

# F\*ck Foucault

## How Eighteenth-Century Homosexual History Validates the Essentialist Model

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### **Constructionism versus Essentialism**

During the 1980s and 1990s the more traditional approach to “Gay and Lesbian Studies” was superseded by the more formal discipline of “Queer Theory” or “Queer Studies”, in which the social constructionist model became the hegemonic paradigm for the investigation of homosexual subjects. What used to be a straightforward aim of uncovering a homosexual past was marginalized, and the gap between the traditional and radical approaches widened. As David Robinson points out in his book *Closeted Writing*,<sup>1</sup> “scholars published by Routledge, Duke, Zone . . . rarely cited those published by Haworth/Harrington Park, Cassell, or *Journal of the History of Sexuality*”. The former group considered themselves to be sophisticated theorists and dismissed the latter group as naïve traditionalists. Queer Theory quickly became a hermetically sealed field, whose practitioners, in the manner of medieval scholasticism,

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<sup>1</sup> D. M. Robinson, *Closeted Writing and Lesbian and Gay Literature: Classical, Early Modern, Eighteenth-Century*, Ashgate Publishing, 2006.

cited only each other's works and their "authorities": Michel Foucault,<sup>2</sup> Jeffrey Weeks,<sup>3</sup> Alan Bray,<sup>4</sup> David Halperin,<sup>5</sup> Judith Butler,<sup>6</sup> Eve Kosofsky Sedgwick,<sup>7</sup> Thomas Laqueur<sup>8</sup> and a few French theorists such as Jacques Lacan, Jacques Derrida, Gilles Deleuze and Félix Guattari and other fellow travelers. Tom Betteridge in his book *Sodomy in Early Modern Europe*<sup>9</sup> suggests that the two opposing camps in the debate are split along disciplinary lines: literary critics who view homosexuality as "a protean deconstructive category", versus historians who view it as simply "a descriptive category whose meaning is relatively fixed". Rebecca Jennings in her introduction to *A Lesbian History of Britain*<sup>10</sup> acknowledges

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<sup>2</sup> M. Foucault, *The History of Sexuality, Volume I: An Introduction*, trans. Robert Hurley, Pantheon, 1978.

<sup>3</sup> J. Weeks, *Coming Out: Homosexual Politics in Britain, from the Nineteenth Century to the Present*, Quartet, 1977; Weeks, *Against Nature: Essays on History, Sexuality and Identity*, Rivers Oram Press, 1991.

<sup>4</sup> A. Bray, *Homosexuality in Renaissance England*, Gay Men's Press, 1982.

<sup>5</sup> D. Halperin, "Is there a history of sexuality?", *History and Theory*, 28 (1989): 257–74; Halperin, *One Hundred Years of Homosexuality*, Routledge, 1989; Halperin, "How to do the history of male homosexuality", *GLQ*, 6 (2000): 87–123.

<sup>6</sup> J. Butler, *Gender Trouble: Feminism and the Subversion of Identity*, Routledge, 1990.

<sup>7</sup> Eve Kosofsky Sedgwick, *Epistemology of the Closet*, University of California Press, 1990.

<sup>8</sup> T. Laqueur, *Making Sex: Body and Gender from the Greeks to Freud*, Harvard University Press, 1990.

<sup>9</sup> T. Betteridge, *Sodomy in Early Modern Europe*, Manchester University Press, 2002.

<sup>10</sup> R. Jennings, *A Lesbian History of Britain*, Greenwood World Publishing, 2007.

that after more than thirty years of discussion and argument, the debate between the social constructionist and the essentialist approaches has not been resolved.

What are the fundamental issues in this debate? A key “constructionist” claim is that the concept of sexual “orientation” was invented in the late nineteenth century, mainly through medical discourse, which constructed a strict heterosexual/homosexual binary to facilitate the needs of bourgeois capitalism. As David Halperin says: “‘sexuality’ seems indeed to be a uniquely modern, Western, even bourgeois production”.<sup>11</sup> According to this view, prior to “modern” times, homosexuality was characterized not by a sense of identity, but by sexual acts, which were usually aligned along active/passive “roles” which are conceived as structures of power. For the more hard-line constructionists, sexuality is a “discursive” construct, constituted largely by language and labels, hence “homosexuals” did not exist until the term itself (and its contextual “discourse”) was invented in the late 1860s. Foucault famously proclaimed that in 1870 “Homosexuality appeared as one of the forms of sexuality when it was transposed from the practice of sodomy onto a kind of superior androgyny, a hermaphroditism of the soul. The sodomite had been a temporary sinner; the homosexual was now a species”.<sup>12</sup>

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<sup>11</sup> D. Halperin, “Is there a history of sexuality?”, *History and Theory*, 28 (1989): 257–274.

<sup>12</sup> These lines by Foucault are quoted by virtually all sexual theorists, usually in the first English translation, which used the term “temporary aberration” (rather than “temporary sinner”), which is a mistranslation of Foucault’s term *relaps*, meaning someone who has relapsed into heresy, which is better translated as “sinner”, the term I

The social constructionist position is better understood when we recognize that it is ideologically and politically grounded. Many pioneering theorists of the history of homosexuality were members of Socialist groups committed to the use of Marxist theory to oppose gay oppression. The first generation of social constructionists to pursue this approach included Mary McIntosh,<sup>13</sup> Michel Foucault,<sup>14</sup> Jeffrey Weeks,<sup>15</sup> Robert Padgug,<sup>16</sup> Ken Plummer,<sup>17</sup> Alan Bray,<sup>18</sup> David Halperin,<sup>19</sup> Sheila Jeffreys,<sup>20</sup> Jonathan Ned Katz,<sup>21</sup> and John D'Emilio.<sup>22</sup> When such theorists talk about the “social

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use here. See G. Robb, *Strangers: Homosexual Love in the Nineteenth Century* (W. W. Norton, 2003), p. 42.

<sup>13</sup> Mary McIntosh, “The homosexual role”, *Social Problems*, 16 (1968): 182–192.

<sup>14</sup> Michel Foucault, *The History of Sexuality, Volume I: An Introduction*, trans. Robert Hurley, Pantheon, 1978.

<sup>15</sup> Jeffrey Weeks, *Coming Out: Homosexual Politics in Britain, from the Nineteenth Century to the Present*, London: Quartet, 1977.

<sup>16</sup> R. A. Padgug, “Sexual matters: on conceptualizing sexuality in history”, *Radical History Review*, 20 (1979): 3–33.

<sup>17</sup> Ken Plummer (ed.), *The Making of the Modern Homosexual*, London: Hutchinson, 1981.

<sup>18</sup> Alan Bray, *Homosexuality in Renaissance England*, London: Gay Men's Press, 1982.

<sup>19</sup> David Halperin, *One Hundred Years of Homosexuality*, Routledge, 1989; Halperin, “How to do the history of male homosexuality”, *GLQ*, 6 (2000): 87–123.

<sup>20</sup> Sheila Jeffreys, “Butch and femme: Now and then” (1987) and “Does it matter if they did it?” (1987), in Lesbian History Group (ed.), *Not a Passing Phase*, The Women's Press, 1989.

<sup>21</sup> J. N. Katz, *Gay American History*, Thomas Y. Crowell, 1976; J. N. Katz, *The Invention of Heterosexuality*, Dutton, 1995.

<sup>22</sup> John D'Emilio, *Making Trouble: Essays on Gay History, Politics, and the University*, Routledge, 1992.

constructs” of sexuality, their underlying reference is to ideologies employed by bourgeois capitalism to control the reproductive capacity of the working classes.<sup>23</sup> Halperin’s Marxist approach is transparent when he acknowledges that his interest is not so much the history of sexuality as what he calls “the processes whereby sexual desires are constructed, mass-produced, and distributed”. Specifically bringing desire into the Marxist theory of production and distribution. The ambition of socialist “critical theory” (arising from the economic theory of society of the Frankfurt School in the 1930s–1940s) is not to find an accurate historical model, but to foster social change. The social constructionist fondness for epistemic shifts derives from Marx’s theory of the end of the “immanent critique”, that is, the revolutionary transformation of society, which will require a radical break with history itself. (This desire for change is especially understandable among women and gay men and lesbians, since most history regarding these groups is a history of unmitigated oppression.) Engaging in the dialectics

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<sup>23</sup> Within the Marxist model used by the gay theorists of the 1970s and later, the homosexual was conceptualized as a non-procreative and hence unproductive individual, and his inutility within capitalism was deemed to be sufficient explanation for homophobia. Supposedly the ‘capitalist family’ was promoted as the agent of consumption, necessary for the market. But even if capitalism rejects homosexuals as being non-productive, it is not clear why it would *create* the concept of the homosexual. In any case there is actually no historical evidence that the persecution of homosexuals rose concurrently with the rise of the bourgeois family. The earliest reviewers of Weeks’s *Coming Out* (1977) remarked upon Weeks’s failure to provide satisfactory evidence to support his central thesis, and further noted that, on the contrary, homophobia declined during the nineteenth century (S. Licata and R. P. Petersen (eds), *The Gay Past: A Collection of Historical Essays*, Harrington Park Press, 1980 (repr. 1985), pp. 214–219).

of revolution, the social constructionist privileges “the *modern* homosexual” against merely “*the* homosexual”, hoping to transform the ordinary homosexual into the politicized homosexual, whose “*class consciousness*” – rather than mere “*self-awareness*” – will enable him or her to radically question such concepts as gender and normative heterosexuality. The aim is to fight the class war so that “homosexuals” (and indeed “men” and “women”) disappear as a class and therefore can no longer constitute an object for oppression. The strategy is to undermine homophobia by deconstructing the notion of a stable “real” homosexuality. Deconstruction was found to be such a useful tool for dismantling homophobia – which is indeed a social or cultural construct – that theorists fell into the trap of employing it for deconstructing homosexuality as well. To support the key claim that homophobia actually constructs homosexuality, it has been deemed necessary to throw the homosexual baby out with the homophobic bathwater. The effect of this has been to erase the homosexual from history.

In contrast to this is the traditionalist historical approach to the history of sexuality. This has been labelled “essentialism” by modern critical theorists, who use the term as a mark of derision. A more accurate term would be “realism”, or “constitutionalism”, or “innatism”, but I’ll stick with the term “essentialism” because that has become common practice. In the social constructionist model, knowledge and practice are constructed, deconstructed, and reconstructed through ideological discourse. In the traditionalist or essentialist model, knowledge and practice are discovered, repressed, and recovered through history and experience. Social constructionists emphasize discontinuity and revolutionary ruptures; essentialists emphasize continuity, and the varying suppression or liberation of something that was always already

there. Constructionists emphasize external social practices and political structures that are held to determine personal identity and practice. The essentialist position is that although an individual's sexuality is the subject of several constraining discourses – notably the law and religion – the body itself is the initial mediator of desire and that there is a “sex drive” that operates independently from social discourse and which is the key determinant of personal desire.

Essentialists take the view that a homosexual is “born, not made”; that is, an individual's sexual orientation is hard-wired before birth, as the result of physiological, biological, hormonal, and genetic factors that could not have been shaped by social, environmental, or cultural factors. The “essence” or core of homosexual desire is innate, congenital, constitutional, stable and fixed rather than fluid. Hard-line essentialists would subscribe to the recent findings of scientific research into the psychobiology of sexual orientation, which demonstrate, for example, that “sexual orientation” exists objectively;<sup>24</sup> that

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<sup>24</sup> Scientific research into the psychobiology of sexual orientation has demonstrated that homosexual and heterosexual orientations are empirically objective, that an overwhelming majority of people are almost exclusively heterosexual, and a small minority are almost exclusively homosexual, while an even smaller number are intermediate or bisexual. Kinsey's 6-point scale is often misleadingly called a “continuum”, but when his data are placed along this scale, what is actually revealed is “J-curve”: a large majority of the men in Kinsey's data, about 85 per cent, are at the exclusively heterosexual point, the large vertical part of the “J”; negligible amounts are spread across the bisexual points, the flattened bottom of the “J”; and a minority is at the exclusively homosexual point, the small upward bit of the “J”. More recent studies of men who have had sexual relations during the past twelve months, have found that 95 per cent were with persons of the opposite sex, a bit more than 3 per cent were with persons of the same sex, and a bit less than 2 per cent had relations

sexual orientation is taxonomic, not semantic; that it is categorical rather than strung along a continuum, that it is bimodal for men (i.e. a large majority are nearly exclusively heterosexual and a small minority are nearly exclusively homosexual), and that an intermediary or bisexual pattern may exist only among women. Further, there are clear differences between homosexuals and heterosexuals, which are not confined to just sex. For example: gay men are more likely than straight men to have a counterclockwise hair whorl; lesbians are more likely than straight women to have a finger-length ratio similar to that of men; gay men are 34 per cent more likely to be left-handed than straight men; lesbians are 91 per cent more likely to be left-handed than straight women; heterosexual men and lesbians are significantly heavier and larger than gay men and heterosexual women. Most of these so-called “gay traits” seem to have developed in the womb and could not have been shaped by social conditioning. Innumerable studies, including tests of mental rotation and spatial perception, and verbal fluency, demonstrate that gay men and lesbians have statistically significant “sex-atypical” characteristics.<sup>25</sup> Sex-atypical behaviour such as gender

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with both sexes. There is no such thing as “pan-bisexuality”. Sexual orientation is categorical rather than continuous or fluid.

