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Identities Reconfigured, Online Dating Apps, and Incrimination: A Case of the Egyptian Crackdown and the Lebanese Tinder

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Abstract:

In light of an ambiguous legal situation in countries like Lebanon and Egypt concerning homosexuality, this article looks at how some individuals are able to reconfigure their identities and sexual desires through the online dating app Tinder, and the negotiation of sociopolitical identity signifiers in a Lebanese context. On the other hand, LGBTIQ individuals and those with non-normative sexualities are persecuted by the Egyptian state as a result of those same practices, resulting in a collapse in the online/offline binary.

Reviewing the execution of two young men in Iran, Scott Long, then director of the LGBTIQ rights program of human rights watch, highlighted the problematic effects of labeling the incident as “gay prosecution in Iran;” he was then asked by a gay rights activist, “how can I fight for them if I can’t identify them as gay?” (Najmabadi, 2012). The answer to that, although not easy for many people to see, is the following: do they want to be identified, and if so, does solidarity necessarily take the shape of “fighting for” them? Articulating an identity that falls under the LGBTIQ umbrella in many contexts of the MENA region entails coming up against social norms, the medicalization of desire, and the legal framework as understood by nation-states. In both the Lebanese and Egyptian penal codes, for example, there are no clear cut laws concerning homosexuality, whether it can or cannot or should be criminalized; even the legal basis on how to prosecute it is missing. Instead, the law criminalizes sexual acts deemed unnatural or immoral, a definition that extends beyond articulations of identity.

This ambiguous legal situation has been abused by many prosecutors, leading to the unjust arrest and persecution of many individuals. However, many individuals engaging in same-sex acts, whether identifying as LGBTIQ or not, have turned to the world of online dating, which, despite it being subjected to state surveillance, provides a minimum of anonymity and a sense of safety to negotiate their desires and build relationships. I will discuss the spaces created for renegotiations, such as the use of the dating application Tinder in Lebanon, with the understanding that the online world does not make the situation safe by default of its digital nature. Indeed, police officers use those same apps to build their legal prosecution cases in Egypt against people engaging in same-sex behavior. The collapsing of the online/offline binary therefore makes us rethink the capabilities of the online world, its limitations, and its perception as an excluded bubble.

On the question of “out/in the closet,” Judith Butler writes:

> it is the figure of the closet that produces this expectation [of a fresh air and a light of illumination that never arrives], and which guarantees its dissatisfaction. For being “out” always depends to some extent on being "in"; it gains its meaning only within that polarity. Hence, being "out" must produce the closet again and again in order to maintain itself as “out.” (122-123).

From the viewpoint of traditional postcolonial struggles that are invested in an “authentic” notion of nationalism, being “out” is considered a betrayal to the nation, as it engages with foreign western notions of sexuality that are not explicitly present or articulated. However, aren’t individuals, like the two young Iranian men and those affected by article 534 in the Lebanese law criminalizing sexual acts against the laws of nature, still institutionally and legally discriminated against? This discrimination takes place even when these individuals aren’t fully “out,” and even when the laws are vague themselves. Joseph Massad (2002) explains to us how the labeling of individuals engaging in same-sex activities as homosexuals restricts the freedom of those practitioners. He suggests that this labeling renders these practitioners social outliers and subjects them to prosecution in their own countries, in a failed attempt to save them through a transnational law that might never be applied in their home country. Unfortunately, Massad does not offer a solid solution, as gay-identified or not, many sexually oppressive laws and social norms still apply in these countries. It is ironic that a law can criminalize an entity that it does not directly recognize, a non-recognition that works against vulnerable groups especially, such as refugees in the

case of Lebanon, who face systems of oppression that also put their gender expressions and sexualities under scrutiny, whether they identify as LGBTIQ or not.

To go back to Butler's question, the binary of the closet is more concerned with challenging the fixity of identity formations, and revisiting what becomes normative, even within certain communities that fall out of the state's recognition. Far from it being a western imposition, the debate around the binary of the closet has been renewed in light of the recent Beirut pride events, where courage, positivity, and love for life were most celebrated by those who can afford to practice it. Nonetheless, to account for the queer histories in Lebanon would prompt us to go back to the stories in Bareed Mista3jil (2009), a book published by the then-LBT support group Meem, which served as inspiration to Dina Georgis's (2013) analysis of shame negotiation to build up communities, spaces, and even identities. It becomes possible to perceive identities as freed from the shackles of both a post-stonewall pride context, which is not their own and must not have any power over them, and from a harmful social surrounding into a situation where these persons decide themselves what and who matters in their lives. Can a unified position concerning visibility be determined? If sexuality is a spectrum, then why shouldn't visibility be one as well?

