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Source: *Journal of the History of Sexuality*, Vol. 2, No. 2, Special Issue, Part 1: The State, Society, and the Regulation of Sexuality in Modern Europe (Oct., 1991), pp. 266-288

Published by: University of Texas Press

Stable URL: <http://www.jstor.org/stable/3704036>

Accessed: 19/02/2010 08:26

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# Homosexual Behavior in the Nineteenth-Century Dutch Army

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IN THIS ARTICLE I undertake to examine manifest homosexual behavior and its repression in the nineteenth-century Royal Dutch Army.<sup>1</sup> Before going into my research material in detail, I will consider a few related issues concerning gay and military historiography. First, the debate over the various historical forms of homosexuality will be summarized. A different topic, homosexual behavior within homosocial arrangements, is dealt with in the following section. The main section sketches the organization of the Dutch army in the nineteenth century and sets forth my research material, the sex crimes brought to trial before the military court in Haarlem. This is followed by an overview of all sex crimes, of which homosexual cases make up the majority. The final sections provide pertinent information about homosexual behavior in the Dutch army, and in conclusion I offer some answers to the questions raised.

## FORMS OF HOMOSEXUALITY

It has become increasingly clear from the work of Leo Boon, Arend H. Huussen, Jr., Dirk Jaap Noordam, and Theo van der Meer that a subculture of sodomites was emerging in the Dutch republic in the eighteenth century, as was the case in other urbanized centers of northwestern Europe.

My thanks to James D. Steakley for his comments on this article.

<sup>1</sup>See Gert Hekma, *Homoseksualiteit, een medische reputatie: De uitdoktering van de homoseksueel in negentiende-eeuws Nederland* (Amsterdam, 1987), for the history of the introduction of the term and concept of "homosexuality" in the Netherlands in the nineteenth century. When I use the terms "homosexual" and "homosexuality" here, they refer to homosexual behavior and not necessarily to fixed preferences or psychological states.

[*Journal of the History of Sexuality* 1991, vol. 2, no. 2]

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Because of the decriminalization of sodomy in 1811 in the Netherlands and the lack of action by the Dutch police in the realm of sexual crimes in the first half of the nineteenth century, little can be stated with certainty about the continuance of the Dutch sodomitical subculture of that era. Such a subculture clearly reemerged at the close of the nineteenth century.<sup>2</sup> Other authors indicate that the same was true for France, England, and Germany, so it is generally presumed that the subcultures, having come into being in the early 1700s, survived the intervening period, although only scant traces of these subcultures exist for the first half of the nineteenth century.

The character of these subcultures and these sodomites has been subject to close scrutiny. Randolph Trumbach has stated in two provocative articles that since about 1700, the sodomite's identity properly ought to be characterized as effeminate and that his object-choice was exclusively oriented toward the male sex: "I would propose that the most salient characteristic of the homosexual role from about 1700 to the present day has been the presumption that all men who engage in sexual relations with other men are effeminate members of a third or intermediate gender, who surrender their rights to be treated as dominant males, and are exposed instead to a merited contempt as a species of male whore." By contrast, the sodomite of the preceding period did not transgress gender lines but was instead a real male who made love to both women and boys. The "queen" identity of sodomites survives, according to Trumbach, to the present.<sup>3</sup>

In earlier articles treating the Netherlands of the second half of the nineteenth century, I have discussed the existence of different types of "wrong loves" and different subcultures of "wrong lovers" (in Dutch, *verkeerde liefdes* and *liefhebbers*). The most important were the casual forms of sexual

<sup>2</sup>See Dirk Jaap Noordam, "Sodomy in the Dutch Republic, 1600–1725," pp. 207–28; Leo Boon, "Those Damned Sodomites: Public Images of Sodomy in the Eighteenth-Century Netherlands," pp. 237–48; Arend H. Huussen, "Prosecution of Sodomy in Eighteenth-Century Frisia, Netherlands," pp. 249–62; and Theo van der Meer, "The Persecutions of Sodomites in Eighteenth-Century Amsterdam: Changing Perceptions of Sodomy," pp. 263–307, all in Kent Gerard and Gert Hekma, eds., *The Pursuit of Sodomy: Male Homosexuality in Renaissance and Enlightenment Europe* (New York, 1989); and on nineteenth-century Netherlands, see Gert Hekma, *Homoseksualiteit*, and "Wrong Lovers in the Nineteenth-Century Netherlands," *Journal of Homosexuality* 13, nos. 2/3 (1986/87): 43–56.

<sup>3</sup>See Randolph Trumbach, "Gender and the Homosexual Role in Modern Western Culture: The Eighteenth and Nineteenth Centuries Compared," in Dennis Altman et al., *Homosexuality, Which Homosexuality?* (Amsterdam, 1989), pp. 149–69, quotation on p. 153; and "The Birth of the Queen: Sodomy and the Emergence of Gender Equality in Modern Culture, 1660–1750," in Martin Bauml Duberman, Martha Vicinus, and George Chauncey, Jr., eds., *Hidden from History: Reclaiming the Gay and Lesbian Past* (New York, 1989), pp. 129–40. For a parallel argument, see Philippe Ariès, "Réflexions sur l'histoire de l'homosexualité," *Communications* ("Sexualités occidentales," ed. Philippe Ariès and André Béjin) 35 (1982): 56–67.

encounters of the streets and of all-male institutions such as the prison and the army; boy love, which often took the form of prostitution but sometimes remained chaste; and male love among men of the same age group. In my estimate, it was especially among this last group that effeminate identities existed, upon which the medical invention of homosexuality was based.<sup>4</sup>