<sup>25</sup> The most prominent critic of scientific research into sex and gender differences is the feminist biologist Anne Fausto-Sterling, whose book *Sexing the Body* (2000) provided support to gay activists and theorists who rejected the notion of a direct congruence between chromosomal sex, gender, and sexual orientation. But a critique of Fausto-Sterling’s work by Leonard Sax (2002) suggests an inappropriate skewing of the data. Briefly, Fausto-Sterling claimed that 1.7 per cent of human births were intersex, based on an over-broad definition of intersex as “any individual who deviates from the Platonic ideal of physical dimorphism at the chromosomal, genital, gonadal, or hormonal levels”. Of the ten conditions she describes as



nonconformity during childhood has a very high predictability for sexual orientation: sissies and tomboys are likely to become homosexual adults.

Scientific evidence from studies of fraternal birth order among gay men,<sup>26</sup> and the so-called “gay gene”, and numerous studies of brain hemispheres and the effect of sex hormones in the womb (as summarized in the book *Born Gay: The*

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intersex, five do not meet clinical standards for such a definition, and the remaining five conditions, which are genuine intersex conditions, would account for less than 0.02 per cent of the general population, using her own figures. “None of her case histories are drawn from the five most common conditions in her table, even though these five conditions constitute roughly 99% of the population she defines as intersex. Without these five conditions, intersex becomes a rare occurrence, occurring in fewer than 2 out of every 10,000 live births.” In other words, the condition, far from being “fairly common”, which was the headline argument of her book, is so rare that it cannot be described, as she claims, as a normal variant. Sax’s conclusion confirms the essentialist binary model: “The available data support the conclusion that human sexuality is a dichotomy, not a continuum. More than 99.98% of humans are either male or female.” (L. Sax, “How common is intersex? A response to Anne Fausto-Sterling”, *Journal of Sex Research*, August 2002.

<sup>26</sup> Biographical and historical studies have found that the more older brothers a man has, the more likely he is to become homosexual. This fraternal birth order effect has a high level of statistical significance, and studies have frequently replicated this finding. Possible social or familial reasons for this have been ruled out by studies of, for example, identical twins brought up separately, which produce similar findings. Gay men are more likely to have gay uncles, especially maternal uncles, and to have gay cousins on their mother’s side – suggesting an inheritability factor which a mother passes to her son. This has provoked search for the so-called “gay gene”, which has been located in the Xq28 region of the X chromosome.

*Psychobiology of Sexual Orientation*<sup>27</sup>) increasingly supports the essentialist view that homosexuality is transcultural, transnational and transhistorical. There is no scientific evidence that sexual orientation is constructed by social or ideological factors, be they family upbringing or bourgeois capitalism. In contrast, the scientific findings tend to re-confirm and validate the traditional practices of homosexual history: for example, the utility of the search for homosexual markers in personal biography, including stereotypes about effeminate men (e.g. “sissies” and “queens”) and masculine women (e.g. “tomboys” and “butch dykes”); the importance of focusing upon homosexual lives rather than homophobic discourses; the non-anachronistic usefulness of the umbrella term “homosexual” for many periods and cultures; and above all, the accuracy of a historical perspective which recognizes that continuity trumps contingency.

This is not to say that society and culture are completely irrelevant for the essentialist historian. We would acknowledge, for example, that although personal homosexual identity arises in the first instance from within the individual, it may then be consolidated along lines suggested by the homosexual subculture as well as warped by the wider homophobic society. Nevertheless such historical contingency has been greatly exaggerated. The range of homosexual customs that differ from culture to culture are actually quite limited and predictable – for instance patterns of effeminate male homosexuals and masculine female homosexuals are common to most cultures and most time periods despite the

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<sup>27</sup> Glenn Wilson and Qazi Rahman, *Born Gay: The Psychobiology of Sex Orientation* (London: Peter Owen, 2005; 2008 reprint).

very wide range of restrictions and controls that are specific to each culture.

That, briefly, is the framework of the debate. Let us turn now to European conceptions of homosexuality prior to the nineteenth century.

## **Natural-born Sodomites and Sapphists**

Public opinion during the eighteenth century mostly regarded homosexuality as a vice; if the issue of causation was addressed at all, many – particularly satirists – felt that it was what we now term “acquired”. The author of *Plain Reasons for the Growth of Sodomy* (1731) suggested that the boy who plays with girls, takes dancing lessons and goes to operas, and is spoilt by his mama, will grow up to be a sodomite. The sodomite was also seen as someone who apes the customs of foreign cultures, particularly those of Italy, and whose behaviour is reinforced by the fashion of men kissing one another in public. But *Plain Reasons* also offers the alternative, essentialist, view: “this *Vice* [is] most predominant in those, to whom *Nature* has been so sparing in her Blessings, that they find not a Call equivalent to other *Men*. And therefore, rather than expose themselves, they take the *contrary Road*.” Homosexuality in this view is compensatory behaviour for an *inborn* lack or absence of manly vigour.

Other writers alluded to the effects of warm southern climates; or the demoralizing effects on public morals of commerce and manufacture; or effeminate luxury. Many recognized what we now call “situational homosexuality” in the practices that take place in public schools where boys sleep together; or in monasteries; or on ships among seamen

deprived of women. During sodomy trials, some men claimed to have been seduced into this practice during youth, and others claimed that they were drunk when they did it, which suggests a release of inhibitions.

Eighteenth-century writings also contain, however, frequent references to “deep-rooted depravity” or “the inveteracy of the habits of such monsters” – phrases which suggest something inborn rather than acquired, or at least something fundamental to one’s temperament. The author of a memoir published in 1747, observed that “some Vices, are *constitutional*. I have heard a Reverend Vicar of a neighbouring Town, whose Clerk had more than once adorned its Pillory for Sodomitical Practices, declare often, that he never had the least Inclination for a Woman in his Life, though [he was] then near Seventy [years old].<sup>28</sup> In 1749, a servant girl at the Globe Tavern, Fleet Street, told the magistrate that when she went into a chamber, and saw her master lying naked on the backside of another man, “upon her asking her Master if he was not ashamed of being Guilty of such An Action, he replied that it was an Unhappy gift that God has given him, and he could not Live without it.”<sup>29</sup> In a report from the Bastille in 1701, a male prostitute is described as having been “perverse since childhood”. So-called “unnatural vice” was sometimes perceived as being natural to the sodomite. Thomas Cannon in his defence of homosexuality *Ancient and Modern Pederasty Investigated and Exemplified*, published in 1749, says:

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<sup>28</sup> *Memoirs of Mr. Thomas Chubb*, London, 1747, pp. 41–42; he also refers to “the Biases of Inclination”.

<sup>29</sup> Middlesex Sessions Papers – Justices' Working Documents, 20 April 1749, see full text at <http://rictornorton.co.uk/eighteen/1749fawc.htm>.

“Unnatural Desire is a Contradiction in Terms; downright Nonsense.” All “amatory Impulses”, “however constructed”, are part of nature. “Nature sometimes assumes an unusual Appearance; But the extraordinary Pederast seeking Fruition, is as naturally acted as the ordinary Woman’s Man in that Pursuit.”<sup>30</sup> – Or, in other words, the homosexual seeking fulfillment behaves as naturally as the ordinary heterosexual man seeking the same.

The early modern understanding of homosexuality attached great importance to sex-atypical characteristics, and effeminate men were the frequent subjects of satire. Many satirists joked that Nature made a mistake or had a moment of indecision when she created the sex of *petits maitres* or pretty little boys. And some suggest that effeminate boys were begotten by fathers at a time of drunkenness or low sexual potency. Be this as it may, the eighteenth-century data would suggest that a fair number of homosexual men were in fact effeminate and some lesbians were masculine, not only in self-presentation such as cross-dressing, but also in physical build and demeanour. In several countries people observed that convicted sodomites spoke in an effeminate manner or had a high-pitched voice, sometimes walked with a mincing gait, and sometimes had overexpressive hand gestures. Hester Lynch Piozzi in the 1790s called sodomites of her acquaintance “finger twirlers” because she observed this behaviour in men

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<sup>30</sup> “The Indictment of John Purser, Containing Thomas Cannon’s *Ancient and Modern Pederasty Investigated and Exemplify’d*”, Edited by Hal Gladfelder, *Eighteenth-Century Life*, 31 (Number 1, Winter 2007), p. 54.

such as Sir Horace Mann and the painter George James.<sup>31</sup> In Pierre Beauchamps' pornographic French novel *The History of King Apprius*, published in 1728, sodomites are classified into two types, the Ugobars and the Chedabars. The Ugobars are modest and discreet, and take care that they are not recognized by society; the Chedabars are effeminate and flamboyant, walk with an affected gait, and are almost defiant in their deviance. We can easily recognize the parallels with gay types in the early and mid-twentieth century: gay men or queers who present themselves as normal and assimilate into society, in contrast to ostentatious queens and fairies who "give gays a bad name". Beauchamps also observed that some effeminate sodomites present themselves in a more conventional manner as they grow older, which seems to reflect genuine observations.<sup>32</sup>

Theories of causation were more explicitly pursued with regard to lesbians. Many quasi-medical texts described the "tribade" as a hermaphrodite with an enlarged clitoris. In 1744 a prominent surgeon and anatomist in Venice investigated the case of Catterina Vizzani, a cross-dressing woman who pursued women, trying to determine if her lesbianism had physiological causes. He eventually anatomized her body and determined that she had normally developed sexual organs, and concluded that her homosexuality was caused by something else unknown. The English translator of a pamphlet about this case, who was probably John Cleland, suggested that Vizzani's

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<sup>31</sup> *Thraliana: The Diary of Mrs. Hester Lynch Thrale (Later Mrs. Piozzi) 1776-1809*, ed. Katharine C. Balderston, 2 vols., 2nd edn, Oxford: Clarendon Press, 1951, entry for 29 March 1794, ii. 874-875.

<sup>32</sup> See discussion by Shapiro in Foster, *Long Before Stonewall*, pp. 360-361.

taste for women was caused by an early seduction by a female. But her father had protested that his daughter was a “prodigy of Nature”, i.e. born that way, that her sexual irregularities were observable from early childhood, and that her “Constitution was not to be repressed by Words or Blows, Nature must e’en take its Course”.<sup>33</sup>

If we need any evidence that the modern lesbian identity existed before 1869 we have only to investigate the life of the Yorkshire landowner Anne Lister (1791–1840). During the 1810s and 1820s she possessed a fully formed lesbian personality with characteristics easily recognizable to modern lesbians. She was actively pursuing and having sex with women in the first decade of the nineteenth century, which she vividly described in coded entries in her diaries, which were deciphered and published in the 1980s. She had a masculine build and was often mistaken for a man, and she had erotic dreams in which she imagined herself possessing a penis. Like many homosexuals of a later period, Anne realized she was different and tried to understand the nature of her sexuality. To a female lover in Paris she “Said how it was all nature. Had it not been genuine the thing would have been different. I said I had thought much, studied anatomy, etc. Could not find it out. Could not understand myself.” Back in England, Anne’s lover Mariana at one point told Anne she was horrified of anything “unnatural”. Anne replied that her own feelings were “surely natural to me inasmuch as they were not taught, not fictitious, but instinctive.”<sup>34</sup> So in real-life situations, outside satirical

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<sup>33</sup> *The True History and Adventures of Catharine Vizzani*, By Giovanni Bianchi, London, 1755

<sup>34</sup> For a fuller analysis, see Rictor Norton, "Anne Lister, The First Modern Lesbian", *Lesbian History*, <http://rictornorton.co.uk/listner.htm>.

discourse, people who really knew lesbians and gay men sometimes recognized what later came to be called congenital inversion.

## Language and Orientation

During the mid-eighteenth century, lesbian sexuality was conceptualized through the employment of generic terms such as “kind”, “species” and “genius” (meaning *genus*); by abstract phrases such as “feminine congression” or “accompanying with other women”; and by euphemisms such as “vicious irregularities”, “unaccountable intimacies”, “uncommon and preternatural lust”, “unnatural affections”, “abominable and unnatural pollutions”.<sup>35</sup> Both male and female homosexuality were covered by the phrase “unnatural appetites in both sexes”; we even find the word “unnaturalism”.<sup>36</sup> Historians of the Foucauldian school, by focusing so narrowly on official rhetoric and the elite discourse of lawmakers and sexologists, and by fetishizing the term “homosexual”, have ignored the fact that most people use euphemisms and unscientific terms to describe sexual behaviour and sexual orientation. To claim that there no words for homosexuality before the late nineteenth century betrays a high degree of linguistic insensitivity.

