

Vasari, who furnishes most of the information on Sodoma's personal life, taxes him not with immorality, but with lack of industry and imprudent management, as a result of which he passed his last years in want.

BIBLIOGRAPHY. Elisar von Kupffer, "Giovan Antonio—Il Sodoma, der Maler der Schönheit," *Jahrbuch für sexuelle Zwischenstufen*, 9 (1908), 71-167; Mario Masini, "Gli immorali nell'arte: Giovanni Antonio Bazzi detto il Sodoma," *Archivio di Antropologia Criminale*, 36 (1915), 129-51, 257-77.

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SODOMY

As an overarching term for sexual deviation, the word sodomy today has an archaic, somewhat obsolescent ring, though it still figures in some legal discourse ("the sodomy laws"). Sodomite, having shrunk to one syllable in early modern British slang ("sod"), has faded further, so that it is little more than a jocular term of mild abuse. Historically, however, the concept of sodomy has been of immense importance. Moreover, it had several nuances of meaning, which it is essential to distinguish in order to interpret older written evidence.

The term *sodomia* originated in Medieval Latin about the year 1180 as a designation for the "crime against nature" that could be committed in one of three ways: (1) *ratione modi*, by obtaining venereal pleasure with a member of the opposite sex, but in the wrong manner, e.g., by fellation; (2) *ratione sexus*, with an individual having the genitalia of the same sex; or (3) *ratione generis*, with a brute animal. The abstract noun *sodomia* (for the sin) derives from the noun of agent *sodomita* (for the sinner), which had originally been used in the Septuagint and Vulgate to mean an inhabitant of the city of Sodom (from Old North Arabic *sudummatu* = the [Dead] Sea). According to Genesis 19, Sodom had been destroyed because of the sexual depravity of its male

population, which had attempted a gang rape on the two angels who came to deliver Lot and his family from the impending destruction. In time the expressions *peccatum sodomitae* or *crimen sodomitae* came to be used to designate a variety of "unnatural" sexual acts, but only in Latin. Christianity did the new derivative *sodomia* take hold and become a theological and legal concept; it remained alien to Byzantine Greek and Medieval Hebrew. From Latin the term passed into the modern languages of Western and Central Europe as the technical expression for the crime which was punishable by death everywhere until the second half of the eighteenth century, when the Enlightenment began to attack this sacril offense as a relic of the medieval superstition that divine retribution would overtake any community that tolerated "sodomy" in its midst.

The terms sodomy and sodomite thus spread until they embraced a far larger semantic sphere and a higher pitch of affectivity than the later terms (sexual) **inversion** and **homosexuality**, and in reading a medieval or later legal text one must not immediately assume that homosexual behavior is meant thereby. Most prosecutions, it is true, were for either male homosexuality or bestiality; criminal proceedings against lesbians and heterosexuals guilty of fellation or anal intercourse were rare at all times, though an occasional case figures in the (admittedly fragmentary) reports from the pre-modern era. The legal definition of the term—what constituted an "indictable offense"—has also differed from country to country and from century to century down to our own time. Eighteenth-century Poland even recorded an instance in which sexual intercourse between a male serf and a girl of noble birth was punished as "sodomy"—because it had supposedly resulted in a crop failure on the estate where it occurred. As a practical definition one may say that a "sodomite" was one whose aberrant sexual activity had become known to the Christian community and

its authorities; the word should not be confounded with the later psychiatric notion of "homosexual," which stems from a different conceptual scheme strongly influenced by the writings of the homophile apologists Ulrichs and Kertbeny in the 1860s. However, the lay public on learning the new term then superimposed it upon the semantic field occupied by the familiar expression "sodomite," so that the afterglow of the older set of associations has never been fully dispelled.

The verb *to sodomize*, which was rare in European languages until the last third of the nineteenth century, usually has the meaning of anal penetration, whether homosexual or heterosexual. In England it is a more learned variant of the common verb *to bugger*.

Historically, the legend of the destruction of the Cities of the Plain served to tinge sodomy with the aura of a fathomless abyss of depravity, of the unspeakable, the monstrous, of "unnatural vice" that provokes the wrath of God against its perpetrators. The associations were reinforced by the sight of the barren terrain on the shores of the Dead Sea which generation after generation of pilgrims from Western Europe described in their travel accounts. As has been mentioned, the scope of the term expanded to include "unnatural" heterosexual activity and intercourse with animals—not even implied in the tale in Genesis 19 from which it derived. As a result of these manifold enhancements, the diabolical intimations of the notion came to seem perversely glamorous for a few wayward spirits.

Even now sodomy evokes from the unsophisticated a shudder of horror, though Biblical criticism long ago demolished the credibility of the composite narrative in Genesis, analyzing it as the Judaic amplification of a local myth that explained the barrenness and salinization of the shores of the Dead Sea. From the time of Justinian (reigned 527–565) onward, however, the legend was deployed as a theological and pseudo-historical justifi-

cation for laws intended to stamp out "ungodly practices" that would expose Christian society to divine retribution. Recent legislation has tended to avoid the term because of its ambiguity, its older definitions, and strongly affective character, not to mention the archaic ties with the Bible that would ill become a secular code of law.

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SOLICITATION

American law contains various provisions for the action of soliciting, or seeking to obtain by earnest request, entreaty, petition, or diligent and importunate asking, of the person of the opposite or same sex for sexual favors. The concept derives from English law.

Basic Features. Statutes have been employed to make arrests for solicitation to commit sexual acts in private between consenting adults which are no longer illegal in those American states that have decriminalized sodomy. This practice on the part of the police results in inconsistency vis-à-vis the consenting adult acts, violates the First Amendment, and is often supported solely by the uncorroborated testimony of a plainclothes member of the vice squad. If such solicitation contains no offer of or request for money and thus does not involve prostitution or the corruption of minors, its criminalization nowhere antedates the English act of 1898. This act punished with a maximum of two years' imprisonment any "male person who in any public place persistently solicits or importunes for immoral purposes," and thus does not specifically mean homosexual conduct. It was aimed originally at pimps and procurers, but soon became the recognized English vehicle against all forms of homosexual solicitation. A number of American jurisdictions soon adopted the concept. The provision of the old New York Criminal Code (superseded in 1965 by Section 722) was representative, punishing as a "disorderly person" anyone