

**TOWARDS A QUEER RHETORIC:**  
WESTERN REPORTING AND ADVOCACY  
DURING THE QUEEN BOAT TRIAL, 2001-2004

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## Table of Contents

Acknowledgments.....	2
Note on Terminology.....	3
Introduction.....	4
Chapter 1: Historiography.....	14
Chapter 2: Western Press on the <i>Queen Boat</i> Trial.....	39
Chapter 3: Western Advocacy for the “Cairo 52”.....	64
Conclusion.....	93

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### **Note on Terminology**

The title of my thesis refers to Western advocacy and reporting. I use “Western” to describe a combination of British and U.S. actors. In other words, the primary source materials under examination are English-language documents from human rights organizations and media outlets from the United States and Great Britain. A few times I refer to the “Arab world,” a loaded term that lacks finesse or a certain political sensitivity. By the term, I mean the twenty-two countries in the Arab League that are largely Arabic-speaking.<sup>1</sup>

Scholars have employed “queer” in a variety of ways (with much debate); accordingly, my use of the term is multi-faceted and highly dependent on the context. For the most part, it refers to an inclusive approach in rhetoric, methodology, and attitude that acknowledges a variable array of sexual expression, practice, and self-identification. I often describe individuals as queer—this is my attempt to refer to people who identify or prefer labels outside of the lesbian, gay, bisexual, and transgender (LGBT) categories. “Queer” might also refer to people who do not want to label themselves at all; rather, they prefer to avoid any notions of a public identity, or a formal ontology to assign and describe their sexuality. “Queer” gestures to individuals who might prefer to focus on their sexual practice (“doing”) rather than a constructed identity (“being”). For example, an individual might engage in same-sex relations, but does consider themselves homosexual or LGBT, but rather an individual who engages in same-sex relations. The discussion on terminology continues throughout the thesis—frequently clarifying and offering multiple interpretations on the relevant vocabulary.

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<sup>1</sup> Algeria, Bahrain, Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates, and Yemen.

## Introduction

In between Cairo's high-rise hotels and dusty highways, riverboats lie anchored along the Nile, pumping Egyptian pop songs and radiating multi-colored lights. On a Thursday night in 2001, a group of policemen entered the *Queen Boat*, a leisure craft moored in the upper-class, palm-lined district of Zamalek. At the floating nightclub, the officers arrested thirty men and placed them in two cramped cells with twenty-two others who were picked up off the street. On May 11, 2001, all fifty-two men were tried for suspected consensual male-male sex acts. The "Cairo 52" were subjected to public condemnation, denied their basic civil liberties, and tortured. The *Queen Boat* Trial dragged on for three years, with numerous convictions, acquittals, and verdicts overturned. A retrial ended in March 2003 with two men still serving their original sentence of five years of hard labor, twenty-one men serving three-year sentences, and twenty-nine men receiving acquittals.<sup>2</sup> The prevailing consensus among academics and journalists was that the Mubarak government sought a popular move vis-à-vis the Muslim Brotherhood. In other words, it was an opportunity to crackdown on a group of individuals disliked by most of the Egyptian public and a grand spectacle to divert attention away from the state's persecution of religious activists and the broader economic failings plaguing the country.<sup>3</sup>

Immediately after the initial arrest, international media outlets called the episode a massive attack on human rights. Swift denunciations from Amnesty International (AI) and Human Rights Watch (HRW) ensued. American and European news outlets and publications reported and commented on the trial; documentary filmmakers interviewed the imprisoned men;

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<sup>2</sup> The differences in sentencing, Human Rights Watch pointed out, were arbitrary and a testament to the Egyptian court's mistreatment.

<sup>3</sup> The political context is further explored in chapter three, though it does not serve as the focus of the research project.

and academics posited varying interpretations on not only the physical violence of the episode, but also its discursive violence—that is, the damage inflicted by misinformed discourse.<sup>4</sup>

The *Queen Boat* Trial proved to be a rare, well-documented series of human rights abuses enacted to punish individuals for their assumed sexual practices in Egypt. It was the first case under AI’s purview that involved abuse of “alleged gays” rather than self-identified LGBT activists in an Arab country.<sup>5</sup> For HRW, it was the organization’s first action under its newly established LGBT rights program. Debates concerning sexual orientation in the international human rights framework were over two decades old; yet advocates and other human rights professionals, including AI and HRW, were continuing to grapple with the appropriate language to frame current abuses. LGBT advocacy was particularly contentious in the Arab world; few, LGBT rights organizations operated there at the time, and the Egyptian government representatives were keen on citing cultural relativist arguments that explained homosexuality as an exclusively Western phenomenon.

This new LGBT advocacy in the Middle East by Western organizations came under intense criticism. Joseph Massad sparked a debate sparked in 2002 on the pages of *Public Culture* with an article titled, “Re-Orienting Desire: The Gay International and the Arab World.”<sup>6</sup> The Associate Professor of Modern Arab Politics and Intellectual History at Columbia University was no stranger to controversy. He had faced accusations of anti-Semitism due to his lectures and writings on the Israeli occupation of the Palestinian territories. In this particular instance of disparaging Western LGBT activists, Massad would be attacked with (often

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<sup>4</sup> I will further explain this concept of discursive violence in chapter three.

<sup>5</sup> Amnesty International, “Egypt: Concerns over detention of alleged gays,” June 8, 2001.

LGBT is the most commonly used acronym by human rights organizations to refer to lesbians, gays, bisexuals and transgender individuals. ‘Q,’ referring to queer or questioning is being increasingly added to the acronym, particularly by universities and LGBTQ rights-specific organizations. Since 1991, AI has included the mention of sexual orientation in its advocacy efforts.

<sup>6</sup> Joseph Massad, “Re-Orienting Desire: The Gay International and the Arab World,” *Public Culture*, Volume 14, Number 2, Spring 2002.

contradictory) allegations of homophobia, nativism, and paranoid, close-minded elitism. Massad had argued that American and European human rights organizations, which he termed the “Gay International,” were imposing a hetero-/homosexual binary where none exists in non-Western societies. Moreover, Massad asserted that propagating this identity-based politics was hurting rather than protecting people engaging in same-sex practices. Massad cited the *Queen Boat Trial* and claimed the men were reviled because of their Western, upper and middle-class “gay” identification, or for their participation in an urban subculture that included Western foreigners, more so than for the sexual practices they committed.

The reaction Massad elicited from activists and scholars was overwhelming and disparaging. They cited the legitimacy of LGBT activism already existing in the Arab world and referred to the ongoing abuse and torture of queer minorities in the Middle East, as well as the sensitive political context of the period. Ghassan Makarem, a self-identifying gay Arab man and the executive director of Helem, a LGBT rights organization based in Beirut, rose to defend Helem when Massad labeled it as a pawn of the Gay International. Makarem condemned Massad’s claims as “lies, fabrications, and insinuations,” and compared them to that of Salafists, chauvinists, and political leaders who had called for the arrest of HIV positive persons in Egypt.<sup>7</sup> Additionally, critics highlighted the explosive period in which Massad denounced human rights activists of all people: in 2002, a year after the attacks on 9/11, following the American occupation of Iraq. The political stakes were high: an Arabist was critiquing organizations that were defending Egyptians and denouncing torture at a time when the Bush administration was pushing hard to wage war on other Arabs in Iraq.

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<sup>7</sup> Ghassan Makarem, “We are not agents of the West,” Reset Doc, 14 December 2009, <http://www.resetdoc.org/story/00000001542>.

Despite the vociferous discussion sparked by Massad's criticism, the subject of Western organizations advocating LGBT rights in the Middle East has been little studied. In fact, I could find no published academic work on the subject. Since Massad's *Public Culture* article, scholars have cited his work to posit their own arguments regarding pre-modern conceptions of same-sex relations in the Arab-Islamic world, most prominently the journal collection edited by Kathryn Babayan and Afsaneh Najmabadi, *Islamicate Sexualities: Translations across Temporal Geographies of Desire*.<sup>8</sup> But there has not been any established scholarship to contest and investigate the "Gay International," or, put more simply, the Western activists and journalists reporting on LGBT issues in the Middle East. Many essays, columns, and journals tackle Massad's argument exclusively—without any original scholarship. There is a need to move away from sifting through Massad's rhetoric and embark on independent research projects with aims larger than proving him right or wrong.

I am concerned with how Western conceptions of sexuality affect advocacy and reporting in transcultural contexts. This concern is heightened when noting that sexuality is popularly conceptualized as a hetero-/homosexual binary that has become an entrenched legal and cultural understanding in American and British contexts (a process that is briefly reviewed in chapter one). How does this *de facto* understanding of sexuality influence the way Western professionals understand queer concerns in other cultural contexts? This is a question pursued with special consideration for the ignorance and erasure of global historical and cultural differences. The *Queen Boat Trial* serves as an excellent case study to investigate such a question. I focus my examination on the nature of Western reporting on the episode and the manner American and

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<sup>8</sup> Kathryn Babayan et al., *Islamicate Sexualities: Translations across Temporal Geographies of Desire* (Cambridge, Mass.: Center for Middle Eastern Studies of Harvard University: Distributed by Harvard University Press, 2008).



British activists advocated for the trial's defendants. In so doing, I will analyze how American and British journalists covered and represented the "Cairo 52," particularly in this period of (1) intense fear for terrorism understood to be fueled by Muslim radicals and (2) gathering political momentum for Western LGBT rights organizations. Additionally, I will explore the question of "discursive violence" and how these human rights organizations may have committed instances of it across their press releases and news reports. I seek to explain to what extent these organizations were employing the same methodology and language—and what we can learn from their change over time.

There are several media analysts of American and British discourse on Middle Eastern affairs; foremost among them is esteemed public intellectual and interdisciplinary scholar, Mahmood Mamdani. In *Good Muslim, Bad Muslim*, Mamdani dissected the "culture talk" that erupted after 9/11 and fueled America's invasion into Iraq, presenting Muslims as one-dimensional characters incompatible with modernization.<sup>9</sup> My research adds an additional layer to the historicized media analysis: queer sexualities. The objects of the discourse under my study are not only Arabs and Muslims, but they are assumed or actual LGBT or queer individuals. In addition to analyzing these particular media representations over time, I am examining the advocacy that brought the *Queen Boat* to the attention of journalists. Historians of international LGBT organizing are rare—Julie Mertus and Ignacio Saiz offered significant articles on domestic U.S. LGBT groups and the U.N. legal evolution concerning gender and sexuality respectively, but these texts lean towards a political science and legal approach. Historical work to focus on organizations such as AI, HRW, and the International Gay and Lesbian Human

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<sup>9</sup> Mahmood Mamdani, *Good Muslim, Bad Muslim: America, the Cold War, and the Roots of Terror* (Harmony, 2005).

Rights Commission (IGLHRC) on the topic of LGBT advocacy is absent, not to mention close line-reading of their policy papers and analyses investigating the influence of individual actors within the organizations themselves.

The heart of my research as a historicized media analysis falls in line with the aims of historians and American culture scholars focused on examining the historical development of international human rights activism and challenging ongoing practices. I refer to leading scholar on international human rights, Jack Donnelly, but the extent of his research on queer issues is limited. Rather, the articles written by legal scholar and Brown alumnus, Sonia Katyal, and political scientists, Matthew Waites and Alice Miller, have all offered different, highly informed, ways in reconceptualizing human rights frameworks for queer individuals. For instance, I take on political scientist Alice Miller's recommendation to study "the implications of contemporary articulations of socially-constructed, fluid and historically specific sexualities for rights work: examining rights work (standards creation, advocacy, documentation and other interventions) for its role in production, repression, construction or liberation of sexuality and the idea of the human."<sup>10</sup> In other words, I am examining the standards, or in this case, the sexual epistemologies created by activists in their efforts to report the abuse and influence the Egyptian response to queer individuals' concerns.

The following chapters are separated according to primary source material and the professional field to which they belong: reporting and human rights advocacy. I seek to discover trends and changes in these professionals' representations of sexuality and attempt to account for their motivations and the historical contexts that surround these decisions. I argue Western journalists and human rights activists during the *Queen Boat Trial* assumed a universal sexual

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<sup>10</sup> Alice Miller, "Human Rights and Sexuality: First Steps Toward Articulating a Rights Framework for Claims to Sexual Rights and Freedoms," *Proceedings of the Annual Meeting (American Society of International Law)*, Vol. 93 (March 24-27, 1999), 291.

epistemology with little discussion to cultural relativist concerns, or as to how queer sexualities can alternately be framed. But towards the end of time period in 2004, I also note modest gains among activists and journalists who move away from this standard response: they challenge the hegemonic hetero-/homosexual binary and complicate mainstream media narratives of queer individuals in the Middle East.

In chapter one, I provide an historiography of the “Gay International” figure posited by Joseph Massad, followed by surveys on (1) contemporary studies on Arab sexuality, with special respect to the essentialist and constructionist debate, (2) modern LGBT history, particularly in the legal arena, (3) queer theory critiques of the hegemonic “LGBT” epistemology, (4) and the historical scholarship on media-based human rights advocacy informing my work. In the first survey, I comment on the works Massad himself drew on: foremost, Edward Said, Gayatri Spivak Chakravorty, and Khaled El-Rouayheb. I offer a succinct review of the critiques launched against Massad at the start of the research to quickly set aside any comparisons and intellectual concerns. I then engage more deeply with the scholars I mentioned above and situate my intellectual positioning among their works. I argue for the necessity of widening the discursive scope in which activists and reporters discuss episodes involving same-sex relations; in other words, a push towards accepting and acknowledging a broader range of personal and cultural differences in sexual practice and expression.

In chapter two, I note parallel tendencies in the British and American press (which I refer to as Western press). Journalists did not investigate or report on how sexuality might be alternatively conceived or expressed, nor comment on the historical legacies that have produced such conceptions in both the West and in Egypt. Rather, Western press submitted coverage of the episode through an exclusively Western paradigm that frequently rendered the trial defendants as

gay or homosexual exactly as American and British readers might understand it to apply in their own cultural contexts. Sympathies for the “Cairo 52” can be, in part, attributed to their characterization as (1) secular and liberal individuals, (2) victims of religious fundamentalism, and (3) traditional homosexual subjects—in which identity, rather than practice, was the focus while race, class, and religious characteristics were ignored. I draw on the analysis of Jasbir K. Puar from her book *Terrorist Assemblages: Homonationalism in Queer Times*, in which she examined how queer subjects are exploited for liberal agendas in nation-building and anti-terrorist media strategies.<sup>11</sup> Her case studies include Abu Ghraib, the *Lawrence* case, and practices of profiling among the queer diaspora—all of which involve issues of media response and representation. The *Queen Boat* Trial is mentioned, but is not devoted much analysis—nevertheless, the conclusion from our chosen case studies is similar: we find a consistent characterization of (assumed) queer Arabs that elide economic, religious, and political underpinnings for the benefit of a Western liberal agenda. Nevertheless, as we will see, towards the end of the trial, more nuanced and informed reportage could be seen. In large part, this shift was due to the research conducted by human rights organizations that provided journalists with legal and political contexts to help them interpret the episode.

In chapter three, I gather and assess the language of the three aforementioned human rights organizations—Human Rights Watch (HRW), Amnesty International (AI), and the International Gay and Lesbian Human Rights Commission (IGLHRC)—on LGBT-labeled issues. Before 2001, each of the organizations had published documents that acknowledged cultural relativist concerns and the difficulties of terminology when it comes to articulating matters of sexuality. Yet, during the *Queen Boat* Trial, the initial press releases and reports abstained from

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<sup>11</sup> Jasbir K Puar, *Terrorist Assemblages: Homonationalism in Queer Times* (Durham: Duke University Press, 2007).

referring or harking back to a discussion of culturally divergent understandings of sexuality; most often, the defendants of the trial were referred to as gay or alleged gays, without any note or disclaimer on the cultural complexities of using such language. I highlight the work of one human rights activist in particular, Scott Long, who was responsible for the extent of attention the *Queen Boat* Trial received from these organizations. Moreover, I follow the change in style over time: after Massad's article was published, Long responded to the academic's claims and steered the language of reports to avoid tendentious terms, as well as to involve a discussion on the challenges of articulating sexual ontologies transculturally. I analyze a variety of approaches that were employed by the human rights organizations and note a shift that grew more self-aware and attentive to their potential differences with Arab societies during the time period of the trial.

This past November, *Aswat Masriya* reported that an Egyptian prosecutor ordered fourteen suspects to be detained for four days pending investigations into allegations that they committed "homosexual acts" inside a medical center in the neighborhood of al-Marg in Cairo.<sup>12</sup> A year prior, while Egypt was still under President Morsi's reign, seven men were arrested for the charge of "practicing debauchery." Scott Roberts, of *OutQ News* wrote, "The story has been reported heavily in the Egyptian press, and EIPR [Egyptian Initiative for Personal Rights] has told OutQ News that it remains difficult for the group to convince the men that it's safe to talk with them."<sup>13</sup> The arrests and convictions continue to occur under different regimes—a decade after the *Queen Boat* Trial ended. It is ever more relevant and pressing to examine histories and reflect on the most responsible methods of advocacy and reporting on the criminalization of assumed and actual same-sex relations. The language I examine in the selected press releases and feature pieces contribute to the popular understanding of sexualities (across American, British,

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<sup>12</sup> "Egypt detains 14 for "homosexual acts" at medical centre," *Aswat Masriya*, 13 October 2013.

<sup>13</sup> Scott Roberts, "Egypt: 7 men remain detained over anti-gay charges," *Pink News*, November 6, 2012, <http://www.pinknews.co.uk/2012/11/06/egypt-7-men-remain-detained-over-anti-gay-charges/>.

and Egyptian audiences) and it affects the way readers respond to issues concerning sex—a subject field that subsumes intersecting categories of identity: class, culture, religion, etc. These understandings inform a wide range of decisions from consumer choices and media preferences to the voting in of politicians and support for privacy rights and legislation on discrimination, civil unions, asylum—and the list goes on. The language these professionals use has an impact—for some the goal is to reach justice, for others it is simply to inform. But beyond these surface intentions, the language employed creates systems of power that demand constant scrutiny and revision.

## Chapter 1: Historiography

This chapter contextualizes the work of scholars that have paved the way for a study on American and British discourses of assumed and actual male same-sex relations in Egypt. Scholars would agree that Joseph Massad has made an impact (whether positive or negative) and has established himself as a touchstone for the academic study of LGBT human rights advocacy in the Arab world. Massad's creation of the "Gay International" serves as the initial foray into a larger discussion of sexual ontologies and approaches to reconceptualize the hegemonic hetero-/homosexual binary that operates in Western advocacy and media circles.

The first section of the chapter offers a closer examination of the ideological backdrop of the 'Gay International.' I first examine Massad's intellectual genealogy behind his argument, beginning with Edward Said and Gayatri Spivak Chakravorty. I then draw on the work of historian Naoko Shibusawa to highlight similarities between the 1950s "homintern" and the "Gay International." A brief survey of the critiques launched against Massad are then considered and related to the aim of this research project. Most of the scholars Massad critiques in his book, *Desiring Arabs*, were framed to be both wholly in opposition to his argument and examples of intellectual transgression that fall in the camp of the "Gay International." Most of his appraisals were situated in the debates between 'essentialists' and 'social constructionists'—who have disagreed on the method of understanding, investigating, and articulating the concept of homosexuality and the general field of same-sex practice. I offer a brief consideration on the historiographical debate and disavow any affiliation; I highlight the merits of both positions and attest to the futility of such a separation between scholars.

In the second section, I chart a condensed historical survey of the 'LGBT' construction currently employed in British and American cultural and political contexts. Massad did not

investigate or unpack the history informing the work of Western human rights activists and journalists. He cited Michel Foucault's *The History of Sexuality* as the explanation for today's conception of LGBT individuals. To offer a fuller explanation behind modern articulations of non-heterosexuality, with particular reference to the legal arena that exercised such a profound influence, I turn to historians George Chauncey, Robert Self, and legal scholar Sonia Katyal. Beginning with the early twentieth century, the manner in which both gay and straight people were discursively created and then legally differentiated in American courts and soon after the international legal stage. Consequently, this survey informs the analyses of the reportage and advocacy practices during the trial as it demonstrates their historical precedents.

In the third section, I examine the analyses that have critiqued the LGBT framework and demonstrated the limitations of the ontology. I open with the cultural relativist debates that have followed the development of international legal discussions concerning LGBT individuals. Consequently, I provide an overview of the scholarship that has critiqued and offered alternatives to the current international legal and advocacy methods designed to address the concerns of LGBT individuals and a larger rubric of sexual minorities—a discussion led by political scientist Alice Miller and joined by Jack Donnelly and Matthew Waites, among other legal and human rights scholars.

In the fourth section, I survey the scholarship that has explored the intersection of media and human rights. It is among these works, I have found academic touchstones to guide my research agenda and structure my methodology for a historicized media analysis. I highlight the journal collections that have helped me frame my case study focus and the historical works by Gregory Pflugfelder, Jasbir Puar, and Julian Lee who proved to be the scholars with the most similar aims to my own research project.



Altogether, this chapter intends to critically examine the various strands of scholarship and historical contexts relevant to a discussion of the *Queen Boat* Trial. A consideration of the historiography will illuminate the primary source readings and analyses that follow in chapters two and three. Specifically, it will find fault with the language used by journalists and human rights activists reporting and advocating during the *Queen Boat* Trial. By no means do I intend to discredit the significant and important work of condemning the arrest and torture of the “Cairo 52,” but rather to work towards formulating a more responsible approach to address topics concerning same-sex practice in transcultural contexts.