The rigidly applied theory of “discursive constructs” has had an especially distorting effect on the historiography of lesbianism. The argument that there was no premodern discourse for erotic love between women is often founded on

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<sup>35</sup> Summarized by E. Donoghue, *Passions Between Women: British Lesbian Culture 1668–1801*, Scarlet Press, 1993.

<sup>36</sup> *The Fruit-Shop, A Tale; or, A Companion to St. James's Street*, London, 1766.



inaccuracies in the *Oxford English Dictionary*, which traces the word “lesbianism” (as a term relating to sexual orientation rather than just the famous poet and her island) back only to 1870, the word “lesbian” to 1890 (as an adjective) and to 1925 (as a noun), and “sapphism” to 1890. The *OED*’s misdating of lesbian terms has been widely cited by social constructionist theorists. But Emma Donoghue in *Passions Between Women* (1993) established beyond doubt that throughout the seventeenth and eighteenth centuries the word “lesbian” was used in the very same sense as today, and that lesbians were viewed as a distinct sexual and social group. To cite an example from a literary work that was not cited in the *OED*, sexual relationships between women are described as “Lesbian Loves” by William King in *The Toast* in 1732, where he says that a female character “loved Women in the same Manner as Men love them; she was a Tribad”. In French literature, the word “lesbienne” was used in the modern sense since the sixteenth century. Hester Lynch Piozzi in her journals suggests that the famous Ladies of Llangollen (Sarah Ponsonby and Lady Eleanor Butler, who eloped with one another) were “damned Sapphists” and noted that women were reluctant to stay the night with them unless they were accompanied by men.<sup>37</sup> It is the dictionary that is the social construct – not the sexuality.

The social constructionist approach similarly treats the term “sexual orientation” as a construct of modern discourse, but this term has many synonyms throughout history, such as “predilections”, “propensities”, “inclinations” and “sensual appetites” – most of which suggest something inborn. A footnote in a 1798 English translation of the works of Sappho

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<sup>37</sup> Donoghue, *Passions Between Women*, pp. 149–150.

refers to the rumours of her “unhappy deviation from the natural inclinations”. This easily matches the “modern” concept of deviant sexual orientation. Sixteenth- and seventeenth-century biographies are full of references to men with “shameful inclinations”. Preferential sexual inclinations are often commented upon, and are clearly perceived as a mental predisposition or orientation.

The term “orientation” is not a scientific term arising from modern sexology, but a directional metaphor drawn especially from the field of astrology. The astrological tradition was that the orientation of the planets at one’s birth determines whether one will be heterosexual, bisexual, or homosexual. For example, in an astrology handbook published in 1792, we learn that “If Mars and Venus are alone in aspect together” at a man’s birth, he will “indulge himself in all excess with women; but if one of these stars be occidental, and the other oriental, in Quartile or Opposition, he will then be disposed to both men and women”; however, “if both these planets be found occidental . . . he will burn with unnatural lust after men and boys”.<sup>38</sup>

The dating of the emergence of the homosexual to only a hundred or so years ago is the weakest part of mainstream social constructionist theory. It is very easy for historians to establish that most of the sexual categories which are supposed to have arisen under modern capitalism in fact existed much earlier. For instance, in 1734, Dutch sodomites were described

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<sup>38</sup> *Astrology. The Wisdom of Solomon in Miniature, being A New Doctrine of Nativities, reduced to Accuracy and Certainty; or, The Art of Determining Future Events by the only True Method, the Radical Figure of Birth*, by C. Heydon, Astrophilo, Printed for A. Hamilton, 1792, pp. 182–183.

by contemporaries as “hermaphrodites in their minds”<sup>39</sup> – an exact match for the “hermaphroditism of the soul” that Foucault claimed arose only in the nineteenth century. Scholars have noted statements about “pederasts” recorded by Paris police in the 1720s, such as “He had this taste all his life”, or “From an early age he did not do anything else but amuse himself with men; these pleasures were in his blood.”

The other term that has plagued our understanding of homosexual history is the word “sodomy”. The Foucauldian dogma is that sodomy is an “utterly confused” category, and Queer Theorists claim that the term was applied to such a wide variety of deviant behaviours that its essential meaning cannot be determined in early periods. But in fact the term “sodomy”, in the vast majority of instances related specifically to sexual relations between men, and it is this representative meaning of the term, rather than its occasional exceptional meanings, that should be foregrounded. Helmut Puff in *Sodomy in Reformation Germany and Switzerland 1400–1600* concludes that the Foucauldian assessment of the usage of the term is frankly mistaken. Puff demonstrates that “When medieval and early modern writers used ‘sodomy,’ they most commonly referred to male-male sexual activities”.<sup>40</sup> Even when the surrounding discourse uses terms referring to connotations of, for example, “heresy”, nevertheless these terms “center on same-sex sexual acts”. Even in early medieval discourse, the

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<sup>39</sup> L. J. Boon, “Those damned sodomites: Public images of sodomy in the eighteenth century Netherlands”, in K. Gerard and G. Hekma (eds), *The Pursuit of Sodomy: Male Homosexuality in Renaissance and Enlightenment Europe* (New York: Harrington Park Press, 1989), p. 246.

<sup>40</sup> H. Puff, *Sodomy in Reformation Germany and Switzerland 1400–1600*, University of Chicago Press, 2003, p. 12.

claim that the term was unstable is greatly exaggerated. Virtually all references to the “unspeakable crime” clearly denote sex between men. By the beginning of the eighteenth century, there is no doubt that “sodomy” meant erotic love between men. For example, in *A Flaming Whip for Lechery* (1700), “Sodomy” is defined as “the Unnatural Lust of Men towards Men”, and is ascribed not only to the ancient Sodomites, but to “Anti-Christian Idolaters” at the time of the Dissolution of the Monasteries in England. In a long catalogue of lusts, vices, abominations, unnatural lusts, degeneracy, bestiality, and so on, the word “sodomy” is reserved exclusively for sex between men. This “Unnatural Amour” provoked God’s hatred of the Cities of the Plain: “This is the first Instance we meet with of *Lusts arrived to such a prodigious height* as to seek after Unnatural Objects”. This is a fairly typical example in the discourse about Sodom and Gomorrah distinguishing same-sex desire as a choice of the “wrong” gender as the object of desire. That is, same-sex lust is narrowly conceived of as relating to the gendered object of desire rather than a specific sexual act. It also illustrates how the correct/incorrect gender of the object of desire fits into the discourse about “unnatural” lust, by referring to “*Lot’s* unadvised proposal of his own Daughters (to them) who were more natural and fit Objects for their Lust”. The Queer Theorist’s “penetrative ethos” is not present here: what is unnatural is not that a male will be penetrated by a male, but that a male desires a male object. In dictionaries published during the eighteenth century, the most common words relating to homosexuality are “sodomy” and “buggery”, which of course is no surprise. But although “buggery” is widely understood as meaning anal intercourse between males, the word “sodomy” seems to have a rather broader meaning, that

is, sex of any sort between males. Indeed, in *Cocker's English Dictionary* of 1724 sodomy is defined simply as “male venery”, which is really as abstract as the modern synonym “male homosexuality”.

Allen Frantzen in his study of Anglo-Saxon and medieval homosexuality has shown that hundreds of years before Peter Damian coined the word “sodomia” (“sodomy”) around 1050, Anglo-Saxon literature had used the terms “Sodom”, “the Sodomite”, “sodomitic” and “in the manner of a Sodomite” to refer unambiguously to sex between men.<sup>41</sup> Further, I think it is significant that among numerous discussions of illicit sexual behavior in the early medieval Penitentials, there are no words for specific types of sexual sinners *except* for sodomite. For example, there are no specific words for those who practice masturbation (who would be called “wankers” in modern British slang), whereas there are several important words for those who practise sodomy, such as “sodomitae”, “molles”, “baedling” and “*masculus cum masculo*”. In other words, although *acts* are emphasized in the Penitentials, it is only in the homosexual context that we hear about sexual *actors*.

The privileging of the so-called “discourse of sodomy” has seriously diminished our understanding of early-modern homosexual history. The traditional historian has always recognized the necessity of differentiating between categories of textual sources in order to determine which ones have a greater purchase on historical accuracy and which ones are more likely to be biased. But discourse theorists regularly lump

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<sup>41</sup> Allen J. Frantzen, *Before the Closet: Same-Sex Love from Beowulf to Angels in America* (University of Chicago Press, 1998), e.g. p. 134.

together literary satires and trial records and religious sermons and pornographic novels as if they constitute a single monolithic discourse reflecting “homophobia”. For example, Cameron McFarlane in *The Sodomite in Fiction and Satire, 1660–1750*<sup>42</sup> analyses *An Account of the Proceedings against Captain Edward Rigby for Sodomy* in the Old Bailey in 1698 as if it were simply a literary “text” rather than a historical record. By putting it on the same par as John Cleland’s *Memoirs of a Woman of Pleasure* (1749), McFarlane treats this relatively accurate and complete transcription of trial proceedings as if it were pornographic fiction calculated to “subversively reinscribe homosexual desire”. For McFarlane it becomes a narrative of intrigue, employing literary devices to mimic reality, including phrases to give it “an appropriate, legal-sounding air”. McFarlane’s speculation that this is merely a simulacrum of a legal document would surprise most practising legal historians. In fact, all of the salacious details in the published trial, without exception, are copied verbatim from the unpublished statement that William Minton, the object of Rigby’s seduction, supplied for the indictment<sup>43</sup> and from the affidavits of three witnesses or constables.<sup>44</sup> These are absolutely straightforward historical documents: they are not simplistic constructs of a legal discourse, and the information they contain is historically valuable data rather than homophobic ideology.

The semiotic or discourse approach to the study of homosexual history tends to focus exclusively on the discourse

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<sup>42</sup> Cameron McFarlane, *The Sodomite in Fiction and Satire, 1660–1750* (New York: Columbia University Press, 1997, pp. 146–157)

<sup>43</sup> London Metropolitan Archives, MJ/SP/1698/12/024–025.

<sup>44</sup> MJ/SP/1698/12/021–023.

of homophobia. For example, Helmut Puff in *Sodomy in Reformation Germany and Switzerland, 1400–1600* (2003) is not interested in whether or not sexual slurs are objectively true; he is only interested in how the collective social conscious perceives such defamatory accusations. Puff regularly emphasizes the political and social utility of sodomy as an accusation and systematically refuses to consider the probability that discourse reflects a reality of homosexual behavior. For example, in 1414 an innkeeper in Lucerne was rumoured to have buggered another man, but a magistrate cleared him of the charge; then eight years later, in 1422, the same man was again called before the council to explain why a thief had slurred him as a sodomite, and he swore he had never committed sodomy; then eleven years later, a burgher again slandered him as a sodomite and he again asserted he was an honourable man, and both he and the slanderer were fined ten florins. For Puff, this is a study of slander and the rhetoric of gossip – not the historical tracks of a man who had practised homosexuality over a period of almost twenty years. Puff's book is full of solid scholarship, and is one of the best products of the constructionist approach, and yet it is fundamentally flawed by his dogmatic refusal to look beyond "discourse". However many examples of invective and rumour Puff uncovers, he denies that they have any reference to something outside the text and the discourse of homophobia. This is directly contrary to the traditional historian's approach, which would recognize that this pattern of rumours increases the likelihood that the man really was homosexual. Oddly enough, Puff *does* acknowledge that sexual slander regularly refers to something outside itself, that is, to some personal or political animosity on the part of those who express the slander. It is difficult to see on what philosophical grounds Puff

can allow the discourse of slander to arise from the personal prejudice of the slanderer, but not to reflect the personal desires of the slandered.

## **Legal Discourse**

Critical theorists within Queer Theory focus very narrowly on general society's perceptions of and attitudes towards homosexuals. Most social constructionists, taking their cue from Weeks and Foucault, concentrate on the "discourse" of homosexuality, that is, the elite discussion and investigation of homosexuality by professional experts such as sexologists and physicians, and they tend to ignore or discount the evidence that falls outside that discourse. The more hardline structuralists maintain that no objective facts can be established outside the field of textual discourse.

Our understanding of early-modern homosexual history has been diminished by this reductive focus on legal discourse – which is a common feature of the social constructionist model. This has led many historians into focusing on acts rather than persons or desires. Many historians of homosexuality have quoted the position summed up by Jeffrey Weeks in 1977: "the central point [of the Act of Henry VIII of 1533 outlawing buggery] was that the law was directed against a series of sexual acts, not a particular type of person. There was no concept of the homosexual in law, and homosexuality was regarded not as a particular attribute but as a potential in all sinful creatures."<sup>45</sup> But Weeks's inference is mistaken. Of course it is true that a focus upon acts rather than persons is

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<sup>45</sup> J. Weeks, *Coming Out: Homosexual Politics in Britain, from the Nineteenth Century to the Present*, London, 1977, p. 12.



characteristic of all legal statutes in all periods. But this is neither surprising nor significant. It has always been the business of lawmakers to scrupulously identify and define acts rather than categories of persons, because the only practicable way to control people is to control their *actions*. Laws regularly cite *crimes* rather than *criminals*, and *felonies* rather than *felons* are the subject of legislation. The laws of England do not prohibit *thieves* and *highwaymen* – they prohibit *theft* and *highway robbery*. Legalistic definitions cannot be treated as if they are exactly equivalent to social understandings. In no sense do they provide evidence that types of persons susceptible to crime were not recognized in society or in law. While legislators work out the precision of their statutes, the people who enforce and prosecute the law, as well as society at large, lacking the fine discrimination of ecclesiastics and lawyers and queer theorists, quite regularly referred to certain *types of persons* as habituated “criminals”: thieves, highwaymen, pickpockets, streetwalkers – and sodomites.

