

greater burden of proof on the prosecution, but was offset by a new version of the statute enacted as part of the reform of the criminal law by Sir Robert Peel, prescribing that penetration alone (without emission of seed) sufficed to establish the crime. The death penalty for buggery (= anal intercourse) was not formally abolished until 1861 in England and Wales.

The reception of the common law in the newly independent United States meant that British precedent could be followed by American courts in their interpretation of existing laws, but did not bind them. Hence the individual states came to have their own definitions of the crime and penalties for it. Some ratified a British decision of 1817 that removed oral-genital sexuality from the definition of buggery, but others rejected it.

Then in 1885, in response to a wave of sensationalism in the press concerning the prostitution of teen-aged girls, Parliament adopted the **Criminal Law Amendment Act**. This contained an amendment devised by Henry Labouchere that prescribed a penalty of two years for "gross indecency" between male persons. Oscar Wilde was punished under this act, and the notoriety of the case, and the general hostility to homosexuals, blocked legal reform for decades throughout the English-speaking world. Further, many American states enacted their own versions of the amendment that made homosexual acts between males, and sometimes between females, criminal in a loosely defined manner, although the courts could later give more precision to the statute. By and large, courts in the common law tradition did not go beyond holding that "any penetration, however slight" was "sufficient to constitute the offense." This differed from the ruling of German courts that any "beischlafsähnliche Handlung" (act similar to coitus, such as full contact between two male bodies) was criminal under **Paragraph 175** of the Penal Code of the German Empire.

In 1957, however, the **Wolfenden Report** urged decriminalization, which was accomplished, for England and Wales, ten years later, although the age of consent was set at 21, far above the one prescribed by tradition for heterosexual intercourse. In Scotland, Northern Ireland, Canada, and New Zealand legal reform occurred subsequently. The United States and Australia are a legal checkerboard, with some states reformed and others retaining the archaic legislation.

See also **Canon Law; Capital Crime, Homosexuality as; Law: United States; Sixteenth-Century Legislation**.

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## COMMUNICATIONS

In the broadest sense communication refers to all acts and processes of signaling from one sentient being to another. In the narrower sense, with which this article is concerned, communications embraces all aspects of human technological enhancement of information conveyance—beyond speaking, gesture, and writing. Inherent in these enhancements is the potential to reach mass audiences, far bigger than the hundreds, say, that a Demosthenes or Cicero was able to reach.

*Print Media*. It is generally agreed that the first step in this momentous development was the spread of printing from Germany in the middle years of the fifteenth century. This invention made it possible for written texts to come out of the monasteries and universities and reach middle-class audiences. Early on the authorities recognized the potential for circulation of heretical or seditious material; hence the apparatus of  **censorship** set up throughout Europe. These restrictions could never be absolutely effective, and various stratagems of clandestine publication appeared. These methods were developed in the first instance by religious dis-

senders who smuggled their wares across hostile frontiers. In due course publishers appeared who were prepared to print and distribute erotic materials, but always with precautions to avoid detection. For example, the *Alcibiade fanciullo a scola* (1652?), an anonymous defense of pederasty now attributed to Antonio Rocco, was ostensibly printed by one "Tuann Wart" at "Oranges." Actually, it seems to have been printed at Venice where, despite the famous tolerance of that city, the publisher (whose name remains unknown) judged it wise to be cautious. The device of using false imprints became common; many books claim to be printed in Holland or by "Pierre Marteau" (and in fact some were, since that country was more liberal than most). In any event, these practices eventually gave rise to the existence of **private presses**, such as those of Carrington and the Olympia Press, based in Paris at the turn of the century and after World War II respectively. In the 1970s new methods of typesetting and printing permitted the emergence of a proliferation of small presses, some of which are gay and lesbian. The emergence of "desktop" publishing means that no author with a little money to spare need forgo the chance to publish a book.