Different forms of male love existed in the eighteenth, nineteenth, and twentieth centuries alongside each other; the one was not superseded by the other, and different styles developed in and among themselves. It seems apparent, for example, that male-male love in the form of romantic friendship was an important mode in which homosexual feelings were experienced in the first half of the nineteenth century, foremost in Germany and the Netherlands, but also elsewhere, and notably during the period for which data on the “queen” subcultures are missing.<sup>5</sup> It is, according to Ellen Moers, also the time that the dandy is appearing on the public stage, a figure steadily becoming more homosexual during this century.<sup>6</sup> The casual forms, typical for the lower classes, were rampant throughout the eighteenth and nineteenth centuries and provided an important resource of love and sexual relations for both boy and male lovers of the middle and upper classes.<sup>7</sup> The queens constituted a conspicuous presence among male lovers, but certainly they did not always dominate their circles, for example, at the time of the exaltation of romantic friendship. In his diaries, the German poet August von Platen (1796–1835), an ardent apostle of friendship, does not discuss effeminacy in relation to himself or any of his many loves, or indeed in any other context.<sup>8</sup> Concerning the Vere Street

<sup>4</sup>See Hekma, *Homoseksualiteit*, and Gert Hekma, “Sodomites, Platonic Lovers, Contrary Lovers: The Backgrounds of the Modern Homosexual,” in Gerard and Hekma, eds., pp. 433–55.

<sup>5</sup>Hans Dietrich Hellbach, *Die Freundschaft in der Deutschen Literatur* (Leipzig, 1931); Harry Oosterhuis, “De gave om gestalte te geven aan de vriendschap is een van de schoonste Duitse deugden,” *Homologie* 12 (March/April 1990): 8–12; and Paul Derks, *Die Schande der heiligen Päderastie: Homosexualität und Öffentlichkeit in der Deutschen Literatur, 1750–1850* (Berlin, 1990). For England, see Jeffrey Richards, “‘Passing the Love of Women’: Manly Love and Victorian Society,” in J. A. Mangan and James Walvin, eds., *Manliness and Morality: Middle-Class Masculinity in Britain and America, 1800–1940* (New York, 1987), pp. 92–122. For North America, see Michael Lynch, “‘Here Is Adhesiveness’: From Friendship to Homosexuality,” *Victorian Studies* 29 (1985): 67–96; and Robert K. Martin, “Knights-Errant and Gothic Seducers: The Representation of Male Friendship in Mid-Nineteenth-Century America,” in Duberman, Vicinus, and Chauncey, eds., pp. 169–82.

<sup>6</sup>Ellen Moers, *The Dandy: Brummell to Beerbohm* (New York, 1978).

<sup>7</sup>See, for example, Jeffrey Weeks, “Inverts, Perverts, and Mary-Annes: Male Prostitution and the Regulation of Homosexuality in England in the Nineteenth and Early Twentieth Centuries,” in Duberman, Vicinus, and Chauncey, eds., pp. 195–211.

<sup>8</sup>August von Platen, *Tagebücher*, ed. Rüdiger Gönner (Zurich, 1990). I did not see the complete edition (*Tagebücher*, ed. G. von Laubmann and L. von Scheffer, 2 vols. [Stuttgart,

scandal in 1810 in London, one author claims, after citing many names of queens: "It is a generally received opinion, and a very natural one, that the prevalence of this passion has for its object effeminate delicate beings only: but this seems to be . . . a mistaken notion."<sup>9</sup> It would be equally mistaken to conclude from the publicity given to queens that their style actually set the tone for all homosexual subcultures, be it in practice or in opinion.

In the 1860s, Karl Heinrich Ulrichs initially defined homosexuals (in German, *Uringe*, or Uranians) as male bodies with female souls, but in the course of his investigations he eventually had to admit that many did not show the presumed signs of effeminacy. When, in 1897, Magnus Hirschfeld began a homosexual movement and set forth his theory of homosexuals as a third sex different from both men and women, others such as Benedict Friedländer and Hans Blüher opposed his claim, arguing that homosexuals were precisely examples of masculinity.<sup>10</sup> The French literature beginning with Claude François Michéa in 1849 may provide numerous instances of femininity in homosexual males, but on the other hand such an important author as Ambroise Tardieu had very little to offer in this regard among his many cases of "pédérastie."<sup>11</sup> In the early works dealing with "psychopathia sexualis," there were certainly many cases of queens, for example in the work of Hieronimus Fränkel, Johann Ludwig Casper, Karl Friedrich Otto Westphal, and Richard von Krafft-Ebing. But only haltingly was the theory developed that homosexual behavior and effeminacy were closely linked, and it would not go uncontested.

The notion that, ever since the eighteenth century, received opinion

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1896–1900]), but there is little chance that seeing it would change my claim. See also two biographies of adherents of German friendship, "Zur Seelenkrankheitskunde," in *Magazin zur Erfahrungsseelenkunde*, vol. 8 (Berlin, 1791), pt. 1, pp. 6–10, and pt. 2, pp. 100–106. For an overview of the friendship tradition, see Hekma, "Sodomites, Platonic Lovers, Contrary Lovers," pp. 435–40.

<sup>9</sup>Robert Holloway, *The Phoenix of Sodom; or, The Vere Street Coterie: Being an Exhibition of the Gambols Practised by the Ancient Lechers of Sodom and Gomorrah, Embellished and Improved with the Modern Refinements in Sodomitical Practices by the Members of the Vere Street Coterie, of Detestable Memory* (London, 1813), p. 13; reprinted in Randolph Trumbach, ed., *Sodomy Trials: Seven Documents* (New York, 1986).

<sup>10</sup>See James D. Steakley, *The Homosexual Emancipation Movement in Germany* (New York, 1975), and Hubert C. Kennedy, *Ulrichs: The Life and Works of Karl Heinrich Ulrichs, Pioneer of the Modern Gay Movement* (Boston, 1988).