Social constructionists have blinkered themselves by foregrounding the *theory* of statute law rather than the *practice* of law. In fact it was sodomites as persons rather than their acts or roles which occupied centre-stage in the trials. Within the Old Bailey courtroom, despite the narrow focus of the legalistic discourse that frames the statute law, sexual *orientation* was a major consideration in prosecutions for sodomitical offences. More witnesses were brought forward to give evidence of *character* (i.e. a person’s nature), than to give evidence of an alleged sexual *act*. Neighbours sometimes acknowledged having “heard it whisper”d” that a defendant was “inclinable to

Sodomy”.<sup>46</sup> For example, in 1774 three men picked up a man named William Pretty in Kensington Gardens and then extorted money from him by threatening to charge him with sodomy; it transpired that William Pretty, whose wife was long dead, had been similarly blackmailed four years earlier, and his neighbours testified that he “bore the character of a sodomite”.<sup>47</sup> Character witnesses were often called by the defence to vouch for the heterosexuality of the accused, as in the trial of John Burgess, for whom a woman deposed, “I know the [Defendant] to be . . . too fond of a pretty Girl, to fall into sodomitical Actions; and this I know by Experience, upon my Word, and my oath, and my Honour.”<sup>48</sup> William Brown, entrapped by a hustler turned police informer in Moorfields, called witnesses to testify that he “loved the Company of Women better than that of his own Sex”.<sup>49</sup> In 1761 William Bailey called *eighteen* witnesses to confirm that they “never saw any thing like any unnatural inclination by him . . . he had a natural passion for women, and none for his own sex”.<sup>50</sup> As these examples illustrate, the heterosexual/homosexual binary was a commonplace assumption in eighteenth-century courts.<sup>51</sup>

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<sup>46</sup> *OBP [Old Bailey Sessions Papers Online]*, Apr. 1726, trial of George Whittle (ref. no. t17260420-68).

<sup>47</sup> *OBP*, July 1774, trial of John Clarke, John Pullen and William Rooke (t17740706-60).

<sup>48</sup> *OBP*, Oct. 1728, trial of John Burgess (t17281016-61). He was convicted.

<sup>49</sup> *OBP*, July 1726, trial of William Brown (t17260711-77). He was convicted.

<sup>50</sup> *OBP*, Oct. 1761, trial of William Bailey (t17611021-35).

<sup>51</sup> This has also been the commonplace assumption throughout European literature for hundreds of years. Various Romances from the twelfth century amply illustrate that they could not have been

Homosexual offences were prosecuted in English criminal courts using an archaic legal phraseology which defined the crime of sodomy in statutory terms as “feloniously making an assault . . . against the order of nature . . . to commit and perpetrate that detestable and abominable vice not to be named amongst Christians, called Buggery”. But in the eighteenth-century Proceedings of the Old Bailey, this Tudor discourse had become an empty formula, surviving only in the indictment. Outside of the actual indictments, the terms “sinful”, “abominable” and “detestable” were used by witnesses in only 2 trials out of a total of 135. The strongest terms used by witnesses who appeared at the Old Bailey to describe sex between men were “filthy”, “vile” and “unnatural”. Despite the universal persistence of the word “sodomite”, perceptions deriving from the biblical narrative of Sodom and Gomorrah are nearly absent from the testimony in

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written or understood without an assumption that heterosexuality was the default position. Men and women are assumed to love one another; men are assumed to have their (carnal) desires aroused by the sight of beautiful women; it is assumed that all women and all men desire to get married and enjoy conjugal sex. There isn't even a hint that it would be natural (or at all common) for men to desire men, and none that women might desire women. Perhaps the first instance of homoerotic desire to appear in the Romance tradition occurs in a lay by Marie de France (probably late twelfth century), *Lanval*, lines 271 ff., when Lanval rejects the advances made by the Queen because he in fact loves another woman, and she misunderstands his coldness: “I think you don't care for that kind of pleasure. I've very often been told that you have no desire for women. You have taught young men, And you have taken your pleasure with them.” The evidence in this passage clearly indicates that carnal love between a knight and young men in his charge was regarded as, first, unusual, and second, unnatural, reprehensible and dishonourable. It also clearly indicates that there are two different “forms of pleasure” – i.e. a heterosexual and homosexual binary. The claim (by Jonathan Ned Katz and others) that heterosexuality is a modern invention is, frankly, ludicrous.

the Proceedings. A much more secular view prevailed, and by 1772 the religious discourse of sodomy was being ridiculed in mainstream newspapers as “fire-and-faggot declamations”.<sup>52</sup> In short, legal discourse is never a safe guide to public perceptions.

A focus upon the criminal justice system with regard to alleged sodomites – the processes of prosecution, conviction and punishment – has produced a history of homophobia rather than a history of homosexuality. Many historians, including gay historians, fail to distinguish adequately between homosexuality and homophobia, between homosexuals and the perception and repression of homosexuals. To focus upon the social control of sexuality is to shift the focus from queers to queerbashers. The further we pursue the history of homophobia, the more we risk losing sight of gay men and lesbians. The study of the perception and repression of homosexuals constitutes a history of heterosexual prejudice, rather than gay history proper. To focus on the legal control of homosexuality, rather than the structures and values of everyday homosexual life, is to construct the homosexual as little more than the victim of persecution. In many histories of homosexuality, a disproportionate amount of attention has been devoted to documenting oppression, to the extent of obscuring what has been repressed. This predominantly negative focus upon the attitudes of heterosexual society, rather than the values of homosexual culture, has, under the postmodern turn, constructed the homosexual as an imaginary artefact of heterosexual ideology.

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<sup>52</sup> *Morning Chronicle*, 8 Aug. 1772.

If we look beyond the formulaic indictments we will begin to appreciate that many men were in effect prosecuted simply for *being homosexuals*. In 1727, watchmen found two men lying in the porch of St Dunstan's, Stepney, in each other's arms, naked from the waist downwards, asleep or pretending to be asleep. "The Jury considering the Shamefulness of the Posture in which they were taken, concluded they were no better than two of those degenerated Miscreants from the Race of Men, called Sodomites, and brought them both in guilty."<sup>53</sup> These two men were pilloried and imprisoned for an undefined and unspecified "misdemeanor", which referred neither to sodomy nor to assault with intent nor even to indecency, mainly because they were perceived as belonging to a "Race" of degenerates. The fact of the matter is that categories of persons, rather than categories of acts, form the core of homosexual history in the Old Bailey records. During the eighteenth century, judges, juries, prosecutors, witnesses, and the accused themselves, recognized two mutually exclusive sexual orientations. Sodomites were perceived as comprising a distinct minority, whose sexual behaviour was considered to be very strange if not abhorrent, to be an integral component of their essential character, and to be incompatible with a heterosexual inclination.

Throughout the medieval period men who had sex with men were often perceived as being misogynist, or at least as having no desire for women, and throughout history a woman's determination not to marry (which is an attitude rather than an act) was seen to be a characteristic of a lesbian type. The social

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<sup>53</sup> *OBP*, Aug. 1727, trial of John Painter and John Green (t17270830-53).

constructionist insistence that “sodomites” were perceived solely in terms of acts rather than identities has ignored the fact that from at least the late seventeenth century the common term for the sodomite was “women-hater”<sup>54</sup> – which clearly points to one of the features regarded as being central to an *orientation in relation to gender* rather than to a specific sexual act such as anal intercourse. The equivalent to “women-hater” is common in many ancient languages, where terms denoting attraction to the same sex are complemented by terms suggesting orientation away from the opposite sex – the same sort of unaccountable antipathy ascribed to homosexuals by nineteenth- and twentieth-century sexologists. The resistance of the fop and dandy to the attractions of women is a standard feature of Restoration and eighteenth-century comedy. In Thomas Baker’s play *The Yeoman of Kent* (1703), Mrs Hillaria, who tries but fails to seduce the molly Mr Maiden, remarks “I find nothing can be made of this Fellow, there’s somewhat in his Nature contrary to Love” (p. 42). In innumerable satires, a distinguishing feature of “the Unnaturalists” is that they are “Deserters of the Fruit-Shop”.<sup>55</sup>

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<sup>54</sup> Cf. the broadside ballad *The Women-Hater’s Lamentation*, London, 1707: “Nature they lay aside, / To gratifie their Lust; / Women they hate beside, / Therefore their Fate was just. // Ye Women-haters say, / What do’s your Breasts inspire, / That in a Brutal way, / You your own Sex admire?” This is not a simplistic equation of sodomites with those who commit buggery, but a focus upon personality characteristics.

<sup>55</sup> *The Fruit-Shop, A Tale; or, A Companion to St. James’s Street*, London, 1766, vol. I, p. 160.

## Sexual Roles

There is very little evidence to justify classifying men accused of sodomy as sexual libertines. In modern writings about sexual history, the Restoration “libertine” is regularly misrepresented as a bisexual. But in fact the archetypal “libertine” in life and literature was a womanizer and his dissolute sexuality was almost exclusively heterosexual. The Restoration rake debauched women, not youths. The obscene poetry of John Wilmot, Earl of Rochester (1647–1680) does indeed assert an indiscriminate bisexuality, but anecdotes about Wilmot’s personal life are overwhelmingly about his mistresses, and there is only one contemporary rumour alleging that he also had sex with a pageboy. Other than Wilmot, there are only two or three examples of “the bisexual libertine” in England. As Michael Young points out, “Anyone who reads widely in the history of homosexuality finds these few examples repeated incestuously from one work to another.”<sup>56</sup>

The claims that sexuality was “fluid” before modern times, and Randolph Trumbach’s grand thesis that a kind of indifferent bisexuality was the universal norm among men prior to the eighteenth century, are not supported by the data from the seventeenth and eighteenth centuries. In the trials, most of the men accused of homosexual practices were unmarried. The trial records suggest that the popular perception of a distinct binary of heterosexuality and homosexuality arises from accurate observation. Of 65 men implicated in sodomitical offences prosecuted at the Old Bailey from 1715 through 1760, a period when the run of trial records is

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<sup>56</sup> M. Young, *King James and the History of Homosexuality*, New York University Press, 2000, p. 146.

complete and fairly detailed, two-thirds (63%) appear to have been unmarried and to have had no connection with women: typically they lived alone in lodgings, or on the premises of their master if they were apprentices or servants. Only one-sixth (17%) were married or called witnesses to testify that they loved women. This minority of technically bisexual men included men who had been widowed for several years, men who were separated from their wives, and men like Thomas Rodin, nicknamed Ellinor, who in October 1722 was charged with attempted sodomy: according to a man who claimed to have seen Rodin having sex with another man, Rodin “was so far from being ashamed of such a Thing, that he gloried in it; for I heard him say afterwards, that he took more Pleasure in lying with a Man, than with the finest Woman in the World; and, that he had not touch’d his Wife these nine Months.”<sup>57</sup> If Rodin’s comments are accurately reported, then we see here a man who has reflected upon his nature sufficiently to make a statement about his preference for women over men. It is clear that this homosexual preference is not only very strong, but that he is not so much “a bisexual” as one who has crossed the threshold and is on the way to becoming exclusively homosexual. Even if this is a trumped-up charge – for the prosecutor had a grievance against Rodin, and Rodin was acquitted – nevertheless the accusation demonstrates that someone could conceive of a “sodomite” who clearly preferred men to women even though he was married. Rodin was not portrayed as a libertine indiscriminately interested in either sex. The prosecutor worked in a brothel as a pimp, and this incident

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<sup>57</sup> Trial of Thomas Rodin in *Select Trials* (London, 1742), 1: 280–282; the version published in the *Proceedings* is less detailed (*OBP*, Oct. 1722, trial of Thomas Rodin [t17221010-2]).



allegedly took place in the lodgings above the brothel (not the brothel itself), so this conception of a certain kind of homosexual was held by a man who presumably had some knowledge of the erotic underworld. (In a fifth of the cases (20%) not enough information is available for us to determine marital status or relations with women.)