### *Massad's 'Gay International'*

Edward Said's shadow over Massad, modern Middle East studies, and on cultural inquiry as a whole, cannot be overstated. In the acknowledgements for *Desiring Arabs*, Massad recalled, “When I came to Columbia to participate in the conference celebrating the twenty-fifth anniversary of *Orientalism* in April 2003, he asked me if I would be interested in publishing the book in his Harvard University Press series. I was in disbelief of this unexpected praise.”<sup>14</sup> As an English and Comparative Literature professor at Columbia in 1979, Said established himself as a premier scholar on literary theory with particular authority in post-colonialism with the publication of his opus, *Orientalism*. Said's thesis, lucidly explained by scholar A.L. Macfie, describes Orientalism as a process that involves the

creation of a series of stereotypical images, according to which Europe (the West, the ‘self’) is seen as being essentially rational, developed, humane, superior, authentic, active, creative and masculine, while the orient (the East, the ‘other’) (a sort of surrogate, underground version of the West or the ‘self’) is seen as being irrational, aberrant, backward, crude, despotic, inferior, inauthentic, passive, feminine and sexually corrupt...designed, consciously or unconsciously, to dominate, restructure and have

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<sup>14</sup> Joseph Andoni Massad, *Desiring Arabs* (Chicago: University of Chicago Press, 2008), xiv.

authority over the orient – designed, that is to say, to promote European imperialism and colonialism.<sup>15</sup>

Massad was inserting his argument concerning the Gay International within Said's paradigm; in short, Massad argued that the American and British human rights organizations assume that the hetero-/homosexual binary is universal and attach this sexual ontology to peoples who might not necessarily identify with it, and thus potentially construct these people as inferior and in need of a civilizing mission.

Massad's work draws heavily from another Columbia professor's work: Gayatri Spivak Chakravorty's critique of human rights advocacy, in which she pointed at the necessity for long-term involvement to realistically "establish the inalienable rights of all beings born human."<sup>16</sup> Otherwise, she argued, activists in the Global North are solely indulging in hollow, cursory service that while perhaps easier to execute, would not tackle fundamental difficulties, such as education and health-care, that have been fueled by imperial legacies. Doing so would require deep investments in time, capital, and strategic planning to address. Though Spivak critiqued human rights advocacy and rightfully rebuked the prevalent attitude among these circles that frame their work as "the white man's burden," she acknowledged and offered the possibility of its redeeming grace if executed properly. It is through Spivak's specific analogy of advocacy strategies as liberatory operations, as well as Said's broad discursive paradigm, that Massad appraised Western scholars and activists committed to issues of sexuality in the Arab world.

Massad took the analysis of his *Public Culture* article further in his book *Desiring Arabs* by including analysis of nineteenth and twentieth century Arab discourses on sex to demonstrate its problematic relationship to Orientalist perceptions of Arab culture as "degenerate." For the

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<sup>15</sup> Alexander Leon Macfie, *Orientalism: A Reader*, (New York: New York University Press, 2000), 4.

<sup>16</sup> Gayatri Spivak Chakravorty, "Use and Abuse of Human Rights," *South Atlantic Quarterly* 103, no. 2/3 (2004), 149. Massad cited an earlier version of the essay, titled "Righting Wrongs," in his introduction.

purposes of accuracy and to provide the reader an opportunity to examine his language first-hand, I quote extensively from the introduction of his book:

Like the major U.S.- and European-based human rights organizations (Human Rights Watch, Amnesty International) and following the line taken up by white Western women's organizations and publications, the Gay International was to reserve a special place for Muslim countries in its discourse as well as in its advocacy. This Orientalist impulse, borrowed from predominant representations of Arab and Muslim cultures in the United States and in European countries, continues to guide all branches of the human rights community... supporters of the Gay International's missionary tasks produced two kinds of literature on the Muslim world in order to propagate their cause: an academic literature produced by mostly white male European or American gay scholars "describing" and "explaining" what they call "homosexuality" in Arab and Muslim history to the present; and journalistic accounts of the lives of so-called "gays" and (much less so) "lesbians" in the contemporary Arab and Muslim worlds.<sup>17</sup>

Thus, Massad argues Western human rights organizations are marked by imperialist impulses and characterized as unaware, ignorant, and superior entities. Additionally, he contends these international organizations are aligned with a legion of reporters and scholars who altogether label sexual practices as "homosexuality," thus creating the category in a cultural context that supposedly does not acknowledge it in the first place. This last claim was frequently contested in reviews of Massad's book and will be further evaluated later on in the section.

First, Massad's characterization of nefarious, white, Western homosexuals needs to be addressed. Massad's language and depiction of such a conspiracy is comparable to the 1950s creation of the "homosexual international," or "homintern." Historian Naoko Shibusawa linked the term to the Lavender Scare and swells of McCarthyism. Homosexuals were understood to "belong to a sinister, mysterious, and efficient International," linked to the threat of Communist espionage.<sup>18</sup> Shibusawa explained if individuals were not understood to be heterosexual, but rather Other, then homosexuals were placed outside the categories of capitalist, normal and law-

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<sup>17</sup> Massad, *Desiring Arabs*, 161-162.

<sup>18</sup> Naoko Shibusawa, "Lavender Scare and Empire: Rethinking Cold War Antigay Politics," *Diplomatic History* 36:4 (2012): 723-52.

abiding—and were assumed to be Communist, perverse and conspiratorial. These attributes fell in a binary operation: if one appeared, then the rest followed. In this ideological climate, instances of homosexuality were signs of a civilization in decline. Massad colored it differently, as symbols of an encroaching imperialism—exclusively Western and capitalist. But commonalities remain: a binary between east/west and the claim of an organized agenda that is wholly destructive and void of a sympathetic pragmatism. This is an initial historically-informed unpacking of Massad’s argument; following, is a brief survey of the major critiques to the “Gay International,” and their relevance to my research.

Scholarly critiques of Massad’s argument of the ‘Gay International’ have focused on four major points: (1) the Arab men are denied agency, (2) the shift towards liberal identity politics in the Arab world is not considered, (3) too much significance is attached to human rights organizations as the reason for this shift, and that (4) cultural influence is wrongly framed as unidirectional from West to East. These critiques will be explored with the most prominent names cited; unfortunately, this is not an exhaustive inquiry, thus some vociferous opponents will be inevitably overlooked.

The most prominent critique concerns the lack of agency Massad assigns Arab men. Massad most often refers to Arab men as “native informants” when they self-identify as “gay” or “homosexual” and align with Western human rights organizations. In a review for *Middle East Journal*, anthropologist Kamran Asdar Ali wrote: “[W]e cannot completely undermine the emancipatory impulses of the modern and its seductiveness to at least a section of the population that seeks freedom through such processes.”<sup>19</sup> In other words, this sexual ontology might present personal advantages or affinities to some Arab men, whether this might apply in psychological or political contexts. A reviewer, Serkan Gorkemli, noted the lack of “contemporary local queer

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<sup>19</sup> Kamran Asdar Ali, *Middle East Journal*, Vol. 62, No. 3 (Summer 2008), 540.

agency” in Massad’s study as it appeared to be fueled by the blanket negative labeling of Arab men working alongside the Gay International. In so doing, Massad thus “obliterat[es] contemporary Arabs’ agency regarding their sexuality.”<sup>20</sup> The critique was best articulated by Ghassan Makarem, first cited in the introduction as the executive director of Helem, a LGBT rights organization based in Beirut. He argued LGBT identity politics can be understood separate from Western imperialism, pointing to the example of how Helem called “for a boycott of [the 2009] world pride event, scheduled to take place in Jerusalem.”<sup>21</sup> This action, he explained, is in line with Helem’s anti-imperialist position with specific regard to the Israeli-occupied Palestinian territories. Additional LGBT groups in the Arab world have operated in Morocco (Kifkif) and Palestine (al-Qaws, Aswat), with online chat rooms and other email listservs appearing across the region. Jordan is home to the LGBT publication, My.Kali.mag, which its founders defined “as an online social and lifestyle magazine.”<sup>22</sup> In other words, though small, there was a pool of LGBT self-identified Arabs that Massad opted not to engage with, but rather immediately discredited. Massad’s failure to engage with these voices is problematic, because the queer individuals themselves are the subject of the conversation. Nevertheless, the views of these organizations should not be assumed to be the only, or authoritative voice, on matters of sexuality and queer expression in the Arab world.

A second critique of Massad argues that liberal identity politics should be pursued and that he is wrong to condemn the shift. Lama Abu-Odeh of Georgetown University, described the *khawal* as a subordinate category that requires protection.<sup>23</sup> The *khawal* is in reference to the

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<sup>20</sup> Serkan Gorkemli, *International Journal of Middle East Studies* 42, (2010), 329.

<sup>21</sup> Ghassan Makarem, “We are not agents of the West,” ResetDOC, December 14, 2009, <http://www.resetdoc.org/story/00000001542>.

<sup>22</sup> My.Kali.mag, About Page, <http://mykalimag.com/>.

<sup>23</sup> Lama Abu-Odeh, “That Thing that You Do: Comment on Joseph Massad’s ‘Empire of Sexuality,’” *Al-Akhbar English*, 25 March 2013.

visibly effeminate or those who are unable to enjoy the privilege of invisibility as masculine Arab men who find it easy to hide same-sex attractions. Law professor Amr Shalakany from the American University of Cairo highlighted details from *Queen Boat Trial* that demonstrated the crackdown was especially targeting gay bottoms, evidenced by the use of “rectal examinations.”<sup>24</sup> Because of these troubling episodes, Shalakany did not bemoan the development of the potential legal protections that can result from burgeoning liberal identity politics. It seemed as if Massad was only concerned for those Arab men who enjoy the privilege of invisibility as masculine, gender-conforming individuals that find it easy to hide same-sex attractions. It is the men who are visibly effeminate, the two scholars argued, who deserve a system or rhetoric of liberal identity politics. Massad’s expressed fear was that Western sexual ontology and politics would disrupt the lifestyle of many Egyptian men who enjoy same-sex relations, but do not want to “outed” or understood as homosexuals. In the last section of this chapter, I more fully engage with the advantages and limitations of liberal identity politics—and assert a queer rhetoric that allows for more permutations of self-expression than the LGBT framework and must be rediscovered and pursued in all cultural contexts.

In regards to the third critique, Massad placed total onus on human rights organizations for this shift and omitted the effects of globalization and other commercial forces. Aeyal Gross, law professor at Tel Aviv, points out the influence of online media, entertainment, and fashion in affecting sexual identity.<sup>25</sup> Gross cited the HRW report concerning the *Queen Boat Trial* that includes interviews by the victims of abuse and demonstrates how men interested in same-sex fall along an axis that combine typically non-Western and Western models of sexuality. The

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<sup>24</sup> Amr Shalakany, “On a Queer Discomfort with Orientalism,” *Proceedings of the Annual Meeting (American Society of International Law)*, Vol. 101 (March 28-31, 2007), 128.

<sup>25</sup> Aeyal Gross, “Queer Theory and International Human Rights Law: Does Each Person Have a Sexual Orientation,” *Proceedings of the Annual Meeting (American Society of International Law)*, Vol. 101 (March 28-31, 2007), 130.

report mentioned that several men were assumed gay by their colorful underwear (revealed under pressure from authorities). From this example, observers framed gay identity to be a foreign import, or as a commodity. Gross shifted the blame Massad placed on human rights organizations to capitalist forces espousing a specific understanding of homosexuality.

The last critique came from activist Scott Long who posited that cultural influence is not uni-directional from West to East. He asserted that not all cultural interchange should be characterized as “conquest.” Furthermore, he explains that understandings of sexuality stem from cross-cultural “borrowing and revisions” and as such, invalidate notions that any particular “interpretation can be pinned to permanence, accused of being alien or applauded as ‘authentic.’”<sup>26</sup> Anthropologist Afsaneh Najmabadi echoed a similar statement in her ethnographic work on Iranian transsexuals: “Perhaps one of the problems with the current heated debates between proponents of ‘global gay’ and opponents of ‘gay international’ resides in the presumption, common to both groups, that ‘I am gay,’ or ‘I am transsexual’ means the same thing anywhere it is pronounced.”<sup>27</sup> Thus Long and Najmabadi have offered a more tempered approach more attentive to the nuances of cross-cultural exchange of ideas, but as I will discuss later, there can be a more aggressive approach towards understanding and respecting the cultural differences that arise in order to avoid presumptions of a shared sexual epistemology.

Massad then stirred further debate in an already fraught battle among scholars engaging in historical research on ‘homosexuality’ with sparing praise and abundant criticism. He built upon historian Khaled El-Rouayheb’s study on male same-sex attraction in the early Ottoman period to communicate the central point that Arabic-Islamic culture lacked the concept of

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<sup>26</sup> Scott Long, “The Trials of Culture: Sex and Security in Egypt,” *Middle East Report*, No. 230 (Spring 2004), 19.

<sup>27</sup> Najmabadi is referring to the work of anthropologist Dennis Altman who argued there is a nascent global gay culture. Afsaneh Najmabadi, “Transing and Transpassing across Sex-Gender Walls in Iran,” *Women’s Studies Quarterly*, Vol. 36, No. 3/4, Trans- (Fall-Winter, 2008), 37.

‘homosexuality,’ but rather gestured towards a hierarchy of preferences that differentiated between active and passive sodomitical partners.<sup>28</sup> Historian Dror Ze’evi expounded on the topic in a book unavailable during Massad’s time of writing—he articulated that once men fully matured their objects of desire were expected to narrow after puberty: from lust for older men, boys, or women to then exclusively focusing on women or boys.<sup>29</sup> Both authors stressed a social constructionist understanding: a position that presupposes the inherent instability of sexuality and therefore the importance of shifting configurations of economic, political, and social power on paradigms of gender and sexuality. The alternate historical camp leans toward an ‘essentialist’ understanding that addresses “identity” and “subculture” as potential sites of analysis outside of the modern era. In other words, essentialists draw similarities from the past to the current understanding of lesbian, gay, bisexual, and transgender (LGBT) categories of self-identification.

In the introduction to *Islamic Homosexualities*, Will Roscoe and Will O. Murray explained their goal as challenging “the implicit, occasionally explicit, assertion in many social constructionist accounts that contemporary homosexuality is somehow incomparable to any other pattern (or that there are no patterns).”<sup>30</sup> The slippage between the two camps is subtle for the average reader, including myself, yet historians themselves draw political lines around their work, including Massad who took serious issue with the ‘essentialist’ scholarship, beginning with John Boswell.

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<sup>28</sup> Khaled El-Rouayheb, *Before Homosexuality in the Arab-Islamic World, 1500-1800* (Chicago: University of Chicago Press, 2005).

<sup>29</sup> Dror Ze’evi, *Producing Desire: Changing Sexual Discourse in the Ottoman Middle East, 1500-1900* (Berkeley: University of California Press, 2006), 93.

<sup>30</sup> Stephen O Murray and Will Roscoe, *Islamic Homosexualities: Culture, History, and Literature* (New York: New York UP, 1997), 5.



In 1981, John Boswell published *Christianity, Social Tolerance, and Homosexuality: Gay People in Western Europe from the Beginning of the Christian Era to the Fourteenth Century* (*CSTH*), and with it mounted an argument that homosexuality can be a legitimate subject of historical study. His second chapter, “Definitions,” Boswell laid out the difficulties of using the hetero-/homosexual binary, acknowledging the complications of assuming an identity from sexual practice. He adopted the categories “homosexual” and “gay” with carefully crafted definitions attached to both terms, both understood as adjectives, but only the latter referring to the “conscious erotic inclination toward their own gender as a distinguishing characteristic.”<sup>31</sup> Nevertheless, he made plain that in many societies these distinctions, or any other alternatives, were not recognized at all. Boswell’s ultimate aim was to resolve “the confusion of religious beliefs with popular prejudice,” a phenomenon he observed at the time of his writing: the first two decades of the gay liberation movement in the United States.<sup>32</sup>

*CSTH* contains little in regards to scholarship concerning the Muslim world, and what is discussed is wholly dismissed by Massad. In light of his limited knowledge of Arabic, research scope, and access to primary sources, Boswell was incorrect in asserting “most Muslim societies have treated homosexuality with indifference, if not admiration.”<sup>33</sup> Massad is justified in highlighting the comment’s pertinence to the centuries-long Christian tradition of viewing the Muslim world as “immoral and sexually licentious.”<sup>34</sup> Nevertheless, Boswell did present evidence similar to the poetic texts cited in El-Rouayheb’s book that point toward “homosexual proclivities” (a term Boswell used throughout *CSTH*). Massad might prefer the more neutral sounding phrase, “same-sex attractions,” and express a far more accommodating opinion of

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<sup>31</sup> John Boswell, *Christianity, Social Tolerance, and Homosexuality: Gay People in Western Europe from the Beginning of the Christian Era to the Fourteenth Century* (University of Chicago Press, 1981), 42.

<sup>32</sup> *Ibid.*, 6.

<sup>33</sup> *Ibid.*, 194.

<sup>34</sup> Massad, “Re-Orienting Desire,” 365.

Boswell if the detail of Arabic primary sources in *CSTH* was exhaustive. Surely, the Muslim world was not the focus of the book, nor did it fall under Boswell's area of expertise, but the overriding objective of the scholarship and lengths to which Boswell addressed the ahistoricism of 'homosexuality' and his assiduous use of the word should be credited. The hostile boundaries drawn between social constructionists and essentialists thus appear unwarranted; the camps might differ in their use of terms, but scholars should consider the logic applied to any definitions prefaced by the author before asserting criticism on the whole, particularly when engaging in an academic context.<sup>35</sup>

The principal agreement between the two camps needs to serve as common ground for scholars; it must be repeated before any declarations of affiliation: both acknowledge that 'homosexuality' as we understand today is a modern invention. Murray and Roscoe wrote of the term's first appearance in European urban areas at the beginning of the early twentieth century.<sup>36</sup> Massad did not elucidate on this historical process, but cited the fundamental text that first laid out the thesis: Michel Foucault's *History of Sexuality*.<sup>37</sup> A combination of scientific and medical discourses in the late nineteenth-century created a category from the term to insinuate sexual deviancy. A self-identified social constructionist, John D'Emilio explained the process Foucault pointed toward: "[Medical writers] came to see homosexuality not as a discrete, punishable offense, but as a description of the person, encompassing mannerisms, behavior, and even physical traits."<sup>38</sup>

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<sup>35</sup> As we shall we later in later chapters, the use of certain terms becomes more problematic in venues of public and advocacy discourse.

<sup>36</sup> Roscoe and Murray, *Islamic Homosexualities*, 5.

<sup>37</sup> Michel Foucault, *History of Sexuality*, (New York: Vintage Books, 1990),

<sup>38</sup> John D'Emilio, Estelle B. Freedman, *Intimate Matters: A History of Sexuality in America*, (University of Chicago Press, 1998), 226.

Yet, many historians extend the process to an earlier period. Historian Nicholas Edsall highlighted the alienation of individuals unwilling to partake in the burgeoning nuclear family structure at the end of the seventeenth century in Western Europe as the potential start for a subculture of misfits, in addition to tightening gender roles and the cultural push towards self-autonomy and individualization.<sup>39</sup> Historian Jeffrey Weeks placed more emphasis on mechanisms of repression in the late nineteenth century, arguing this period increased group solidarity and heightened public awareness.<sup>40</sup> Massad criticized Weeks, not for this particular scholarship, but once again for a scholar's essentializing comments made on "Arab sexuality"—the phrase itself suggesting it can be a single discrete topic.<sup>41</sup> It is these instances, when a "white Western" academic (as Massad often uses as a descriptor) attempts to make universal claims on a highly diverse and understudied area of the world, provides fodder for the essentialist and social constructionist divide.

Massad understandably demanded greater sensitivity and a self-reflexivity that would prevent scholars from assuming the hetero-/homosexual binary is the only sexual ontology, or even a welcome model. Nevertheless, Massad's landscape of historical studies on sexuality can be characterized as unfair; he cast scholars in a narrow disparaging light, without acknowledging a space for consensus or an opportunity for cultural translation, nor presenting a viable and original picture of how same-sex attraction in the Middle East should be understood.

A year after *Desiring Arabs* was published, a trio of highly respected scholars from Harvard and the University of Michigan presented *Islamicate Sexualities: Translations across Temporal Geographies of Desire*. In the first chapter, Valerie Traub dissected both Massad and

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<sup>39</sup> Nicholas C. Edsall, *Toward Stonewall: Homosexuality and Society in the Modern Western World*, (Charlottesville Va.: University of Virginia Press, 2003),

<sup>40</sup> *Ibid*, 16.

<sup>41</sup> Weeks made generalizing comments on issues of masculinity and gender privileges concerning all of Arab culture and pinned it to the delay of gay (hetero-/homosexual) awareness and acceptance.

*Islamic Homosexualities*—among the faults she mapped out is their shared urgency to present an East and a West as discrete and separate spheres. Accordingly, Traub wrote the goal of the collection is: “confounding the very terms by which our understandings of East and West are derived.”<sup>42</sup> Massad’s use of El-Rouayheb’s historical study as evidence of the difference of Arab-Islamic cultural difference from the West can be easily re-interpreted the reverse manner: the characterization of the passive partner, known as *mabnun*, associated with sickness and effeminacy demonstrates the presence of a stigmatized category, analogous to “Western” notions of sexual deviancy. Both continuities and differences can be noted between the past and present, and among various parts of the world—the importance of employing both essentialist and social constructionist agendas, blurring them and reconstituting a new footpath, is made more apparent in the arena of international law and advocacy.