<sup>11</sup>See Hekma, *Homoseksualiteit*, pp. 57–58. The French psychiatrist Claude François Michéa was the first to develop a biological theory of homosexuality in which effeminacy held a central place; see his "Des déviations de l'appétit vénérien," *Union médicale* (July 17, 1849), pp. 338–39; Ambroise Tardieu, *Etude médico-légale sur les attentats aux mœurs*, 5th ed. (Paris, 1867), pp. 171–221, the third chapter of which was entitled "De la pédérastie et sodomie." See also Jean-Paul Aron and Roger Kempf, *Le pénis et la démoralisation de l'Occident* (Paris, 1978); and Pierre Hahn, *Nos ancêtres les pervers: La vie des homosexuels sous le II empire* (Paris, 1979), both containing many documents of the period.

about homosexual males has held them to be effeminate cannot be substantiated on the basis of either theories about male love or sources concerning homosexual subcultures. Granted, the opinion that homosexuals are effeminate has become more widespread since the late nineteenth century, and it even appears that ever more men have lived according to this stereotype; but other forms have existed alongside the effeminate forms. Especially for the early nineteenth century, Trumbach's thesis lacks proof both in practice and in theory, whereas it is clear that another form, male-male friendship, existed and was also defended on an intellectual level. And it was definitely not an ascetic tradition. This sort of friendship may have constituted a transitional stage in gay history, temporally situated between the Mary-Annes and mollies of the eighteenth and the Uranians of the late nineteenth centuries. But certainly the effeminate type gradually became the prototype of homosexual love in the medical and popular literature of the times. Even for the eighteenth century, the factual material on which Trumbach's assertions are based seems rather slim, for the effeminate sodomite was only one figure among many others. For the time being, the universality of this type in the eighteenth century remains to be proven, and the presence and importance of any style of homosexuality have yet to be ascertained for other periods.

Gay history needs more sophisticated theories than have been used until now. It has to move beyond social constructionism and a facile critique of an essentialism that is actually defended by no one.<sup>12</sup> Social constructionism originated with a focus on the medicalization of homosexuality at the end of the nineteenth and the beginning of the twentieth centuries.<sup>13</sup> Later, eighteenth-century specialists asserted that "the making of the modern homosexual" ought to be traced back to the eighteenth century, as Trumbach does with his elevation of the queen to the dominant type of homosexual since the 1700s.<sup>14</sup> Both approaches slight the diversity and development of homosexual styles and the related ways to theorize these forms. In the following, I aim to enter this debate on the basis of research findings concerning sex crimes in the Dutch army from 1830 to 1899. To what extent are certain types of homosexuality discernable in this setting?

<sup>12</sup>See, for example, John Boswell's proposal to move beyond constructionism: "Concepts, Experience, and Sexuality," in Edward Stein, ed., *Forms of Desire: Sexual Orientation and the Social Constructionist Controversy* (New York, 1990), pp. 133–74.

<sup>13</sup>See Michel Foucault, *The History of Sexuality: An Introduction*, vol. 1 of *The History of Sexuality*, trans. Robert Hurley (New York, 1978); Jeffrey Weeks, *Sex, Politics, and Society: The Regulation of Sexuality since 1800* (London, 1981); Kenneth Plummer, ed., *The Making of the Modern Homosexual* (London, 1981); and Hekma, *Homoseksualiteit*.

<sup>14</sup>The first to state this was Mary McIntosh, "The Homosexual Role," in *Social Problems*, vol. 16 (Fall 1968), which was reprinted in Plummer, ed., pp. 30–44; Alan Bray, *Homosexuality in Renaissance England* (London, 1982); and Trumbach's many articles, two of which are cited in n. 3 above. For the Netherlands, see the articles by van der Meer and Noordam in n. 2 above.

### SEX IN HOMOSOCIAL ARRANGEMENTS

Male homosexual behavior in homosocial (all-male) institutions is clearly an underresearched subject. There are a few books on English boarding schools, and Barry R. Burg has given some disputable suggestions concerning sodomy among pirates. John Chandos has claimed that homosexual practices were rampant in some nineteenth-century English boarding schools, while others remained relatively free of them. Burg's material on pirates is not especially reliable because his speculations about sexual behavior were distilled from present-day literature on homosocial arrangements.<sup>15</sup> Arthur N. Gilbert has conducted research on male sexual behavior in the British navy from the seventeenth through the nineteenth centuries, and Jan Oosterhoff has investigated the Dutch East India Company ships of the eighteenth century.<sup>16</sup>

Gilbert arrived at the conclusion that the British navy responded very harshly to cases of buggery, especially in time of war. In the periods 1756–1806 and 1810–16, he found that there were nineteen and twenty-six capital sentences, respectively. He attributed the sharp decline in executions in the nineteenth century following the Napoleonic wars both to the more humane outlook of that era and to the growing awareness that homosexual behavior could be a result of insanity. He explained the vehement persecution of sodomy in different ways. In the first place, Gilbert underlined the importance of discipline, especially because sodomy was considered “somehow symptomatic of lack of discipline and control in all areas of life.” But he gave more weight to vaguer arguments, such as the Bataillian one that “sexuality has always been one mode of affirming life in the face of death,” and stressed societal abhorrence of anality.<sup>17</sup> Oosterhoff noted that more than two hundred men were tried for sodomy before the Court of Justice in Cape Town during the period 1705–92. Most of them were transferred to the court from the ships of the Dutch East India Company while making a stop in Cape Town on their voyage between the Dutch East Indies and the Netherlands. Here death penalties were carried out only in cases of recidivism.<sup>18</sup>

<sup>15</sup>See John Chandos, *Boys Together: English Public Schools, 1800–1864* (London, 1984), chap. 14; and Danny Danziger, *Eton Voices: Interviews* (London, 1988), for fascinating contemporary material; Barry R. Burg, *Sodomy and the Perception of Evil: English Sea Rovers in the Seventeenth-Century Caribbean* (New York, 1983).

