

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

eleven years old. Powerful residues of this infatuation accompanied him on his grand tour of the European continent (1780–82), and they were transmuted into the manuscript of his Gothic novel *Vathek*, which was published in French only in 1787. On his return to England he resumed seeing Courtenay, and the simmeringscandal was only partly effaced by his marriage in 1783. Beckford judged it advisable to spend a number of years in exile abroad, in Portugal, Spain, and Paris, where he witnessed the French Revolution.

After his return to England he commenced construction, in 1796, of a remarkable architectural folly, his Gothic revival country seat of Fonthill Abbey, which he embellished with frescoes, stained glass and objets d'art. Financial reverses forced him to sell Fonthill in 1821, which was fortunate as it fell into ruin shortly thereafter. Beckford lived the rest of his life in Bath and London, taking a lively interest in homosexual gossip. Having survived several scandals and the repressive atmosphere of the era of the Napoleonic wars, his homosexual interests were prudently reduced to those of an epistolary voyeur. Despite his irregular life and his dilettantism, Beckford made contributions in two areas. His novel *Vathek*, with its exotic oriental setting and androgynous characters, formed part of the pre-Romantic literary movement. Fonthill Abbey, though only a portion of it survives, was one of the first major secular constructions of the Gothic Revival trend in British architecture.

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BELGIUM

The kingdom of Belgium, though a relatively small country, enjoys a pivotal geographical position in Europe. The lands that are now Belgium, together with northern Italy, saw the emergence of European urban society at the end of the Middle

Ages. As yet insufficiently explored, the history of homosexuality in Belgium promises to offer important insights. In our present state of knowledge, however, the beginnings are melancholy, since the first execution for sodomy documented anywhere in Europe took place in Ghent in 1292.

Late Medieval and Early Modern Periods. The fourteenth and fifteenth centuries show a considerable increase of prosecutions of the criminal act of *vuyte faicten* (buggery). In 1373, Willem Case and Jan van Aersdone were executed in Antwerp. In Mechelen, one person was burned at the stake, and in 1391 the same city witnessed a mass trial of seventeen people, among them two women. Yet only one confessed and was executed. In Ypres, the death penalty was imposed on two men in 1375. Twenty-two executions were recorded in Antwerp, Brussels, and Louvain during the fifteenth century.

The occurrence of these trials, though only a few led to executions in medieval Flanders, raises the question of whether there is a link between urbanization and the regulation of sexuality from above, especially since homosexual behavior continued to go largely unnoticed between farmers and male servants in the countryside. In the view of Geert Debeuckelaere, the cities witnessed more homosexual acts because of the anonymity of the urban environment. Yet medieval cities were relatively small and anonymity could only be assured from the eighteenth century onward, when urbanization had increased. Probably—but more research remains to be done and generalization is very risky—the persecution of sodomy was also inspired by a general policy of social control, launched by the small urban economic and political elite, and thus a forerunner of the “civilizing process” in modern Europe.

In the sixteenth and seventeenth centuries the persecution of sodomy was intertwined with a radical and intolerant campaign of Protestants against Catholics