

ture. He is also remembered for his choice of Álvaro de Luna to take over the tiresome business of running the country. Luna has long been recognized as one of the best administrators Spain ever had, and because of his dramatic fall from favor and public execution he became a well-known figure in both popular poetry and drama.

The story of the love between Juan and Álvaro, for which there are many sources, is worthy of a novel. The relationship began when the king was three, with the appointment of Álvaro as his page (*doncel*). The bond which quickly emerged between them was so strong that those hostile said the king was victim of an *hechizo* or enchantment; this in fact became a euphemism in Spain for "inappropriate" sexual desire. When the young king was seven, his mother exiled Álvaro and kept the king virtually a prisoner, a period that ended only with her death six years later. Juan and Álvaro were immediately reunited, and Álvaro, a brilliant conversationalist, was the favorite of many court ladies. He is also the author of one of the earliest and most balanced Spanish defenses of women against misogynist charges.

Save for a later period when the king was again prisoner and Álvaro exiled, which was intended to end their relationship, Juan and Álvaro remained together for thirty-five eventful years. They struggled together against a hostile aristocracy, sometimes fleeing together from superior force. The end came with Juan's remarriage after his first wife's death; his new wife, mother of the prudish Isabella the Catholic, was able to force the dismissal and then the execution of Álvaro. The king died a year later.

The homosexual tastes of Juan's son Enrique IV have been dealt with more openly. His reign was much more chaotic, and he seems to have suffered from a disease which affected his personality. Enrique did not have a governor with the talent of Álvaro de Luna and was unable to meet the challenges from the aristocracy. His

marriage with his first wife Blanca was unconsummated and annulled; Enrique's impotence was explained as enchantment. After remarriage, a major successorial and political issue arose concerning the legitimacy of his daughter Juana, widely believed to be the daughter of the court favorite Beltrán de la Cueva. Enrique was dethroned in effigy as "puto," and during the latter part of his reign was almost without authority. A kind, cultured, but sick and weak man, like his father he enjoyed hunting expeditions, which apparently served as cover for homosexual activity. Juan II and Enrique IV stayed on comparatively good terms with both their Jewish subjects and the Islamic kingdom of Granada. Enrique in particular had a Moorish guard—the last Spanish ruler to do so until Franco—and gave other evidence of sympathy toward Spain's non-Christian cultures.

BIBLIOGRAPHY. Daniel Eisenberg, "Enrique IV and Gregorio Marañón," *Renaissance Quarterly*, 29 (1976), 21-29; Didier T. Jaén, *John II of Castile and The Grand Master Álvaro de Luna*, Madrid, 1978; Nicholas Round, *The Greatest Man Uncrowned: A Study of the Fall of Don Álvaro de Luna*, London: Tamesis, 1986.

JUDAISM, POST-BIBLICAL

As Julius Wellhausen stated in his *Prolegomena to the History of Israel* (1883), Judaism is the religious community that came into being on the ruins of the kingdom of Judah after the exiles were repatriated as part of the minorities policy of the Persian Empire in the year 536 before the Christian era. Biblical Judaism in the form in which we know it from the canonical scriptures of the Hebrew Bible (commonly known as the **Old Testament**) was created in the middle of the following century by a group of scholars and notables under the leadership of Ezra the Scribe. The apodictic commandments in the book of Leviticus (18:22 and 20:13) leave no doubt that homosexual relations between

males were judged worthy of the death penalty, though female homosexuality went unmentioned. This condemnation paralleled the one in the Zoroastrian state religion of the Persians themselves.

The Hellenistic Period. With the spread of the Jewish diaspora from the territory of Persia into the Hellenistic world following the conquests of Alexander the Great, the Jewish attitude toward homosexual behavior came into conflict with the tolerant and even approving customs of the Greeks and the other peoples of the Eastern Mediterranean. The apocryphal and pseudepigraphal writings reveal that Judaism did not mute its disapproval, but reinterpreted the Sodom legend so that it became a tale not merely of divine retribution for inhospitality, but of the punishment of a city where homosexual activity was practiced (Book of Jubilees, 16:5–6).

