wore unbuttoned Western outfits. One of the men reported having been warned by the police that Islamic law allows for up to 40 lashes for wearing indecent clothing.[13] Gay Star News reported that in February 2013, nine men were arrested and beaten by Sudanese police for being gay, after a private gathering of gay friends was raided. Police stated that the raid occurred in response to neighbors who were "angered" by the attire of several of the men, who were reported to be wearing women's clothing or indecent underwear.[14] These stories emphasize the strict gender roles in Sudanese

society, which the government feels must be protected. With religious and legal endorsement of such norms, discriminatory and violent responses to incidents related to fashion and makeup by Sudanese police are common. Perhaps more worrisome is that Sudanese citizens and media encourage these acts of discrimination, suggesting that this is not merely a legal or political issue. These cases can be expected to continue until real social change takes place; more effort needs to be dedicated to changing the current stereotypes of gender roles in Sudanese society.

Much discrimination and violence takes place in lower income communities. Several members of upper class communities, particularly in Khartoum, find greater freedom and space for dialogue on these issues. In part due to the social protection that wealth provides, Sudanese homosexuals from wealthier families are able to more freely organize or attend LGBT events than members from lower income families. While these private events are rarely attended by non-LGBT people, the existence of an LGBT social scene is commonly acknowledged in the upper class communities of Khartoum. Individuals who are wealthy enough to afford international travel acknowledge cooperation with and support from LGBT networks in countries like Lebanon, and in the Middle East and Africa more broadly.

Political Change

Homosexuals in many Middle Eastern countries have suffered immensely through decades of oppression by secular and religious political systems. In Egypt, former president Hosni Mubarak and his administration were known to be intolerant of the gay community for much of their almost 30-year rule. While the Mubarak regime was largely

secular in comparison to many other Middle Eastern governments, it kept strong ties with its conservative base and the mainstream Muslim Egyptian society, partially in order to prove to that the regime shared their traditional Muslim values. The regime was largely supported by society in targeting and jailing groups of gay people on numerous occasions.

In 2001, 52 gay men were arrested at a disco onboard the luxury cruise ship *Queen Boat* and accused of offending religious doctrine by practicing obscene behavior; many supported the government's subsequent physical abuse, falsely justified by the claim that they were conducting medical examinations to determine whether the men had gay sex. The media contributed to this discrimination by naming those arrested, and many served extended prison sentences or performed hard labor. In 2004, Human Rights Watch reported that it knew of hundreds of gay men who had been harassed, arrested, and often tortured, frequently without trial, in the years leading up to the report.[15]

After decades in power, several regimes in the Middle East were dramatically overthrown by massive popular uprisings during the Arab Spring. The uprisings brought political change across many Arab countries, and gave millions of people hope for greater freedom. But what will be the long-term outcomes of the popular protests that have shaken the region since the beginning of 2011 in term of sexual freedom and gender equality? Will the Arab spring bring change for Arab homosexuals?

Egypt succeeded in holding elections, but many Egyptians fear that many politicians who gained power do not believe in democracy. In a statement broadcast on

YouTube, Abdel Moneim El-Shahat, the spokesperson of al-Da'wa al-Salafiya (the Salafist Call), one of Egypt's largest Sufi societies, said that democracy itself is *haram* (forbidden) and *kufr* (blasphemous).[16] The effects of the Arab Spring were magnified by the existence of Islamic organizations that, despite exerting strong influences throughout the country, existed without legitimate or recognized power throughout decades of secular dictatorship. As the Arab Spring intensified, Islamist groups organized themselves and assumed leadership roles. Today, homosexual Egyptians fear that societal values and beliefs will not change soon–and if they do, that they will change towards conservatism rather than increase sexual and gender freedom. Because Islamic political systems have historically discriminated against homosexuals, members of this community should be concerned when the threat of religious fundamentalism appears to increase.

After the 25 January revolution in 2011, which witnessed the forced resignation of former president Hosni Mubarak, the Muslim Brotherhood gained political power and influence. They won a majority of seats in the Shura Council, and their candidate Mohamed Morsi was elected president of Egypt. In December 2012, parliament passed a constitution declaring that Egyptian law should be grounded in the principles of Islamic law. Liberals feared that proclaiming Islam the state religion would set Egypt on a path towards conservatism and Shari'a rule of law. The Muslim Brotherhood continued to increase its power and influence until facing what has been deemed a military coup in June 2013.