A letter to a newspaper in 1772 expressed the common belief that sodomites kept women for cover: “Mistresses they have several for *two* purposes: first, they remove all suspicion; secondly, they are at hand to appear in case of need at the Old Bailey, and exculpate the charge laid against them. For, is not the Gentleman addicted to women?”<sup>58</sup> In a homosexual love letter published in 1723, which I have argued is genuine and was written before 1694, the Earl of Sunderland explains to his boyfriend that he has taken a mistress “to stop some good natur’d Reflections I found made on my Indifference that way.”<sup>59</sup> In a scandalous memoir published in 1791, Marie Antoinette is portrayed as a lesbian who has deliberately disguised her passion for women by taking men as lovers: “by openly giving a loose to her inclinations in one respect, she imagined that she had effectually concealed the real object of her pursuits”.<sup>60</sup> Sarah Churchill in 1708 said that Queen Anne

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<sup>58</sup> *Public Ledger*, 5 Aug. 1772; see full text at my website *Homosexuality in Eighteenth-Century England: A Sourcebook*, <http://rictornorton.co.uk/eigheten/jones7.htm>.

<sup>59</sup> *Love-Letters Between a certain late Nobleman And the famous Beau Wilson*; for full discussion, see R. Norton, *Mother Clap’s Molly House*, 2006 edition (Chalford Press), Chapter 2.

<sup>60</sup> *Memoirs of Antonina, Queen of Abo. Displaying the Private Intrigues, and Uncommon Passions. With Family Sketches, and Curious Anecdotes of Great Persons*. Translated from the French. Two Volumes in One. London: Printed for E. Bently, No. 22, Fetter Lane, 1791; vol. I, p. 32.

had “no inclination for any but one’s own sex”. Abigail Masham, Queen Anne’s favourite, is described in a satire as realizing that she was perceived as being “rather addicted to another Sort of Passion, of having too great a Regard for my own Sex, insomuch that few People thought I would ever have Married; but to free my self from that Aspersion some of our Sex labour under, for being too fond of one another, I was resolved to Marry as soon as I could fix to my Advantage or Inclination.”<sup>61</sup> Thus we see that the pretence of desiring the opposite sex while really desiring the same sex is hardly a modern invention.

### *Active/Passive Sexual Roles*

Another misconception that has been fostered by the focus on structural acts rather than essential identities has contributed to the false claim that prior to the invention of the modern homosexual, homosexual relations have been constructed along binary lines as being strictly “active” or “passive” “role playing”. European legal discourse about sodomitical offences inherited the distinction between “agent” and “patient” used in Roman law and ecclesiastical canon law. This has been exploited by sociologists in their construction of typologies of sexual role-playing. However, no useful social history will be served by analysing an alleged distinction between “active” or “insertor” and “passive” or “receptor” roles. In contrast, the very full evidence given during sodomitical trials at the Old Bailey reveals a nuanced and comprehensive description of a *gay sexuality* that goes well beyond active/passive roles. The trials contain ample evidence that so-called “sodomites”

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<sup>61</sup> *The Rival Dutchess; or, Court Incendiary*, London, 1708, pp. 6–7.

enjoyed a broad range of activities, including kissing, cuddling, love talk, fondling, sexual display, mutual masturbation, oral intercourse, and reciprocal anal intercourse. Sometimes all of these occurred during the course of a single encounter: For example, in 1772 Charles Gibson kissed a 19-year-old man in the Red Lion pub in Moorfields, then went out back with him to make water, where he took hold of his penis and said “It was a very good one, and he liked it very well”; then they went into the pub’s privy, where Gibson pushed the other man down on the seat and masturbated him until he came; then Gibson kissed him “very heartily” while he unbuttoned his own breeches and put the other man’s hands on his own penis; then Gibson began tickling, rubbing, kissing and sucking the other man’s penis until it was again erect, and then turned around and sat down naked in the other man’s lap, directing the latter’s penis into his fundament. After they were finished, Gibson asked the other man to change positions with him so that he could bugger him in return.<sup>62</sup> To categorize Gibson as a “passive adult male” would be grossly misleading. Similarly, many men took turns buggering one another, and many men confessed mutual masturbation but denied sodomy. A majority of them enjoyed an integrated and varied package of love and sex, for which a typology of rigidly distinct “active” and “passive” “roles” is virtually meaningless.

The discourse of penetration, as it is employed by theorists who reduce sexuality to relations of power, does not help us understand the history of homosexuality, which ought instead to focus on the nuances of desire. Many trials involved men who picked up and sodomized apprentices or errand boys;

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<sup>62</sup> *OBP*, Sept. 1772, trial of Robert Crook and Charles Gibson (t17720909-18).

quite regularly, the older man, after he had finished sodomizing the younger, then asked the younger man “to act the same with him”, a clear indication that active penetration was not his sole interest. However, in many instances the younger man declined because, in the words of one such youth, he was not “that sort of man”.<sup>63</sup> Such data should be treated as evidence of desire (or lack thereof) rather than as evidence of role playing. In such encounters, “that *sort* of man” was clearly classed as a *homosexual* who desired reciprocal sex. Constructionist historians have wrongly used this data to construct a paradigm claiming that “active” older men regularly paired with “passive” younger men. A more accurate paradigm would simply classify the older man as a man with a homosexual orientation, and his younger partner as a bit of trade, that is, a heterosexual lad not averse to engaging in sex in return for money or other benefit as long as he does not initiate that sex and therefore feel compelled to classify himself as a homosexual. That is, such data illustrate categories of *persons* rather than categories of *acts*.

Such data also contradict the orthodox anthropological model, which claims that only those men who engage in “passive” sex are stigmatized as homosexuals, while the “active” partner is not stigmatized or given a specific identity because he takes the same role as heterosexual men and is therefore part of the norm. The records in the Old Bailey show just the reverse: the one who is stigmatized and hence given an identity is the one who expresses a homosexual desire, regardless of the sexual role or specific act, while the one who submits to the sexual request, even if it involves “passive” sex,

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<sup>63</sup> *OBP*, Dec. 1721, trial of George Duffus (t17211206-20).

does not feel implicated in the desire, hence escapes the stigmatization and the identity.

This brings us to a major issue in the debate between social constructionists and essentialists, the existence of a homosexual social identity before modern times.

## **Identity and Subcultures**

An awareness of an overpowering and nearly exclusive erotic desire towards someone of the same sex lies at the root of homosexual identity, and there is plenty of evidence that this awareness existed well before the nineteenth century. Self-identities are especially likely to take shape when men are challenged to justify their behaviour. We know that sodomites were regularly challenged about the nature of their sexuality by the errand boys they picked up for sex, who often expressed amazement at the very idea of sex between men. Many sodomites were ready to defend their actions and justify themselves. One response was for them to say that they had enjoyed previous and regular experience of the same sort, and it was therefore nothing to be concerned about. Some men subscribed to Locke's Enlightenment philosophy that "every man has a property in his own person: this no body has any right to but himself". Thus when William Brown, entrapped in Moorfields, was asked by the constable why he had taken such indecent liberties, Brown "was not ashamed to answer, I did it because I thought I knew him, and I think there's no Crime in making what use I please of my own Body".<sup>64</sup> This kind of justification was not uncommon. In 1718 a watchman caught

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<sup>64</sup> *OBP*, July 1726, trial of William Brown (t17260711-77); and *Select Trials* (London, 1742), 3: 39–40.

sight of two people making love against the railings in front of Covent Garden Church. When he went up to them he saw they were both men, and he started calling them filthy sodomites. One of the men, whose breeches were down around his ankles, replied “Sirrah! what's that to you, can't I make use of my own Body? I have done nothing but what I will do again.”<sup>65</sup>

In one of the early documents of gay history, in 1698 Captain Edward Rigby was convicted of attempting to sodomize the 19-year-old William Minton, a youth he had picked up in St James's Park on the Fifth of November, Bonfire Night. When Rigby said to Minton that “He had raised his Lust to the highest degree”, Minton asked him “How can it be, a Woman was only fit for that”, and Rigby answered, “Damn 'em, they are all Port, I'll have nothing to do with them.” Although the non-homosexual youth seems to be unaware of the existence of the possibility that men might desire to have sex with men, Rigby, the possessor of such a desire, not only perceives there to be two distinctly separate kind of sexual desire – a man's desire for another man, and a man's desire for a woman – but also clearly believes that the former is so preferable to the latter that he is exclusively interested in the former. In other words, Rigby perceives there to be two distinct sexual orientations, which we now call homosexual and heterosexual, and he perceives these desires to be mutually exclusive. This illustrates two features supposedly possessed only by the “modern homosexual”: a belief in the heterosexual/homosexual binary, and an exclusive homosexuality. Although Minton perceives the male/female binary, he doesn't have enough experience to recognize the

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<sup>65</sup> *OBP*, Dec. 1718, trial of John Bowes and Hugh Ryly (t17181205-24).

existence of the heterosexual/homosexual binary, whereas Rigby is fully aware of it: this suggests that the awareness of this binary has arisen in the homosexual himself, rather than is an idea or construct thrust upon him by the heterosexual or non-homosexual society at large. When Rigby asks Minton “if he should Fuck him”, Minton exclaims “how can that be”, and Rigby replies “it's no more than was done in our Fore-fathers time”, telling him that Jesus and John were sodomitical partners, and claiming “That the French King did it, and the *Czar of Muscovy* made *Alexander*, a Carpenter, a Prince for that purpose”. Like homosexuals throughout the nineteenth and twentieth centuries, Rigby justifies his homosexual desire by claiming it was practised by famous people throughout history. This strikingly “modern” pose demonstrates that Rigby placed himself within a category of persons who enjoyed homosexual sex – that is, he sees himself as a member of a group distinguished by their sexual desires. It does not seem at all anachronistic to me to call Captain Rigby “a homosexual”.<sup>66</sup>

It seems inevitable to me that some degree of homosexual self-consciousness will have arisen in the minds of men who regularly had sex with men. All the evidence given in the Proceedings at the Old Bailey flatly contradicts the postmodern consensus, expressed by Tim Hitchcock, that “The vast majority of eighteenth-century men who committed sodomy did not think of themselves other than as ordinary, everyday members of their society. They did not belong to a subculture, nor did they have a distinctive self-identity. They

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<sup>66</sup> For the complete text of the trial pamphlet, and contemporary newspaper reports, see Rictor Norton, “The Trial of Capt. Edward Rigby, 1698”, *Homosexuality in Eighteenth-century England: A Sourcebook*, <http://rictornorton.co.uk/eighteen/rigby.htm>.

would have seen sex with another man simply as an extension of the forms of sexual behaviour common in courting and marriage.”<sup>67</sup> The claim that men were indifferently “sexual” or bisexual before the alleged construction of the hetero/homo binary in the late nineteenth century is downright bizarre. Any claim that the habitual practitioner of same-sex activities was indifferent to how he might be branded is easily refuted by the number of men who committed suicide after being suspected or accused of engaging in sex with other men. In 1701 the Parish Clerk of St Dunstan’s in the East, “being turned out of his Place upon Suspicion of an unnatural Crime”, cut his throat.<sup>68</sup> Several of the very first mollies to be arrested, in 1707, hanged themselves or cut their throats while awaiting trial. In 1728 an upholsterer named Thomas Mitchell was apprehended for committing sodomy, at which point “he attempted, and had near accomplish’d, destroying himself, in cutting the great Artery of his Left Arm almost asunder”, but surgeons saved his life despite his great loss of blood, and he was subsequently indicted for sodomy.<sup>69</sup> In 1752 a man arrested for sodomitical practices near the Tower was granted bail and then promptly hanged himself.<sup>70</sup> In September 1772 a tradesman in Southwark hanged himself after being detected in having sex with his 13-year-old apprentice.<sup>71</sup>

Any claim that society was broadly tolerant of same-sex activities is easily refuted by a superabundance of cases in which one man vehemently rejects the sexual advances of

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<sup>67</sup> Tim Hitchcock, *English Sexualities, 1700–1800*, Macmillan, 1997, pp. 63–64.

<sup>68</sup> *English Post*, 5–7 March 1701.

<sup>69</sup> *Weekly Journal; or, British Gazetteer*, 14 Dec. 1728.

<sup>70</sup> *General Advertiser*, 2 Sept. 1752.

<sup>71</sup> *The Craftsman; or Say’s Weekly Journal*, 26 Sept. 1772.



another. In a typical incident, in 1701 when a young man was approached by another man while in the public “house of office” in Lincoln’s Inn, who “discovered to him his Inclination, to Commit the filthy Sin of Sodomy, with him, and made an Attempt to force him”, the young man cried out, and the porters and watchmen of the Inn ran to his assistance, and they ducked the offender in the house of office.<sup>72</sup> These men exhibit no evidence of being casually accepting of same-sex advances. Clearly a stigma was in operation, a stigma that is not compatible with an indiscriminate bisexuality or an indifferent, liberal society. From the beginning of the century, there are numerous cases of men being whipped and pilloried for falsely accusing other men of sodomy. Contrary to men being indifferently bisexual, they were fearful for their reputation regarding their sexual orientation, and blackmailers threatening to accuse them of being sodomitically inclined were reviled. The assertion that sodomy was regarded as simply an alternative is not born out by the number of witnesses who seem to have been genuinely surprised and shocked by the sodomitical scenes they witnessed, at least one woman being so frightened by it that she nearly fainted: “the Woman, who peeping a pretty while at last cry’d out I can look no longer! I'm ready to Swoon! He’ll ruin the Boy.”<sup>73</sup> Sodomy was clearly in a very special separate category outside the norm, something unnatural, something strange. Since the majority of ordinary people felt that way, it is probable that many sodomites felt that way as well, or at least felt compelled to counter the common perception. It is hard to see how men who knew the stigma applied to them would not have had their

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<sup>72</sup> *London Post*, 20–23 June 1701.