Lynn's analysis in Bekhsoos (2010), the online queer magazine of Meem, offers us a possible approach to the binary of the closet and the question of visibility. She discusses ambiguous visibilities as the gray area that we all need in our lives when the dominant context, in this case a western one, does not fit with our surroundings and who we are in relation to the different contexts we might live in. Going to pride parades outside of western contexts still holds a western heritage within it, and though of significance to many, it does not necessarily mean that all individuals along the spectrum of both sexuality and visibility would want to attend and chant out loud.

The rigid shift from practitioner to identifier might not be the ideal solution for the configuration of sexual desires. But with the advancement of media technologies, especially mobile dating apps like Tinder, the open, ever-expanding space of communication technology allows individuals to negotiate being ambiguously visible against the articulation of fixed identities. Communication technology has come a long way since the sky-rocket development and implementation of the internet into our everyday lives and activities. What the internet really achieved for regular folks, and not just technology geeks, is accessible cheap exposure (something that is beyond access). Exposure, then, has become a tool for individuals to build characters and introduce them into the social sphere, thus reshaping their imaginaries. With the help of the internet and online dating apps as mediums of being, desires and sexual identities in the making can be negotiated, expressed, and shared. A good part of building an identity is sharing it with others socially, which is a function that online dating apps have made readily possible. Nowadays, a basic smartphone and the cheapest internet access suffices to make a Facebook account or a dating profile on apps mostly for free. The importance of the worldwide web lies in simply existing in it; once an online account has been made then the entire cyberspace becomes the user's playground. As Gagné (2016) quotes Massumi (2002): "The medium of the digital is possibility, not virtuality, and not even potential." (p.168).

More recently, technology has moved closer and closer into the lives of its users, and with the emerging trend of geolocated online dating applications like Tinder, Grinder, Minder, Tastebuds, Salaam Swipe,

and many others, one can only wonder how the new dating realm is schematized. Before even constructing a digital identity, the choice of app is an indication on its own of the type of partners one might be looking for. Grinder is designed for the gay community, usually men, while Minder promotes itself to be for safe yet fun Muslims with only photos and names as profiles. Tastebuds matches those with similar music tastes, and Salam Swipe is the Tinder equivalent of Muslim individuals looking for marriages. Different apps are configured for different lifestyles.

In Gagné's ethnography (2016) of Nadir, a Lebanese gay man, and his use of gay hook-up apps, he notes how every interaction in this digital world is by itself a social event that generates desires of possible encounters and sex. First through his online profile on the app then through messaging possible matches, Nadir creates, negotiates, and consumes digital fantasies only through which an offline encounter may take place. This digital world seemingly brings together individuals from different sociocultural backgrounds and sexual identities due to its easy access and the fantastical world it creates, reproducing the real life fantasies its parties might wish to engage in. Nadir explains that if his imagined fantasy and that which the other builds through his profile – and later his messaging style – fit, then it is possible to predict the type of relation that would take place. The fantasy layer originates from the "stats" or the personal information of the profile holder, like location, age, body measurements, circumcision status, and chat rules: "no pic=no reply," "masc 4 masc," "no mafsoumin" (Gagné, 2016). From this initial data, the user can already start to predict how both the online and offline encounters would be shaped.

Aside from the physique of the profile holder insinuating the types of possible sex, in a Lebanese context, their location might be an indication of sect and class, leading the user to entertain a set of sociopolitical significations dictating the online interaction. This is a tool to help the user refine their search and better articulate their desire concerning who they deem attractive/desirable or not, and who they wish to get involved with or not. For example, if the user resides in Beirut, then any user more than fifty kilometers away would be a resident of the northern or southern, typically Sunni, areas of Lebanon like Tripoli or Sidon. If the meetup agreed upon takes place in an apartment in Ashrafieh, then Nadir's match is likely to be Greek orthodox, while a date in Aley might be with a man from the Durzi religion. On the other hand, a cup of coffee in one of Verdun's fancy cafes might be a little pricier than a drink in one of Hamra's many cheap pubs. Therefore, the user is well aware, in this cyber-world, of the Lebanese sociopolitical context in which they are reconfiguring their sexual identity and desires. Moreover, their profile image is also an important clue on the type of encounter, whether digital or physical, they are looking for. Nadir notes that a body shot attracted mostly hook-up partners (Gagné, 2016), a hairy large man is typified as a "bear," which is a direct visual indication of his type of desired fantasy, and profile pictures that do not match profile information are considered to be a bad sign. While the sense of anonymity of dating apps can provide a space for visibilities to be articulated differently, or ambiguously, and for sexual identities to be rendered fluid in terms of the LGBTIQ umbrella, they are not impervious to preferences in terms of the physique or social status, which could end up reproducing layers of social discrimination, class contempt, and sectarian sentiment.