<sup>16</sup>Arthur N. Gilbert, “The Africaine Courts-Martial: A Study of Buggery and the Royal Navy,” *Journal of Homosexuality* 1, no. 1 (1974): 111–22; and “Buggery and the British Navy,” *Journal of Social History* 10 (1976/77): 72–98; Jan Oosterhoff, “Sodomy at Sea and at the Cape of Good Hope during the Eighteenth Century,” in Gerard and Hekma, eds., pp. 229–36. See also Frank Arnal, “Le vice marin,” in Patrick Cardon, ed., *Actes du Colloque International, Sorbonne décembre 1989* (Lille, 1990), 2:10–16, on the French naval base at Toulon in the 1920s.

<sup>17</sup>Gilbert, “Buggery and the British Navy,” pp. 85–88.

<sup>18</sup>Oosterhoff, pp. 229–30, and personal communication, February 1991.

George Chauncey has offered a fine analysis of a homosexual scandal in the American naval base at Newport in 1919–20, at a time when the definitions and boundaries of sex and gender were undergoing rapid change. A homosexual drag subculture existed in Newport, with queens (primarily civilians) taking a place of prominence. Many soldiers participated in this subculture as “husbands” of the queens. In the elaborate minutes of the criminal proceedings, only once a new medical term for homosexuality—“invert”—was mentioned. Particular interest attached to the role of the clergymen involved: their professional attitude was considered effeminate and homosexual by the naval authorities, whereas the church endorsed it as exemplary behavior.<sup>19</sup> Just as the boundaries of masculinity became narrower at the time, so the definition of effeminacy was broadening. More men could thus be defined as effeminate.<sup>20</sup> The question arises whether these drag practices and these “queer” self-definitions were also present in the Dutch army.

Little may be known about sex in the military, but considerable research has been devoted to prison sexuality. The practice of “the unmentionable sin” (clearly to be understood as homosexual behavior) within jails became a political issue in the nineteenth-century Netherlands. As elsewhere, the advantages and disadvantages of shared versus solitary confinement were hotly debated. The Netherlands ultimately opted for solitary confinement, and one of the most important reasons behind this decision was the incidence of sodomy in the sleeping quarters. The authorities were persuaded that onanism in solitary confinement was less dangerous than homosexual seduction in the dormitories. Within the homosocial arrangement of prison, discipline had to be strictly enforced and became an issue of great concern for the government.<sup>21</sup> In contemporary sociological literature, there is some discussion of sex in prisons, especially with reference to the United States, where a considerable amount of prison homosexuality is reported.<sup>22</sup> To my knowledge, there are no such records of the incidence of homosexuality in the military. Researchers concerned with the history and persecution of sodomy have paid little or no attention to the military, or for that matter to monasteries.<sup>23</sup> Thus the following findings on the sex lives

<sup>19</sup>George Chauncey, Jr., “Christian Brotherhood or Sexual Perversion? Homosexual Identities and the Construction of Sexual Boundaries in the World War I Era,” in Duberman, Vicinus, and Chauncey, eds., pp. 294–317. See also Lawrence R. Murphy, *Perverts by Official Order: The Campaign against Homosexuals by the United States Navy* (New York, 1988).

<sup>20</sup>For male gender boundaries, see Joe L. Dubbert, *A Man's Place: Masculinity in Transition* (Englewood Cliffs, NJ, 1979).

<sup>21</sup>Hekma, *Homoseksualiteit*, pp. 112–20.

<sup>22</sup>Wayne S. Wooden and Jay Parker, *Men behind Bars: Sexual Exploitation in Prison* (New York, 1982). In this study, 65 percent of the prison inmates reported homosexual behavior, whereas 21.5 percent considered themselves homosexual or bisexual.

<sup>23</sup>In Gerard and Hekma, eds., there is nothing on the topic, but there is an article on sodomy in a homosocial arrangement (Oosterhoff). On the borders of friendship and homo-



of soldiers in the nineteenth-century military opens up new territory in the history of sexuality.

My interests focus on the kind of sex crimes that were prosecuted, the social structure of homosociality and homosexuality, how the military and the soldiers arranged sexuality in an all-male environment, and how discipline was enforced.

### THE DUTCH ARMY

The Dutch army consisted in the nineteenth century of approximately sixty thousand soldiers, mostly conscripts. Each year, eleven thousand eighteen-year-old men, about one-fifth of their age cohort, were conscripted into the army by the drawing of lots. Conscriptation was a despised system, introduced under Napoléon I for his many campaigns, yet nevertheless continued in the Kingdom of the Netherlands after Napoléon's defeat. The conscripts had to serve five years, but often they were furloughed before they finished their service time. A young man from a well-to-do family could escape military service by paying for a *remplacant*, another young man who took his place. Many youngsters from the upper classes did so because of the lengthy term and the bad living conditions of the soldiers. The Dutch army also made use of hirelings, often foreigners, especially for service in the colonies. The French poet Arthur Rimbaud was one of the more famous soldiers of the Dutch East Indies army, one who deserted, however, as soon as he reached his destination.<sup>24</sup>

Most soldiers tried before the military court in Haarlem were Dutch. The archives of this court form the basis of this article on sex crimes in the Dutch army, covering the period 1830–99. The tribunal had jurisdiction over the approximately twenty thousand soldiers who were encamped in the two northwestern provinces of the Netherlands, Northern Holland and Utrecht. The most important garrisons were Amsterdam, Haarlem,

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sexuality more has been written; see, for example, Giovanni Dall'Orto, "'Socratic Love' as a Disguise for Same-Sex Love in the Italian Renaissance," pp. 33–65; and George S. Rousseau, "'In the House of Madame Van der Tasse, on the Long Bridge': A Homosocial University Club in Early Modern Europe," pp. 311–47, both in Gerard and Hekma, eds.; and Alan Bray, "Homosexuality and the Signs of Male Friendship in Elizabethan England," *History Workshop* 29 (Spring 1990), pp. 1–19. See also n. 5 above. For the military, we have to use present-day material, as furnished in Allan Bérubé, *Coming Out Under Fire: The History of Gay Men and Women in World War Two* (New York, 1990); and Colin J. Williams and Martin S. Weinberg, *Homosexuals and the Military: A Study of Less than Honorable Discharge* (New York, 1971). For monastic life, most research concerns convents; see Judith C. Brown, *Immodest Acts: The Life of a Lesbian Nun in Renaissance Italy* (New York, 1985); and Odile Arnold, *Le corps et l'âme: La vie des religieuses au XIXe siècle* (Paris, 1984).