<sup>73</sup> *OBP*, Apr. 1722, trial of John Dicks (t17220404-29).

identity shaped by that stigma in some way. When sodomites were captured and dragged through the gutter, they were branded with names such as “sodomite”, “molly” and “buggerer”. By such labelling they were forcibly made aware that they belonged to a category of men different from the norm. Men who had sex with men read the same newspapers and satires as the rest of society, and witnessed men like themselves standing in the pillory at many street corners and hanging from the gallows at Tyburn. Sodomites alone could not have remained oblivious to their identity when everyone else in society had some notion about it.

At least a basic sexual identity (though not necessarily a social or cultural identity) can be deduced from cases of repeat offenders, who can occasionally be traced through the records. Such was Richard Manning, who in 1745 was convicted of making out with another man and sent to prison for six months, and exactly six months later, on the very day he was released, he tried to pick up a man on Fleet Street and was again arrested and sent to prison, this time for twelve months. This may be a good illustration of the theory held by Hester Lynch Thrale Piozzi, a friend of Dr Johnson, who felt that sodomites had to hide and suppress their desires to such a degree that when they acted on them, they nearly lost control of themselves and threw caution to the winds, with often disastrous consequences of discovery. Mrs Piozzi was a close observer of sodomites, and frequently commented upon them in her private journals. For example, she felt that the dramatist Richard Cumberland was a sodomite, because “he is so over-attentive, so apparently afraid of his Wife, who seems scarce able to conceal her Hatred & Contempt of *him*, while he pays her most diligent Court in hopes every body will observe it some how.” She even perceived these inclinations in writers’ drama or fiction:

“Cumberland dwells upon the *personal Charms* of his Heroes always with a luscious fondness exceedingly particular, as if he were in Love with them himself. The same is to be observed in *Vathek* a Romance written by Beckford with much Invention, but then Beckford is a Profesor of Pæderasty. . . . Mr Beckford’s *favourite Propensity* is all along visible I think.”<sup>74</sup> Whether or not Mrs Piozzi’s perceptions are always accurate, they clearly indicate that people in the late eighteenth-century speculated about the nature of homosexuals.

Some men were unquestionably self-aware homosexuals, like the great collector and builder William Beckford who explicitly identified himself as a pederast, and who collected news clippings about sodomites and cross-dressers and pasted them into scrapbooks,<sup>75</sup> a tool also used by gay men in the twentieth century to consolidate their gay identity. But I think we can say that less literate men who were habitual homosexuals were also clearly driven by their desire and possessed a self-aware sexual identity, like John Twyford, who in 1745 said “he loved a soldier as he loved his life”.<sup>76</sup> Or like William Marriot, who at his trial in 1707 was said to be “so notoriously addicted to this sort of Leudness, that none could set quietly in the *Royal Exchange*, even in Change time, without being disturb’d by his Obscene & Loathsome Actions;

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<sup>74</sup> For full quotations and sources, see Rictor Norton, “Mrs Piozzi’s Reminiscences”, <http://rictornorton.co.uk/eighteen/piozzi.htm>.

<sup>75</sup> Rictor Norton, “William Beckford’s Gay Scrapbooks”, *Gay History and Literature*, <http://rictornorton.co.uk/beckfor2.htm>; Rictor Norton, “Oddities, Obituaries and Obsessions: Early Nineteenth-Century Scandal and Social History Glimpsed through William Beckford’s Newspaper Cuttings”, *The Beckford Society Annual Lectures 2004–2006*, ed. Richard Allen, The Beckford Society, 2008.

<sup>76</sup> *OBP*, July 1745, trial of John Twyford (t17450710-17).

& that he told one of the Evidence, that it was much more pleasure to him than the use of a Woman.”<sup>77</sup> Or like Henry Thorp, who in 1729 responded to the advances of a man who then threatened to expose him if he did not give him money; Thorp expressed his despair at succumbing to desires he had previously acted on five years earlier but had suppressed until now, and he subsequently hanged himself.<sup>78</sup> Shame was a factor in some eighteenth-century homosexual identities, just as it was in the 1950s: newspapers sometimes reported suicides following arrests for soliciting,<sup>79</sup> and a public scandal was sometimes followed by a wave of suicides or men fleeing the country.

## Subcultures

The social constructionist position that homosexuality could not have become a defining characteristic of identity until the medical/sexological discourse of modern times is simply incorrect. The “demon” of desire has been part of the psychodynamics of identity for many centuries. Perhaps more interestingly, legal records throughout Europe clearly document the existence not only of men who preferred their own sex and were aware of this preference as a defining characteristic or identity, but also men who participated in urban homosexual subcultures, ranging from the geographical

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<sup>77</sup> *Tryal, Examination and Conviction Of several Notorious Persons call'd Sodomites*, At Guild-Hall on Monday the 20th of October, 1707.

<sup>78</sup> *OBP*, Aug. 1729, trial of George Wood and Joseph Pinhorn (for theft/highway robbery, t17290827-35).

<sup>79</sup> For two cases in 1752, see <http://rictornorton.co.uk/eigheten/1752news.htm>.

subcultures of cruising grounds to the highly organized subcultures of commercial establishments.

Right from the start of the eighteenth century, there were popular cruising grounds in London for making homosexual contact, including London Bridge, the covered arcades of the Royal Exchange, and public parks. Moorfields, just north of the City walls, was crossed by a path known as the “Sodomites’ Walk”, where men stood up against the wall alongside the path and pretended to be urinating, while waiting for a man to pick them up.<sup>80</sup> St James’s Park was frequented by Guardsmen acting as male prostitutes, or as blackmailers of the men who responded to their solicitation. A soldier and his brother in the early 1760s said that they picked up and then blackmailed *five hundred* gentlemen in Bird Cage Alley in the Park.<sup>81</sup> It is likely that many of these gentlemen were seeking rough trade, and found it.

These cruising grounds were used so regularly by men in search of sex with men, that it is clear that their main aim was to make contact with one another, or with hustlers, rather than simply to pick up straight errand boys or innocent passers-by. The trial evidence shows pretty clearly that gay sex was not a casual or incidental opportunity fortuitously arising during a stroll in the park. John Mitchell, who bragged that his penis was nine inches long, said that “when he wanted Money, he took a Walk in the Park, and got 4 or 5 Guineas a-Night of

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<sup>80</sup> Trial of Goddard and Rustead, 1725, in *Select Trials at the Sessions-House in the Old-Bailey* (Dublin, 1743), 2: 173–176.

<sup>81</sup> *OBP*, Dec. 1759, trial of Thomas Brown and James Brown (t17591205-24) and Sept. 1763, trial of James Brown (t17630914-52).

Gentlemen, because they would not be expos'd.”<sup>82</sup> Homosexual sex was deliberately sought out, by men who went to specific places where they knew they could find other men wishing to have sex with men. They used specialized slang, such as the phrase “picking up trade”. They used a system of signals and coded gestures to indicate their availability, such as sitting on a bench and patting the backs of their hands; or poking a white handkerchief through the tails of their frock coat and waving it to and fro as they headed towards some bushes. Men who participated in the homosexual subculture of the Netherlands knew about and discussed these British practices for picking up men.

The clearest evidence of a collective homosexual identity in eighteenth-century England can be seen in the organized subculture of so-called “molly houses” which catered exclusively for homosexual men. At least thirty of these disorderly houses were investigated over the century.<sup>83</sup> Some were private lodgings, but some were commercial alehouses and coffee houses where 50 or 60 men gathered together, especially on Sunday nights. Three molly houses were kept by married men and women, but most of them were kept by gay men. Robert Whale and York Horner – known respectively as Peggy and Pru – lived together for at least three years before their molly pub was raided.<sup>84</sup> Sodomites

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<sup>82</sup> *OBP*, April 1729, trial of John Mitchell (t17290416-51).

<sup>83</sup> Seventeen are listed by R. Trumbach, R. “London”, in D. Higgs (ed.), *Queer Sites: Gay urban histories since 1600*, London and New York: Routledge, 1999, pp. 89–111, esp. n. 6, p. 111.

<sup>84</sup> They were convicted at King’s Bench rather than the Old Bailey; I have reproduced the relevant news reports at <http://rictornorton.co.uk/eighteen/1726news.htm> and <http://rictornorton.co.uk/eighteen/1727news.htm>.

socialized with one another in the molly houses, where they sang bawdy songs and danced country jigs, behaved in a disorderly fashion, engaged in camp, effeminate behaviour, sometimes had sex in the back rooms, and sometimes even married one another in formal wedding ceremonies.

Once inside a molly house, respectable working-class men and artisans let their hair down. They transformed themselves into outrageous queens, camping it up, talking bawdy, and having bitch fights, all captured in lively trial accounts as well as satires. The most famous molly house in Britain was a disorderly coffee house in Field Lane, Holborn kept by Margaret Clap, known as Mother Clap. Her premises, frequented by mollies from 50 miles outside London, had what was called a “marrying room”.<sup>85</sup> Similarly, the Royal Oak, a large pub on the corner of St George’s Square, Pall Mall, allegedly had a room called “the Chapel”, where men could get “married” to one another.<sup>86</sup> A molly wedding was celebrated in 1728 between a butcher named Thomas Coleman and John Hyons, a French immigrant who used the nickname Queen Irons. They had previously been pilloried together and imprisoned for three months.<sup>87</sup> A bawdy song allegedly sung by Queen Irons had the refrain “Among our own selves we’ll be free”.<sup>88</sup> One trial records the refrain of an authentic molly

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<sup>85</sup> *OBP*, July 1726, trial of Margaret Clap (t17260711-54).

<sup>86</sup> *OBP*, Apr. 1726, trial of George Whittle (t17260420-68).

<sup>87</sup> See *A Genuine Narrative of all the Street Robberies committed ... by James Dalton* (1728), partly reproduced at <http://rictornorton.co.uk/eighteen/1728dalt.htm>. They were tried at the Guildhall. See *Weekly Journal*, 22 Oct. and 12 Nov. 1726 (<http://rictornorton.co.uk/eighteen/1726news.htm>).

<sup>88</sup> ‘But Among Our Own Selves We’ll Be Free’, reproduced at <http://rictornorton.co.uk/eighteen/lechery.htm>.

song: “Come, let us fuck finely”.<sup>89</sup> One bridesmaid at this molly wedding was James Oviat, nicknamed Miss Kitten; he was a street robber and regularly blackmailed men after offering to have sex with them.<sup>90</sup> Another bridesmaid was John Cooper, an unemployed gentleman’s valet and a regular cross-dresser known to everyone in the neighbourhood where he lived as “Princess Seraphina”. Four years later he went in drag to the first-ever *ridotto al fresco* given at Vauxhall Gardens in 1732. He earned money by picking up men, and by arranging assignations between sodomites.<sup>91</sup> Using a combination of pamphlet criminal biographies, newspaper reports, and trials at the Old Bailey, it is possible to establish Princess Seraphina at the centre of a network of about ten small-time thieves and about two dozen gay men, and to document the activities that regularly took place at several molly houses over the course of three or four years. Thus a representative picture of a well-organized homosexual subculture can arise from a biographical study centring upon this single individual who, like many others, lived and worked entirely within a social community of gay men.

If the molly houses were simply phenomena of a libertine underworld, one would expect to find mixed establishments where all varieties of sex were on offer. We might pose the question: Did a man who went to bawdy houses

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<sup>89</sup> Trial of Thomas Wright, *Select Trials* (London, 1742), 2: 367–9. This detail is omitted from the printed *Proceedings*, *OBP*, Apr. 1726, trial of Thomas Wright (t17260420-67).

<sup>90</sup> See my annotations to *A Genuine Narrative . . . by James Dalton* (1728), at <http://rictornorton.co.uk/eighteen/1728dalt.htm>. He was put in the pillory in 1728 for extortion: *OBP*, Feb. 1728, trial of James Oviat (t17280228-82).

