

iar display of the nude male body in the gymnasias, and the positive evaluation placed on the institution of pederasty in which the beauty of the beloved youth is a key component. The Romans seem to have had no equivalent, and the rise of Christianity, which prized modesty and prudery, put a stop to any public admiration of the body, whether male or female.

*Modern Times.* The Renaissance version of the medieval tournament seems to have sometimes given handsome young men a chance to impress powerful patrons, and even to gain the favor of such an exalted monarch as James I of England. However, these events were exceptional. In the nineteenth century the rise of athletics and the desire to escape the constrictions of Victorianism led to the physical culture movement. Among the first superstars of body building was Eugene Sandow, who seems to have been as notable for good looks as for muscles. As the rituals of this subculture developed, however, a simultaneous parallel and contrast emerged between physical culture events for men and beauty contests for women. A woman became, say, "Miss Norway" for comeliness and charm, while "Mr. Norway" was selected (or so it was maintained) exclusively on the basis of his hypertrophied muscles.

In due course several cracks in this edifice appeared. In the 1940s publishers of muscle magazines discovered that they could attract a homosexual clientele by emphasizing more sexy, somewhat less muscular models. In its own sphere the homosexual subculture had drag contests in which success in simulating the female was the criterion. With the coming of open gay liberation in the 1970s, "groovy guy" contests were sponsored by bars and gay organizations, but somehow the custom never went beyond the bar milieu. Male stripping ("burlesque") became common both for gay men and straight women patrons—though the purveyors of the latter entertainment have tried to keep men out, at least during certain hours, lest the

event "turn queer." At the same time the all-male domain of the muscle contest has been invaded by women body builders; how many of them are lesbians is unknown. The ambiguity that continues to envelop all these social phenomena seems to be rooted in the late-modern utopian longing for egalitarianism, with its characteristic difficulty in accepting the fact that human beings recognize a hierarchy of brain and beauty among their fellows, and in fact enjoy doing so.

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### BECCARIA, CESARE BONESANA, MARQUIS (1738–1794)

Italian criminologist, economist, and jurist. Though of retiring disposition, he held several public offices in the Austrian government in Milan, the highest being counselor of state. Through the offices which he occupied and the books which he wrote he stimulated reforms throughout Europe, but especially in the sphere of penal law. His classic work on this subject was a small treatise entitled *Dei delitti e delle pene* [1764]. This book aroused such interest that further editions, translations, and commentaries appeared within a short time throughout Europe, and by the end of the eighteenth century the number of editions had climbed to sixty. Beccaria's critique of the criminal law and criminal procedure of the Old Regime was inspired by opposition to arbitrary rule, to cruelty and intolerance, and by the belief that no man had the right to take away the life of another human being.

His treatment of the sodomy laws is limited to a single paragraph in the chapter entitled "Delitti di prova difficile" (Crimes Difficult to Prove); in some editions it is Chapter XXXI, in others XXXVI. He introduces the subject as "Attic love, so severely punished by the laws, and so easily subjected to the tortures that overcome innocence," which implies that

suspects were cruelly tortured to exact confessions of guilt. He goes on to reject the notion that satiation with pleasure is the cause of this passion, but ascribes it to the practice of educating the youth at the moment when their sexual drive is mounting in seminaries that isolated them from the opposite sex.

Beccaria thus had no notion of the modern concept of homosexuality, nor was he greatly interested in the crime of sodomy. The importance of the work lies in the tremendous impetus that it gave to the campaign for reform of the archaic and barbarous criminal laws. Of all the leading intellectuals of that day, the one who took the greatest interest in Beccaria's work was **Voltaire**, who in 1766 published an anonymous *Commentary* on the book. In it he endorsed almost all of Beccaria's principles, adding to many of the book's chapters anecdotes exemplifying the faults and contradictions in the existing penal system. Other translators and commentators expanded Beccaria's concise arguments by appending their own notes and comments, so that a full collection of these would illustrate the reception of the book. England revealed the faults of its own system during the very period that reform was on the march in Europe: it was not until 1816 that exposure in the pillory to the hatred and violence of the mob was abolished as a penalty for buggery, and when Sir Robert Peel undertook a major revamping of the criminal laws in 1828 he not only let the death penalty stand but even made it easier to obtain a conviction.

In the United States Beccaria was popular at an early date: John Adams alluded to him in his speech in defense of the British soldiers on trial for what came to be known as the "Boston Massacre." But the greatest influence of Beccaria by far was on the Bill of Rights, as the part of it which refers to criminal law and procedure cannot be understood apart from Beccaria's demands for reform. The Fifth, Sixth, and Eighth Amendments to the American Constitution may be called the Lex Bec-

caria, since they guarantee the rights of the accused in a criminal proceeding, provide that no person "shall be compelled in any criminal case to be a witness against himself," and prohibit "excessive fines" and "cruel and unusual punishments." In adopting the Bill of Rights the founding fathers accepted and ratified Beccaria's thinking, and it is therefore a major error to assume that homosexual law reform has no history in the United States before the State of Illinois repealed its sodomy statute.

Had the principles of the treatise *On Crimes and Punishments* been followed, all the laws prohibiting consensual homosexual behavior in private would have been stricken from the books in the first decade after the adoption of the Bill of Rights—as they were in France in 1791. The **Enlightenment** thinkers held that the basic principles of justice are the same everywhere, as all human beings respond to the same fundamental drives and aspirations. If a society that is tolerant of homosexual expression remains a distant goal, Beccaria was one of those pioneers who started the movement in its direction.

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### BECKFORD, WILLIAM (1760-1844)

English author, art collector, and patron. The only legitimate child of one of the richest men in England, Beckford had a spoiled, cosseted childhood. At school in Switzerland he already gave signs of a special sensitivity to male beauty. On his return to England he met and fell in love with a nobleman, William Courtenay, then