<sup>24</sup>There is no good history of the nineteenth-century Dutch army. Most information has been collected from *Bepalingen en voorschriften omtrent organisatie, garnizoensindeeling en mobilisatie van het leger* (The Hague, 1883).

Den Helder (a naval base), Utrecht, and Amersfoort. Most of the cases brought before the Haarlem court, perhaps one hundred a year, concerned insubordination and theft, both from the army itself as well as from fellow soldiers. An incriminated soldier occasionally had already been convicted of the same crime in a civil court proceeding if he had been arrested outside his garrison. In such cases, the prosecution was repeated in the court-martial for specific supplementary penalties. Thus a convicted soldier could receive a dishonorable discharge from the army after serving his prison sentence.

The sexual crimes of which the soldiers were convicted were defined as such in the Dutch criminal law, which was the same as the French penal code until 1886. This meant that only public indecencies and sexual assault constituted crimes. On December 31, 1845, the minister of war promulgated a special order concerning “unnatural fornication,” stating that soldiers who could not be convicted of transgressions or inclinations should not be discharged from the army but instead placed in the second disciplinary class. This was a form of military detention from which the soldier could be advanced to the first disciplinary class if he behaved well. The detention had to be carried out in solitary confinement under strict surveillance. Only after a thorough investigation into the possibility of prosecution under criminal law had been undertaken could this procedure be implemented. Such soldiers were not to be discharged from the army, for to do so would apparently reward illicit behavior.<sup>25</sup> This measure stands in sharp contrast to the policy followed by the United States military since World War II. According to Allan Bérubé, the United States Army considers homosexuality entirely incompatible with the military and therefore discharges homosexuals.<sup>26</sup> The Dutch minister of war made the opposite choice. He linked unnatural fornication not with effeminacy or unmanliness but with the danger of seduction in the barracks, and he therefore called for solitary confinement. On the level of state policy in the Netherlands, Trumbach’s model of the queen was strikingly absent one hundred years after it should have become general.

In my research I have not been able to locate regulations for soldiers concerning their daily furloughs. It is clear that soldiers had the opportunity to visit prostitutes, because in the late 1850s the minister of war demanded that the cities with garrisons introduce medical control of prostitution to combat the high incidence of sexually transmitted diseases among the military.<sup>27</sup> The court archives also indicate that many soldiers succeeded in

<sup>25</sup>In *Recueil militaire, bevattende wetten, besluiten en orders betreffende de Koninklijke Nederlandsche Landmagt* [for 1845], pt. 2 (The Hague, 1846), pp. 197–99. I did not find other references to regulations concerning unnatural lewdness.

<sup>26</sup>Bérubé, chap. 1.

<sup>27</sup>Hekma, *Homoseksualiteit*, p. 154.

leaving camp without permission. It appears that control and discipline were not strictly enforced in the Dutch army. Soldiers were given the chance to go on leave from their garrisons. But even if they did so, they would have found it difficult to consort regularly with prostitutes because of their low pay.<sup>28</sup> Prostitution cannot have been the sole sexual outlet of the soldiers. Many men found sexual outlets elsewhere: in masturbation, with their fellow soldiers, or with animals.

### SEX CRIMES

When I began my research on sex crimes in the Netherlands of the nineteenth century, I was struck by the proportion of sex crimes in the military as compared to those recorded among the civilian population: between 1850 and 1870, one of every six men convicted for public indecency was sentenced before a court-martial. In later years, this proportion changed because of the higher number of civilian convictions. We must remember, however, that until the 1870s, the number of reported sex crimes in the Netherlands was quite low. In the 1860s, there was a total of 371 cases of public indecency, which was the most common sex crime of the time (the Netherlands had sixty thousand soldiers in a population of three million in 1850).

My research covers all the cases brought before the court in the period 1830–99. The court dealt with a total of 104 men charged with sex crimes, most of whom were accused of public indecency. This included all indecent behavior in public, from swimming in the nude or exposing one's genitals to actually engaging in sexual relations. Indecencies that occurred in private but could be seen from a public place (for example, through a window) could also be prosecuted. As military establishments, including their barracks, were considered public places, most sex crimes came under this heading.<sup>29</sup> But there were also several cases of aggravated assault, rape, and sexual assault against minors and dependents, such as lower-ranking soldiers, and these crimes could be and were punished far more severely than public indecency. Until 1860, most of those convicted for public indecency were sentenced to a year or eighteen months of imprisonment, which was

<sup>28</sup>For the history of prostitution in nineteenth-century Netherlands, see Hekma, *Homoseksualiteit*, pp. 149–64; An Huitzing, *Betaalde liefde: Prostituees in Nederland, 1850–1900* (Bergen, 1983); F. A. Stemvers, *Meisjes van plezier: De geschiedenis van de prostitutie in Nederland* (Weesp, 1985), pp. 36–76; and Diet Sijmons, “Een noodzakelijk kwaad, maar voor wie? Prostitutie in Nederland in de tweede helft van de negentiende eeuw,” *Jaarboek voor Vrouwengeschiedenis* (Nijmegen, 1980), 1:65–110.