The writings of the opinionated and eccentric Philo Judaeus (notably *De specialibus legibus*, 3, 37–42), and even of the ideologically colorless Flavius Josephus (*Contra Apionem*, 2, 199), indicate that during the first century of the Christian era Hellenistic Judaism categorically condemned sexual relations between males, so that on this subject nothing remained for Christian theologians to invent; the primitive Church simply ratified the eighteenth and twentieth chapters of Leviticus as received and interpreted in the contemporary Synagogue and made them part of its own constitution. What was left for Christianity to elaborate was a comprehensive definition of “unnatural” (= non-procreative) sexual activity that classed all of it as the “sin of the Sodomite” (*peccatum sodomiticum*), that is to say, it fused a Greek philosophical concept with a Jewish legend. This Judaism proper never did, just as it never fully abandoned the older notion of Sodom as a place where the conventions of hospitality were grossly violated and the norms of justice literally reversed. It is this side of the legend that is expanded and illustrated with narrative vignettes in the traditions recorded in the

Talmud and the Midrashim during the first millennium of the Christian era.

Subsequent History. There is a further development of the prohibition on homosexuality in the Mishnah and the Gemara. The commandments prohibiting male homosexual activity were associated (b. Sanhedrin 53a) with two groups of statutes, one aimed at breaches of patriarchal authority and power, the other forbidding idolatry and magic. The penalty was death by stoning, as in other sexual offenses. Both the active and the passive partners were held culpable, in contrast to the relative indifference to the active male homosexual in many other cultures (b. Sanhedrin 54a–55a). All these provisions may have been of limited import once the Jewish authorities were deprived of the power to impose the death penalty after the Kingdom of Judaea lost its independence, which occurred with finality in the year 70. Thereafter the Jews were doomed to be a client people living under foreign domination, with a diaspora that extended to the very ends of the known world, and subject to the varying and divergent legal codes of the states on whose territory they resided, albeit as a protected community with formally recognized privileges.

With rise of Christianity and then Islam and their acquisition of the state power, the Judaic taboo on homosexuality was adopted by the host peoples, so that the authority of Talmudic law became superfluous. But even where the Jewish communities had not the power to execute one of their members, they could always ostracize him and in effect exile him from their midst. It is thus all the more remarkable that in the Islamic cultural milieu the pederastic tradition should have revived, and that poems extolling the beauty of adolescent boys should have been composed in Medieval Hebrew, naturally in imitation of Arabic models. The “gazelle” (*šēbhī*) of these lyrics is the beloved youth with his charms and caprices, just as in contemporary Islamic poetry. These poems thus constitute the sole body

of homoerotic literature in the Hebrew language to the present day, as the theme did not figure in writings in neo-Hebrew of the *Haskalah* (Enlightenment) and then of the revival of Hebrew as a spoken language that accompanied the Zionist movement and the resurrection of the state of Israel.

The treatment of homosexuality in the Rabbinic writings of the Middle Ages is limited to: (1) commentaries on the Hebrew Bible, such as those of Solomon ben Isaac of Troyes, which were transmitted to the Christian world in the Latin glosses of Nicholas de Lyra on the Vulgate; (2) commentaries on the Talmud, of which Rashi's is the classic; (3) responsa in answer to questions of criminal law (the so-called *halakhah*); and (4) codifications and restatements of Talmudic law, such as the *Mishneh Torah* of Musa ibn Maimun (Maimonides) in the thirteenth century and the *Shulhan Arukh* of Joseph Karo in the sixteenth.

No such interweaving of Biblical and classical (Platonic-Aristotelian) thought as was effected by Thomas Aquinas could occur in Jewish theology, which retained the tradition of a simply formulated and wholly praxis-oriented Oriental code of law. Above all, never in all of its history did Judaism institutionalize an ascetic tradition with a celibate clergy and monastic communities, leaving no room for a religious order with crypto-homosexual overtones and even an unspoken norm of deviant sexuality that stealthily lurked beneath the surface of Greek Orthodoxy and Roman Catholicism. The medieval rabbi and scholar was a husband and the father of a numerous family, unlike his Christian counterpart. And the want of any parallel to the study of Greek and Latin literatures perpetuating a culture in which overt homosexuality flourished precluded the imitation or revival of the pagan customs of antiquity.

Thus the legacy of Judaism down to modern times has been a negative one, even more so than that of official Christianity, which was always undercut by the

persistence of Greco-Roman paganism—the other source of European civilization which the Christian Church could never disavow.