*The Making of “Gay or Straight” and LGBT Advocacy*

The United States proved to be the site of historical processes that have laid the cultural vocabulary and legal precedents now dominant in international human rights frameworks concerning queer individuals. American urban centers in particular, such as New York City and Washington, D.C., played host to today’s popular understanding of homosexual identity. George Chauncey investigated the extensive gay subculture in New York before the Second World War and the liberation movement, including its lexicon, social codes, and impressive instances of visibility (contrary to myths suggesting gays were “in the closet” before the 1960s).<sup>43</sup> Moreover, Chauncey demonstrated the rise of the hetero-/homosexual binary, also understood as the

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<sup>42</sup> Valerie Traub, *Islamicate Sexualities: Translations across Temporal Geographies of Desire*, ed. Kathryn Babayan and Afsaneh Najmabadi (Harvard Center for Middle Eastern Studies, 2008), 12.

<sup>43</sup> George Chauncey, *Gay New York: Gender, Urban Culture, and the Makings of the Gay Male World, 1890-1940*, (New York: Basic Books, 1994).

distinction between gay and straight (both based on the sex of the sexual object), as it replaced a tendency to label and self-identify based on gender status, or in how men “assumed the sexual and cultural roles ascribed to women.”<sup>44</sup> The significance of medical discourses in formulating the category is also challenged by Chauncey’s study: he posited that bottom-up, working class constructions of the homosexual and its appearance in popular discourse homosexual (either simultaneously or more than the insights of elite actors) fueled the shift.<sup>45</sup>

Understanding the dominance of the hetero-/homosexual binary in contemporary global cultural and legal contexts requires an examination of the American gay liberation movement. Robert Self described the 1960s as a severe policing period that repressed the public display of alternative sexuality that extended to the “denial of other rights concerning employment, housing, public association, and speech.”<sup>46</sup> Homophiles, the first significant generation of gay activists, Self described

would need to end forced secrecy. But in lifting sexuality out of the realm of secrets, they would make an equally powerful claim to privacy. In their pursuit of legal privacy and their rights as “homosexual citizens,” therefore, homophiles paradoxically had to make public what had always been in America imagined as private: sexuality itself.<sup>47</sup>

This process necessitated a linking of sexual freedom and rights; accordingly, the homosexual was not defined by a practice, but a fixed sexual identity. Law scholar Sonia Katyal described the phenomenon of “coming out” as a means of “resistance and protection,” demonstrating the expressive elements of a gay and lesbian identity that required “individuals to be capable of

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<sup>44</sup> Ibid, 13.

<sup>45</sup> Ibid, 27. Both Chauncey and Massad decry a shift from flexible understandings to a more a stricter binary. Massad described an Arab cultural tradition that also differentiates along gender lines, as evidenced by El-Rouayheb’s study of the mabnun, and between active and passive sodomitical partners—the former preserving the intended, natural masculine role and the latter signaling a deviant, unnatural female gender status.

<sup>46</sup> Robert O. Self, *All in the Family: The Realignment of American Democracy Since the 1960s* (Hill and Wang, 2012), 80.

<sup>47</sup> Ibid, 81.

labeling themselves, and their subjective desires, in clearly marked categories.”<sup>48</sup> This ethos remains the norm as American LGBT advocates seek easier (and fairer) paths towards marriage, ensuring safe work, and finding health insurance.

Gay rights advocacy on the international stage did not earnestly begin until the 1990s when the International Lesbian and Gay Association (ILGA) became the first lesbian and gay organization to gain consultative status with the Economic and Social Council—only to be rescinded in 1994, a year after its approval because the United States called into question its member organizations.<sup>49</sup> Nevertheless, in 1991 ILGA was successful in pressuring the world’s largest human rights organization, Amnesty International (AI), to consider people detained because of their sexual orientation as prisoners of conscience.<sup>50</sup> This move preceded the groundbreaking decision of *Toonen v. Australia* in 1994 that found Tasmanian laws criminalizing male same-sex relations in breach of the International Covenant on Civil and Political Rights (ICCPR), whose non-discrimination provisions were interpreted as including ‘sexual orientation.’<sup>51</sup>

In that same year as the appointment of a UN Special Rapporteur on Violence Against Women shared an “analysis of the link between female sexuality and violence against women eventually led to a pioneering affirmation of women’s right to sexual autonomy.”<sup>52</sup> Both *Toonen* and AI’s action addressed sexual orientation as a category that can be discriminated against and operated on the notion of negative rights (that government should not interfere into

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<sup>48</sup> Sonia Katyal, “Exporting Identity,” *Yale Journal of Law and Feminism* (2002), 106, 111.

<sup>49</sup> Douglas Sanders, “Getting Lesbian and Gay Issues on the International Human Rights Agenda,” *Human Rights Quarterly*, Vol. 18, No. 1 (Feb. 1996), 1.

ILGA was originally founded in 1978 by 17 European groups. It was not given full ESC membership until 2011.

<sup>50</sup> Mark Blasius and Shane Phelan, *We are Everywhere: A Historical Sourcebook in Gay and Lesbian Politics*, (New York: Routledge, 1997), 838.

<sup>51</sup> Ignacio Saiz, “Bracketing Sexuality: Human Rights and Sexual Orientation: A Decade of Development and Denial at the UN,” *Health and Human Rights*, Vol. 7, No. 2, Sexuality, Human Rights, Health (2004), 49.

<sup>52</sup> *Ibid*, 50.

the lives of citizens), while the UN analysis alluded to a more progressive interpretation—a right to sexuality.

These episodes broadly point to two competing intellectual threads as to how to conceptualize sexual orientation in human rights protections. First, there is the argument that sexual orientation is a negative right that falls under a pre-existing category of potential discrimination or under a purview of privacy, both of which are prescribed in international treaties. The second method is to advocate sexual orientation as a positive right on its own or by linking it to a host of already determined positive rights, such as sexual health. The former thread is by far the method most commonly used, aided by the precedents in domestic American law and the cultural relativist debates that have made it difficult for an explicit clause on sexual orientation to be considered.

The success of LGBT rights groups around the world in the past decade cannot be underestimated. Political scientist Kelly Kollman highlighted the vast transnational network of LGBT activists and their achievement in shaping norms, and she acknowledged increasing rates of secularization as an advantageous factor in their efforts.<sup>53</sup> Anthropologist Dennis Altman argues that globalization has created an international gay/lesbian identity, “which is by no means confined to the western world;” he points to “emerging global ‘subcultures,’ where members of particular groups have more in common across national and continental boundaries than they do with others in their own geographically defined societies.”<sup>54</sup> In legal, political, and cultural spheres, the LGBT framework has proved to cross national boundaries and establish itself as the *de facto* ontology to understand and label same-sex relations.

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<sup>53</sup> Kelly Kollman, “Same-Sex Unions: The Globalization of an Idea,” *International Studies Quarterly*, Vol. 51, No. 2 (Jun. 2007), 329-357.

<sup>54</sup> Dennis Altman, *Global Sex*, (Chicago: University of Chicago Press, 2001), 87.

The difficulties of advocating for LGBT rights in the Arab world are numerous—and alternative approaches to seek protection and some form of recognition are severely limited. Makarem claimed the difficulties were, in large part, due to the connotation of LGBT rights as “Western.” He stressed that his organization explicitly expressed an anti-imperialist solidarity with other Arab social justice movements and groups, in addition to its campaigns for LGBT rights. As articulated on their website ‘About Us’ page: “Helem’s primary goal is the annulment of article 534 of the Lebanese Penal Code which punishes ‘unnatural sexual intercourse.’”<sup>55</sup> Without considering the potential cultural, social, and psychological affinity Helem’s members have for the LGBT categories of self-identification, the legal and political pressure to employ these categories is undeniable: What other models and strategies for sexual liberation, besides the American historical trajectories outlined above, have been sought out, battle-tested, and achieved success? How does one craft a native, “Arab” model when the legal obstacles themselves, such as article 534, carry colonial vestiges—products of Western biases themselves?

This section sought to demonstrate how the hetero-/homosexual binary and corresponding ‘LGBT’ categories came to be defined and subsequently relied on to advocate for rights. As a social constructionist, I could understand the various cultural and political forces that attributed to the shift that Chauncey and Self described towards the embrace of a bipolar sexual ontology. As an essentialist, I could risk positing an analogy between this shift to the ongoing process in the Arab world that Massad has decried and blamed human rights organizations for. The following section explores the critiques of the hetero-/homosexual binary and potential approaches for cultural and legal re-interpretation of queer sexualities.

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<sup>55</sup> Helem, “About Us,” <http://helem.net/node/59>.



*Shortcomings of 'LGBT' Categories*

Beginning in the early twentieth century, anthropologist Franz Boas and his graduate students at Columbia University established cultural relativism as a framework to understand human differences across cultures. Then in the twenty-first century, political scientist Anne Norton demonstrated that following the non-Western world's response to imperialism, cultural relativism has been misapplied. After decades of oppression by European imperialists and the entailed definitions they have imposed on post-colonial states, the latter "seek to discursively construct identities that are antithetical to those embodied by the West," evidenced by the notion that, "we are Us because we are not Them."<sup>56</sup> Opponents to LGBT rights protections have consistently used this rhetoric to justify discriminatory practices, without the conscious awareness that attitudes and legislation promoting "compulsory heterosexuality" were enacted during Western occupation, such as article 534 of the Lebanese Penal Code, a product of French colonialism. In her article, "Exporting Identity," first quoted in the previous section, Katyal succinctly covered several case studies in which Third World leaders interpreted encroaching LGBT advocacy as "recolonization." Katyal wrote of the instances in which individuals were abused not for their sexual practices, but because of "visible assertions of sexuality" likened to Westernization.<sup>57</sup> All too often, homosexuality is seen as foreign and emblematic of both Western decadence and perversion.

As the previous section demonstrated, American LGBT activists employed a strategy that conflated sexual behavior ("doing") with a fixed identity ("being"). It is this characteristic of transnational LGBT advocacy that has presented the most problems of translation across cultural contexts. David Greenberg noted that hetero-/homosexual binary assumes a symmetry

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<sup>56</sup> Ajnesh Prasad, "Cultural Relativism in Human Rights Discourse," *Peace Review: A Journal of Social Justice* (19), 4.

<sup>57</sup> Katyal, "Exporting Identity," 15.

between the sexes that clearly demarcates what an individual is attracted to. Yet, he wrote that in most non-Western societies, “[d]istinctions of age, gender and social status loom larger.”<sup>58</sup> In contemporary Arab society, the distinction between the passive and active partners in male same-sex relations seems to persist (as El-Rouayheb and Ze’evi have documented), though to what extent is unsure.<sup>59</sup> Anthropologist Bruce Dunne described an interaction with a young man from Cairo in which the Egyptian man understood the Western ‘homosexual’ as neither a man or a woman, “while a man who had sex with both men and women was simply doing what men do.”<sup>60</sup> In other words, in many parts of world, sexual practices and relationships, whether same-sex or opposite-sex, do not denote an individual’s sexual orientation, because the identifications (heterosexual, homosexual, or bisexual) are not culturally available.

Rather, other categories might arise, such as what queer theorist David Halperin has referred to as, “[‘penetrator’ versus ‘penetrated’], categories which in turn were wholly congruent with superordination and subordinate social categories.”<sup>61</sup> Dunne also made a note of this, concurring with legal scholar James Wilet’s suggestion that societies are uncomfortable with crossing of gender, rather than sexual boundaries.<sup>62</sup> In other words, the ‘penetrated’ is the category stigmatized because the male is taking on the intended female role (similar to what El-Rouayheb noted of the *mabnun* stereotype). These nuances are erased when the hetero-/homosexual binary is applied, which is why Massad asserted at the end of his initial essay that this epistemology will lead to “the creation not of *queer* planet but rather a *straight* one.”<sup>63</sup>

‘Queer’ suggests fluidity, an array of infinite options and self-definitions that cannot be clearly

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<sup>58</sup> Katyal, “Exporting Identity,” 18.

<sup>59</sup> Ze’evi, *Producing Desire*, 39.

<sup>60</sup> Bruce Dunne, “Power and Sexuality in the Middle East,” *Middle East Report*, No. 206, Power and Sexuality in the Middle East (Spring, 1988), 9.

<sup>61</sup> David M. Halperin, “Is There a History of Sexuality?,” *History and Theory*, Vol. 28, No. 3 (Oct., 1989), 260.

<sup>62</sup> Katyal, “Exporting Identity,” 23.

<sup>63</sup> Massad, “Re-orienting Desire,” 385.

demarcated. The authoritative queer theorist Judith Butler has also argued that identities “in which gender does not follow from sex and those in which practices of desire do not follow from either sex or gender,” are shunned from the dominant epistemology.<sup>64</sup>

In the case study concerning the *Queen Boat* Trial found in the following two chapters, these issues will make themselves manifest as human rights advocate Hosam Bahgat is quoted saying: “There is a problem with sexual orientation as a concept, with identity frameworks. [. . .] In my country [Egypt], people don’t get arrested for who they are but for what they do; conduct is the issue. Of course identity politics are still useful for activism but we need to look at other frameworks.”<sup>65</sup> Bahgat’s comments refer to the difficulty of commenting on issues concerning queer individuals—without saying the obstacles of advocating for these rights.

Several social scientists and theorists have posited their own re-interpretations as to how human rights professionals in particular can envision LGBT rights that are not as vulnerable to cultural and personal critiques, but that are rather at their most inclusive. Scholars Julie Mertus and Jack Donnelly have highlighted the possibility of using “sexual rights” and “sexual minorities” respectively to push for further inclusion that is “open to any group (previously, now, or in the future) stigmatized or despised as a result of sexual orientation, identity, or behavior.”<sup>66</sup> Sociologist Matthew Waites suggested for NGOs to re-interpret ‘sexual orientation’ and ‘gender identity’ with broader meanings that allow for aspects of subjectivity.<sup>67</sup> Katyal has given attention to sexual health organizations in India that employ the terminology “MSM,” or

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<sup>64</sup> Katyal, “Exporting Identity,” 11.

<sup>65</sup> Fancoise Girard, “Negotiating sexual rights and sexual orientation at the UN,” In: R. Parker, R. Petchesky and R. Sember, eds. *Sex politics: reports from the frontlines*, Sexuality Policy Watch (2007), 350. Available from: <http://www.sxpolitics.org/frontlines/home/index.php>

<sup>66</sup> Julie Mertus, “The Rejection of Human Rights Framings: The Case of LGBT Advocacy in the US,” *Human Rights Quarterly*, Volume 29, Number 4, November 2007, pp. 1036-1064; Jack Donnelly, *Universal Human Rights in Theory and Practice* (Ithaca: Cornell Univ., 2013), 277.

<sup>67</sup> Matthew Waites, “Critique of ‘sexual orientation’ and ‘gender identity’ in human rights discourse: global queer politics beyond the Yogyakarta Principles,” *Contemporary Politics*, Vol. 15, No. 1, March 2009, 137–156.

‘men who have sex with men,’ that avoids issues of identity. Lastly, political scientist Alice Miller has outlined a more complex strategy that involves an integrationist approach (bundling participation, bodily integrity, and nondiscrimination rights) and asserting an autonomous rights claim that frames sexuality as fluid, “inalienable, but not immutable,” much like an individual’s religious beliefs.<sup>68</sup> These are brief references to a growing concern in human rights scholarship, which will certainly continue to swell and attract further study.

My research does not posit its own re-interpretation—as a historicized media analysis, I examine how LGBT rights have been referred to in the past and if there has been change over time. The dependency of human rights advocacy on media coverage and collaboration is crucial—and it proved to be a site of significant scholarship, which I review in the next section.

### *Media and Human Rights*

“Human rights professionals believe that no action is more effective in promoting governments to curb human rights violations than aiming the spotlight of public scrutiny on the depredations themselves,” wrote law scholar Diane Orentlicher.<sup>69</sup> Fact-finding, reporting, and relaying information on human rights abuses to media professionals has been the first priority of human rights organizations. Kenneth Roth, Executive Director of Human Rights Watch (HRW), has written on HRW’s “shaming methodology;” in other words, “their ability to investigate misconduct and expose it to public opprobrium.”<sup>70</sup> These strategies have been examined by scholars on a wide range of issues—the most cited of which I include in the following survey.

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<sup>68</sup> Miller, “Human Rights and Sexuality,” 301.

<sup>69</sup> Diane Orentlicher, “Bearing witness: The art and science of human rights fact-finding,” *Harvard Human Rights Journal* (1990) 3: 83–135.

<sup>70</sup> Kenneth Roth, “Defending Economic, Social and Cultural Rights: Practical Issues Faced by an International Human Rights Organization,” *Human Rights Quarterly*, Vol. 26, No. 1 (Feb. 2004), 63.

Scholarship on the methodology of human rights activists and the strategic use of empathy has been conducted by leading professionals and academics. The current United States Ambassador to the United Nations, Samantha Power, together with political scientist, Graham Allison edited the collection *Realizing Human Rights: Moving from Inspiration to Impact* that dedicated a portion of the volume to tackle the human rights institutions and their instruments, mostly in media-based advocacy.<sup>71</sup> The essays touched on the influence of State Department *Country Reports*, press releases from Amnesty International, and the role of journalists as “conscience triggers.” An even more recent collected edited by legal scholar Richard Ashby Wilson and historian Richard D. Brown, titled *Humanitarianism and Suffering: The Mobilization of Empathy*, showcased essays solely focused on issues concerning narrative, media, and episodes of humanitarianism.<sup>72</sup> Case studies appeared on topics such as the 2004 tsunami, Armenian poverty, disappearances in Argentina, and witness testimony in North Africa. Another collection of the same year, *Human Rights and Media*, edited by sociologist Diana Papademas, featured a similar range of material and arrangement.<sup>73</sup> These discrete research projects resemble my own in their specific temporal and subject scope that also commit to examining human rights actors’ rhetoric and strategies.

Moreover, there are two foundational? works that deserve mention for their study on the topic of human rights advocacy and media usage. William Over’s *Human Rights in the International Public Sphere: Civic Discourse for the 21st Century* has been used in university classrooms across disciplines for its survey on the history of rights formulations in the United Nations, and relevant to my study, the main channels of discourse: NGOs, global media,

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<sup>71</sup> Samantha Power and Graham T Allison, *Realizing Human Rights: Moving from Inspiration to Impact* (New York: St. Martin’s Press, 2000).

<sup>72</sup> Richard Wilson and Richard D Brown, *Humanitarianism and Suffering: The Mobilization of Empathy through Narrative* (Cambridge; New York: Cambridge University Press, 2011).

<sup>73</sup> *Human Rights and Media*, ed. Diana Papademas, (Bingley, U.K.: Emerald, 2011).

celebrity, and film.<sup>74</sup> Sharon Sliwinski's *Human Rights in Camera* is lesser known, but provided valuable analyses on human rights and spectatorship, pairing concerns from various academic disciplines rarely found together, such as political science and media theory on still photography.<sup>75</sup> Both works provided helpful frameworks in approaching my own case study and its particular circumstances.

Much has been done in sociology, political science, and critical communications theory, but the study of human rights advocacy and media has much to benefit from a historical approach that ensures strong textual support and close line-reading paired with a long temporal frame. More specifically, studies focused on discourses concerned with sexuality in modern history have been limited. I employ similar tactics of analysis as historian Gregory Pflugfelder in *Cartographies of Desire: Male-Male Sexuality in Japanese Discourse, 1600-1950* who tackles a wide range of sources to map out sexual knowledge systems in Japan.<sup>76</sup> I seek to replicate a similar constellation of material used to understand how the Western activists and journalists interpret forms of sexual expression in Egypt.

Related to my topical focus are the works by Julian Lee and Jasbir Puar who examine issues involving queer individuals' rights in the 21<sup>st</sup> century. Social scientist, Julian Lee, employed an anthro-historical approach to explore the regulation of sexual behavior by nation states in his book, *Policing Sexuality: Sex, Society, and the State*.<sup>77</sup> Though I do not examine the state's role (Egypt), but rather foreign response (the United States and Great Britain), Lee's case

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<sup>74</sup> William Over, *Human Rights in the International Public Sphere: Civic Discourse for the 21st Century* (Stamford, Conn.: Ablex Pub. Corp., 1999).

<sup>75</sup> Sharon Sliwinski, *Human Rights in Camera* (Chicago: University of Chicago Press, 2011).

<sup>76</sup> Gregory M. Pflugfelder, *Cartographies of Desire: Male-Male Sexuality in Japanese Discourse, 1600-1950*, (Berkeley: University of California Press, 1999).

<sup>77</sup> Julian C. H Lee, *Policing Sexuality: Sex, Society, and the State* (Kuala Lumpur; New York: Strategic Information and Research Development Centre ; Zed Books, 2011).

study methodology and analysis of colonial, class, and religious contexts informs my critique and recommendations. Jasbir K. Puar's *Terrorist Assemblages: Homonationalism in Queer Times*, first mentioned in the introduction, proves to be a closer companion to my research, particularly in my study of media coverage in chapter two. Puar also examined the Western discourse surrounding queer Arab subjects in a time period that subsumes my own (2001-2004). Puar's methodological approach differs from my own—far more interdisciplinary, it involved ethnographic data and interviews. Additionally, Puar's interests cover wider ground than mine—as to my specific objective to uncovering Western representations of the “Cairo 52,” Puar examines the wider theoretical underpinnings of torture at Abu Ghraib, the decriminalization of sodomy in the United States, and the detention and deportation of suspected terrorists, among other topics. Nevertheless, they greatly inform my analyses in the next chapter, in which I examine the Western reporting of the trial. For the most part, the coverage failed to capture the nuances of the episode; rather, they presented a sensationalized narrative, thus creating a one-dimensional picture of same-sex relations in Egypt.