<sup>91</sup> *OBP*, July 1732, trial of Thomas Gordon (t17320705-30).



for sex with women, also go to molly houses for sex with men? That is, did one and the same man use both institutions depending upon the experience he wished to have on different occasions? Or, similarly, did a man who usually went to bawdy houses, sometimes go to molly houses for a change, or out of curiosity? The answer to all these types of question is: No. There is no evidence that such “libertine” practices occurred. Certainly they did not occur regularly, otherwise they would have left some trace in the record; but there is no evidence that they occurred at all. The men who went to bawdy houses, and the men who went to molly houses, seldom expressed an interest in the opposite sex while they were in these respective establishments. The molly houses were exclusively homosexual, with only one category of patron seeking only one category of experience. This is not to claim that all the clients of a molly house were exclusively homosexual. We know that some mollies were married men or had a female partner. But there is no evidence that the same individual would go to a molly house one night, and to a heterosexual brothel the next night. While these married men were in the molly houses, they are not known to have engaged in any sort of “bisexual discourse” while there. There was a clear division of clientele between bawdy houses and molly houses. Men who wished to have sex with women went to bawdy houses; men who wished to have sex with men went to molly houses. Women were always present in bawdy houses, but women are entirely absent from molly houses, except in three known instances where they and their husbands were the proprietors of molly houses. The men who went to bawdy houses did so regularly and were recognized habitués of bawdy houses. Similarly, the men who went to molly houses were recognized as frequent and regular customers of molly houses; some of these men are traceable

over a period of several years. This is strongly indicative of an essential sexual orientation. During the nineteenth century, we know of instances where the proprietor of a heterosexual brothel would occasionally offer to fetch a boy for her customer. But I know of no instance where a woman ever offered her services to a visitor to a molly house. So in this comparison, we might speculate that, at least by the nineteenth century, a brothel or bawdy house had come to serve as a centre for sexual debauchery more broadly considered, but nevertheless the molly house and homosexual brothel continued to focus exclusively on homosexual orientation. All of this suggests to me that the frequenter of a molly house specifically conceived of himself as someone powerfully directed by specifically homosexual desires rather than sexual desires in general.

The mollies commonly adopted “maiden names”, i.e. feminine nicknames. For example, in 1728 in a molly house on Tottenham Court Road, “When any Member enter’d into their Society, he was christned by a female Name, and had a Quartern of Geneva [i.e. a glass of gin] thrown in his Face; one was call’d Orange Deb, another Nell Guin, and a third Flying Horse Moll.”<sup>92</sup> This mock baptism is clearly an initiation ritual designed to cement the solidarity of members of a community. Flying Horse Moll had been arrested three years earlier, following a raid on a private drag party at a house near Drury Lane on New Year’s Eve. Some of the maiden names of the men arrested on that occasion were Cochineal Sue, Green-Pea

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<sup>92</sup> *Proceedings at the Sessions of the Peace*, October 1728, trials of Julius Caesar Taylor and John Burgess.

Moll, and Plump Nelly.<sup>93</sup> The court learned that these men's nicknames were based on the names of the horses who ran in the Newmarket Races that year. So we should keep in mind that these molly nicknames cannot be reductively treated as arising solely from female identification – though presumably the horses were geldings.

The widely documented use of molly nicknames constitutes *prima facie* evidence of identity, for identification is the primary function of nicknames. Unlike homophobic epithets, a nickname that is voluntarily used within a circle of friends, is usually chosen or accepted because it seems to express one's true nature better than one's given name, or at least to reflect one's characteristic or distinguishing features. The predominance of specifically female nicknames might indicate a deeply rooted sense of one's gender, or alternatively it might be a way of situating oneself in relation to the gender of the object of desire – which strictly speaking is a matter of sexual orientation rather than gender. Camp behaviour is part of the package of adopting a gay subcultural identity rather than simply a gender role. Yet, partly because gay history has been subsumed within "Gender Studies", camp behaviour and female nicknames have been used to construct a model of the molly in terms of gender role rather than homosexual orientation. There were, however, many male couples in which both partners adopted female nicknames – such as Peggy and Pru mentioned earlier – and of the 14 men who were prosecuted specifically as a result of raids on molly houses, two-thirds were charged with taking the so-called "active" role

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<sup>93</sup> Incidentally, Plump Nelly's real name was Samuel Roper; he and his wife kept a molly house, and he would later die in prison while awaiting trial for sodomy.

in sodomy. In any case, it is very clear from behaviour recorded in the trials and satirical pamphlets that the mollies did not imitate *ladies* – they imitated *whores*.<sup>94</sup> Much of their behaviour imitated the eye-catching gestures and outrageous exhibitionism employed by common street-walkers to attract the attention of men looking for a good time.

Homosexual subcultures similar to those in London are evident in several cities across Europe. In the Netherlands, a homosexual subculture was revealed with the discovery of a gang of blackmailers in Amsterdam in 1689. By the 1720s, extensive networks of sodomites were found in Rotterdam, Haarlem and Utrecht. Homosexual relationships ranged from

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<sup>94</sup> The mantle of effeminacy and even cross-dressing has been cast far too widely in most studies of homosexual history. Male cross-dressing is revealed almost solely when molly masquerade parties, called “festival nights”, were raided. These usually occurred during the Christmas/New Year holiday, so drag balls may have been holiday celebrations rather than regular events. Historians observe that men dressed as women on these occasions, but the newspapers reported that some of the men dressed as emperors as well as queens (e.g. *The Weekly Journal; or, British Gazetteer*, 2 January 1725). There are very few trials – perhaps only one – in which someone claims to have recognized a sodomite because of his effeminate mannerisms or bearing. The word itself seems to appear in only three trials. In two of them, the formulaic phrase “filthy indecent and effeminate Actions” clearly refers not to a limp wrist, but to a manly hand thrust down a pair of breeches (*OBP*, Oct. 1728, trial of Julius Caesar Taylor, t17281016-60; and *OBP*, Oct. 1728, trial of Richard Challoner, t17281016-62). In the third instance, a woman claims that the accused sodomite “never behaved with any effeminacy, that shewed him to have a liking to his own sex” (*OBP*, Oct. 1761, trial of William Bailey, t17611021-35). Literary satires do indeed portray the mollies as effeminate, but the trial records suggest that camp behaviour was limited to the specific context of molly houses, and was part of the package of adopting a subcultural identity rather than a gender identity.

transient encounters to marriage contracts sealed with blood, a clear indication that homosexual love lay at the heart of some men's identity. Some men had long-term relationships and addressed one another as "nicht", meaning "female cousin".<sup>95</sup> Dutch sodomites discussed among themselves why their sexuality seemed to be constituted like that of women, though most men who were prosecuted claimed that an early seduction caused them to be the way they were.<sup>96</sup> In 1730 some 60 men were executed for sodomy,<sup>97</sup> resulting in numerous trials, providing abundant evidence of sodomitical subcultures, and consolidating public perception of the sodomite as not simply a man who occasionally committed a certain act, but as a type of person.<sup>98</sup> One pamphlet speaks of "a feminine mind in a man's body"<sup>99</sup> and another says that sodomites are a "race" who can

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<sup>95</sup> D. J. Noordam, D. J. "Sodomy in the Dutch Republic, 1600–1725", in K. Gerard and G. Hekma (eds), *The Pursuit of Sodomy: Male Homosexuality in Renaissance and Enlightenment Europe* (New York: Harrington Park Press, 1989), pp. 207–28.

<sup>96</sup> T. van der Meer, "Sodomy and the pursuit of a third sex in the early modern period", in G. Herdt (ed.), *Third Sex, Third Gender* (New York: Zone Books, 1996).

<sup>97</sup> Details of more than 250 trials are summarized by L. W. A. M. von Römer, "Uranism in the Netherlands up to the nineteenth century with special emphasis on the numerous persecutions of uranism in 1730: a historic and bibliographic study" (1906), trans. M. A. Lombardi-Nash, in M. A. Lombardi-Nash (ed. and trans.), *Sodomites and Urnings: Homosexual Representations in Classic German Journals* (New York: Harrington Park Press, 2006), pp. 127–219.

<sup>98</sup> A. H. Huussen, Jr., 'Sodomy in the Dutch Republic during the Eighteenth Century', in R. P. Maccubbin (ed.), *'Tis Nature's Fault: Unauthorized Sexuality during the Enlightenment* (New York: Cambridge University Press, 1987), pp. 169–78; G. Hekma, "Amsterdam", in D. Higgs (ed.), *Queer Sites: Gay urban histories since 1600* (London and New York: Routledge, 1989), pp. 61–88.

<sup>99</sup> Boon, "Those damned sodomites".

be recognized because of their “changed voice and behaviour, just like the female sex”.<sup>100</sup>

Similar homosexual subcultures have been documented in Lisbon in the mid-seventeenth century.<sup>101</sup> Effeminate homosexuals met together in rooming houses, and used nicknames having feminine diminutives. Some men had long-term relationships,<sup>102</sup> and many sodomites who were married to women nevertheless recognized themselves as part of a group who shared homosexual tastes. A similar subculture existed in early eighteenth-century Paris, where sodomites gathered at certain taverns, where they danced and sang together, mimicked women and used female nicknames.<sup>103</sup> Police records reveal men who recognized in themselves a lifelong inclination that made them different from most men.<sup>104</sup>

In German-speaking lands, a widespread network of sodomites in the city of Cologne was revealed as early as 1484. Sodomites regularly congregated at meeting places near the

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<sup>100</sup> Römer, “Uranism in the Netherlands”, p. 162.

<sup>101</sup> L. Mott, “Love’s labors lost: Five letters from a seventeenth-century Portuguese sodomite”, in K. Gerard and G. Hekma (eds), *The Pursuit of Sodomy: Male Homosexuality in Renaissance and Enlightenment Europe* (New York: Harrington Park Press, 1989), pp. 91–101.

<sup>102</sup> D. Higgs, “Lisbon”, in D. Higgs (ed.), *Queer Sites: Gay urban histories since 1600* (London and New York: Routledge, 1999), pp. 112–137.

<sup>103</sup> M. Rey, “Parisian homosexuals create a lifestyle, 1700–1750: The police archives”, in R. P. Maccubbin (ed.), *'Tis Nature's Fault: Unauthorized Sexuality during the Enlightenment*, New York: Cambridge University Press, 1987, p. 186. Eight such taverns were recorded in 1748.

<sup>104</sup> J. Merrick, “The arrest of a sodomite, 1723”, *Gay and Lesbian Review Worldwide*, 8(5) (1 September 2001).

central markets and had their own system of communication and sexual slang including female nicknames. They were recognized as a distinct social group whose gestures and mannerisms distinguished them from others.<sup>105</sup>

### ***“Minoritizing” versus “Universalizing”***

In direct contradiction to the wealth of data accumulated by the kind of traditional historical research illustrated in the preceding section, advocates of social constructionism prefer to underplay the early existence of homosexual subcultures. Eve Kosofsky Sedgwick distinguished between two different approaches to the study of homosexuality: the minoritizing and the universalizing viewpoints. The essentialist position usually adopts the minoritizing view that homosexuals constitute a minority and that homosexual identity is best developed with reference to this minority position. For instance, we would encourage the growth and development of the homosexual subculture, and a separatist stance rather than an assimilationist stance. In terms of historical research, we would expect to find evidence of homosexual identity especially within a minority homosexual subculture, and such subcultures would be our primary focus. Such a focus, I believe, is also the most likely to uncover homosexual history. In contrast, the “universalist” approach, by turning away from the subculture, ignores important data for the comprehensive history of homosexuality.

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<sup>105</sup> Bernd-Ulrich Hergemöller, *Sodom and Gomorrah* (London and New York: Free Association Books, 2001), chapter 5.

For example, Charles Upchurch in his very good study of sex between men during the period 1820–1870<sup>106</sup> virtually ignores newspaper accounts and satires and discussions about raids on molly houses or homosexual brothels, partly because incidents such as the Cleveland Street scandals have already been adequately covered in other books, and partly because the police virtually ceased investigating such establishments after 1830 and information about them seems to disappear from the record. What he studies, instead, are scattered and unconnected instances of mainly ordinary and respectable men being arrested after making sexual contact in the public streets as a result of cruising. This kind of data, which is much larger in quantity than the narrow subcultural data, enables him to reach a universalizing conclusion, which is praised by Jeffrey Weeks: namely, that “the geography of sex between men in this period” consisted “not of separate and segregated spaces” but was rather “part of the everyday life of the city”<sup>107</sup> and concerned “men who seem for the most part to have been unconnected to any subculture but were well connected to family and community networks”.<sup>108</sup> It is strictly true that these men made their pick-ups in ordinary West End streets and other public spaces in the metropolis. But Upchurch’s implication that these men’s lives were socially well integrated will not stand up to scrutiny: furtive sexual encounters in public urinals simply were not part of a man’s regular walk in the park with his wife and children on a Sunday afternoon. Upchurch’s summary of his argument betrays its weakness with a revealing self-

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<sup>106</sup> C. Upchurch, *Before Wilde: Sex between Men in Britain’s Age of Reform*, University of California Press, 2009.

<sup>107</sup> Upchurch, p. 76.