The second layer of impressions is when both parties swipe right, hit a match, and start a conversation. The language used, whether Arabic or French and English is usually also an indication of social status, as a foreign language presumably indicates a "better education" (Gagné, 2016). This is an important deal breaker for many users like Nadir, as they consider that a similar social background constitutes a fertile

ground on which a desirable fantasy can be built. Distancing themselves from the problematics of such a claim, they posit that it is simply more difficult to imagine yourself in a scenario with someone whom you cannot relate to. As the conversation proceeds, styles of communication aid in classifying different partners for different fantasies and encounters. “No pic=no reply” usually indicates casual sexual hook-ups, and “masc 4 masc” is a direct tell for digital identities where only cis masculine partners are desired. While sexual preferences are legitimate, these messages are, more often than not, accompanied by other, fatphobic and femphobic warnings (“no fats, no fems”). Then, conversation styles determine the fantasy dynamic. In the world of dating apps, “fantasy” may refer to two parallel worlds: the imagined sexual fantasy and the fantasy characters built in the digital world. The latter, although considered imagined as they often emerge from within the first type of fantasy, are very real characters as they are expected to be the same characters portrayed in the offline world. The fantastical almost converges with the digital. The digital is more than just a metaphor for the real world in codified terms, and so the fantastical is more than just a digitally communicated version of the imaginary; it is as real as the real thing. For example, a relaxed “a message every couple hours” chatter is expected to be the same level of relaxed in his everyday life; someone who engages in a long conversation then suddenly “ghosts,” meaning disappears, and never texts back is not expected to show up to an actual date. In that sense, strict chat criteria indicates a high level of fantasy control, where the partner dictates the terms of their own fantasy world and brings it to life (Gagné, 2016).

The last layer of impressions, although fully assessed offline, is information authenticity by reflecting on consumptions of previous established fantasies, desires, and identities. Duguay (2017) investigates how what she calls non-human actors of Tinder or the application algorithm are built-in features that approximate user profiles as much as possible. Tinder relies on user input data to assess profiles based on normative Facebook-friendly identities of specific social backgrounds and ethnicities. As a result, non-normative sexual orientations, gender presentations, and desires may be disregarded as unauthentic and possibly dangerous (Duguay, 2017). This further problematizes the previous context discussed above, as users venture into an already prefixed fantasy setup. If the same app features, such as lifestyle, location, and many others, are utilized by both users and app algorithms to assess profile authenticity and dynamics in perhaps different directions, then how would the online dating fantasy realm be shaped now? If the identities pool is pre-determined, then how can users know which desirable identities to construct and consume, without being kicked out of the system? Is this Tinder feature even announced? And if it were to be publicized then how would that affect profile authenticity and user safety?

The digital realm allows for a reconfiguration of selves and desires in sociopolitical systems of signification; however, it is firstly thought of as an opportunity to construct lives in spaces away from the policing offline world. Fantasies and desires can be channeled through users’ longing out of the material sphere and into the digital one, where they can freely gaze upon whomever they wish without being necessarily incriminated by the social order as potential chaos. These lives and selves, although in cyber space, constitute very real desires and identities, reconfiguring social relations and perceptions of the self.

What merits a discussion here is the blurriness of the divide between online and offline. If online chats and information can materially exist in the offline world, even just as print-outs of chats, then the two worlds have simply crashed hard into each other and fused into a continuous universe. A strict separation

between the online and the offline can never exist as long as we exist in the material world. Even then, materiality would not be a rigid criterion because even if we forgo the offline world and live in virtual reality, our online presence, although not physical, would always be reduced down to digits and figures and operating systems that are still material. Until we develop a non-material model of online presence, our virtual reality will be processed by some computer somewhere.

As a result, we cannot always rely on the digital aspect of the online universe to protect identities and desires we might develop in secret from the offline world. We see this with the existence of big data, or our online trail of everything we ever liked or looked at online. In other words, our online profile of the places we have visited, our interests, our friends, and even where we went to middle school, are all online and available for anyone to grab and use. When it comes to Tinder, according to one of their spokesperson, this information is needed to have the best personalized experience and to render the matching experience as dynamic and accurate as possible (as cited in Duportail, 2017). What happens if this information falls in the wrong hands?

Unfortunately, this information doesn't only affect our online presence; Duportail also informs us that it also influences which job offers we have access to, which loans the bank offers us, and many other aspects of our offline life. What does big data produce in countries where user identity is not properly protected? This could become as dangerous, not only as identity theft, but as state surveillance where the users' secret online lives are used against them to incriminate them offline, and this is necessarily problematized when decisions as personal as sexual orientations are deemed illegal.

