

ing qualities of cultivated white civilization. Certainly the images of black men presented in written, photographic, and cinematic gay pornography do nothing to dispel such notions.

Having outlined such situations, it must also be noted that there is widespread interracial homosexuality which does not follow such lines, but which may be affected more by the attractiveness of the "different," curiosity, class differences, rebellion against social custom, or a belief that race should not be a factor in discriminating between potential sexual partners.

The San Francisco Kinsey survey found that 22 percent of white but only 2 percent of black homosexual males had never experienced interracial sex; none of the whites reported more than half their partners to be black, while two-thirds of the blacks reported more than half their partners to be white. For lesbians, only 28 percent of the whites had interracial experience, while 78 percent of the blacks did, and 30 percent of those had a majority of white partners.

Interracial couples seem to be rarer than the frequency of interracial sex would lead one to expect, probably because the dynamics of an ongoing relationship are more likely to trigger hostility from a society which is both homophobic and racist than would isolated encounters.

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## BLACKMAIL

Blackmail is the popular term for what criminal law designates as extortion, which is defined as the making of a demand for some action (the handing over of

money or secret information, or the commission of some official act) with a threat (to reveal some compromising action committed by the victim) for one's own gain or to the detriment of the victim. Until quite recent times the fear of blackmail in homosexual circles was intense. Most overt homosexuals were obliged by the moral attitude of society to lead a double life, posing as heterosexuals in public view and engaging in forbidden sexual acts clandestinely. By contrast, the professional criminal often cannot be blackmailed simply because he has no façade of respectability, or else lives in a subculture in which such a demand would be promptly met with violence against the would-be informer.

*History.* The origins of blackmail lie in the practice of delation that was widespread in antiquity. Before a modern police and detective force existed, the state power had to rely on informers who were characteristically rewarded for the information which they conveyed to the authorities. But if they could obtain a far greater sum from the delinquent party than the state would pay for the information, cost-benefit analysis pointed in the direction of extortion. It has been established that by the end of the thirteenth century, the moral teaching of the Western Church had succeeded in outlawing homosexual behavior, for which the Bible and the Code of Justinian prescribed the penalty of death. This meant that the individual who defied the ban on sodomitical acts exposed himself to capital punishment, and had besides to conceal even his interest in the forbidden conduct. In practice the fact that sexual behavior tends to be relegated to the most intimate sphere of private life, one to be hidden from all except the participants, made it nearly impossible for the state power to uncover and punish the culprits. But the potential blackmailer, if he discovered the homosexual propensities of his victim, could extort major sums of money from him for his silence.

The lifelong hypocrisy and concealment that Christian morality imposed upon the homosexual meant that in early modern times, for the criminal underworld blackmail of covert sex offenders was to be a lucrative source of income, as the morals squads of nineteenth-century Europe quickly discovered. Even in countries like France, where the Constituent Assembly had abolished the laws against sodomy in 1791, the social ruin that would befall the homosexual whose conduct became widely known was basis enough for the practice of *chantage* (although French law prefers the term *extorsion*). Léo Taxil even alleged that every government from that of Napoleon I to the Third Republic had used homosexuality as grounds for political blackmail. A third use of blackmail—after money and social control—was for purposes of *espionage*, as in the case of the Austrian Colonel Alfred Redl, who was supposedly compelled by the Russians to reveal his country's military secrets.

*Arguments of the Homosexual Rights Movement.* The early homosexual rights movement made much of the danger of blackmail in its propaganda for repeal of the notorious Paragraph 175. The threat of extortion exacerbated the fear and misery of the homosexual who already exposed himself to imprisonment and social ruin every time he sought sexual gratification. The situation of the victim was made even worse by the legal practice of allowing the blackmailer, even if found guilty in court, to testify against the other party in turn, so that the homosexual who was subjected to extortion had every reason to fear any judicial inquiry. English law, by contrast, confined the proceeding against the blackmailer to the simple question of whether the extortion had been committed. The blackmailer could be a male prostitute, but more often a young criminal who knew that he could entice a homosexual into a compromising situation and then obtain either money or valuable objects as the price for his silence. The actual demand could be expressed in a

letter which stated or implied that if the recipient did not pay the sum demanded, his conduct would become public knowledge or would be disclosed to the authorities. If the victim or his family were wealthy, the sums extorted annually could run into thousands of dollars. On the other hand, a petty criminal desiring only a small sum might merely threaten the homosexual with physical violence on the spot. More subtle forms of blackmail could turn upon the conduct of a businessman or politician in his professional life, or take the form of threats to reveal an individual's conduct on the pages of a newspaper or magazine. This latter practice was a lucrative source of income for the yellow press of the early twentieth century.