## Chapter 2: Western Media Coverage of the *Queen Boat Trial*

"They captured me because they just needed a body," a man shouted in English into a microphone held out to him in the courtroom. An unedited, amateur video posted on YouTube captured a few minutes of the initial court proceedings in 2001.<sup>78</sup> Before the judge arrived in the chamber, reporters crowded near the cage that held the defendants. Pressed against each other with no room to lift their arms, the prisoners had to push each other about simply to face a different direction. Saturated in blotches of dark blue and grey sweat, the journalists' shirts made visible the humid Cairo air permeating through the chamber. The man answering questions in English wore a piece of white cloth over his face—all the men had either cloth wrapped around their faces to cover everything below the eyes, or contrived a mask with eyeholes and a slit for breathing to bag over themselves. The reporter asked him why the men had been arrested. "I have no clue about this trial," he yelled with raucous exasperation.

There were few details available to anyone. Three years after the initial proceedings, Human Rights Watch (HRW) released the report, "In a Time of Torture," that included interviews with twenty-one of the men arrested. They attested that they were "whipped, beaten, bound and suspended in painful positions, splashed with ice-cold water, and burned with lit cigarettes."<sup>79</sup> State security officers not only subjected the men to electroshock and psychological torment, but also forced prisoners to rape each other. One of the men, Mazen, moved to Paris after twelve months in jail (before the re-trial occurred) and participated in a pre-recorded interview for *The Oprah Show* website. "These two guys started beating me on my head and on

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<sup>78</sup> Ehab Aref, "52 gay men go on trial - Nov, 14 2001," YouTube, <http://www.youtube.com/watch?v=upt1SbjwbSw>.

<sup>79</sup> Human Rights Watch, "In a Time of Torture: The Assault on Justice in Egypt's Crackdown on Homosexual Conduct" (2004), 2.



my face,” he said.<sup>80</sup> He described being stripped naked as doctors forced objects into his rectum to determine if he was homosexual. He did not have contact with his family for six months and recounted his mother’s desperation looking for him. At the end of the interview he admitted, “I tried to kill myself twice in jail.”<sup>81</sup>

The *Queen Boat* Trial proved to be a drama fit for international news coverage, across print, television, and film platforms. The violence was front and center—an explicit reality that was not denied nor apologized for by the Egyptian government. Righteous indignation against the blatant discrimination generated compelling hooks and stirring magazine layouts; though splashy headlines had the potential to compromise nuanced reporting and discerning characterizations. The video featured on the *Oprah Show*’s website itself was accompanied with the line: “Being gay in the Middle East is considered a crime, but once The (*sic*) United Nations stepped in, the majority of the imprisonment’s (*sic*) were overturned.”<sup>82</sup> Though this is an extreme example, riddled with grammatical, and more importantly, factual errors—it gestures toward the generally shallow and misleading reporting conducted during the trial.

In this chapter, I seek to uncover trends in the Western, English-language coverage of the *Queen Boat* Trial. I look toward two academics as models for my primary source reading in this chapter, the first rooted in historical analysis and the second arriving from semiotic theory. The former is the historical work conducted by Todd Shepard, whose work on the sexual revolution in France and the representation of Arabs in popular media, comes near to my research aims.<sup>83</sup>

Our questions in common are: What does “sex” allow us to talk about? How does talking about

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<sup>80</sup> The Oprah Winfrey Show, “Imprisoned for Being Gay Video,” June 1, 2008, <http://www.oprah.com/oprahshow/Imprisoned-for-Being-Gay-Video>.

<sup>81</sup> Ibid.

<sup>82</sup> Ibid.

<sup>83</sup> Todd Shepard, “Something Notably Erotic: Politics, ‘Arab Men’ and Sexual Revolution in Post- decolonization France, 1962–1974,” *The Journal of Modern History*, Vol. 84, No. 1 (March 2012), pp. 80-115.

sexuality, in particular same-sex relations, allow Westerners to say about Middle Eastern people and culture? Moreover, how did the specter of 9/11 affect broad media perspectives? The second semiotic model referred here is the work by Shani Orgad, specifically her book, *Media Representation and the Global Imagination* from 2012.<sup>84</sup> She describes her primary concern as an exploration of “the symbolic ‘work’ that media representations do in inviting us to relocate to distant locales and contexts, and to ‘meet’ people that are remote from the contexts of our daily lives.” In this case, I interpret the manner in which Western, English language media outlets and journalists relate stories involving same-sex relations in the Middle East to their home audience.

In a survey of Western, English language reporting on the *Queen Boat* Trial, I have taken into consideration 36 different publications, mainly from the United States and Great Britain. The aim is to explore any similarities and patterns among Western journalists in their commentary on the episode and queer individuals in the Middle East at large. I discuss the articles through a thematic arrangement and have discovered two prevailing characteristics among the articles. In the first section, I will consider the episode’s framing as a culture clash between religious fundamentalists and secularists. Following the long tradition of Western portraits of the Middle East, American and British journalists ostensibly viewed the episode through the prism of 9/11 and a history of American exceptionalism; an inclination to equate liberalism and open-mindedness to the West, which reflects the patriotic impulse to prioritize national identity over concerns for equality and human rights.

In the second section, I will review a host of references that concern sexual identity. For example, there were references in the Western press to “the closet,” and a “gay world,” or community in Cairo suggesting a sense of homogeneity in sexual expression—a universal understanding of the social experience of engaging in same-sex relations. This chapter will focus

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<sup>84</sup> Shani Orgad, *Media Representation and the Global Imagination*, Cambridge: Polity, 2012, xi.

on the reduction of homosexuality to the trope of “coming out” and its implicit characterization as a white, Western, middle-class phenomenon divorced from issues of religion. Though I am concerned with how these tropes and metaphors function in coverage of the *Queen Boat* Trial, I also suggest they are flawed and limiting discursive strategies in American and British discussions themselves.

Altogether, these tropes framed same-sex sexual expressions in Egypt as “close to home,” or as equal to popular understandings of homosexuality in American and British contexts. Efforts to point towards any differences in cultural interpretations or historical backgrounds were absent. Consequently, I find the Western press complicit in reproducing false, monolithic understandings of same-sex relations and queer identities. Ignoring or limiting the discussion of potential cultural differences and assuming blanket commonalities hinder any mutual understanding and productive exchange. Rather, media outlets in both Western and Egyptian contexts were both found to characterize men engaging in same-sex relations as gay, Western, and secular— thus, not straight, Arab Muslims. The characterization benefitted both outlets: Western journalists sought to describe a familiar and empathic figure and the state-funded Egyptian newspapers were determined to demonize them, casting them as a total Other.

The significant attention the trial received by both foreign media and advocacy organizations made it easy for Egyptian actors to label the episode as a Western concern that was alien and irrelevant to its own people. Would nuanced, rigorous reporting have changed the situation? The hope is that comprehensive reporting makes binary classifications more difficult to hurl at the other (in both popular discourse and legalistic settings), because these unfair characterizations fail to capture the complexity of sexual identity and practice, thus obstructing the efficacy of human rights campaigns.

*Examining the “Clash of Cultures”*

Many U.S. and British headlines and descriptions of the episode included the phrase, “culture clash,” or a “clash of cultures.”<sup>85</sup> Within the articles, little information or contextualization was offered; rather, they were kept at a superficial level, such as the following line from the *Christian Science Monitor*: “In the trial, being seen by some observers as part of a clash between Islamic traditionalists and proponents of a more tolerant, more secular society, it is unclear what laws were broken.”<sup>86</sup> The cloud of ambiguity can be attributed to a host of issues: a potential lack of accessible information, minute cultural understanding, or limited print space to discuss the topic at length. An additional conjecture to consider was the ubiquity of “the clash of civilizations” argument espoused by historian, Bernard Lewis, and political scientist, Samuel Huntington, and the effect of the 9/11 terrorist attacks on perceptions of Middle Eastern affairs.

In 1990, Lewis published “The Roots of Muslim Rage” in the *Atlantic*, thus introducing to mainstream discourse the facile concept of a bipolar world split between ancient competitors: religious fundamentalists and secular modernists; more specifically, Muslims (radical, irrational, primal) versus Judeo-Christian Westerners (pragmatic, rational, advanced).<sup>87</sup> Huntington fleshed out a similar thesis in his 1993 article in *Foreign Affairs*, “The Clash of Civilizations?” that posited cultural tensions to be at the heart of geopolitical and military confrontations, further explored in his book in 1996.<sup>88</sup> A *New York Time* obituary stated that Huntington’s “emphasis on ancient religious empires, as opposed to states or ethnicities, gained even more cachet after the

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<sup>85</sup> Philip Smucker, “A clash of cultures in Egypt,” *Christian Science Monitor*, 18 September 2001; Howard Schnieder, “Cultural Struggle Finds Symbol in Gay Cairo: Arrests of 52 Men Reflect Tension Between Traditionalists, Secularists,” *The Washington Post*, 9 September 2001; Caroline Hawley, “Egypt Faces Backlash as 52 Gay Men Go On Trial,” *The Independent*, 17 August 2001; Howard Schnieder, “Egypt’s gays fight for rights,” *Toronto Star*, 16 September 2001.

<sup>86</sup> Philip Smucker, “A clash of cultures in Egypt,” *Christian Science Monitor*, 18 September 2001.

<sup>87</sup> Bernard Lewis, “The Roots of Muslim Rage,” *The Atlantic*, 1 September 1990.

<sup>88</sup> Samuel Huntington, “Clash of Civilizations?,” *Foreign Affairs*, 1993.

Sept. 11 attacks.”<sup>89</sup> A group of religious fundamentalists had orchestrated the most violent terrorist attack on the United States—both Lewis and Huntington’s arguments were uncomplicated explanations, applicable and unchallenging; they did not require a deeper historical understanding of US involvement in Afghanistan during the Cold War and its responsibility to training and arming Al Qaeda—it was simply cultural. Political scientist Mahmood Mamdani masterfully analyzed the above arguments, and the broader post-9/11 discourse, delineating the manner in which culture was politicized to mark the Muslim as not just incompatible, but “resistant” to modernity—and it is a thesis fueled by centuries of discursive binarism and disparagement.<sup>90</sup>

As the discussion in the first chapter of Edward Said’s *Orientalism* demonstrated: there has been a long historical legacy of racist representations of Arab, or non-Western peoples, that preceded post-9/11 representations. In regards to contemporary popular media, there have been numerous academic studies highlighting common stereotypes of Arab individuals. Scholar Jack Shaheen, for instance, had delineated four stock characters attributed to Arabs in television: extravagantly wealthy, uncultured, sexually promiscuous, and involved in terrorism.<sup>91</sup> Narmen El-Farra provided an exhaustive review on media portrayals of Arabs for the *Journal of Media Psychology*, remarking on the biased coverage of the Arab-Israeli conflict contributing to warped perceptions of Arabs—a reality made apparent when several news outlets insinuated the 1995 Oklahoma City bombing was perpetrated by Arab terrorists.<sup>92</sup> In the following articles, I note the

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<sup>89</sup> Sarah Wheaton, “Samuel P. Huntington of Harvard Dies at 81,” The Caucus Blog, *The New York Times*, 27 December 2008, <http://thecaucus.blogs.nytimes.com/2008/12/27/samuel-huntington-foreign-policy-theorist-dies-at-81/>.

<sup>90</sup> Mamdani, *Good Muslim, Bad Muslim*, 19.

<sup>91</sup> Jack Shaheen, *The TV Arab*, Bowling Green, Ohio: Bowling Green State University Popular Press, 1984.

<sup>92</sup> Narmen El-Farra, “Arabs and the Media,” *Journal of Media Psychology*, Volume I, Number 2, Spring 1996.

tendency to understand Arab affairs as an unceasing contest between a traditional and religiously fundamentalist faction against a liberal camp, often associated to the West.

Western media often framed the *Queen Boat* Trial as a culture clash or struggle—a common trope in popular discourse concerning the Middle East. Two days before 9/11, *The Washington Post* published, “Cultural Struggle Finds Symbol in Gay Cairo; Arrests of 52 Men Reflect Tension Between Islamic Traditionalists, Secularists,” published on September 9.<sup>93</sup> Its author, Howard Schneider, also published the article, “Egypt’s gays fight for rights,” in the *Toronto Star* on September 16.<sup>94</sup> Though the headlines differ, the text’s body in the second article was identical to the first despite two additional paragraphs in the former that offered aesthetic details and factual tidbits about the *Queen Boat* and a description of belly-dancing and veiling customs in Egypt as examples of its growing conservatism. The title change in the Canadian newspaper can simply be attributed to a desire for brevity, or it can be accounted for a want of understatement; after all, five days after the attacks on 9/11 encouraged editors to exercise caution and use mild language. Nevertheless, each of the article’s versions shared the same thesis:

Human rights groups and families of those arrested, however, see it as symptomatic of a broader cultural struggle between religious traditionalists and advocates of a more secular and tolerant society. After taming a violent fundamentalist uprising in the mid-1990s, they argue, the Egyptian state is ever more willing to ban books, jail dissidents and prosecute those seen as deviants in an effort to undermine fundamentalist arguments that the country is becoming too Westernized.<sup>95</sup>

In this article, the term “culture clash” was pacified to “cultural struggle,” that nevertheless involved a liberal, Western faction (that some Egyptians, family members of the defendants, were aligned with) versus an intolerant, religious, and exclusively Arab base. There is no doubt

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<sup>93</sup> Howard Schneider, “Cultural Struggle Finds Symbol in Gay Cairo; Arrests of 52 Men Reflect Tension Between Islamic Traditionalists, Secularists,” *The Washington Post*, 9 September 2001.

<sup>94</sup> Howard Schneider, “Egypt’s gays fight for rights,” *Toronto Star*, 16 September 2001.

<sup>95</sup> Schneider, “Cultural Struggle.”

the Egyptian state was guilty of a wide range of human rights abuses (discrimination, unfair legal practices, and torture) throughout the *Queen Boat* Trial, thus demonstrating a brand of intolerance. Yet, the simple formula of pitting Western liberalism and Arab conservatives against each other was not a fair representation of the episode.

It has been duly noted that the 9/11 attacks affected journalistic coverage—to the point that facile interpretations of foreign affairs, like the framing of “culture clash” was pursued. Sandra Silberstein’s study on post-9/11 language traced the branding of New York City as “America’s city,” and the significance and ubiquity the colors red, white, and blue took on. Silberstein described the dominating thematic platform of media and advertising during this period as a bastion for patriotism and unity.<sup>96</sup> In regards to American broadcasting these sentiments were made explicit: “One report carried the accusations of Fox News and conservative media watch organizations concerning what was perceived to be ABC’s lack of patriotism in one of its broadcasts. ABC apologized for its lapse in nationalistic support during a time of war.”<sup>97</sup> Accordingly, a content analysis demonstrated that “ethnocentric reporting has been found to be most acute in coverage of U.S. involvement in international events and seems likely to reflect national interests or national security. It was in this nationalistic milieu that reporters wrote about the *Queen Boat* Trial—an episode understood to be split between a righteous, Western-backed liberal camp and a conservative Muslim faction.

The liberal, secular faction in the articles was explained to compose of Western actors, and in extension, the “gay” defendants who were victimized by religious fundamentalists. Caroline Hawley of *The Independent* was more precise with her description: the “cultural clash

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<sup>96</sup> Sandra Silverstein, *War of Words: Language, Politics and 9/11* (London New York: Routledge, 2002).

<sup>97</sup> Sujatha Sosale, “Rallying Around the Flag: Journalistic Constructions of a National Mediascape in a Global Era,” *International Communication Gazette* (2010), 223.

has erupted between Egyptian and foreign human rights activists.”<sup>98</sup> In *Newsweek*, Joshua Hammer wrote the episode had “cast a new light on the often violent collision between traditional and Western values that is convulsing in the developing world.”<sup>99</sup> In both reiterations, the West, whether represented by individuals (activists) or an abstract form (values), constituted the liberal, secular faction. Western journalists ostensibly viewed the episode through the prism of 9/11 and the prevailing tradition of equating America with liberalism. Occasionally, as the quote from Schneider demonstrated, a few Egyptians were aligned with this faction: either family members of the defendants or “Egyptian gays” themselves. Thus the defendants and the families hurt by the authorities’ decisions could be coded as liberal, because they were targets of religious violence. An International Gay and Lesbian Human Rights Commission (IGLHRC) press release explicitly captured this sentiment in its headline: “Gays in Egypt Latest Casualty of Terrorism and War.”<sup>100</sup> In other words, both the victims of 9/11 and the “Cairo 52” were targets of religiously fueled intolerance and violence. Was this potential empathic identification an added motivation for journalists to report on the episode?

The perception of queer U.S. citizens at the time is demonstrative of the patriotic impulse to prioritize national identity over other self-definitions. Days after the attacks on 9/11, Jerry Falwell on *The 700 Club* had commented: “the pagans, and the abortionists, and the feminists, and the gays and lesbians who are actively trying to make that an alternative lifestyle, the ACLU, People for the American Way, all of them who have tried to secularize America, I point the finger in their face and say, ‘You helped this happen.’”<sup>101</sup> The blowback to his comment was overwhelming to the point that Falwell soon apologized on CBS’ *Good Morning America* and

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<sup>98</sup> Caroline Hawley, “Egypt Faces Backlash as 52 Gay Men Go On Trial,” *The Independent*, 17 August 2001.

<sup>99</sup> Joshua Hammer, “Gay Egypt In the Dock,” *Newsweek*, 11 February 2002.

<sup>100</sup> “Egypt: Gays in Egypt Latest Casualty of Terrorism and War,” IGLHRC, September 21, 2001.

<sup>101</sup> Ron Becker, *Gay TV and Straight America* (Rutgers University Press, 2006).



admitted that he "missed the mark."<sup>102</sup> The "politics of social difference were out," as long as the ill-will and blame were projected far from the contours of the nation and towards the foreign enemy.<sup>103</sup> As objects of religiously-fueled violence, the "Cairo 52" were recipients of heightened attention and commiseration. They need not be American: if they are not *them*, they are *us*.

This embrace of persecuted queer individuals abroad could also be understood as a means to ignore or belittle state-side homophobia. Ironically, American discourse surrounding HIV prevention and same-sex unions tapped into similar discursive strategies in the Egyptian reaction to the *Queen Boat* Trial: framing queer individuals as threats to national security. Mary K. Bloodsworth-Lugo and Carmen R. Lugo-Lugo noted that the Bush administration "invoked civilization, safety, homeland, and children...to create an atmosphere of fear similar to the atmosphere of fear created by discursive tools involving 'the War on Terror'" on these very topics.<sup>104</sup> Same-sex unions were found to be "in need of 'containment' and 'the sanctity of marriage' in need of 'protection.'"<sup>105</sup> The *Queen Boat* Trial showcased an explicitly violent government reaction to same-sex relations, thus presenting an opportunity for American actors to showcase their country's exceptional liberalism.

In contrast, how were Egyptian authorities depicted? Characterizations beyond the label of "traditionalist" did not appear. A clear central figurehead to represent the Egyptian authorities was unavailable for journalists to focus on, or potentially glean a colorful interpretation of the episode. Quotes from Helal and other officials were reported, but left to speak for themselves with no insight into who these officials were. The emphasis was placed on the details of the

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<sup>102</sup> Michael E. Naparstek, "Religion After 9-11: Falwell and Robertson Stumble," *Religion In The News*, Fall 2001, Vol. 4, No. 3.

<sup>103</sup> Ibid.

<sup>104</sup> Mary K. Bloodsworth-Lugo and Carmen R. Lugo-Lugo, *Containing (un)American Bodies: Race, Sexuality, and Post-9/11 Constructions of Citizenship* (Amsterdam: In Studies in Philosophy of Peace, Rodopi, 2010), 24.

<sup>105</sup> Ibid, 10.

arrest and the victims of abuse. But there was an even greater silence of America's potential connection to the state-sanctioned abuse.

Journalists did not comment on the U.S.- Egyptian relations, specifically the significant American military aid that, purportedly, helped fund a security apparatus that arrested and prosecuted the "Cairo 52." For thirty years, Mubarak's regime received \$60 billion of U.S. aid, with an average \$1.3 billion annually of exclusively military aid.<sup>106</sup> The closest discussion of the countries' political relations occurred in 2003. U.S. Representatives Barney Frank, Tammy Baldwin, and Tom Lantos, called on members of the U.S. House of Representatives to "withhold any support for a U.S.-Egypt Free Trade Agreement until the government of Egypt stopped its brutal, systematic persecution of gay men."<sup>107</sup> Similarly, when a group of British entertainers in 2002, led by Elton John, promoted a petition to the Egyptian ambassador to the EU, a British parliament member called on the EU to suspend a trade and aid agreement with Egypt if Cairo failed to pardon the men.<sup>108</sup> One press release from the IGLHRC made reference to U.S. aid and accused it of irresponsible complacency.<sup>109</sup> Otherwise, journalists did not comment on the tenuous relationship with Western government funds and the Egyptian state.

A difficult aspect of this conversation is the Egyptian state's own rhetoric: they explicitly framed the trial as a clash of cultures; referring to the men accused of participating same-sex relations as Western agents themselves. As the large part of Egyptian discourse wavered along this essentialist argument, Western, English-language press mirrored the quotes they received from state authorities. Almost all the articles in the fall of 2001 quoted the prosecution lawyer

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<sup>106</sup> Jason Brownlee, *Democracy prevention: the politics of the U.S.-Egyptian alliance* (New York: Cambridge University Press, 2012), 2; 45.