In Lebanon, the only legal article relating to homosexuality is penal code Article 534 that prohibits sexual relations considered as "acts against nature." In addition, there have been up to four recent cases of Lebanese judges deciding not to criminalize cases of homosexuality, deeming them instead to be a matter of "personal choice" rather than "unnatural," as the penal code stipulates (Fares, 2017). On the other hand, in Egypt, the law No. 10/1961 combats "prostitution" and states that whomever incites a person to engage or engages in prostitution or debauchery can be sentenced to jail. Although both laws have an ambiguous and what is far from being a direct relation to homosexuality, both are used to prosecute and hunt down individuals who engage in same sex acts, including LGBTIQ individuals. One might ask here: what does an obscure and debatable offline law have to do with the use of harmless online dating applications? The digital nature of these applications does not make them safe by default. Aside from cases of cyber bullying or stealing your credit card information, these applications can lead to serious real time offline persecutions, like jail and entrapment. For example, Egypt was featured as tenth on the list of the Top 10 worst countries to be a blogger, as published in a yearly report by the Committee to Protect Journalists (Moawad & Qiblawi, 2011). The legal action taken by the state has been, but not restricted to, "random arrests, detentions at the airport, even fabricated court cases [that] commonly occur in Egypt among bloggers and website owners. International rights groups have warned of heavy government censorship inside Egypt, with several bloggers and political dissidents being arrested for 'security reasons'" (Moawad & Qiblawi, 2011).

Recently, Egypt has witnessed a heavy crackdown on LGBTIQ individuals and men who have same sex relations or who are perceived as such, following a music concert by the Lebanese band Mashrou' Leila, where the rainbow flag was waved, leading to the arrest of more than 75 people. The arrests were made

under claims of "debauchery" and "incitement to debauchery." The Egyptian Initiative for Personal Rights (EIPR) has been following up on the topic with LGBTIQ individuals since the beginning of the crackdowns in 2013. In their latest released report, *The Trap: Punishing Sexual Difference in Egypt* (2017), The EIPR explains how the morality police in some parts of Egypt uses online dating profiles such as websites and dating applications to lure in LGBTIQ individuals, ambush them by arranging for a meet-up, then arrest them. This is done by police officers who create fake online accounts on these websites/applications, initiating chats and encouraging individuals on the other end of the chat to send pictures of themselves, which might include nudity. Said police officers then proceed to print the electronic chats and are able to use them as legal evidence against the individuals pursued. The report calls this phenomenon an "electronic entrapment" (EIPR, 2017), but it poses a scary significance that is capable of changing one's perception of the online world and its agile transversal from spaces thought of as safe, secluded digital bubbles, to sites of state manipulation, surveillance, and criminalization.

Nonetheless, practitioners and LGBTIQ individuals find themselves having to take extra caution in how they handle and negotiate their online presence. By sharing information on online safety and security, they are able to renegotiate the porous boundaries of online spaces. For instance, in an open workshop about cybersecurity held at the American University of Beirut by the Gender and Sexuality Club, Aida Khemiri, the founder of Geek&Queer, provided some helpful tips about safe chatting on online dating applications, especially when it comes to sending pictures. With pictures on phones and computers having specific information, called metadata, attached to them, tracing them back to the source is an easy task, and activists are sharing their knowledge in a peer-to-peer fashion by explaining, for instance, that this metadata can easily be deleted by changing the smartphone or computer settings before a picture is sent. Khemiri also advised users of online apps to take pictures that do not reveal the face or any unique body marks like tattoos or scars. However, the most important tip Khemiri shared was to document everything that is sent and received, from messages to pictures. A good function of documenting is to include the other person's participation in the conversation, for example by watermarking pictures sent to them with their name big across the picture sent. Some basics are also useful, such as never agreeing to meet in a private location, or not doing so before the identity of the other person is validated, in addition to using a virtual private network (VPN) software to prevent an individual's IP address from being tracked and geolocated to their location. Will these tips keep Egyptian LGBTIQ individuals away from unfair police treatments and arrests? Perhaps not, but activists are fighting back and reclaiming their online spaces through means such as peer-to-peer transmission of information.

As mentioned by Gagné earlier, the online world is a world of possibility and not virtuality, meaning that even though the online world is invisible, its effects on us are very real, whether on our ability to construct who we are to the world or our need to conceal it. Perhaps this is a call to further dwell into the digital fantasy world and use online features, as discussed earlier with the use of Tinder, to negotiate identities and personalities that are ambiguous in their articulation. Therefore, collapsing the binary of the closet and renegotiating fluid desires and identities would address the online seeping into the offline through the same means of negotiating our online identities. In other words, perhaps the next step is to develop the spectrum of ambiguous visibilities through our online presence; with the online world remaining material, one would ponder on digital justice and the need for activists to be technologically equipped to

negotiate their online presence, despite the nation-states' and corporations' monopoly on digital infrastructures and data.

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