*Newer Technologies.* Books, newspapers, and other printed matter still belong to the "Gutenberg galaxy" that emerged in the fifteenth century. Yet a whole series of new ways of communications appeared in the wake of the industrial revolution. Because of speed in transmission, the telegraph transformed journalism and international relations, but because the material transmitted was strictly controlled at each end, there was virtually no opportunity for clandestine use. After its appearance in the early twentieth century, radio quickly fell under the control of the state, with many countries reserving all rights of transmission to the government. In the 1970s, however, a series of constitutional decisions in Belgium, France, and Italy, struck down the state

monopoly and opened the airways in those countries to a free-for-all. The opportunity was seized by many groups, including those conventionally regarded as "socially marginalized." Many of the new counterculture stations took on gay programming, and in Paris 24-hour broadcasting began on Fréquence Gaie. In North America some gay and lesbian programming has occurred, especially on the stations of the Pacifica network, but its status is precarious. Undoubtedly some "ham operators" have ventured cautiously into the gay realm, but the extent of such excursions is almost impossible to monitor. In the 1970s considerable attention was given to the colorful CB radio transmissions of long-distance truckers, where the presence of homosexuals ("three-legged beavers") on the road was apparently mentioned fairly often. Although commercial and public radio has survived, it has come to be restricted to an increasingly smaller share of the total communications pie, and this seems to be a sector that does not lend itself to a major gay presence. In fact in the United States the Federal Communications Commission has intervened more than once to warn stations about material deemed to be sexually explicit.

Films underwent a trajectory that is well known. First regarded as indecent, they came to acquire middle-class respectability in the 1920s—though only at the cost of self-regulation. During the period of Hollywood self-censorship, male homosexuals were shown only in veiled terms, as in the "sissy" stereotype. Homosexual and lesbian performers had to keep their inclinations strictly in the closet, as audiences expected to empathize with them as red-blooded heterosexual lovers. With the spread of gay liberation in the 1970s, homosexual interest groups were able to exercise leverage to reduce the prevalence of sexual stereotyping; even a few major films presenting favorable views of gay relationships were made. For much of its short life, **television** has been even more restrictive, though here, too, gay leaders

and pressure groups have been able to combat stereotypes. In a few American cities cable television has permitted gay programming, in part as a response to public access legislation.

*Special-Audience Applications.*

In communications, a general rule is that the larger the audience, the greater the filtration of the content. The other side of this principle is seen in works intended for small audiences—as the private-press book trade, with its expensive, under-the-counter editions, undoubtedly was. Almost as old as the cinema itself are **porno** movies, which were generally shown clandestinely until the 1960s, when Andy Warhol and others achieved a breakthrough to public acceptance. By the 1980s, when a repertoire of hundreds of gay-male examples had been built up, these films became widely available on VCR, where they are enjoyed by adults in the home. Such taped films are sold by mail, in porno bookstores, and also sometimes in special sections of general video stores.

The availability of mail-order items is noted in the advertisements in the **gay press**. Arising out of the "underground press" of the hippie 1960s, there are now hundreds of gay and lesbian papers worldwide. In North America these papers are, in many instances, given away free in bars so that they reach a wide segment of the socially active gay population. Most of the papers contain "personal" columns, with **advertisements** in which readers can learn of others who share their sexual tastes.

To some extent this function of meeting has been taken over by personal computers linked by modems. A number of services make available gay lines which, however, are more commonly used for chatting than for making sexual assignments. As such they are a great boon for those living in remote areas or who are otherwise social isolates. In France computer dating is even facilitated by a government-sponsored service, the Minitel. Activists have also found that the word-processing functions of computers

facilitate letter-writing campaigns to protest bigoted or demeaning treatment in the major media.

The 1980s saw a fashion for receiving recorded sexual messages by telephone, which was partly fostered by fears of actual sexual contact engendered by the AIDS crisis. In the United States the **phone sex** user dials a 976-prefix number and listens to a brief "canned" message. Precisely because it is not communication in the sense of one person talking to others, the future of this custom would appear to be limited. The telephone had been, of course, the one electronic channel open during the times of oppression, when it served as a "grapevine." Today it is used by some activist groups to form a telephone tree allowing the group to mobilize its members quickly for a demonstration.

As indicated, the tendency toward "massification," with its pressures toward conformity and potential for centralized censorship, is inimical to minority expression in communications. The microchip age, however, has seen major countertrends toward diversification and fragmentation, witness cable TV, satellite transmissions, VCRs, and desktop publishing (typically of books, but also of tapes). These changes would seem to bode well for richer and more varied communication to serve the special needs of gay men and lesbians.

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## COMMUNITY

Debate over the existence of "gay community" stems in part from the lack of consensus about what a "community" is, and in part from a separate standard for "gay community" in contrast to other kinds of urban communities. North American gay (male) communities fit all the criteria suggested by sociologists to define "community" as well as or better than urban ethnic communities do, and lesbian communities exhibit the same features, albeit to a lesser extent.