During the revolution and while the Muslim Brotherhood was in power, physical and sexual violence against women and sexual minorities increased significantly and

visibly. No reliable statistics on violence against homosexuals have been published by the UN or by any other international organization, but the societal construct of masculinity that contributes to widespread violence against women frequently purports to justify violence against male homosexuals, who are considered more feminine. The experiences of women who are harassed by police can therefore be compared with the experiences of homosexuals who find themselves in similar situations. A United Nations report released in April 2013 noted that 49% of Egyptian women experienced increased rates of harassment since the revolution, with 44% stating that the rates had stayed the same and only 7% saying that their situations had improved. These data are especially worrisome given the already high rates of sexual harassment in the country; in fact, 61% of women report having been subjected to rape.[17] The UN report further states that in nearly 20% of female sexual harassment cases the only police "intervention" was the police officer actually contributing to the verbal and/or physical harassment. Nonetheless, Egypt's Ministry of Interior reported 9,468 cases of harassment, 329 sexual assaults and 112 cases of rape during 2012. While high, these figures are significantly lower than UN estimates. Government statistics likely underestimate the true number of cases, as women frequently fear reporting harassment to the police because of consequences imposed by their families or by the police.[18]

A survey collected by Bedayaa in Egypt in 2012 of 140 homosexuals in Egypt age 18-35 years old living in different socioeconomic circumstances in Cairo, Alexandria, and other cities confirms that the high rate of violence against women is indicative of widespread violence against homosexuals. Of those surveyed, 80% reported having experienced verbal abuse, of which 49% reported having also experienced physical

abuse. A majority of them felt that they could not live a normal life as a homosexual person in Egypt. The majority of people wanting to leave the country were from middle-class families, while those from the upper-class families generally did not want to leave. This is likely due to upper-class families holding more power within the government, and members of those families, regardless of sexual orientation, being less likely to face abuse or harassment, which is similar to the experiences of homosexuals in Sudan.

While the Muslim Brotherhood is no longer in power, many Egyptian homosexuals fear that widespread religious conservatism will contribute to continued discrimination in the future. According to the Pew Research Center, 82% of Egyptian Muslims endorse the stoning of people who commit adultery.[19] Because adultery and homosexuality are referred to with similar language in many religious texts, groups who endorse this form of punishment are likely to display similar attitudes toward homosexuality. Because discrimination against homosexuals is rooted in traditional family values and religious beliefs of the Egyptian people rather than in the legal system alone, this fear is understandable. If political Islamic gain power, the threat to the safety of Egyptian homosexuals is obvious. Even if the influence of Islam on the political landscape weakens, the existing social stigma and discrimination attached to homosexuality is unlikely to improve in the short term.

Looking Ahead

The Arab Spring has not yet caused political change in Sudan. Shari'a law is still firmly in place and the current president of Sudan will soon have been in power for 25 years. While the killing of a demonstrator by government security forces in September

2013 triggered a series of demonstrations by the Sudanese people against their government, these were met with force by the national army and failed to cause political change, resulting only in the arrest of hundreds of demonstrators. While the political future of Egypt remains uncertain, any government is likely to want to reach out to Egypt's conservative base and support long-held societal traditions and expectations, including limitations on sexual and gender rights. Therefore, many Sudanese and Egyptian homosexuals feel hopeless in the face of daily rejection and discrimination without any prospect for improvement in the near future.

Nonetheless, some homosexual Egyptians are optimistic about the future. Egyptians started protesting against the Muslim Brotherhood after having stopped believing in many of the slogans that they used to appeal to a strongly Muslim public. Many Egyptians felt they failed to create the social justice and prosperity that they had promised with phrases like "Islam is the solution" and "the Qur'an is our constitution, which culminated in the overthrow of the Muslim Brotherhood during the coup of 30 June, with President Mohamed Morsi and many other top leaders currently in jail awaiting trial. Political liberals and Muslim moderates, strongly supported by the 9% of the population who are Coptic Christians, have been particularly vocal about their opposition to a potential transformation of the Egyptian state into an Islamic nation such as Saudi Arabia or Iran. Optimists therefore have reason to believe that cultural conservatism has been losing political influence in Egypt. Despite the present political instability in both Egypt and Sudan, Bedayaa has faith that the LGBT communities in these countries will continue to fight for their rights through empowerment, advocacy, and raising awareness. They hope that this determination will lead to a strong and

active movement in the region that will continue its struggle with hope for a bright and promising future for LGBT Egyptians and Sudanese.

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