<sup>107</sup> Elise Ackerman, "Egyptian prosecution of gays angers human rights activists," Knight Ridder Washington Bureau, 8 June 2003.

<sup>108</sup> "Sir Elton joins Egypt gay protest," BBC, 18 March 2002.

<sup>109</sup> "Egypt: Europe and the US Bankroll Persecution of Homosexuals in Egypt," IGLHRC, February 12, 2002.

Ashraf Helal saying in court, “Egypt has not and will not be a den for the corruption of manhood...Homosexual groups will not establish themselves here.”<sup>110</sup> A basic reader’s understanding of the quote is severely limited without any historical contextualization or comment on the difficulty of even translating the word, “homosexuality,” much less the concept.

In other words, journalists were reproducing both the language and concepts heard in Egyptian courts at face-value without further interpretation. The language that promoted an East/West divide was present in both Egypt and the United States. In part, the Egyptian discourse was fueled by the effects of colonial legacies. In the United States, it was a combination of the conjectural works by Lewis and Huntington, and that of a country in trauma, lacking the appropriate tools and historical context to process such an attack.

The episode’s central issues, fiercely fought over, were divergent understandings of human sexuality. I am not advancing any excuses for the Egyptian state’s violent reaction, but rather criticizing the limited scope and sensitivity involved in the international discussion of the episode. Schneider’s article, though framing it as a “cultural struggle,” offered more historical context than most articles and successfully highlighted the tenuous relationship between the state and the Muslim Brotherhood: the former attempting to appease the supporters of the latter. But the crux of the matter—varying perspectives on same-sex relations was never explored. American studies scholar Jasbir Puar demonstrated the workings of a “Muslim or gay” binary, and an “Islam versus homosexuality” battle in popular American discourse; characterizations that lead to the “queer agential subject...only ever [being] fathomed outside the normal constrictions of religion.”<sup>111</sup> In other words, the frame of the “cultural struggle” prioritizes notions of faith and religion; it suggests if a man is on one side (a defendant, potentially “gay”)

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<sup>110</sup> Howard Schnieder, “Cultural Struggle.”

<sup>111</sup> Jasbir Puar, *Terrorist Assemblages*, 13.

then he cannot be the other (Muslim). The next section explores the nuances surrounding sexual identity and expression that were ignored or pushed aside for the narrative promoting cultural struggle.

### *Contesting the Closet and Community*

When reporting on issues concerning homosexuality and same-sex relations, reporters continue to routinely refer to two tropes. The first trope paints the queer subject discovering a self-truth, pursuing a more honest life, or following a destined path. It refers to the ubiquitous phrase, “coming out of the closet,” denoting an individual has publicly acknowledged his or her non-heterosexuality. The second trope is a notion of “community” frequently cited in coverage of queer people with little definition or context as to its size, diversity, purpose, or overall nature. All of these tropes subtly contribute to a hegemonic understanding of sexuality rooted in popular Western culture.

In articles citing “the closet” and referring to the process of “coming out,” individuals were not mentioned, but rather the phrase was used to describe collective bodies, such as Egypt or the gay community itself. There are discursive problems surrounding “the closet” that concern individuals in Great Britain, the United States and Egypt. Popular understandings of the closet and coming out have not faced significant contestation in popular discourse; after all, the most well-resourced lesbian and gay human rights organization in the United States, Human Rights Campaign organizes programs for National Coming Out Day across hundreds of schools and college campuses.<sup>112</sup> The journalistic practice of citing the closet as a metaphor when reporting episodes involving same-sex relations, such as the *Queen Boat Trial*, is not exceptional, but

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<sup>112</sup> Mary Lou Rasmussen, “The Problem of Coming Out,” *Theory into Practice*, Vol. 43, No. 2, Sexual Identities and Schooling (Spring 2004), 145.

rather predictable. The closet is entrenched in national British and American culture; nevertheless, I will add to the literature that argues such metaphors are limiting and misleading. I consider the effects of citing “the closet” in discussion of the *Queen Boat* Trial and acknowledge fundamental issues that have been raised by queer theorists.

In two separate articles for *Newsweek*, Joshua Hammer referred to homosexuality as being “buried deeply in the Egyptian closet” and wrote of “the country’s deeply closeted gay community” in his coverage of the *Queen Boat* Trial.<sup>113</sup> With the usage of this metaphor, it is assumed both the writer and reader agree on the standard or rubric for what is in and out of the closet. In all likelihood, Egypt and the “gay community” were being compared to the audience’s perception of queer life in the United States. The possibility of there being divergent interpretations of sexual identity between the American and Egyptian contexts was never acknowledged or discussed. Rather, journalists committed an erasure of historic and cultural differences—a century of queer rights organizing in the United States was put alongside a country with no record of political action on issues concerning sexual minorities.

In addition to the cultural distinctions that arise when employing the metaphor, the popular notion of “coming out” as a public articulation is flawed. Rather, it should be understood as a process that is not always complete or total. This notion was echoed by Barbara Ponse and Mark Blasius who respectively described “coming out” as a building process, or “of fashioning a self—a lesbian or gay self—that did not exist before coming out began.”<sup>114</sup> In other words, more than a revelation, it is as Blasius described, “a lifelong learning of how to become and of

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<sup>113</sup> Joshua Hammer, “Gay Egypt In the Dock,” *Newsweek*, 11 February 2002; Joshua Hammer, “One Man’s Tale,” *Newsweek*, 16 February 2002.

<sup>114</sup> Shane Phelan, “(Be)Coming Out: Lesbian Identity and Politics,” *Signs*, Vol. 18, No. 4, Theorizing Lesbian Experience (Summer, 1993), 774.

inventing the meaning of being a lesbian or a gay man in this historical moment.”<sup>115</sup> Shane Phelan clarified that “coming out” was not necessarily uncovering a truth, or what some might call a “latent lesbianism,” such as playing like a tomboy or if a boy wore makeup.<sup>116</sup> That concept relies on the principle of consistency, which dictates that the “deviation from a gender role is an indication of deviance, either latent or actual, from heterosexuality.”<sup>117</sup> In other words, sexual identity or orientation is not a static element that an individual suddenly discovers, but rather a dynamic and negotiated self-articulation.

Nor does coming out, the traditional understanding of making one self’s sexuality public, need be necessary. In *Black in the Closet*, Akanke explained she kept her sexual identity private to maintain relations with her Black community, explaining that it “far outweighs any desire to openly asset my sexuality.”<sup>118</sup> Thus it might be out fear of ostracism, potential violence, or for much less intense motivations (not a priority) that individuals refrain from coming out. As demonstrated by the earlier mention of Human Rights Campaign, there is a “sense that dominant discourses relating to lesbian and gay politics tend to offer no moral alternative BUT to come out.”<sup>119</sup> Tony Adams explained the paradox in this approach, for it does not take into account that “there are punishments for a gay person who comes out or does not, for coming out too soon or not soon enough, for trying to complete the coming-out process or finding completion impossible, for coming out most of the time, some of the time, or never at all.”<sup>120</sup> In spite of all this difficulty, and there not existing a right answer, an unquestioned sense of shame and unhealthiness is

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<sup>115</sup> Mark Blasius, *Gay and Lesbian Politics: Sexuality and the Emergence of a New Ethic*, (Philadelphia: Temple University Press, 1994), 55.

<sup>116</sup> Phelan, “(Be)Coming Out,” 774.

<sup>117</sup> Ibid, 775.

<sup>118</sup> Akanke, “Black in the closet,” *Challenging Lesbian and Gay Inequalities in Education*, ed. Epstein D. (Buckingham: Open University Press), 144.

<sup>119</sup> Rasmussen, “The Problem of Coming Out,” 146.

<sup>120</sup> Tony E. Adams, “Paradoxes of Sexuality, Gay Identity, and the Closet,” *Symbolic Interaction*, Vol. 33, No. 2 (Spring 2010), 239.

projected onto those who have not come out.

Above, I presented several concerns surrounding, “coming out of the closet.” First, “coming out” should be understood as a “becoming” of any sexual identity—what that process might look like in an Egyptian context is undetermined and contested. Second, any public articulation of that identity should not be understood as a necessary exercise. A characteristic of the episode that complicates the examination of the closet further: government authorities and local media coverage, in part, outed the defendants as gay—or at the very least, labeled them with a marker that refers to same-sex practice—in a public space. “The man did not describe himself as gay, but several other arrested men who said they were gay said that until their arrests, their families did not know,” wrote Sarah Kershaw in *The New York Times*.<sup>121</sup> These men had not come out to their families, but some of them did identify as gay, thus already subsumed in a process of “becoming.” Who is to say that the man who did not describe himself as gay was in his own process of “becoming,” maybe not a typical Western gay identity, but a different articulation altogether? None of the men mentioned in the article wanted to be publicly out—but if they were all found present in a space catering to individuals of queer proclivities (the *Queen Boat*), then that would suggest they were out of the closet, at least to a certain extent. In other words, to characterize a country or community as closeted misleads readers to imagine stagnation, dormancy, or limited agency on the part of the defendants. Ultimately, the popular understanding of coming out needs to be contested in popular American and British discourse that prioritizes the packaged, narrowly defined, and legible “I’m gay” declarative statement.

The emphasis on identity, or “being” rather than “doing,” appeared often, especially in conjunction with a self-described gay activist, Horus (a pseudonym he chose for himself). He was quoted in both British and American outlets and was featured in a *Newsweek* profile. The

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<sup>121</sup> Sarah Kershaw, “Cairo, Once ‘the Scene,’ Cracks Down on Gays,” *The New York Times*, 26 March 2003.

narrative repeatedly turned to tropes of being: his coming out story to his family; the sentiment that he was “hiding who [he] really [was];” the act of “revealing his sexual identity;” and “finding a new identity.”<sup>122</sup> All of these tropes refer to the *de facto* Western understanding of homosexuality and coming out. I am not suggesting these are inauthentic sentiments, rather I raise the question: why is this the selected narrative? I refer to Orgad’s theorizing in her own media study:

...[I]magination must be nourished by personal experience, but also, fundamentally, by collective cultural representations...The ‘stretching’ of social relations across time and space relies on the generation and fostering of a collective global imagination: a sense of ourselves and far-away other traversing a common global social space; a sense of distant places, people and cultures being relevant and connected to us, here and now.<sup>123</sup>

In other words, Horus’ narrative was chosen, featured, and framed in such a manner, because it is ultimately familiar. How does a journalist report on a trial of men accused of same-sex relations in Egypt? He found a story an American audience can easily access and tap into; the actions of hiding, revealing, and finding all connect to the mainstream narrative of coming out. Though Egypt and the actions of state authorities during the *Queen Boat* Trial were distant and foreign, Horus’ individual story represents the “collective global imagination,” or the hegemonic understanding of sexual articulation. Again, Orgad proficiently defines the nature of discursive power structures: “Hegemony is not forced; rather, it relies on winning approval or consent based on *common sense*. Ideology operates through the production, legitimization and sustenance of common sense: taken-for-granted, self-evident truths, which are often accepted uncritically.”<sup>124</sup> The reliance on framing sexual preferences through a paradigm of identity formation is *de facto*, a common sense understanding in popular Western media. The mention of a married man among the defendants who did not describe himself as gay only appeared once in

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<sup>122</sup> Joshua Hammer, “One Man’s Tale,” *Newsweek*, 16 February 2002.

<sup>123</sup> Orgad, *Media Representation*, 3.

<sup>124</sup> *Ibid*, 26.



the coverage (quoted above in the *New York Times* story). The last line of that article was from another individual: “‘It was so painful to write that,’ he concluded. ‘And letting other know what I’ve been through for what I am.’”<sup>125</sup> The last three words of the article, “what I am,” signify the understanding of an individual’s sexual practice to translate to an element of identity and being. In other words, it is not solely what person might do (flirt, kiss, or sleep with men), but what he is (a person who not only prefers same-sex relations, but accepts that as a self-definition).

Western media in their coverage of the *Queen Boat* Trial prioritized the latter; the assumption was that the men involved fit the standard Western understanding of gay or homosexual as demonstrated by the trope of the closet and a narrow understanding of the coming out process.

Issues of class and race must be addressed, both pivotal characteristics that often go unremarked in mainstream coming out narratives. These two categories were implicit in the discussion of a “culture clash,” and require further explanation. The characterization of the defendants, the “Cairo 52,” as part of the secular liberal bloc or as victims of religious fundamentalism codes them as white and potentially affluent. Moreover, labels of non-heterosexuality, particularly “gay,” tend to connote the image of a white, middle-class male. Together, these characterizations obscure the concerns of low-income populations—concerns that might supersede any desire to come out. It is noted in Horus’ *Newsweek* profile that he was “[b]orn into an upper-middle-class Cairo family.”<sup>126</sup> I do not want to mitigate the tribulations Horus expressed, but rather highlight who or what type of individual is being selected for the interview. Coincidentally, Ian Barnard cited the same publication in his critique of queer representations in the United States:

Thus when wealthy lesbians and gay men are featured on the cover of *Newsweek* or in television interviews, or when polls “prove” that lesbians and gays are more prosperous

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<sup>125</sup> Sarah Kershaw, “Cairo, Once ‘the Scene,’ Cracks Down on Gays,” *The New York Times*, 26 March 2003.

<sup>126</sup> Joshua Hammer, “One Man’s Tale,” *Newsweek*, 16 February 2002.

than their heterosexual counterparts, the media is praised for the positive depiction of “our community” by the elite group of lesbians and gay men who are criminally ignorant of (or systematically ignoring) homeless queers, poor queers, and jobless queers.<sup>127</sup>

Here Barnard articulated an additional consideration—the persistent claims to a community that is never described nor defined. Rather, profiles of single individuals are used to stand-in for the larger community. In a separate article, Horus is quoted saying that after the trial, [Egypt] will go “back in the closet.”<sup>128</sup> If the closet is a highly subjective space informed by an individual’s experience of oppression, then Horus’ statement cannot be understood as the standing judgment. After all, what is Horus’ Egypt? Who is in his community? And what are their priorities?

The second reoccurring trope in the articles was a reference to the “gay community” in Egypt, most often described as shocked and terrified during the *Queen Boat* Trial. A writer on the *Philadelphia Inquirer* referred to the fear of “the nation’s gay community,” and described it as “the largest in the Middle East.”<sup>129</sup> Some writers, like Neil MacFarquhar of *The New York Times*, cited a hypothesis that explained the government’s crackdown as a response to “an increasingly open and vocal gay community.”<sup>130</sup> Where was this large and vocal community in Egypt? A *Newsweek* piece referred to the “urban centers such as Alexandria and Cairo,” where “affluent neighborhoods offer a handful of nightclubs, discos, and bars where gay man can fraternize.”<sup>131</sup> A BBC article located it elsewhere—in an “underground” digital space, described as a “cyberspace community,” that was compromised when internet sites were shut down.<sup>132</sup> In both instances, a class distinction can be identified: members of this community have the means

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<sup>127</sup> Ian Barnard, *Queer Race: Cultural Interventions in the Racial Politics of Queer Theory* (New York: Peter Lang, 2003), 3.

<sup>128</sup> Caroline Hawley, “Egypt Faces Backlash as 52 Gay Men Go On Trial,” *The Independent*, 17 August 2001.

<sup>129</sup> Elise Ackerman, “Egyptian gays living – and fleeing – in fear,” *The Philadelphia Inquirer*, 16 June 2003.

<sup>130</sup> Neil MacFarquhar, “Egypt Tries 52 Men Suspected of Being Gay,” *New York Times*, 19 July 2001.

<sup>131</sup> Joshua Hammer, “Gay Egypt In the Dock,” *Newsweek*, 11 February 2002; Joshua Hammer, “One Man’s Tale,” *Newsweek*, 16 February 2002.

<sup>132</sup> “‘Extremist’ gay trial resumes in Egypt,” BBC, 18 July 2001.

to frequent moneyed social venues and/or access the Internet for online social hubs. These privileges were not commented on and together contribute to the concept of a “mythic monolithic gay male community, based on a unified gay male identity, which often reductively translates into ‘white middle-class forms of same-sex relations.’”<sup>133</sup> It is references such as these that lead readers to believe gays, lesbians, and queers share fundamental social and economic circumstances. Piontek commented on this phenomenon in reference to the Stonewall riots:

Unfortunately, the concept of a gay identity that supposedly unites people across race, class, gender, and time has resulted in the policing of that identity’s boundaries and the concomitant exclusion of the gay community’s “others,” be they female, nonwhite, working class, or transgendered.<sup>134</sup>

In other words, discussions and resulting representations of the Egyptian gay community, or same-sex relations in the country as a whole, might be severely limited. How much were American and British journalists projecting what they knew and were familiar with their own domestic gay culture onto Egypt? How much of what they reported was an honest representation? Egyptian authorities and Western media both described the Egyptian gay community either with metaphorical tropes or explicit labels that connote and/or denote liberal, secular, affluent, Western-minded individuals. Egyptian authorities used this characterization as a tool for demonization and Western media employed it to create uncomplicated narratives, fostering the readers’ affinity for the news object made familiar and empathetic. Where were the Arab, Muslim, working-class queers? Or were there none? A features piece by *New York Times Magazine* presented a different account of the episode and alternate voices.

The last piece written on the *Queen Boat* Trial, and the lengthiest, was published in *New York Times Magazine* in 2004: “Prisoners of Sex.”<sup>135</sup> The features piece written by Negar Azimi,

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<sup>133</sup> Cindy Patton, *Fatal Advice: How Safe-Sex Education Went Wrong* (Durham: Duke University Press, 1996), 143.

<sup>134</sup> Thomas Piontek, *Queering Gay and Lesbian Studies* (Urbana: University of Illinois Press, 2006), 3.

<sup>135</sup> Negar Azimi, “Prisoners of Sex,” *New York Times Magazine*, 3 December 2006.

a senior editor of *Bidoun*, a premier journal on Middle Eastern cultures, was the most well-researched, acutely contextualized, and in-depth reporting on the episode. The article's focus was to report on the nature of the policing of homosexuality in the Arab world. Throughout the piece, there are instances of helpful historicization: Orientalist depictions of homosexual safe havens, the colonial legacies attached to Egypt's law against debauchery and prostitution, and the powerful role of the religious elite in public Egyptian discourse. The expected interview with an "Arab homosexual" stands apart from the quotes studied above. Azimi told the stories of Hassan and his friends, who reside in Tanta—not the most often referred to cities of Alexandria and Cairo. As Azimi described, Tanta is "a drab industrial town on the Nile," halfway between the two biggest metropolises. This geographical choice offered an alternative narrative than what had been previously published:

Though it is difficult to speak of a gay community in Tanta (not all men who sleep with men in Egypt use the term "gay," much less identify themselves as such), Hassan is a ringleader of sorts, a thread between generations. A youthful 37, he comes from a working-class family—his father runs an auto-parts shop...<sup>136</sup>

First, the idea of community itself is put into question and contested; the writer informed the readership that only tenuous analogies could be made between what is understood to be a gay community in the United States or Great Britain to the particular social ecosystem she reported on in Egypt. Second, it is made explicit that the term Western journalists so readily use to refer to individuals engaging in same-sex relations should not be taken for granted, specifically in a different cultural context. Third, the selection of Hassan as a case study provided the audience a different conception of a queer Arab: though "youthful," not a young man, and from the working-class. Additionally, Azimi included a discussion between Hassan and his friend Mo

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<sup>136</sup> Ibid.

about how homosexuality is perceived within Islam—and a detail was made explicit: “Both of them considered themselves practicing Muslims.”<sup>137</sup> Finally, there is an opportunity to read about a Muslim Egyptian from the working-class who was understood to engage in same-sex relations, but never directly labeled or referred to as gay.

Towards the latter half of the article, Azimi discussed the role of Western human rights organizations during the *Queen Boat* trial. She described the manner in which advocacy for the “Cairo 52,” became a celebrity cause. She quoted both Hossam Bahgat and Scott Long, and the role of their respective organizations, EIPR and HRW, in the advocacy campaigns—including the success of the latter’s report on torture. Ultimately, the episode and the larger question of the nature of policing sexuality in the Arab world was given a fair, comprehensive treatment that did not resort to tropes, such as the culture clash, and the gay closet and community. In the next section, I look at a 2003 documentary that once more essentialized queer identities and examined the pursuit for and oppression of LGBT rights in a historical vacuum—without mention of colonial pasts.

### *Ignoring Historical Legacies*

The 2003 documentary, “Dangerous Living: Coming Out in the Developing World,” directed by John Scagliotti and endorsed by Human Rights Watch, was received with warm praise as a pioneering work to tackle such a difficult and unfamiliar topic.<sup>138</sup> Certainly, the film educated audiences of a horrifying slate of violent homophobic government reactions of the prior decade. Yet, certain grouping of countries and queer experiences were misleading and limiting.

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<sup>137</sup> Ibid.

<sup>138</sup> First Run Features, “Dangerous Living,” <http://www.firstrunfeatures.com/dangerousliving.html>; World Learning, “World premiere of “Dangerous Living” sponsored by SIT’s Netherlands program,” 9 May 2005, <http://ourworld.worldlearning.org/site/News2?page=NewsArticle&id=6341>.

The film immediately described a widespread LGBT movement among developing nations; the first few minutes presented inter-cutting scenes of individuals from different countries commenting on living in the closet, participating in an underground scene, and pursuing advocacy causes—ignoring any distinctions among them, but rather presenting them as part of the same monologue. Throughout the documentary, comparisons were made between episodes of the American LGBT rights movement from the 60s and 70s to contemporary happenings in the “developing world.” The narrator described “gay meccas” forming in Cairo, Bangkok, and Calcutta to resemble those popular in San Francisco, Greenwich Village, and Amsterdam. The international outcry that resulted from the *Queen Boat* Trial was compared to the increase in protests against Anita Bryant in 1970s Florida. The pursuit for LGBT rights was framed as a natural, inevitable process that is defined by the notion, “action breeds reaction.” Differences in understanding and expressing queer identities was not considered; rather it was assumed that LGBT categories were *de facto*, the only way to approach the topic.