<sup>108</sup> Upchurch, p. 85.



contradiction: “the vast majority of the evidence . . . [relates] to a much broader group of men whose sexual acts with other men, rather than being separated from the rest of their lives, were relegated to the ‘twilight moments’ within them”.<sup>109</sup> In other words, what Upchurch’s evidence amply illustrates is the classic case of “compartmentalization”: The inability to reconcile respectability with the stigma placed on same-sex desire led many men to keep their homosexual lives firmly separate from their ordinary social lives. If Upchurch had adopted a “minoritizing” approach and given greater attention to the scandals surrounding male brothels, I think he would have come to a fuller understanding of homosexual lives and identities during the early nineteenth century.

Feminist sexual historians such as Margaret Hunt go so far as to assert that gay historians’ focus on identifiable homosexual subcultures “has elbowed out some broader approaches to the history of sexuality”.<sup>110</sup> Hunt is critical of what she calls the “narrow, presentist, and . . . minoritizing, rather than broad, culturally sensitive, and universalizing” practice in gay and lesbian history. So what would she suggest would be a proper “universalizing” focus to correct the errors of this “minoritizing” focus? First, she would encourage greater study of the heterosexual family during periods of rapid social change. Second, to challenge “an ultimately damaging, or at best short-sighted form of identity-inflected history”, she would urge greater study of race and class oppression as revealed by the methodology of feminist studies. Third, she insists that the very concept of identity is a modern Western

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<sup>109</sup> Upchurch, p. 21.

<sup>110</sup> In her Afterword to *Queering the Renaissance*, ed. Jonathan Goldberg, Duke University Press, 1994.

construction which really has no place in the study of earlier, non-Western and oppressed groups, but what we really need to study are such things as patriarchal structures of domination. In effect, in Hunt's view, gay and lesbian historians should abandon homosexual history, and instead turn our attention to heterosexual history. I reject this view.<sup>111</sup>

In contrast, the Gay Liberation movement in the late 1960s and early 1970s believed that the universalist perspective homogenized differences and confirmed the dominance of majority groups. It is this belief that stimulated many gay men and lesbians to begin research into homosexual history, which "uncovered" what mainstream historians had either ignored or had actively hidden by means of censorship, and we chose to celebrate this minority culture. It is incredible to me that queer theorists have tried to reverse these gains, and to again bury gay history beneath an allegedly "universalistic" history.

On the contrary, I think it is important for gay and lesbian historians to concentrate even more resolutely upon

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<sup>111</sup> One reason why I feel justified in rejecting Margaret Hunt's promotion of a universalist history is because she has to promote this with so many historical inaccuracies in the way she has misperceived the data of the minoritizing history. For example, she is wrong when she claims that the molly subculture was "a quite heterogeneous collection of people" including female prostitutes: in fact, female prostitute were bitterly opposed to male homosexuals, and were always in the front row of people pelting mollies with filth as they stood on the pillory. She is incorrect in her claim that "it included significant numbers of spouses, parents and grandparents, sons and daughters, and sisters and brothers": in fact, the homosexual subcultures were exclusive societies from which families were excluded (or in which families occasionally rejected their homosexual members), and most of the men who were prosecuted for sodomitical offences were unmarried.

those essential features that distinguish gay people as gay. When I look back on early modern homosexual history, what mainly strikes me is the continuity between the present and the past. There really is very little in the eighteenth-century sodomitical records that would not be recognized by any British or American gay man who grew up, say, in the 1950s and 1960s, whether it be nelly queens or rough trade, cottaging or blackmail, shame or defiance, men in long-term partnerships, or men who join the club each night and resign from it each morning. My research suggests that eighteenth-century sodomites and mollies and modern gay men recognizably come from the same stock, and sapphists and female husbands are recognizable in postmodern lesbians and butch dykes. We can even find people who identified themselves as members of a gay cultural community, and some who advocated at least a proto-political awareness that everyone has a right to the use of their own body as they see fit. Modern historians of sexuality have constructed a false gulf between modern homosexuals and early modern sodomites and sapphists. It is time we recognize that the past and the present share some essential – and essentialist – features.

## **Signs of Change**

The inadequacy of discourse theory is just one of the many failures of social constructionism and queer theory to account for homosexual people and behaviours in historical terms. The notion that the homosexual subject can emerge only through a discursive web of language and structure is not only philosophically flawed, but willfully ignorant of historical facts. In short, there really is no historical or linguistic evidence to support the theory that around a certain date identity based

upon specific sex/gender roles was replaced by identity based upon general sexual orientation, or that homosexual orientation was conceptualized only in modern times. The modern debate about identity has created a false dichotomy between role and orientation, and between acts and inclinations. Most participants to this debate, as noted earlier, have mistakenly conflated homosexuality with homophobia.

One of the earliest scholars to attempt to refute the social constructionist view of homosexual history was John Boswell,<sup>112</sup> who provided abundant empirical data forming a solid foundation for most essentialist work in early homosexual history. Expanding on some of Boswell's work, classical scholar Amy Richlin<sup>113</sup> systematically demonstrated, contrary to claims by Halperin, "that men identified as homosexuals really existed at Rome" and that the passive homosexual or *cinaedus* "lived with a social identity and a social burden much like the one that Foucault defined for the modern term 'homosexual'". More recently, Thomas Hubbard,<sup>114</sup> in his exhaustive sourcebook on *Homosexuality in Greece and Rome*, has similarly concluded that "Close examination of the ancient texts suggests that some forms of sexual preference were, in fact, considered a distinguishing characteristic of individuals.

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<sup>112</sup> J. Boswell, *Christianity, Social Tolerance, and Homosexuality*, University of Chicago Press, 1980; Boswell, 'Categories, experience and sexuality', in E. Stein (ed.), *Forms of Desire: Sexual Orientation and the Social Constructionist Controversy*, Routledge, 1990, pp. 133–173.

<sup>113</sup> A. Richlin, 'Not before homosexuality', *Journal of the History of Sexuality*, 3 (4) (1993): 523–573.

<sup>114</sup> T. Hubbard (ed.), *Homosexuality in Greece and Rome: A Sourcebook of Basic Documents*, University of California Press, 2003.

Many texts even see such preferences as inborn qualities and thus ‘essential’ aspects of human identity.”

The rejection of the Foucauldian model has been gathering momentum over the past few years, and increasing numbers of historians are willing, like Benemann,<sup>115</sup> to nail their essentialist colours to the mast: “I join my voice to those who have begun to question some of the theories of Michel Foucault concerning the formation of a homosexual identity.” Robinson,<sup>116</sup> directly addressing the theoretical and methodological divide, using the terms “differentist” versus “continuist” (rather than the more common terms “social constructionist” versus “essentialist”), sets out “to demonstrate, against the overwhelming consensus in the History of Sexuality, Lesbian and Gay Studies, and queer theory, that there are important continuities in the history of male and female same-sex love and lust, spanning the periods before, during, and after the modern ‘invention’ of homosexuality”. Specifically, Robinson succeeds in demonstrating the existence of “closeted” homosexual writing in late sixteenth- through mid-eighteenth-century British and French literature, a type of coded communication that would have been impossible without the existence of self-aware homosexual mentalities.

Similar work by traditional historians has continued to undermine the claim that the category of “the homosexual” person was literally inconceivable until modern times. For medieval northern Europe, particularly the German lands,

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<sup>115</sup> W. Benemann, *Male-Male Intimacy in Early America*, Harrington Park Press, 2006.

<sup>116</sup> D. M. Robinson, *Closeted Writing and Lesbian and Gay Literature: Classical, Early Modern, Eighteenth-Century*, Ashgate Publishing, 2006.

Bernd-Ulrich Hergemöller<sup>117</sup> (2001) has found evidence of “preliminary and early forms of everyday homosexual culture and life which show surprising analogies and parallels to the homosexual subculture of later epochs”. Hergemöller attempts to reach a compromise between both sides of the constructionist–essentialist debate, but he basically comes down in favour of acknowledging the historical continuity of sexualities. As he comments: “With each finding of a new source, the basis of “essentialist” facts expands.”

For Renaissance England, historian Michael Young<sup>118</sup> rightly treats the case of King James I & VI (1566–1625) as an important test case for assessing the accuracy of claims about the modern “constructs” of homosexuality. Young demonstrates that a distinctively modern view of homosexuality was already well established by the early seventeenth century. Contrary to the claims by gay historian Alan Bray,<sup>119</sup> the Jacobean discourse about James’s love for other men employed concepts familiar today rather than the medieval “sodomitical discourse”. Young criticizes the pioneering gay historians for constructing a false gulf between modern homosexuals and early modern sodomites. Young notes that the “history of homosexuality is a relatively new field of study in which the hypotheses of a few early scholars

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<sup>117</sup> Bernd-Ulrich Hergemöller, *Sodom and Gomorrah: On the everyday reality and persecution of homosexuals in the Middle Ages*, Free Association Books, 2001.

<sup>118</sup> M. Young, *King James and the History of Homosexuality*, New York University Press, 2000; Young, “James VI and I: Time for a Reconsideration?”, *Journal of British Studies*, 51 (July 2012): 540–567.

<sup>119</sup> A. Bray, *Homosexuality in Renaissance England*, Gay Men’s Press, 1982.

have tended to become doctrinaire viewpoints”. Young substantively refutes the reductionist dogma that homosexuality is an “invention” of the eighteenth, or nineteenth, or twentieth century; further, he finds virtually no evidence to support the claim that a “gender revolution” occurred in the eighteenth century, or that bisexuality was the norm in earlier periods, or that a binary construct between heterosexual and homosexual did not exist until modern times.

A recent and important contribution to the progressive undermining of social constructionist theory about homosexuality is Borris and Rousseau’s *The Sciences of Homosexuality in Early Modern Europe*,<sup>120</sup> which establishes that “efforts to produce scientific explanations for same-sex desires and sexual behaviors are not a modern invention, but have long been characteristic of European thought. The sciences of antiquity had posited various types of same-sexual affinities rooted in singular natures. These concepts were renewed, elaborated, and reassessed from the late medieval scientific revival to the early Enlightenment.”

A recent book that illustrates the return to the essentialist approach is *Long Before Stonewall: Histories of Same-Sex Sexuality in Early America*, a collection of essays edited by Thomas Foster.<sup>121</sup> The broad conclusion of this volume is that the conception of “sodomy as a simple, discreet, sinful ‘act’ does little to describe the richness of sexual expression in the early modern era” (p. 8). The essays in this collection demonstrate that homosexuality – or what the

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<sup>120</sup> K. Borris, K. and G. Rousseau (eds), *The Sciences of Homosexuality in Early Modern Europe*, Routledge, 2008.

<sup>121</sup> T. A. Foster (ed.), *Long Before Stonewall: Histories of Same-Sex Sexuality in Early America*, New York University Press, 2007.

authors prefer to call “same-sex sexuality” – was understood as part of a person’s identity and conceptual categorization even in seventeenth-century New England. The “acts versus identities” paradigm is repeatedly challenged, and early modern sexuality in America is found to be “one that looked more modern than not” (p. 12).

I shall conclude with a point made by Robinson<sup>122</sup> in an interesting postscript focusing upon signs of change in the views of David Halperin, who in many respects was the leader of the constructionist school. Halperin in 2000 in an essay titled “How To Do the History of Male Homosexuality” claimed that “the discursive traditions of friendship and sodomy still managed to remain hermetically separate even in eighteenth-century England”. However, in response to criticism, in 2002 Halperin qualified his “tentative hypotheses”, and, as he explained a year later (in his introduction to a collection edited by O’Donnell and O’Rourke, 2003),<sup>123</sup> “I allow for the possibility that the *rhetoric* of the friendship tradition could be used by dramatic characters as a cover for what the dramatists and their audiences alike might well have understood as a sexual relationship”. Halperin tried to mitigate the damage to his thesis by stating the obvious truth that nevertheless “there was a certain separation between the rhetoric of friendship and the rhetoric of sodomy, since otherwise the former could not be used to protect and dignify the latter”. But by 2003, Halperin seemingly withdrew his

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<sup>122</sup> D. M. Robinson, *Closeted Writing and Lesbian and Gay Literature: Classical, Early Modern, Eighteenth-Century*, Ashgate Publishing, 2006, pp. 251–258.

<sup>123</sup> D. Halperin, Introduction to K. O’Donnell, and M. O’Rourke (eds), *Love, Sex and Intimacy Between Men, 1550–1800*, Palgrave Macmillan, 2003.



original thesis altogether. “In short, I’m happy to admit that the hypotheses in that article of mine are wrong: in fact, they’re so general, and so historically ungrounded, that they’re bound to be wrong, or at least misleading and imprecise, within the context of many different historical periods and geographic locations.” So Halperin has moved from a strong claim about hermetically separate “discourses”, to a confused acknowledgment of “a certain separation” between “rhetorics”, to a frank admission of error. This progression illustrates the crumbling of discourse theory that we may expect to see over the next few years. Undoubtedly there will be efforts to shore up the theory, and some backtracking to claim that one’s earlier views were merely “tentative hypotheses” not meant to be understood too rigidly, but the end of the road will be the demise of a theory that was never tenable in the first place.

*FINIS*