<sup>29</sup>On the definition of sex crimes, see Gert Hekma, “Bewaar mij voor den waanzin van het recht”: De jurisprudentie met betrekking tot homoseksueel gedrag in Nederland, 1811–1911,” *Hollandse Studiën* 22 (1989): 115–24.

reduced to six months after 1860, when solitary confinement was introduced and equated with one full year in shared confinement. After 1880, the average sentence was approximately three months, although sentences for assault were often more severe, especially when children were involved. The longest sentence given was ten years for a twenty-one-year-old trumpeter who had forced a younger soldier to perform oral sex and had sexually violated a girl with his finger. But in another case, a captain who had abducted a fourteen-year-old girl was sentenced to only three months in jail.<sup>30</sup>

Some seventy-two soldiers (and possibly seventy-four) were tried for homosexual offenses,<sup>31</sup> fourteen for heterosexual offenses, one for both homosexual and heterosexual offenses, fourteen for bestiality, and one for exhibitionism. Many of the cases of bestiality concerned cavalrymen who had sexual relations with horses (six), while other cases involved dogs (three), goats (three), and sheep (two). Of the one hundred and four soldiers, twenty were acquitted; of these, fifteen cases involved homosexuality, four bestiality, and one heterosexuality. We cannot conclude from these numbers that homosexuality was rampant in the barracks, but it must have been rather widespread to have been tried so often in comparison with other sex crimes. On the other hand, many heterosexual crimes may have been brushed aside by the authorities. In eight of the homosexual cases, the soldiers and petty officers were convicted not of public indecency but of assault or aggravated assault on dependents, and they received sentences varying from three months to five years. All charges of bestiality were prosecuted as public indecencies, while eleven of the fourteen heterosexual cases were prosecuted as aggravated assaults. The punishments were as severe as in the homosexual cases. It is interesting to note that nine of the fourteen heterosexual indictments concerned girls between four and fourteen years of age. Whereas most of the homosexual and bestial crimes took place in the barracks or within the garrison, the heterosexual ones often happened outside the camp. And finally, all the cases involving homosexuality and bestiality concerned the lower ranks, while the heterosexual defendants included a captain and a lieutenant, both of whom got off with very light sentences (three months and one month, respectively).

Table 1 shows the temporal distribution of the cases. The rise in the

<sup>30</sup>The cases discussed here are found in the Rijksarchief (State Archive) North Holland in Haarlem, Archief Auditeur-Militair Haarlem (hereafter AAMH), maps 86–155, covering the period 1830–99. I cite the cases with the date on which the higher military court in The Hague judged in appeal or confirmed the judgment of the military court in Haarlem. The two cases mentioned here, respectively, are AAMH, September 4, 1867, and AAMH, February 9, 1883.

<sup>31</sup>Two men were acquitted together for public indecency in 1836, so we can presume they were suspected of a homosexual relation, but the archives do not give sufficient information in this respect. AAMH, October 28, 1836.

TABLE 1 Number of Persons in Courts-Martial Accused of Crimes Involving Homosexuality, Heterosexuality, and Bestiality (Convictions and Acquittals)\*

Decade	Homosexuality		Heterosexuality		Bestiality	
	Convict	Acquit	Convict	Acquit	Convict	Acquit
1830–39	—	2**	—	—	1	—
1840–49	6	1	1	—	—	—
1850–59	3	—	—	—	4	1
1860–69	8	6	1	—	1	—
1870–79	24	4	2	1	1	2
1880–89	13	—	5	—	1	1
1890–99	5	2	4	—	2	—
Total	59	13 (15?)	13	1	10	4

Source—Rijksarchief North Holland (Haarlem), Archief Auditeur-Militair Haarlem, maps 86–155.

\*The mixed homosexual/heterosexual and exhibitionistic cases are omitted.

\*\*Two men also were acquitted together for public indecency in 1836, so we can presume that they were suspected of a homosexual relation, but the archives do not give sufficient information to confirm it.

number of homosexual prosecutions among the military in the period 1850–80 coincided with the increase of such cases brought before civilian courts; but while the number of prosecutions there continued to rise, the number in the military courts declined sharply after 1880.<sup>32</sup> I can offer no explanation for this shift. The decline is even more remarkable in light of the fact that the revised Dutch criminal law of 1886 extended the number and definition of sex crimes, which helps to explain the increase in the number of heterosexual cases.

#### HOMOSEXUAL BEHAVIOR BROUGHT BEFORE THE MILITARY COURT IN HAARLEM

In 1870, a marine, Mijas Schaap, tried to touch the genitals of his mate on the next cot, and when the man rebuffed his advances, the accused went on to the next bed. This scene was repeated twice, until finally with the fourth marine Schaap had his way, joining the man on his cot. The other soldiers heard them whispering and moving, but only when the noise awakened another marine did the bunk-mates of the sodomites decide to take action, on the initiative of this last marine.<sup>33</sup> The ease with which Schaap approached his comrades is as amazing as their slow reaction. Also, the

<sup>32</sup>See Hekma, *Homoseksualiteit*, p. 106.

<sup>33</sup>AAMH, May 6, 1870.

willingness of one marine to give in to his desires is remarkable. How often had Schaap seduced his mates before he was denounced? We will never know, but other similar cases indicate that it was not too difficult to find sex partners in the barracks or elsewhere within the garrison. Men who were more prudent than Schaap would not often have run into trouble.

Two other soldiers were even less inhibited than Schaap. André Leroy assaulted three mates in succession, and Bernard Bongenaer was condemned for having pursued other soldiers in “several places such as the detention room, the train wagon, the guardhouse, the stockade, the yard of the barracks, and its public convenience.”<sup>34</sup> The stockades of the barracks are often mentioned in these indictments. This suggests that some soldiers addicted to the pursuit of this pleasure were rather heedless in seducing their comrades and ran into problems only in new situations, such as the stockades. It is also possible that bunk-mates were disinclined to denounce the soldiers with whom they had lived for some time in the barracks unless there were aggravating circumstances. Such a balance, of course, did not exist in the stockades.