Differences in historical pasts—or reasons as to why the developing countries were labeled as such—were ignored. One interviewee from Pakistan referred to his country’s colonial past to be responsible for the law criminalizing sodomy. Otherwise, the documentary does not acknowledge these countries’ histories of subjugation from imperial forces. Homosexuality is described to have existed throughout history, and it is often remarked by interviewees throughout the documentary that tolerance for same-sex relations flourished in the past. One-line comments from interviewees such as “Homophobia is a Western thing,” and “Homosexuality is not a Western practice, but talking about it is,” are left unexplored, without any further discussion or unpacking. Clips commenting on the *Queen Boat* Trial served as anchors throughout the film, with one quote standing out in particular from a defendant standing in the cage of the court

chamber—the same scene with which this chapter began. The man is asked by a journalist what he has been accused of and incredulously replied, “I’ve been accused of being a faggot, gay or homosexual. And I wasn’t even with anybody.” The line captures the tension of the being/doing dichotomy—a man can be considered gay separate or abstracted from his sexual practice. The Pakistani interviewee spoke to this notion, explaining a man in his country can practice his homosexuality, but cannot identify as one or speak of it. The filmmakers do not investigate or question the heterosexist state project, nor the historical legacies that link it to past colonial agendas. In other words, the documentary referred to the paradigm articulating LGBT categories, and the Western epistemology to understand and classify same-sex relations, as incontestable, common sense, and the only way forward.

### *Conclusion*

Western press largely discussed the *Queen Boat* Trial detached from its Egyptian cultural context—and its particular understandings, tensions, complications for expressing sexual identity. Rather, Western press submitted coverage of the episode through an exclusively Western paradigm that frequently rendered defendants of the trial as gay or homosexual exactly as American and British readers might understand it to apply in their own cultural contexts. Sympathies for the “Cairo 52” can be, in part, attributed to their characterization as (1) secular and liberal individuals, (2) victims of religious fundamentalism, and (3) traditional homosexual subjects—in which identity, rather than practice, was the focus; and race, class, and religious characteristics were ignored.

The first two threads of characterization were fueled by framing the episode as a “cultural clash” that pitted the defendants together with the United States—a recent victim of religious

fundamentalism itself. Moreover, it was an opportunity to frame the United States as a champion of liberal exceptionalism—with a disregard to its funding of the Egyptian security apparatus. The third thread was pursued via the usage of common tropes, such as the closet, community, and a reductive understanding of the coming out process. The queer individuals selected for interviews and those most referred to fit the mold of the traditional homosexual subject that self-identified as gay and was most often middle-class, non-religious, and spoke fluent English. This subject was most likely to garner interest and empathy from the American and British reader. Coverage of the episode with reference to the cultural differences in understanding sexual identity and expression or of the historical legacies that produced them was rare. The danger of ignoring these differences and assuming LGBT categories are an incontestable paradigm to understand and classify sexuality will obstruct and hinder any alternative forms of self-identification and advocacy that might be more successful in that specific cultural setting.

In the next chapter, I tackle the press releases and reports issued by Human Rights Watch, Amnesty International, and the International Gay and Lesbian Human Rights Commission on LGBT-labeled issues, primarily from 2001-2004. I seek to chart out and examine how Western activists approached cultural relativist concerns in their advocacy in Egypt and how they described the “Cairo 52”—the defendants of the *Queen Boat* Trial. The critical aim of the following chapter is defining ‘discursive violence’ and identifying such instances of misinformation and historical erasure in a discussion of queer sexualities in transcultural contexts.



### Chapter 3: Western Advocacy for the “Cairo 52”

In this chapter, I will demonstrate the diversity in methodology and language among three of the most active human rights organizations campaigning for the “Cairo 52”: Human Rights Watch (HRW), Amnesty International (AI), and the International Gay and Lesbian Human Rights Commission (IGLHRC). Through inquiry and brief storytelling, these organizations will be made personal; that is to say I will show their growth and change over time through individuals’ choices, rather than through the prism of a large, automatic monolith. Accordingly, my first claim challenges the common description of the organizations as a single unit, either operating under the same assumptions or employing uniform approaches to advocacy. Just like the people who run them, the three organizations’ campaigns were inconsistent, variable, and evolving. My sources are English-language documents: mostly press releases and reports issued by the organizations themselves and a few media items that comment on the activists’ work to raise awareness on the “Cairo 52” and condemn the Egyptian state.

Additionally, I will acknowledge concerns of an imperialist discourse, which I will refer as instances of “discursive violence.” For the purposes of this study, the term refers to the harm inflicted—either to individuals or to advocacy aims—through the deployment of language and discourse that lack a political, historical, and cultural awareness or context. Various interpretations of the term have been used, though most relevant to my research aims has been articulated by Peter McLaren, Zeus Leonardo, and Rickey Lee Allen:

Discursive violence, as some semiotic Marxists have suggested, occurs when the historical *work of meaning* is obscured and meaning is fetishized as natural and not recognized as being produced in historical struggle. Or as John Thompson suggests, discursive violence is the power to *make a meaning stick*. Violence here is a product of the struggle over signification of social life.<sup>139</sup>

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<sup>139</sup> Peter McLaren, Zeus Leonardo, and Rickey Lee Allen, “The Gift of Si(gh)ted Violence: Toward a Discursive Intervention into the Organization of Capitalism,” *Discourse*, Vol. 21. No. 2 (Spring 1999), 142.

For example, the historical and political dimensions of “homosexual” and “gay” are often disregarded; the terms are reproduced and applied to diverse contexts without a consideration for their particular origins and connotations. Subsequently, these terms are pushed to become a norm, *de facto*, muting the possibility for alternative vocabulary and epistemologies to emerge. Ultimately, a power hierarchy, positing the “West” as superior, is reproduced by exercising ignorance (often in the form of silences), assuming knowledge of unfamiliar cultural and sexual practices, and relying on English language-specific terminology to frame and understand a distinct, culturally complex episode.

How do instances of discursive violence negatively affect the subjects of these campaigns? First, a campaign articulated with instances of discursive violence risks losing its audience, either through misunderstanding or insult. Human rights organizations are tasked to pay close attention to the nature of human rights abuses and the cultural and political contexts that surround them, so they can best respond with informed denunciations and fair demands for reform. The manner in which human rights organizations express their grievances determines the response of the abusers and members of civil society anticipated to champion the defendants’ rights. Secondly, a discussion of discursive violence is also an examination of ethics, an assessment of the equity and relevance of a language to a particular episode. In other words, the negative consequences are also felt at an abstract level for it explores the question: “Who and how can individuals name, define, and describe me?” An individual’s agency is compromised when labeled by another actor without prior dialogue or consultation. Throughout this chapter, I highlight and explore the most significant semantic difficulties that can be understood as instances of discursive violence.

Why do instances of discursive violence occur? As I discuss in chapter one, the hetero-/homosexual binary and the LGBT framework understood and recognized in cultural and legal spheres in American and British contexts has become the *de facto* ontology for understanding and assigning sexuality and expressions of queerness. For the activists discussed in this chapter, describing or explaining the possibility of a nonstandard queerness was, for the most part, either considered too difficult an exercise or wholly ignored. Making room for individuals to articulate alternative methods of self-identification that are in addition to categories (LGBT) many people are still struggling to comprehend continues to be an obstacle in media and advocacy circles. In this study, I recognize a wide range of potential variables that account for the instances of discursive violence that prove to be more tangible than ‘imperialist impulses’—predominantly the scope of organizational resources, financial and temporal commitment to research agendas, and the long-established media practices that favor straightforward and familiar exposition.

Though I identify instances of discursive violence, I argue that over time activists shifted their language and methodology to be more sensitive to issues of cultural relativism—specifically, I will show Massad’s polemical and condemnatory article affected the language used by activists, in particular Scott Long. As Long transitioned from his position as Program Director at IGLHRC to founder and director of the LGBT Rights Program at HRW, his language grew more self-aware of cultural relativist concerns and he was able to pursue in-depth reporting. Ultimately, a dialogue is discovered between activists and academics: though not directly apparent (or amicable) each side was heard and perspectives were fine-tuned with the rough, sometimes acidic, exercises in discourse. In addition to Massad’s impact on Long’s language, I also consider the latter’s increase in organizational resources and editorial control at the larger and better funded HRW—compared to the smaller IGLHRC. In the next section, I explore

Long’s trajectory and his significant impact on the advocacy for the “Cairo 52.” I illustrate his shift towards a queer rhetoric during the time of the *Queen Boat* Trial—setting the stage for a macro view of the organizations’ methodologies in the chapter’s second section.

*Scott Long’s Human Rights Campaign | 2001 - 2004*

Round, tortoise shell glasses and a golden-hued mustache framed Scott Long’s solemn, unsmiling portrait; his image was often featured in media accounts of the LGBT rights advocate’s numerous campaigns and middling confrontations with other activists and academics.<sup>140</sup> Long was born and raised in southwestern Virginia, quickly moving through high school and college (graduating at 18) from Radford University with a degree in English and American Literature.<sup>141</sup> After completing his Ph.D. dissertation at Harvard on Vladimir Nabokov, Long became an English professor at the Eötvös Loránd University in Hungary, and for two years served as a senior Fulbright professor at Babeş-Bolyai University in Cluj, Romania.<sup>142</sup> It was in Romania, Long began doing human rights work: “documenting and defending people imprisoned under the country’s sodomy law.”<sup>143</sup> After founding LGBT groups in both Romania and Hungary, Long moved back to the United States and accepted a position with IGLHRC in 1997.<sup>144</sup> His work abroad had made waves—both AI and HRW responded to his work in Romanian prisons with policy papers denouncing the treatment of the detainees.

Serving as Policy Director of the International Gay and Lesbian Human Rights Commission (IGLHRC), Long began his campaign for the “Cairo 52” in July 2001, almost two

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<sup>140</sup> “Disgraced Human Rights Watch’s Queer Director Scott Long Quits After ‘Blinding Effusion of White Light,’” Queerty, <http://www.queerty.com/disgraced-human-rights-watches-queer-director-scott-long-quits-after-blinding-effusion-of-white-light-20100823/#ixzz2XtOE0zeN>.

<sup>141</sup> Scott Long, “About Me,” Personal Website, <http://paper-bird.net/about-me/>.

<sup>142</sup> Ibid.

<sup>143</sup> Ibid.

<sup>144</sup> Ibid.

months after the arrest, with a joint press release with HRW.<sup>145</sup> In February, Long and Sharon Burke, Middle East Advocacy Director for AIUSA, led a forum in New York City on international LGBT human rights, focused on the “Cairo 52.”<sup>146</sup> Long’s footprint on the advocacy efforts continued into August when IGLHRC published a press release stating that a key human rights body of the United Nations (U.N.) in San Francisco had published a decision condemning the arbitrary detention and trial of presumed homosexuals in Egypt. The document mentioned that it was Long who “met last April with the group’s Chairman, Mr. Louis Jenet, as well as other U.N. representatives, and urged them to take action on the case.”<sup>147</sup> After little more than a year, Long played a role that increased recognition for the “Cairo 52” by the three most significant international institutions advocating human rights: HRW, AI, and the U.N.

The extent of Long’s role cannot be precisely delineated, yet it is unlikely the “Cairo 52” would have received the exceptional amount of coverage if it were not for his commitment to the accused men. In 2003, Long joined HRW and in his first year became the founding director of the LGBT Rights Program within the organization. Subsequently, HRW proved to be the most active organization commenting and advocating for the “Cairo 52.” Long traveled to Egypt and sat in on the trial as an official observer for three months in early 2003, and then again in November of that same year for its last session.<sup>148</sup> His time researching in the country led to the most comprehensive text available on the *Queen Boat* Trial, published in 2004, “In a Time of Torture: The Assault on Justice in Egypt’s Crackdown on Homosexual Conduct.” In that same

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<sup>145</sup> “Egypt: Emergency Court Trials for Homosexual Suspects,” IGLHRC Press Room (Press Releases), July 3, 2001, <http://www.iglhrc.org/content/egypt-emergency-court-trials-homosexual-suspects>.

<sup>146</sup> “New York Event: Amnesty International and IGLHRC Host ‘Cairo 52: A Case Study in LGBT Human Rights Abuses,’” IGLHRC Press Room (Press Releases), February 2, 2002, <http://www.iglhrc.org/content/new-york-event-amnesty-international-and-iglhrc-host-cairo-52-case-study-lgbt-human-rights>.

<sup>147</sup> “Egypt: United Nations Condemns Trials of Suspected Homosexuals: Groundbreaking Step by Major U.N. Working Body,” IGLHRC Press Room (Press Releases), August, 18, 2002, <http://www.iglhrc.org/content/egypt-united-nations-condemns-trials-suspected-homosexuals>.

<sup>148</sup> Scott Long, “The Trials of Culture: Sex and Security in Egypt,” *Middle East Report*, No. 230 (Spring 2004), 13.

year, Long published “The Trials of Culture: Sex and Security in Egypt” in the *Middle East Report*’s thematic issue on “Sexuality, Suppression, and the State.” His journal article further cemented Long’s legitimacy as an expert on the topic of same-sex relations in Egypt (though it is important to note his lack of fluency in Arabic) and provided him with the opportunity to articulate his intellectual positioning and mount refutations to Massad’s argument—a discussion I briefly mentioned in the previous chapter.

In his *Middle East Report* article, Long began his response to Massad in a section titled, “Culture as Monolith.” He wrote, “Since the Queen Boat events, some liberal metropolitan intellectuals have also sought to play off putatively cohesive ‘tradition’ against culture-corroding rights.”<sup>149</sup> He addressed Massad by referring to the argument of “one well-known polemic” and mounted two principal critiques against his work: first, that the concept of an authentic culture is flawed, and second, that Massad misinterprets the power and intentions of human rights organizations. In regards to the former, Long explained that culture is inherently vulnerable “to influence and exchange,” particularly “post-colonial societies where hybrid culture has been imposed by force.”<sup>150</sup> But not all interchange is “conquest,” he insisted. Long described social understandings of sexuality as part of “borrowing and revisions [that] negate the notion any interpretation can be pinned to permanence, accused of being alien or applauded as ‘authentic.’”<sup>151</sup> Long identified commercial forces as powerful avenues to influence social understandings of sexuality, and located the mission of human rights organizations to “include, rather than preclude, the right of people to define and name themselves.”<sup>152</sup> Massad’s article on the ‘Gay International’ was also referred to and cited in a footnote in the HRW report; its

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<sup>149</sup> Ibid, 15.

<sup>150</sup> Ibid, 18.

<sup>151</sup> Ibid, 19.

<sup>152</sup> Ibid, 20.

treatment was identical to the counter-arguments found in Long's commentary. The same articulations on the active/passive dichotomy, usage of the label "*khawal*," and Massad's specious claims concerning cultural authenticity all appeared in the report as well as the commentary. Long addressed the HRW report as "forthcoming" in the commentary, thus both documents were written in the same time period.<sup>153</sup>

Though HRW had only published six documents during the trial, the report published under Long's new leadership, was the longest, most exhaustive document written on the "Cairo 52." Totalling 150 pages, it is mostly composed of personal testimonies, and supplemented by substantial historical contextualization and cultural analyses. Significant shifts in terminology from the AI and IGLHRC documents occurred: the men are not characterized as gay, homosexual, or even as alleged homosexuals. Rather the act is referred to, beginning on the first page: "The victims are men suspected of having sex with men."<sup>154</sup> This is also reflected in the report's subtitle: "The Assault on Justice in Egypt's Crackdown on Homosexual Conduct." Unlike the prior press releases that referred to the men either as "gays" or "alleged homosexuals," which inevitably raised issues of identity, the HRW report focused on the nature of the action or conduct. In describing the cultural milieu surrounding the *Queen Boat* Trial, the report stated: "Before the headlines, Cairo had the tentative beginnings of a community of men who desired other men—people who perceived a commonality among one another, and sometimes (though not always) described themselves as 'gay.'"<sup>155</sup> The report went at length at capturing the diversity of sexual expression in Egypt, particularly in the "Methodology, Terminology" section, in which remarks are made on the recent historical coinage of terms and concepts, such as "gay,"

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<sup>153</sup> Ibid, 13.

<sup>154</sup> "Time of Torture," 1.

<sup>155</sup> "Time of Torture," 2.

“homosexual,” and “sexual orientation.”<sup>156</sup> It was these choices in language and methodology in the report—allowing for variation and making explicit the risks of simply labeling the defendants as ‘gay’ as Western readers might understand—that ensured instances of discursive violence were avoided.

As I demonstrate in the next section, the material produced by the AI, HRW, and IGLHRC in the 1990s also boasted similar sections that made clear the dangers of understanding sexuality solely through the hetero-/homosexual binary or the traditional LGBT categories. Rather, activists in that period included a disclaimer in their material stressing the inherent fluidity of sexuality and encouraging the articulation of other expressions of queerness. I argue that reports from the three organizations during the campaign for the “Cairo 52” were not as responsible; in fact, before the HRW report in 2004, there was no discussion of cultural relativist concerns or alternative queer practices and expressions. The reason for this shift remains unclear, though a lack of training material and resources, loss of institutional knowledge, and the swelling momentum of identity politics in both the United States and Great Britain are potential factors.

### *Defining LGBT Rights Advocacy | 1990s*

This section seeks to provide an overview of how the three human rights organizations, AI, HRW, and IGLHRC, first defined their LGBT advocacy platforms. Some of these reports were formulated and published before the *Queen Boat* Trial, thus they serve as the guiding material or rubric for reports and press releases that followed. I demonstrate that AI and IGLHRC published materials that avoided instances of discursive violence; rather, the two major reports on LGBT rights advocacy from each organization, respectively, delineated the limitations of employing solely LGBT categories or terminology: there are more ways for an individual to

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<sup>156</sup> “Time of Torture,” 4.



identify and express his or her sexuality that might not be listed. The reports from HRW in this period lacked the breadth of vocabulary and the length of discussion on the topic of terminology compared to AI and IGLHRC. A difference attributable to the level of knowledge the latter organizations possessed: IGLHRC was wholly committed to advocating LGBT rights and had lobbied AI to join its efforts, thus providing considerable resources and guidance on the subject. The following analyses also serve as a means of comparison to the later documents, thus providing an opportunity to note any change over time in addressing issues of LGBT advocacy.

AI demonstrated a significant concern for cultural relativist critiques in their initial materials advocating for LGBT rights. As mentioned in the prior chapter, AI officially adopted a LGBT rights advocacy platform in 1991. In that year, the organization released the handbook, *'The Louder We Will Sing': Campaigning for lesbian and gay human rights*, which framed lesbian and gay rights as human rights, providing excerpts from testimonies from abused individuals, sections on the historical LGBT rights movement and international legal approaches, and advice on how to organize local chapters. The handbook boasts a strong awareness of the cultural relativist concerns, carefully addressing the wide range of issues involved (nearing a word count of 15,000). One of the excerpts most relevant to this study falls under the "Common Questions" portion when asked, "Are lesbian, gay, bisexual and transgender rights really universal?" The subsequent answer acknowledged "the diversity of LGBT experience," citing that "LGBT organizing in Africa, Asia, Latin America and the Middle East is not based on Western models but is forging its own language to claim rights of sexual orientation." The section continues to explain the "need to view critically such concepts as 'sexual orientation' and 'lesbian and gay' which are the products of a particular cultural and historical moment."<sup>157</sup> A

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<sup>157</sup> Chapter 7: Some common questions, "'The Louder We Will Sing': Campaigning for lesbian and gay human rights," Amnesty International Publications, 1999.

note on terminology is also included, highlighting the limitations of English terms such as “lesbian” and “gay.” The authors of the handbook explain that the use of these terms is due to their usage in international human rights discourse, but that “this is no way intended to ignore the diversity of other terms and identities, nor to deny the cultural connotations attached to these two terms.”<sup>158</sup> As demonstrated by the above lines, word choice is precise and the language is both informed and accessible; the organization delivered the message that despite the difficulties of advocating for LGBT rights, it is a necessary and feasible mission.

HRW did not articulate significant concerns for cultural relativist critiques in their early advocacy reports on LGBT rights. Though the HRW LGBT Rights program officially launched during the *Queen Boat* Trial, the organization had published three earlier reports concerning issues of sexual orientation.<sup>159</sup> The second report (1998), concerning Romanian criminal law, would be the document most likely to address issues of cultural relativism; accordingly, it offered a paragraph on the “recent coinage” of sexual orientation, describing it as “an intricate complex of factors which determine the objects of one's sexual and emotional desires, it defines a profound and rooted aspect of each individual's personality and humanity.”<sup>160</sup> The description attempted to lay out the concept in broad terms, beginning three sentences with the same phrase: “For heterosexuals as well as for lesbians, gay men, bisexuals, and transgendered persons...” followed by repeated assertions to the importance of selfhood and the right to both define and express sexual identity. The description did not go beyond analogies: comparing the life experiences of heterosexuals and homosexuals. For example, it did not consider the cultural and

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<sup>158</sup> A Note on Terminology, “The Louder We Will Sing.”

