

seem to have an accepted place in society generally.

It is ironic that the position of gay people in the democratic nations is often more repressed than it is in an authoritarian regime like Indonesia. Indonesian values such as social harmony, non-violence, responding to the voice of the people, and unity in diversity seem to protect gays more effectively than traditions of majority rule and individual rights. Still, as Indonesians are becoming more westernized, some "progressive" elements are bringing western homophobic attitudes into society.

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## INFAMY

This term, which now connotes an evil reputation in a general sense, formerly had a range of sexual connotations. Under the term *infâmes*, with the abstract noun *infamie*, eighteenth-century French designated all those "addicted to unnatural pleasures," thus not exclusively homosexuals, but those who engaged in any category of nonprocreative sex. But for a short period—the second quarter of the century—*infâmes* and *infamie* applied almost entirely to male homosexuality.

The notion of infamy derived from Roman law where it served to designate a person as civilly unworthy or disgraced as a result of a judgment against him (*infamia juris*, infamy of law), or even without such a judgment (*infamia facti*, infamy of fact). The first was a matter of law, the

second of public opinion. Feudal and canon law from the fourth century onward extended the concept of infamy to heretics, whom this stigma excluded from communion with believing Christians. William Eden, an English criminal jurist of the Enlightenment, explained the penal effect of civic degradation in his *Principles of Penal Law* (1771) by saying that "virtue, though of a social nature, will not associate with infamy." Although the concept of infamy was never received into the common law tradition, Jeremy Bentham in his work on the subject enumerated some thirty-three English synonyms for the expression.

For an individual to suffer the penalty of infamy, his misconduct had to be publicly known; the canon lawyers even upheld the principle *Ecclesia de occultis non judicat*, "The church renders no judgment on hidden matters." On the other hand, infamy of law could be established by a tribunal in accordance with received rules of evidence, while infamy of fact depended upon one's loss of reputation. It was the latter rather than the former that plagued homosexuals over the centuries, as actual prosecutions and convictions for sodomy were rare, even under the Old Regime, and were more often than not show trials intended to impress the multitude with the gravity of the offense and potential wrongdoers with the dreadful penalties to which they might expose themselves. Sodomy between laymen was punishable with excommunication, and when convicted by a tribunal, the culprits, if clerks, were permanently deprived of benefit of clergy, and then both classes were relaxed to the secular authorities, who would carry out the sentence by burning them at the stake, from the mid-sixteenth century onward in accordance with two constitutions of pope Pius V, *Cum primum* (April 1, 1566) and *Horrendum* (August 30, 1568). Conviction for the crime entailed *infamia juris*, notoriety *infamia facti*. Further, the overlap of sodomy with heresy and to a lesser extent with witch-

craft in the medieval mind and in the texts of canon law darkened the penumbra of infamy that enveloped sins "against the order of nature."

French usage of the eighteenth century employed such expressions as *goût infâme*, *vice infâme*, *commerce infâme*, *moeurs infâmes* to designate homosexual relations; Voltaire in the *Dictionnaire philosophique* (1764) could even speak of the *amour infâme*. The records of the Paris police even use these expressions as technical terms for sodomy and those addicted to it when recording the activities of the vice squad in its surveillance of the homosexual underworld of the capital. Occasional lingering examples of the word in this meaning are found as late as the nineteenth century, in Pierre Proudhon and, somewhat ironically, in the "decadent" bisexual poet Paul Verlaine.

Cesare Beccaria, in his treatise *Dei delitti e delle pene* (1764), attacked the concept of infamy in the Roman law of late feudal and early modern Europe, and the favorable reception of his work in the early Republic accounted for the reference to "a capital, or otherwise infamous crime" in the Fifth Amendment to the American Constitution. However, although Beccaria's principles were enacted into law in the Bill of Rights in 1791, the criminal penalties for sodomy, and the infamy of fact attaching to the homosexual in public opinion, remained in the United States and generally in the Protestant countries of northern Europe, whose religious tradition had discarded the notion of infamy of law. Down to the second half of the twentieth century the overt, known homosexual continued to be a criminal and an outcast in the eyes of his fellow Americans.

Thus the Old Regime survived among a people who believed that its forefathers had left such intolerant practices behind when they set foot in the new land. The gay rights movement of today carries on the struggle against this survival of medieval infamy by combatting the defa-

mation which the church had practiced for centuries—and in many instances continues to practice in the face of the modern understanding of homosexual behavior and of twentieth-century norms of personal freedom and self-determination.

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## INGLE

This word is now obsolete in English, but in the late Elizabethan era and afterward it designated a catamite or kept boy. The earliest quotation is from Thomas Nashe, *Strange News* (1592): "I am afraid thou wilt make me thy ingle." J. Z. Eglinton has suggested that the word may derive from Medieval Latin *angelus* through one of the Celtic languages, Irish or Scots Gaelic, which has the word *aingeal* meaning "angel." The depiction of the angels in Christian art as beautiful, epicene creatures of the sort desired by the boy lover would have motivated the semantic transition. Ben Jonson, in the play *Epicene* (ca. 1609), has one character voice envy for another's luxury, including the option of "his mistress abroad and his ingle at home." The term was also used as a verb, attested by John Florio in *A World of Wordes* (1598), an Italian-English dictionary with the entry: *Cinedulare*, to bugger. . . to ingle; while *ingler* designated the active partner: *pedicone*, a bugger, an ingler of boys.

The word should not be confused with the homophone *ingle*, "fire," which is derived from the Scots Gaelic *aingeal* (a homophone of the first *aingeal*) in the same sense, but of unknown origin; it is probably cognate with Old Prussian *an-*