In certain ways the barracks produced homosexual behavior. Fully half of the charges of public indecencies on the part of soldiers involved this setting. Sex was possible, in the first place, because the barracks dormitories were unlighted and crowded with young men who, moreover, were often drunk. Intoxication was mentioned in connection with twenty-five defendants, and of seventy-two men indicted for homosexual indecencies, fifty were between the ages of twenty and twenty-nine, which is considered to be a male’s sexually most active age. Even if other soldiers wanted to denounce their bunk-mates, it was often difficult to prove what had actually happened. For a conviction, the courts required two witnesses to testify that they had seen the defendant commit the act, unless he confessed his crime. In many cases, the defendants were acquitted because the witnesses could not swear to have seen the bare genitals. In some cases involving a defendant who had tried to seduce various mates and had groped their private parts, the serial indecencies could not be proved because there was only one witness for each assault, which fell short of the evidentiary requirements for a conviction. Also, many of the accused seeking acquittal claimed they had been drunk or seduced by their comrade. In most instances, such exculpatory or extenuating circumstances did not sway the courts, although in exceptional cases they were accepted. Because of the difficulties in arresting the sodomites, their mates tried in some cases to entrap them. Joseph Bendix, for example, had wanted to seduce his two bunk-mates to “dishonorable acts.” On the next night, the soldiers decided to feign sleeping. Bendix waited until everything was silent, then asked his

<sup>34</sup>AAMH, November 17, 1869; AAMH, March 27, 1847.

neighbor if he were asleep, and when he got no answer he started to open the man's trousers and fondle his genitals. At that moment, the soldier jumped up and punched Bendix; an indictment followed.<sup>35</sup>

In cases when an accusation could not be proven, there was another method of handling the case at the disposal of the authorities. Accompanying some court proceedings is a copy of the confidential report on the accused. From these reports, it appears that soldiers who could not be convicted were indeed placed in the second disciplinary class, in accordance with the order of the minister of war. It was the severest penalty possible outside the criminal law.<sup>36</sup> Jan Willem Assie was accused of public indecency with a drunken fellow soldier, but he was acquitted because he only had laid his hand on his companion's thigh. Two years later, his superiors again suspected him of buggery in an instance that could not be proven. He nonetheless was consigned to the second disciplinary class, upgraded to the first class after three months, and finally released as a common soldier after another four months. A year later, Assie was apprehended *flagrante delicto* with a cavalryman and this time was sentenced to twelve months in prison. It is in connection with this sentence that we learn about Assie's former status in the first and second disciplinary classes.<sup>37</sup> By implementing this approach, it was possible for officers to mete out sentences as severe as the solitary confinement of the courts and to do so even if an accusation could not be proven. Another soldier, Vitus de Birk, spent seven months in the two disciplinary classes because his superiors were convinced that he practiced unnatural crimes.<sup>38</sup> From this supplementary source we also have information concerning a sergeant who was convicted for mutual masturbation with a corporal, and who had previously been in the disciplinary class for a sexual assault on a young woman.<sup>39</sup> His desires certainly were not exclusively homosexual, and we may surmise that the same is true for many other indicted soldiers. One soldier, convicted for having sexual intercourse with a horse, was asked by the court why he did not go to prostitutes, to which he replied that he did not have the money to do so.<sup>40</sup> Homosexual behavior, or bestiality for that matter, was a cheap and easy way to have sexual pleasure.

Most of the accused did not succeed in consummating their sexual deeds, as they were caught in the act. The precise acts that were being perpetrated often cannot be ascertained, both because in many instances the men had only started touching each other and because the terms used in the

<sup>35</sup>AAMH, May 8, 1878.

<sup>36</sup>As explained above, p. 274.

<sup>37</sup>AAMH, October 19, 1865; AAMH, December 10, 1869.

<sup>38</sup>AAMH, November 3, 1865.

<sup>39</sup>AAMH, June 4, 1886.

<sup>40</sup>AAMH, November 23, 1875.

court archives are vague, such as *ontucht* (vice or lewdness) and “loathsome posture.” The specific sexual acts mentioned most frequently are anal penetration and mutual masturbation; fellatio is mentioned only rarely. The type of act apparently had no influence on the severity of the sentence.

Nearly half of the cases (twenty-nine men) involved consensual sex. Most of these relations were consummated in the sleeping quarters of the barracks, but pairs of soldiers were also arrested in other places. These men were the most ingenious in presenting excuses, such as having been intoxicated. In the case of a sergeant and a corporal who were arrested in an Amsterdam park, the sergeant testified that he had been drunk, while the corporal stated that he had been forced by his partner. They did not succeed in convincing the court of their innocence.<sup>41</sup> But two young marines who were found in “loathsome postures” in another Amsterdam park were acquitted, because they claimed they had only been relieving themselves. This was confirmed by a police officer who had been dispatched to the park following their arrest, for he indeed found their stools on the spot. According to the testimony, the marines also made remarks after their arrest that suggested culpability. The younger one confirmed to the arresting officer that he had been the “wife.” And both marines apparently even tried to bribe the night watchmen not to arrest them.<sup>42</sup>

Precise investigative work was key in another case. A sergeant and a corporal were arrested on the ramparts on Naarden. There was only one witness, but the responsible under-officer immediately set off for the scene of arrest and thus was able to testify that the grass was downtrodden at that spot and that he had even found a substance looking most like “the raw white of an egg.” The court held this to be definite proof of public indecency.<sup>43</sup>

Regrettably, information on the sexual discourses of the soldiers is documented in only a few cases. In one, a trumpeter named Torrer complained that another soldier wanted to “queer” him (*flikkeren*, which as a verb is nonexistent in Dutch).<sup>44</sup> “Queer” (*flikker*) was also used as a noun.<sup>45</sup> One soldier remarked to bystanders that another soldier wanted to “sodomize” him (*sodomieteren*, also unknown as a verb in Dutch).<sup>46</sup> Two twenty-one-year-old infantrymen mutually masturbated each other on a cot, and witnesses heard them say, “You have to strip naked,” “Aren’t you ready?” and “Yes, I am ready, feel it.”<sup>47</sup> When trying to seduce a trumpeter, the drunken

<sup>41</sup>AAMH, June 20, 1875.