Jewish Contributions to Sex Reform. But despite the absence of a positive homosexual tradition in Judaism, many "emancipated" and assimilated Jews were to play an enormous role in the sexual reform movement and as pioneers in the study of human sexuality in general and of homosexuality in particular. The leader of the world's first homosexual rights organization was Magnus Hirschfeld (1868–1935), the son of a Jewish physician from Kolberg (now Kołobrzeg) on the Baltic coast of Prussia. One of his early collaborators was Kurt Hiller (1885–1972), who even claimed descent from Rabbi Hillel. It was Hiller who in the spring of 1918, in the wake of the discussion of the minority problem in Central Europe provoked by Wilson's Fourteen Points, conceived the notion of the homosexual as a member of a minority deserving of protection instead of the persecution and ostracism that it had suffered under the Old Regime. Two other figures, Marc-André Raffalovich, the brother of a banker from Warsaw, and Arnold Aletrino, a Sephardic Jew of Amsterdam, were also among the early defenders of homosexual rights and in particular of the homosexual as a healthy, normal human being, albeit with an idiosyncratic sexual orientation.

The scientific study of sexual behavior early attracted many Jewish figures such as Iwan Bloch (1868–1922), a polymath whose writings cover vast areas of anthropology and history, and Sigmund Freud (1856–1939), whose psychoanalytic interpretations stressed the homoerotic component in the thinking and behavior not just of homosexuals, but of all human beings—to whom he ascribed a fundamental bisexuality. On the other hand, not a few of his disciples have been doggedly insistent in the belief that homosexuality is a mental illness, often with clear overtones of moral condemnation that amounted to a pseudo-medical rationali-

zation of the earlier religious taboo. The psychoanalytic profession has remained largely Jewish in its membership, even after Hitler's rise to power scattered the original followers of Freud from their homes in Central Europe into exile in England and the United States. Despite their shortcomings, these analysts deserve credit for examining questions of sexuality, and indeed the popular mind typically equates psychoanalysis with the science of sexuality itself. Just because Judaism never branded sexuality as intrinsically obscene and unmentionable, the Jew in modern times has been able to achieve a certain measure of detachment and objectivity when dealing with matters which the Christian mind had dismissed as unthinkable obscene.

Until 1948 Jewish religious rejection of homosexuality lacked access to state power. Although the Turkish penal code in force since 1858 had penalized homosexual acts only when committed with a minor under the age of nine, the new nation of Israel inherited, along with the rest of the common law tradition, the criminal law of Mandate Palestine, which followed that of England itself in punishing male homosexuality with a maximum of ten years of imprisonment. However, in practice the Israeli authorities were clearly influenced by the sexual reform movement in Central Europe and did not prosecute consensual adult homosexual acts. After two attempts to repeal the law from the Mandate period foundered on the opposition of the Orthodox parties, in 1988 the Knesset, the Israeli parliament, passed a bill abrogating Section 351 of the Penal Code. Homosexuals are not excluded from military service which is obligatory in the garrison state that Israel has been forced to become, but homosexuals are transferred to non-security posts.

Israel's homophile organization, the Society for the Protection of Personal Rights, was founded in 1975. In 1988 an independent gay magazine, *Maga'im* (Contacts) began to publish, with text in

Hebrew and an English summary for foreign subscribers.

Gay Synagogues. With the emergence of the gay liberation movement in the 1970s, the gay churches found their counterpart in gay synagogues such as Beth Simchat Torah in New York and Sha'ar Zahav in San Francisco—another instance of how modern Judaism has been profoundly influenced by its Christian environment. Under the wing of the Reform movement in modern Judaism, these foundations have obtained a measure of acceptance, and several international congresses of Jewish homosexuals have been held in major cities of the world. Moreover, public opinion polls in the United States show assimilated Jewish respondents as far more willing to abandon the traditional negativity toward homosexual behavior and gay rights than Christians of similar class backgrounds. The gay synagogues, like their Christian brethren, struggle to gain acceptance and understanding from the House of Israel in the face of the condemnation in the Torah and the long tradition of rejection and exclusion from the religious life of the Jewish community. For their members they serve to reaffirm links with an ethnic identity that they do not wish to renounce.

BIBLIOGRAPHY. Raphael Patai, *Sex and the Family in the Bible and the Middle East*, Garden City, NY: Doubleday, 1959.
Warren Johansson

JUDAISM, SEPHARDIC

The splendor of the Jewish culture of medieval Spain ("Sepharad," in Hebrew) would be hard to exaggerate. In a symbiotic relationship with Muslim and then Christian rulers, Jews enjoyed from the eighth through the tenth centuries (in Andalusia) and from the eleventh through the fourteenth centuries (in Christian Spain) as much stability and legal protection as they had ever known. They prospered economically and demographically, and made up a larger proportion of the