<sup>159</sup> “A Ruling Inspired by U.S. Anti-Pornography Activists is Used to Restrict Lesbian and Gay Publications in Canada” (1994), “Public Scandals: Sexual Orientation and Criminal Law in Romania” (1998), and “Hatred in the Hallways: Violence and Discrimination Against Lesbian, Gay, Bisexual, and Transgender Students in U.S. Schools” (2001).

<sup>160</sup> Summary and Recommendations, “Public Scandals: Sexual Orientation and Criminal Law in Romania,” Human Rights Watch (1998), <http://www.hrw.org/legacy/reports97/romania/Romsex2.htm#1.%20SUMMARY%20AND>

historical understandings of “sexual orientation,” and how the analogies might fall flat if a reader did not acknowledge or understand a hetero-/homosexual binary in the first place. In the third report (2001) concerning discrimination in U.S. schools, a reader can find a glossary of terms that provided the multiple variations individuals in the report expressed sexual identity, in addition to the respective LGBT categories, there was butch, femme, intersex, and queer. Because the report’s topical breadth remained within American schools, there was no inclination to discuss cultural relativist concerns: presumably, all parties involved, both the victims and the audience (press, school administrators, legislative bodies) understood the hetero-/homosexual binary. The same thinking applied to the first report (1994) that addressed censorship of lesbian and gay publications in Canada: it adopted the hetero-homosexual binary as default with no discussion of alternative ways of expressing sexuality (expected since it exclusively dealt with Canadian and American actors). Prior to the *Queen Boat* Trial, HRW had not published any reports addressing varying cultural perspectives on understanding or expressing sexual identity.

As an organization exclusively committed to LGBT and queer rights, IGLHRC was highly sensitive to cultural relativist concerns and demonstrated a deep level of knowledge on the subject. IGLHRC was launched in 1990 by Julie Dorf “in the belief that all people, regardless of their sexual orientation, gender identity or HIV status are entitled to human rights.”<sup>161</sup> Their first campaign was to ensure Amnesty International adopted a LGBT rights platform, which proved successful in 1991. In subsequent years, the organization’s advocacy efforts centered on asylum cases for people fleeing persecution on the basis of sexual orientation. In a 1992 *Boston Globe* article, Dorf was quoted saying, “It’s clear we [homosexuals] are a persecuted social group, whether or not the INS [Immigration and Naturalization Service] chooses to acknowledge this on a case-by-case basis.” The earliest report available on the organization’s online database is

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<sup>161</sup> “Our History,” IGLHRC, <http://iglhrc.org/content/our-history>.

*United Nations: Unspoken Rules - Sexual Orientation and Women's Human Rights*, a special report from 1995 prepared for the United Nations Fourth World Conference on Women containing thirty-one country reports. Cultural relativist concerns are tackled head-on in an early section called, “What’s In a Name?”:

There are undoubtedly women in every part of the world who have intimate and sexual relationships with women. To use the term lesbian to describe them, however, is grossly inadequate. At best, it serves as highly imperfect shorthand for a range of identities and practices too varied to sum up in any word or set of words. At worst, the exclusive use of this term runs the risk of suggesting that diverse countries and contexts can be understood through a single set of assumptions. As the Hong Kong report notes, the idea that sexual acts create sexual identities is not universal.<sup>162</sup>

The report continued to provide examples of how women around the world are articulating their sexual identity and organizing politically in alternative ways. The author explained the use of the term “lesbian” because it is the most used among country reports and other documents compiled in preparation for the World Conference on Women. The block quote and the following comments in the report are all together demonstrative of the organization’s awareness of cultural relativist concerns. The tone is confident and exhaustive in its efforts to avoid flattening the landscape by assuming “lesbian” was the *de facto* option (“grossly inadequate,” “highly imperfect”), but that in fact there are varying substitutes and translations. Similar to the AI handbook, the IGLHRC report briefly addressed issues concerning terminology and swiftly moved to bulk of the publication: sharing personal testimonies. Each country report was written by women currently living there and vary in style (formal, detached vs. anecdotal) and content (history vs. victims’ testimonies). Ultimately, the reports corroborated the initial comment on language—a diversity existed across countries, and cultures, in articulating sexual identity.

Before the *Queen Boat* Trial, all three human rights organizations had addressed LGBT issues. Though HRW had a report on Romania, it lacked a discussion on terminology and the

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<sup>162</sup> “United Nations: Unspoken Rules - Sexual Orientation and Women's Human Rights,” IGLHRC (1995), xxvi.

difficulties of defining sexual identity, and an explicit reference to cultural relativist concerns as both AI and IGLHRC documents had boasted. The next section looks at the documents specific to the *Queen Boat* Trial and how these organizations' manner of discussing LGBT rights might change over time and in relation to a specific case study in the Middle East.

### *Activists Campaign for the "Cairo 52" | 2001-2003*

During the two years of the *Queen Boat* Trial, three major international human rights organizations, AI, HRW, and IGLHRC, produced a total of 43 documents, ranging from reports to press releases that concerned the episode. AI and IGLHRC produced 15 and 21 documents respectively, leaving HRW with 7 documents. In the three-year span, additional arrests were made in Egypt separate from the "Cairo 52" that also involved instances of same-sex relations between men. All of the organizations addressed these additional arrests as they continued efforts advocating for the men involved with the *Queen Boat* Trial. Compared to materials published in the 1990s, the following sources severely lack any discussion of cultural relativist concerns; in other words, there is little sensitivity to the differences in understanding issues of sexuality in transcultural contexts. In this section of the chapter, I highlight and break down instances of discursive violence; following this, I include a section on the Egyptian responses on the trial and demonstrate the importance of addressing cultural relativist concerns.

AI published the first press release in June condemning the detention of men due "solely on account of their sexual orientation," thus making them a prisoner conscience.<sup>163</sup> AI called for their immediate release and expressed concern over the local media's negative portrayal of the men and the allegations of torture and ill-treatment. Beginning with this first press release and following through all the subsequent documents from all three organizations: all frame the focus

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<sup>163</sup> "Egypt: Concerns over detention of alleged gays," Amnesty International, June 8, 2001.

of their advocacy of the “Cairo 52” as “the right to freedom from discrimination on the basis of sex, which includes sexual orientation, is recognized in regional and international treaties,” to which then documents often referred to the International Covenant on Civil and Political Rights (ICCPR) to which Egypt is a state party.<sup>164</sup> Among the following documents, two concerned a juvenile among the “Cairo 52” who was sentenced three years imprisonment, with the first press release as a joint statement with three other organizations, including HRW. Four documents concerned additional arrests separate from the “Cairo 52,” but nevertheless referred to the *Queen Boat* Trial as a precedent of state-sanctioned abuse against “gay men,” or men “because of their actual or perceived sexual orientation.”<sup>165</sup>

Seven months after arrest, AI published their longest, most detailed document concerning the “Cairo 52.” The language and discursive methods within this document were emblematic of the organization’s whole campaign for the “Cairo 52”: referring to the men as “gay” and relying on the hetero-homosexual binary to understand sexuality. There were two principal instances of discursive violence surrounding LGBT issues that present semantic difficulties. The first instance was referring to the individuals abused as “gay,” when it was not made clear whether they self-designated as such. The second instance was equating sexual actions and behavior with sexual orientation, when it was not clear whether “sexual orientation” was an epistemological category acknowledged or used by the individuals. These methods can be considered examples of discursive violence because of their built-in assumption of a universal understanding of sexuality; consequently, opponents (Egyptian officials defending the arrests) readily dismiss the arguments of human rights organizations because of their reliance to culturally-specific

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<sup>164</sup> “Egypt: Concerns over detention of alleged gays,” Amnesty International, June 8, 2001.

<sup>165</sup> “Appeal Case – The Giza Fourteen - Imprisonment For Actual Or Perceived Sexual Orientation,” Amnesty International, June 2003.

vocabulary. The motivations for using these methods are structural in origin: symptomatic of the international legal system and a continuation of the historical conventions in advocacy work.

The concept of every individual “having” a sexual orientation is not understood in Egypt? in the same manner as the British or American writer and average reader of an AI report. Moreover, the men discriminated against in Egypt might not even call themselves “gay,” or use it in the same manner as populations abroad. Because of this linguistic dissonance, charting the usage of “gay” and “actual or perceived sexual orientation” in reports and articles is important to understand how American actors frame and understand “LGBT” abuse in the Middle East. The AI report began with the following two sentences:

Gays in Egypt suffer discrimination, persecution and violence simply for being who they are. Those who are detained because their actual or perceived sexual orientation is deemed to threaten socially accepted norms are at particular risk of torture and ill-treatment and other human rights violations.<sup>166</sup>

As discussed in the previous chapter, the word “gay” has specific cultural, historical, and political roots to the West, particularly, in English-speaking countries, the United States and United Kingdom. It is generally understood in these countries that “gay” denotes an individual that is sexually attracted to people of one’s own sex. Furthermore, the word involves a stake to identity; it refers to a discrete aspect of an individual’s self that is easily defined and understood by others. The facility of the word is due to the binary it presents: gay or straight. This short exegesis is not novel—for the most part, this language is easily understood in the American and Western European cultural and historical space in which it was produced.

The second instance was equating sexual actions and behavior with sexual orientation:

In Egypt in 2001 alone, dozens of men, including at least one juvenile, have been held for months in detention solely on the grounds of their actual or perceived sexual orientation. The effective criminalization of consensual sexual relations between adults of the same

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<sup>166</sup> “Egypt: Torture and imprisonment for actual or perceived sexual orientation,” Amnesty International, December 20, 2001; <http://amnesty.org/en/library/info/MDE12/033/2001/en>.

sex is discriminatory and violates international human rights standards. The right to freedom from discrimination on the basis of sex, which includes sexual orientation, is recognized in international treaties, including the International Covenant on Civil and Political Rights (ICCPR), to which Egypt is a State Party.<sup>167</sup>

The first sentence claims that the discrimination is based on sexual orientation. The following sentence shifts to practice: “consensual sexual relations between adults of the same sex.” The last sentence moves back to framing the discrimination as one targeting sexual orientation. It needs to be understood that referring to “sexual orientation” is not equal to specifying that an individual had consensual sexual relations with an adult of the same sex. The former involves an epistemology or definition; its translation to other languages is not simple. The latter is far less complex because it describes a concrete, individual action. Yet, the nature of international law makes it conducive to collapsing such distinctions. Human rights advocates are pressed to use “sexual orientation” as a direct path to assign accountability for discrimination as dictated by international treaties, such as the ICCPR. Yet, without a discussion or mention of the limitations from using such language misleads readers; it assumes that certain concepts are *de facto*, universally understood, and uncontestable.

Unlike the reports published in the 1990s, there is no discussion of cultural relativist concerns or difficulties in terminology. The closest instance appears in the ‘Recommendations’ section of the report, in which AI calls on the Egyptian authorities to execute a list of duties to correct the situation. The second item on the list dictated:

to release immediately and unconditionally anyone imprisoned or detained solely for their actual or perceived sexual orientation or gender identity. This includes those detained for consensual same-sex sexual relations in private, those held for advocating lesbian, gay, bisexual, transgender rights, and those detained for their political beliefs or activities under the pretext of charges of homosexuality.<sup>168</sup>

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<sup>167</sup> Ibid.

<sup>168</sup> “Egypt: Torture and imprisonment for actual or perceived sexual orientation,” Amnesty International, December 20, 2001, 14, <http://amnesty.org/en/library/info/MDE12/033/2001/en>.



This appears to be the clearest definition of the men's crime: rather than describing what they are or could be ("gay"), the recommendation makes clear of the acts committed: "consensual same-sex sexual relations in private." AI consistently provided background on the charges of "habitual debauchery," and explained the manner in which the Egyptian judiciary had "applied the term to same sex relations in the context of prostitution of men as well as consensual sexual relations between men in private."<sup>169</sup> Nevertheless, AI interpreted this episode as discrimination against "their actual or perceived sexual orientation" and repeatedly referred to the men as "gay." The documents lacked an acknowledgement of the difficulties in translation on literal and cultural levels.

Documents released by IGLHRC differed with the AI pool on matters of language and the extent of detail offered in press releases. The men were less frequently referred to as "gay" but rather as "homosexual suspects," or men under the suspicion of having "engaged in consensual homosexual behavior."<sup>170</sup> More information on the charge of "habitual debauchery" was researched and provided by IGLHRC, including a brief reference to the original Arabic term: "al-fujur – which can include adultery, fornication and sodomy."<sup>171</sup> An extensive timeline charting the men's arrests, time in detention, treatment by authorities, and upcoming legal procedures was included in the first press release.

The second document published concerning the "Cairo 52" was written by Hossam Bahgat, the Egyptian human rights activist. The document, "Egypt: Explaining Egypt's Targeting of Gays," was originally published by the Middle East Research and Information Project (MERIP) and then reproduced with their permission. There is no discussion of cultural relativist concerns or of any differences in sexual expression between cultures. As quoted in the

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<sup>169</sup> "Egypt: Rights without discrimination," Amnesty International, July 2, 2002.

<sup>170</sup> "Egypt: Emergency Court Trials for Homosexual Suspects," IGLHRC, July 3, 2001.

<sup>171</sup> Ibid.

first chapter, Bahgat had said there was “a problem with sexual orientation as a concept, with identity frameworks [. . .] conduct is the issue. Of course identity politics are still useful for activism but we need to look at other frameworks.”<sup>172</sup> Nevertheless, Bahgat referred to all the men arrested as “gay” and did not acknowledge the potential tensions in language and divergent cultural interpretations of sexuality.

The following documents by IGLHRC were consistently well-researched and in-depth, focusing on a particular aspect of the *Queen Boat* Trial at a steady pace of publishing. For example, in October two different press releases were written on legal and police misconduct respectively. The level of commitment was more forcefully understood ten days after 9/11 when IGLHRC published a press release stating, “Gays in Egypt Latest Casualty of Terrorism and War.” The organization expressed concern over the “decrease in media attention” and framed the “Cairo 52” as victims of the “war on terrorism,” which the organization explained was seen “in many parts of the Middle East as an attack on Islam,” thus the Egyptian government was “ready to sacrifice the rights of its own homosexual population” to appease the religious right.<sup>173</sup> AI had not published anything on the topic during the month of September. The timing and bold rhetoric of the IGLHRC press release demonstrated the organization’s level of devotion to the case.

In November, a press release was published stating the Program Director, Scott Long, was traveling to Egypt for the final sentencing. Three consecutive press releases followed, each appearing on a different day, reporting on the sentencing and additional arrests of “presumed homosexuals” made separate from the “Cairo 52.”<sup>174</sup> Unlike AI, IGLHRC made appeals to the Bush administration and the European Union to take action on Egypt’s treatment of

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<sup>172</sup> Fancoise Girard, “Negotiating sexual rights and sexual orientation at the UN,” In: R. Parker, R. Petchesky and R. Sember, eds. *Sex politics: reports from the frontlines*, Sexuality Policy Watch (2007), 350.

<sup>173</sup> “Egypt: Gays in Egypt Latest Casualty of Terrorism and War,” IGLHRC, September 21, 2001.

<sup>174</sup> “Egypt: More Arrests of Presume Homosexuals,” IGLHRC, November 15, 2001.

“homosexuals.”<sup>175</sup> Audacious word choice was again used, particularly in the title: “Egypt: Europe and US Bankroll Persecution of Homosexuals in Egypt.”<sup>176</sup> Responsibility to take action was thus not limited to Egyptian authorities, but all Western powers with financial and military ties to the Mubarak government. IGLHRC’s persistent coverage and advocacy for the “Cairo 52” and additional men arrested continued until September 2002, when it suddenly stopped. An administrative shake-up seemed to have occurred: a position announcement for Executive Director was announced that January, and four months later, Scott Long announced his resignation. The reasons behind his resignation are unclear, but might be attributed to the larger organizational capacities of HRW, which he joined soon after.

The differences in AI, IGLHRC, and HRW’s advocacy for the “Cairo 52” in the three year span is significant, beginning with the extent of coverage. AI ultimately provided less reporting and overall information on the trial compared to IGLHRC. This is easily attributable to the organizations’ difference in scope and mission: IGLHRC solely focuses on LGBT rights issues and does not have the same amount of cases as AI. This was visible in the press releases themselves: after laying out the appeal for the “Cairo 52,” AI would include information on other prisoners of conscience in Egypt as relevant information, even if their cases did not concern sexual relations, such as religious critics of the Mubarak government. In 2002, AI published a 34-page summary of human rights concerns in Egypt that referred to the “Cairo 52,” as well as female harassment, use of the death penalty, and press censorship. Due to the wide number of issues AI investigates, the depth of the reporting on each topic is limited. In contrast, the “Cairo 52” was IGLHRC’s priority from 2001-2002, with only ten documents published that reported on countries other than Egypt. Before Long began working in HRW in 2003, the organization

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<sup>175</sup> “Egypt: Europe and the US Bankroll Persecution of Homosexuals in Egypt,” IGLHRC, February 12, 2002.

<sup>176</sup> Ibid.

had published only two original press releases and two that were joint statements with both AI and IGLHRC respectively.

As illustrated in the first section, the significance of Long's participation in the campaign for the "Cairo 52" is difficult to overestimate. His work in IGLHRC and HRW demonstrates the exceptional capability of an individual to influence and drive an international advocacy campaign. It was at HRW that Scott Long oversaw the making of the report, "In a Time of Torture," which I discussed in the first section for its accomplishments in capturing the complexity of sexual self-identification. In the following section, I demonstrate why it was crucial to avoid the instances of discursive violence by unpacking the language of Egyptian public officials commenting on the trial and the histories surrounding such rhetoric. Ultimately, I argue that human rights activists must tackle head on cultural relativist concerns and discuss the historical contexts behind loaded sexual epistemologies.

### *The Rhetoric of the Egyptian State | 2001 - 2003*

This section seeks to unpack the Egyptian state's rhetoric surrounding the decision to arrest and prosecute the "Cairo 52." By examining the amalgamation of intersecting cultural, religious, and political grounds that informed the episode, I intend to demonstrate the importance of holistic reporting by Western human rights activists that avoids instances of discursive violence. First, I will examine Egypt's colonial history through the light of the *Queen Boat* Trial, particularly, the lineage of Article 249, the law that was enacted to arrest and convict the men. Second, I will discuss statements made by state and Muslim Brotherhood spokespeople, Egyptian journalists, and nonprofit professionals, with the aim of highlighting their use of cultural relativism as a defense for oppressive and violent state conduct. Third, I refer a popular

political reading of the convictions that argue “culture” was exploited for public approval.

Altogether, I seek to gesture towards the complexity of the episode and the necessity for human rights activists to acknowledge these nuances, and then carefully articulate their own positioning as Western actors commenting on unfamiliar notions regarding sexuality.

The court had charged all 52 men with *fujur*, a misdemeanor best understood as debauchery or promiscuity. The 2004 HRW report explains *fujur* as “encompassing a concept of sexual excess.”<sup>177</sup> The concept stemmed from a law against prostitution passed in 1951, fueled by a wide political spectrum of Egyptians, including nationalists, liberals, and conservatives because legalized prostitution was understood “as an endemic marker of the country’s failing social mores which lay responsible for the 1948 military defeat as well as the continuing British occupation of the country.”<sup>178</sup> The lineage of the law could be traced further back to the Criminal Code of 1883 to Article 249 which punished anyone who “causes indecency assault by inducing young people of below 18 years to commit debauchery [*fujur*] and indecency [*fisq*].”<sup>179</sup> In turn, Article 249 draws on Article 334 of the 1810 French Criminal Code, demonstrating the cultural influence of the former colonial power on Egyptian courts. As Amr Shalakany has shown, by 1883 French codes replaced *shari’a* criminal norms in the Egyptian legal system.<sup>180</sup> The reform towards French legislation coincide with historian Dror Ze’evi’s thesis: the advent of modern Western medicine and European colonialism silenced sexual discourse in the Arab world, thus affecting the unfolding of sexual rights and punishment in the present century.

Through recent scholarship on Islamic law and political history, academics have noted that Muslim societies had focused on the “practice” of same-sex relations, rather than any

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<sup>177</sup> “In a Time of Torture”, 13.

<sup>178</sup> Amr A. Shalakany, “Islamic Legal Histories,” *Berkeley Journal of Middle Eastern Islamic Law*, Vol. 1, 2008, 56-57.

<sup>179</sup> *Ibid.*

<sup>180</sup> *Ibid.*, 40.

notions of “being” homosexual. Under *shari’a* law, the concept of homosexuality was not addressed by any school of law. Rather, historian El-Rouayheb argued, the specific act of sodomy was condemned. The precept made it difficult for punishments to occur because it required multiple witnesses, thus making the infraction easy to overlook.<sup>181</sup> Moreover, El-Rouayheb explained that rather than focusing on sexual orientation, individuals of the period understood their behavior as a series of sexual or aesthetic preferences. The wholesale idea of “sexual inversion/perversion” was European in origin and labeled all forms of male-male passion and attraction as “signs of ‘sickness’ and ‘depravity.’”<sup>182</sup> An instance of internalizing colonial ideology occurred during the British occupation when Egyptian political cartoonists produced images of a monogamous, single-family arrangement, which historian Lisa Pollard has argued was, in part, a response to the Europeans “emphasizing Egypt’s polygamy, extended families, unchanged domestic practices and supposedly bizarre sexual habits indicative of its degraded ‘national culture.’”<sup>183</sup> As articulated in the prior chapter, the colonial (and post-colonial) state is pushed into a pattern of defining itself in antithesis to the West’s pronouncements.