In the face of an intolerant public opinion, the homosexual threatened with blackmail rarely attempted to seek aid from the police, and there were cities in which the police force itself, or individuals on the margin of law enforcement, engaged in regular shakedowns of homosexuals whom they either entrapped or observed in known trysting places. The invention of instantaneous photography provided the blackmailer with a convenient tool, since an unsupported allegation of behavior that left no physical trace could far more easily be refuted than the evidence of the culprit in *flagrante delicto*. Even if the victim sought the aid of an attorney, he would find that no respectable member of the bar would touch the case, and he would be referred to a criminal lawyer on the fringe of the profession who for his services would demand fees that amounted to an indirect mode of extortion. Some masochistic individuals were unable to break out of the blackmailer's clutches, others sought to escape by fleeing to another country, some were driven to suicide when they saw no way out of their plight. Only rarely would a particularly strong or aggressive individual find the courage to intimidate or even kill the blackmailer. Of Magnus Hirschfeld's ten thousand subjects only a small number had

ever been imprisoned, but more than three thousand had been blackmailed. A study made in Austria in the early 1970s, when homosexual conduct was still illegal, came to a similar figure: approximately one-third of a sample group of homosexuals had been victims of extortion.

*Official Response.* The arguments mounted by Hirschfeld and other supporters of the early homosexual rights movement were compelling enough to persuade even the National Socialist lawmakers who in the legislation of June 28, 1935 increased the penalties for male homosexuality, but at the same time amended the Code of Criminal Procedure to allow the district attorney to refrain from prosecuting an individual whose criminal conduct had subjected him to blackmail. In contrast, the subcommittee of the United States Senate that was appointed in 1950 to investigate Senator Joseph R. McCarthy's charges that the administration was harboring "sex perverts in government" found that the danger of blackmail made homosexuals security risks; and since the penal laws of the District of Columbia had no provision against homosexual acts the subcommittee urged that the code be amended in this direction. In other words, it created a situation in which a homosexual employee of the Federal Government could be dismissed from his job and even prosecuted for his sexual activity, and then used the risk of blackmail to justify the policy it was advocating. This is a classic instance of how arguments formulated as an appeal for toleration could be maliciously turned into justifications for further intolerance.

*Current Situation.* In the debate over the recommendations of the Wolfenden Committee in England after 1957, the issue of blackmail played a considerable role, and the Criminal Law Amendment Act of 1885 was even dubbed "The Blackmailer's Charter" because of the opportunity that it had given the criminal underworld to prey upon otherwise respectable, law-abiding members of society. As the

threat of prosecution faded with the reform of the criminal laws, beginning in England in 1967, and even more with the education of law enforcement officials in regard to homosexuality, the danger of blackmail receded. In retrospect, blackmail was the tribute which fear paid to intolerance. It will end only when the social stigma attached to homosexual behavior has been eradicated. The rallying cry of the gay liberation movement "Come out!" is an appeal for candor and courage on the part of the homosexual community that will relegate the eventuality of blackmail to the dark annals of history.

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### BLOCH, IWAN (1872-1922)

German physician, historian, and sex researcher. One of an extraordinary group of investigators active in Wilhelmine Berlin, Bloch perhaps surpassed all the others in learning. Omnivorously curious, he is said to have possessed a personal library of 80,000 volumes. In addition to the medical approach in which he had been trained, Bloch directed his full attention to historical, literary, sociological, and ethnographic evidence, so as to create a multidisciplinary concept of Sexualwissenschaft (sexual science). In his own time he viewed the problem of venereal disease as emblematic, holding that this once overcome, humanity could look forward to a bright future.

Rejecting the degeneration theory, Bloch first held that homosexuality could be acquired in a multiplicity of ways, but then—on the basis of first-hand observation—accepted Hirschfeld's doctrine that "true homosexuality," of congenital