At the time of the *Queen Boat* Trial, judges were free to interpret the anti-prostitution law at will, allowing their biases to inform their verdicts. As the HRW report states, “A law without distinct limitations lent opportunity to a criminal justice system under diminished restraint.”<sup>184</sup> Among the “Cairo 52,” two men were charged with additional “contempt for religion” and both served the heaviest sentence of five years of hard labor. The HRW report states the officers

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<sup>181</sup> Khaled El-Rouayheb, *Before Homosexuality*, 136.

<sup>182</sup> Khaled El-Rouayheb, *Before Homosexuality*, 159.

Ze’evi described the growing genre of travel literature as a catalyst for cultural change because the text presented itself as a means of comparison between the West and Arab world, consequently fueling a wave of conservative voices to defend local mores and ultimately erasing the category of same-sex relations in literature and law. Ze’evi admitted more research is needed to document this shift towards a “heteronormalized culture” (*Producing Desire*, 171).

<sup>183</sup> Lisa Pollard, “From Husbands and Housewives to Suckers and Whores: Marital-Political Anxieties in the ‘House of Egypt’,” 1919–48, *Gender & History*, Vol.21 No.3 November 2009, 649.

<sup>184</sup> “In a Time of Torture,” 3.

labeled one of the men as the “ring-leader” of the group, though the “Cairo 52” repeatedly stated they did not all know each other. Investigators ignored details, opting for prompt censure.

Local leaders responded quickly, fueling the momentum towards the guilty convictions. "From my religious view, all the religious people, in Christianity, in Judaism, condemn homosexuality. It is against the whole sense in Egypt. The temper in Egypt is against homosexuality," said Dr. Essam Elarian, spokesman for the Muslim Brotherhood, in a 2002 BBC article.<sup>185</sup> The chief government spokesman, Nabil Osman, echoed a similar sentiment in the same article, explaining what the justice system did was “actually an interpretation of the norms of [their] society, the family values of [their] society. And no one should judge [them] by their own values. And some of these values in the West are actually in decay.”<sup>186</sup> These quotes reflect the prevailing cultural relativist argument among statesmen that condemned tolerance and acceptance of same-sex practices.

The two arguments posed by Elarian and Osman exhibit a surface level of contradiction, but ultimately derive from the same discursive strategy. The former aligns with other religious traditions, claiming a mantle of solidarity and homogeneity, while the latter declares a stark difference from the “West” with the implication Egypt boasts a moral superiority. The spokespeople both use a comparative strategy: the brotherhood cites the “people of the book” (the Abrahamic faiths) and the state representative draw opposition to the “West.” The former’s specificity grants the argument legitimacy as it taps into an authentically shared history (whether positions on homosexuality are a part of that is debatable). “West,” in the term’s broadness and sweeping essentialism, calls on the meta-narrative of East and West functioning as a binary with antithetical cultural and value systems. It is the same model Edward Said analyzed in

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<sup>185</sup> Rosie Goldsmith, “Egypt crackdown on homosexuals,” BBC News, March 6, 2002, [http://news.bbc.co.uk/2/hi/programmes/crossing\\_continents/1858469.stm](http://news.bbc.co.uk/2/hi/programmes/crossing_continents/1858469.stm).

<sup>186</sup> Ibid.

*Orientalism*. Like the literary works discussed by Said, the statements of the Egyptian state attack and label the other's sexual practices as uncivilized or depraved is a requisite exercise in the employment of the West versus East paradigm.

Though the arguments from the spokespeople are unlike (the former claimed sameness and latter highlighted difference), they both operate on notions of morality, by citing religious condemnation and the notion of "decay" among civilizations. The latter is more ambiguous, working on subtler lines, in all likelihood due to Osman's position as a spokesperson for a secular government that avoids religious language. Both arguments involve an inferior, flawed "Other," though in Elarian's case it is unspoken; he implies an inverse actor: a non-Muslim, Christian, or Jewish, or a non-Abrahamic, possibly, secular West. Elarian's position as spokesperson for the Muslim Brotherhood explains the heavy religious framing; the avoidance to criticize the secular Mubarak government altogether and advocate for a Muslim state might be attributable to the rare agreement the actors find themselves. The spokespeople's positions account for their differing framing, but both channel a moral high ground by speaking through "culture" that subsumes religion and using it as substantiation for the convictions of the "Cairo 52."

Both civil and state spokespeople in Egypt also addressed the arrests with language operating on notions of morality and cultural superiority. I note that individuals on Egyptian newspaper staffs and human rights organizations carried a similar position of condemnation of the "Cairo 52." A couple of Egyptian voices captured the domestic press's moralization of the episode, which placed homosexuals in a category of degeneracy and malevolence. The English language commentaries, intended for both the Egyptian expatriate community and an international audience, were published at the same time as the start of court proceedings in 2001.



In the *Cairo Times*, Hossam Bahgat wrote that *Al-Ahram*, the state-owned Arabic language newspaper, “published [the morning after the arrest] in its crime page that the defendants were members of a new devil worshipping cult.”<sup>187</sup> The state-owned media framed homosexuals maliciously, echoing the court’s official statements that “accused [the “Cairo 52”] of engaging in acts of sexual immorality.”<sup>188</sup> Other media outlets pushed the lines further: “Egyptian press have published the names and workplaces of the defendants,” reported Rana Allam for *Al-Ahram Weekly*.<sup>189</sup> This was one example of country-wide shaming campaigns that destroyed the men’s reputations and put their families in danger.

Domestic human rights groups were silent on the episode both because of their fear of retribution and for their disinterest in protecting any form of LGBT rights. Hisham Kassem, director of the Egyptian Organisation for Human Rights (EOHR), offered his views in a BBC article published in 2002: “What could we do? Nothing. If we were to uphold this issue, this would be the end of what remains of the concept of human rights in Egypt... We let them down, but I don’t have a mandate from the people.”<sup>190</sup> In other words, Kassem believed defending the “Cairo 52” would hurt the organization’s other human rights efforts. Yet, Hafez Abu Saada, the Secretary-General of the same organization, told the *Cairo Times*, “Personally, I don’t like the subject of homosexuality, and I don’t want to defend them.”<sup>191</sup> Altogether, the morally condemnatory language found in newspapers and the bold personal admittance from an overseer

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<sup>187</sup> Hossam Bahgat, “Morality police crackdown,” *Cairo Times*, Volume 5, Issue 11, 17-23 May 2001, <http://tampabaycoalition.homestead.com/files/01MoralityPolice.htm>.

<sup>188</sup> Ibid.

<sup>189</sup> Rana Allam, “Outcry over Queen boat trial,” *Al-Ahram Weekly Online*, Issue 548, 23-29 August 2001, <http://weekly.ahram.org.eg/2001/548/eg6.htm>.

<sup>190</sup> “Egyptian rights group ‘cannot protect gays,’” BBC News, February, 11, 2002, [http://news.bbc.co.uk/2/hi/middle\\_east/1813926.stm](http://news.bbc.co.uk/2/hi/middle_east/1813926.stm).

<sup>191</sup> Hossam Bahgat, “Morality police crackdown,” *Cairo Times*, Volume 5, Issue 11, 17-23 May 2001, <http://tampabaycoalition.homestead.com/files/01MoralityPolice.htm>.

of a human rights organization demonstrate that “homosexuality” is understood as a phenomena so transgressive that it does not merit overture, rather it is much easier to persecute and set aside.

Hossam Bahgat also worked for EOHR and was dismissed from his position after criticizing the organization’s inaction regarding the *Queen Boat* Trial. As demonstrated above, the persecution of the men arrested was widely supported by the public, including the Muslim Brotherhood. It is important to note the legal foundations of Article 249 and its gravitation towards criminalizing same-sex acts between males was, in part, fueled by European discourse that arrived to the Arab world through colonial power structures that shamed an “Other.” The continuing vilification of same-sex relations draws from a shift that El-Rouayheb and Dror Ze’evi have noted in their respective studies: a shield of conservatism to defend from the “orientalizing” onslaught that defined Arab culture as sexually licentious and uncivilized. Commentators have then pointed out the state’s political incentives to continue this discourse of conservatism: securing a common ground with the Muslim Brotherhood and the country’s religious majority.

The precarious political and economic situation in Egypt at the time might explain the unexpected partnership between the Muslim Brotherhood and Mubarak government. In a press round up by the BBC News, it was noted that a commentary from *Le Monde* framed the *Queen Boat* Trial as an act of “political expediency than moral crusade,” for it allowed the Mubarak government to “steal the thunder from the Islamists who make up the main opposition force in parliament.”<sup>192</sup> The commentary also referred to a book burning of the erotic works by the medieval Arab poet Abu Nawas that occurred earlier in 2001. These campaigns can be understood to be government-manipulated distractions to divert attention away from the economic crisis. In 2006, Hassan El Menyawi, then an Assistant Professor of International Law

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<sup>192</sup> “European Press Review,” BBC, <http://news.bbc.co.uk/2/hi/europe/1495570.stm>.

and Human Rights at the United Nations University for Peace, explored the argument further by positing that the Mubarak government was “manipulating the [Muslim] Brotherhood’s own homophobia to legitimize a court system that also persecutes fundamentalists.”<sup>193</sup> Political framings were significant hypotheses to consider and proved to be pivotal material to include in advocacy reports on the trial.

Most of these historical and political threads were picked on by the human rights organizations discussed in the prior section, but on the particular topic of cultural relativist arguments most reports did not seriously confront or question their logic. The comments by the Egyptian spokespeople concern historical legacies and religious concerns that should not be ignored. Western activists wrote press releases that, for the most part, cited international law and a language of rights that was relentlessly dismissed as foreign and inapplicable to the trial. Refusing to engage and unpack these discussions constitute another instance of discursive violence that can be considered both as an erasure and silencing of decisive historical trajectories that have created gaps in cultural understanding.

### *Conclusion*

This chapter has examined the Western advocacy campaigns for the “Cairo 52” coordinated by Amnesty International (AI), Human Rights Watch (HRW), and the International Gay and Lesbian Human Rights Commission (IGLHRC). By following Scott Long’s trajectory through two different human rights organizations, I demonstrated the significant impact an individual can wield on an international advocacy campaign. I delineated a change over time in the language of the organizations’ press releases and reports—by 2004 HRW published “Time of

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<sup>193</sup> Hassan El Menyawi, “Persecution of Homosexuals: The Egyptian Government’s Trojan Horse Against Religious Groups,” *Human Rights Brief* 14, no.1 (2006): 17-20.

Torture” that recognized cultural relativist concerns, much like the reports from AI and IGLHRC in the 1990s that I highlighted for their careful discussions on sexual terminologies. The success of the HRW report and its departure from previous advocacy materials was highlighted in the features piece from *New York Times Magazine* first mentioned in the prior chapter:

When I spoke to Long about his work on the Queen Boat case and its aftermath, he reflected on his advocacy methods in a context in which human rights, and especially gay rights, are increasingly associated with Western empire-building. “Perhaps we had less publicity for the report in the United States because we avoided fetishizing beautiful brown men in Egypt being denied the right to love,” he said. “We wrote for an Egyptian audience and tried to make this intelligible in terms of the human rights issues that have been central in Egyptian campaigns.”<sup>194</sup>

As Long commented, the report used a framework that was familiar to the Egyptian audience by rooting the campaign in a denunciation of torture. Through this common ground, other aspects of the episode were carefully discussed, including the *fujur* law and its colonial legacies—and a survey of cultural understandings of same-sex relations in Egypt. Most significantly, as noted already above, the defendants were not assumed or framed to be gay as Western readers might have assumed to be.

This shift towards a queer rhetoric that recognizes and allows for more variation in sexual expression and cultural understanding was attributable to a wide range of factors. To an extent, credit goes to Massad’s polemical writing that fueled enough attention and concern for a public debate to spark and for human rights activists to critically reflect on their methodology and aim for a more informed and sensitive approach. Additionally important were the organizational resources that allowed Long to research the episode in such an in-depth manner and the level of expertise he accumulated in the three years he had campaigned for the “Cairo 52.” Most significantly, it must be noted how much easier would be to discuss differences in sexual epistemologies in a 150-page report compared to a two-page press release. Nevertheless, the

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<sup>194</sup> Azimi, “Prisoners of Sex,” *New York Times Magazine*.

success of the report demonstrates the importance of carefully unpacking such assumptions—and the necessity to pair printed material with face-to-face engagement. Both Scott Long and the HRW Executive Director, Kenneth Roth, met with members of the Egyptian Foreign Ministry. Also in the features piece was a quote from a high-ranking Ministry of Interior source that commented on HRW’s meeting with the Egyptian state’s judiciary: “It is the end of the gay causes in Egypt, because of the activities of some human rights organizations.” It is through an aware, holistic understanding of a human rights episode that activists can avoid instances of discursive violence: confront and discuss cultural and historical differences, particularly in relation to sexual terminology.

## Conclusion

In three chapters, I laid out and examined the Western discourse surrounding the *Queen Boat* Trial—specifically the language of American and British human rights activists and journalists. In chapter three, I noted that human rights activists frequently referred to the “Cairo 52” as gay and framed the abuse as an act of discrimination on the basis sexual orientation. It was not until towards the end of the trial, when Human Rights Watch under the leadership of Scott Long, published the report, “In a Time of Torture,” that it was understood there were more effective and responsible approaches to advocate for the defendants. The approach was a queer one: acknowledge and explain the variability of sexual expression and identification—often times incompatible with the hegemonic LGBT framework. In the case of the “Cairo 52,” the concern was whether these men adopted any form of public identity relevant to their sexuality, for example “gay” or “homosexual.” The most accurate explanation would be to refer to the assumed or actual practice of same-sex relations, rather than refer to labels that have a deep connection to British and American cultural and legal spheres—but hold little sway with the Egyptian public.

In chapter two, I found that British and American journalists followed a similar path by reporting a narrative that was familiar and empathetic to their readers. The trial was referred to a clash of cultures between religious fundamentalists and liberal victims. As a result, narratives of the defendants as self-identifying homosexuals (who were also liberal, secular, and middle-class) were privileged over profiles that challenged common binary assumptions: Muslim, conservative and straight vs. non-religious, liberal and gay. The close aftermath of 9/11 further exacerbated the characterizations of the “Cairo 52”—they too were victims of a Muslim fundamentalism; a reflection of the audience themselves. As historian Naoko Shibusawa eloquently wrote of

Edward Said's analyses: "[I]mages of the 'other' say very little about the actual lives, cultures, and histories of others. Instead they tell us more those doing the 'othering.' Others are needed for self-identification, self-justification, and self-orientation."<sup>195</sup> The media representations of the "Cairo 52" spoke more to the Western assumptions of queerness and the cultural climate of the time than that of the actual beliefs and practices found in Egypt. The constant found in both advocacy and media discourses was the reluctance to consider or acknowledge alternative forms of sexual expression, practice, and self-identification.

In chapter one, I surveyed the legal histories behind LGBT advocacy in the United States and its application in international law and demonstrated that a discrete and immutable understanding of sexual orientation proved to be the most referred interpretation—a static element of an individual's identity; often compared to race or ethnicity. Throughout this project, I have argued that though this is the popular, most understood, and publicly agreed upon interpretation of queerness in Western contexts, it should not be the *de facto* methodology to refer to and understand same-sex relations elsewhere. Also in chapter one, I have referred to scholars who have attempted to re-conceptualize more inclusive approaches to advocate for queer individuals. Now, I would like to consider the benefits of challenging the current LGBT framework in Western contexts themselves.

As many American queer theorists have already argued the hegemonic, essentialist understanding of sexuality, operating on a hetero-/homosexual binary deserves critical examination and challenge. In an analysis of anti-sodomy legislation in the United States, culture studies scholar David Allen Grindstaff explained that contemporary legal discourse encourages LGBT individuals to "present and represent themselves as private rather than public, as a unified,

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<sup>195</sup> Naoko Shibusawa, "Lavender Scare and Empire," 741.

ethnic minority rather than a normative, diverse subculture.”<sup>196</sup> Queer theorist Michael Warner has lambasted the current LGBT rights movement in the United States, epitomized by the Human Rights Campaign (HRC). He argued that advocacy groups have folded to the pervasive culture of shame by promoting a gay identity that strives for heteronormative ideals, such as marriage, and advancing a culture devoid of sex. Legal scholar Janet Halley captured a similar sentiment: “[If] advocacy constructs identity, *if* it generates a script which identity bearers must heed, *if* that script restricts group members, then identity politics compels its beneficiaries. Identity politics is no longer mere or simple resistance: it begins to look like power.”<sup>197</sup> In other words, the current epistemology is excluding individuals: those who do not feel the current epistemology accurately describes their experience, or those who simply do not benefit from aligning with LGBT categories—most often people of color and of low economic and social rank. Scholars Mary Bernstein and Renate Reimann have observed that “LGBT people often embrace white, middle-class, straight, suburban American norms in the ongoing quest for acceptance.”<sup>198</sup> As a result, intersecting concerns of race and class are ignored or side-stepped in grand struggles for social acceptance—an ambition that often times is not beneficial for all.

The path towards a queer rhetoric is fraught with difficulty, especially considering the starting line already presents baffling thought problems to unpack. Culture studies scholar David Halperin has pointed out the difficulty, or “conceptual incoherence,” of a term as loaded as homosexuality: “[it] is at once a psychological condition, an erotic desire, and a sexual practice

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<sup>196</sup> Davin Allen Grindstaff, *Rhetorical Secrets: Mapping Gay Identity and Queer Resistance in Contemporary America* (Tuscaloosa: University of Alabama Press, 2006), 77.

<sup>197</sup> Janet E Halley, “Like-Race Arguments,” in *What’s Left of Theory?: New Work on the Politics of Literary Theory* (Judith Butler, John Guillory & Thomas Kendall eds., Routledge, 2000), 43.

<sup>198</sup> Mary Bernstein and Renate Reimann, *Queer Families, Queer Politics: Challenging Culture and the State* (New York: Columbia University Press, 2001), 5.



(and those are quite different things).”<sup>199</sup> On similar lines, legal scholar Janet Halley explained the obstacles with interpreting sexuality on multiple fronts: “The fluidity of gay identity at one extreme of the spectrum means that it is always threatened with invisibility and political ineffectiveness; the stability of straight identity at the other extreme is so fragile that it encourages defensive, phobic abuses of majority power.” In other words, there is a danger in embracing an all-encompassing queer posture that lacks the clear, formal prescribed lines of ‘LGBT.’ Nevertheless, the international community of legal scholars and human rights activists have attempted to direct a new path.

In 2007, a group of human rights experts launched the Yogyakarta Principles on the Application of Human Rights Law in Relation to Sexual Orientation and Gender Identity (the Yogyakarta Principles). The Principles are intended to guide states on their obligation to respect, protect and fulfill the human rights of all persons regardless of their sexual orientation or gender identity. Sexual orientation is defined in the Preamble to the Yogyakarta Principles as “each person’s capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender.”<sup>200</sup> Beginning with this definition and continuing throughout the document, there is a recognition of the full spectrum of sexual expression and practice. In the initial overview of abuses that have occurred worldwide, the *Queen Boat* Trial is cited among other episodes of violence. Human rights experts are acknowledging that identity-based frameworks are limited approaches, and wider, more inclusive plans are necessary for successful advocacy campaigns.

In regards to the press, there remains a wide-range in the quality of reporting on issues concerning sexuality in the Arab world. Long features pieces tend to be more nuanced and

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<sup>199</sup> David Halperin, “How to Do the History of Male Homosexuality,” *GLQ: A Journal of Lesbian and Gay Studies* 6.1 (2000) 87-123.

<sup>200</sup> Yogyakarta Principles, Introduction, pg. 6; [http://www.yogyakartaprinciples.org/principles\\_en.pdf](http://www.yogyakartaprinciples.org/principles_en.pdf).

explicit of the differences that arise across transcultural contexts.<sup>201</sup> Recently, a few pieces have documented the trials of LGBT and queer individuals embroiled in the Syrian conflict; these pieces explore the emotional and physical abuses, but offer no further context as to how ideas concerning sexuality might be conceptualized and the critical political contexts surrounding them.<sup>202</sup> Ultimately, there is a need for established journalistic guidelines on matters of sexuality—to my knowledge, there is no fixed standard as to how reporters should refer to and comment on LGBT and queer individuals.

I have argued that the necessity for a queer rhetoric is acutely felt in transcultural contexts—and, I have suggested it is also essential when aiming for maximum inclusivity in discussions concerning sexuality in American and British contexts. This historicized media analysis is intended to document and interpret an overlooked subject, but also to provide a modest step towards policy change and reflection in journalistic ethics. LGBT and queer individuals continue to face severe abuses in every country and cultural context. Focus on discourse encourage us to examine our attitudes, biases, and understandings—from word to action, a self-aware and critical conscientiousness may help minimize any current and further harm, while walking the line of celebrating a common humanity and accepting the variable differences among us all.

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<sup>201</sup> Such as Nadya Labi's piece, "The Kingdom in the Closet," *The Atlantic*, <http://www.theatlantic.com/magazine/archive/2007/05/the-kingdom-in-the-closet/305774/>.

<sup>202</sup> Such as Haley Bobseine, "Out and Down in Syria's Civil War," *Foreign Policy*, 4 December 2012, [http://www.foreignpolicy.com/articles/2013/12/04/down\\_and\\_out\\_syria\\_gay\\_community](http://www.foreignpolicy.com/articles/2013/12/04/down_and_out_syria_gay_community); Molly Crabapple, "Syria's Queer Refugees," *Medium*, <https://medium.com/platypus-journal/d4db222eb03>; Hannah Lucinda Smith, "How Jihadists Are Blackmailing, Torturing, and Killing Gay Syrians," *VICE*, 12 November 2013, <http://www.vice.com/read/gay-syrians-are-being-blackmailed-by-jihadists>.

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