<sup>42</sup>AAMH, March 30, 1874.

<sup>43</sup>AAMH, June 4, 1886.

<sup>44</sup>AAMH, August 13, 1895.

<sup>45</sup>AAMH, February 11, 1887.

<sup>46</sup>AAMH, November 18, 1861.

<sup>47</sup>AAMH, February 24, 1891.



corporal Andreas Enders said to him, "What a lovely little trumpeter you are," and "Let me feel your little sweet one," whereupon he tried to touch the trumpeter's genitals. The object of his desire then turned around, which the corporal understood not as a refusal but as an indication that the trumpeter was embarrassed in this situation, so he continued his advances and proposed to the trumpeter, "Come on to the street, then we can do a little thing, I'm so horny."<sup>48</sup> Several years earlier, the following utterance was reported of two soldiers who enjoyed each other's company in a berth: "You are my best cock." The men lay naked against each other and embraced each other "as a man a woman."<sup>49</sup> This gender metaphor also appears in other indictments. In the same year, a soldier testified that the accused had touched his genitals "as if he were a girl."<sup>50</sup>

Such gender metaphors are also documented in other archival sources. There are at least two ways of interpreting these metaphors. On the one hand, it may refer to the traditional sex/gender system of the sodomite: men who were approached felt themselves put in the passive (non-male) sex role and were afraid to be penetrated. In my opinion, this was the case in both the military and the civilian court cases where this gender metaphor was used. The second possibility is that anxiety about being put in the female role actually referred to being considered a queen and having a homosexual identity, if we assume that homosexual behavior and effeminacy were conflated, as in Trumbach's sex/gender system. This seems less likely in these cases. According to an Amsterdam court proceeding of 1830, a man was approached by someone described as a "sodomite" and as "being known to commit unnatural fornication"; here, the metaphor of effeminacy was applied not to the sodomite, but to the solicited man who had been put in a passive, unmanly role. The gender of the sodomite was certainly not questioned. The use of the gender metaphor can indicate both sex/gender systems, and it is not always possible to disentangle its references.<sup>51</sup>

Not only cases of public indecency were prosecuted, but also aggravated assaults, assaults on minors, and sex with dependents. A fifteen-year-old trumpeter was caught in the act of rubbing his penis against the buttocks of a three-year-old boy. Probably because of his age, he was given a light sentence: three months in prison.<sup>52</sup> Another soldier convicted of touching two boys, age fifteen and twelve, was sentenced to five years.<sup>53</sup> The severest sentence in this series was handed down in the case of a twenty-one-year-old trumpeter, Petrus Wittebol, who had touched the bare buttocks of a girl

<sup>48</sup>AAMH, April 15, 1877.

<sup>49</sup>AAMH, August 30, 1861.

<sup>50</sup>AAMH, April 19, 1861.

<sup>51</sup>Hekma, *Homoseksualiteit*, p. 236.

<sup>52</sup>AAMH, September 19, 1884.

<sup>53</sup>AAMH, October 7, 1873.

(no age indicated) and violently assaulted another soldier (no age indicated, but probably in his late teens). Wittebol was condemned to ten years.<sup>54</sup> Four out of seven assault cases were tried after the introduction of the revised criminal code in 1886, which extended the definition of sex crimes. The sentences were less severe than earlier, but more consistent. The hardest sentence after 1886, for a prison term of three years, was handed down in the case of a soldier in a hospital, who had masturbated two soldiers “until a seminal discharge took place.” The young men were asleep in the barracks where the accused was on guard duty. How he succeeded in bringing them to climax without awakening them was not explained.<sup>55</sup>

In contradiction to the supposition of Gilbert that homosexuality increasingly was considered insanity and was therefore prosecuted less severely, psychical abnormalities are never mentioned in the Dutch material, and the court officials never sought the expert testimony of psychiatrists. The same was true of contemporary civil courts, which only started to rely on psychiatric expertise in the final decade of the nineteenth century. Nor was medical testimony concerning the clinical evidence of sodomy requested by military courts, and rarely so by civil courts.<sup>56</sup>

Sexual slanders were brought before the military courts in addition to sex crimes. One soldier was charged with slander after telling his fellow soldiers in the barracks that a certain captain had “obliged him to come to his quarters and that the captain forced him to do things and committed acts against him of a very obscene and vicious nature.” Although these slurs were contrary to military discipline and were of a sort that would “expose [the captain,] if true, to the contempt and hatred of the citizenry,” the court ruled that the barracks did not constitute a public place, and thus the soldier had not committed a crime.<sup>57</sup> This is a remarkable decision, because the court never hesitated to consider indecencies in the barracks to be public deeds. And it is also remarkable that they did not shield the captain, surely a fellow officer, from this defamation.

One soldier, who was being taken into custody for an unrelated crime, resisted the arresting sergeant, shouting at him, “Keep off my body, you dirty hound, I’ll grab your sodomite! [Not a standard Dutch noun—he meant cock.] This is really a sodomitical thieves’ gang here.” He was sentenced to be drummed out of the military.<sup>58</sup> But how true was his characterization of the barracks, and how routine was homosexual behavior in the sleeping quarters?

<sup>54</sup>AAMH, September 4, 1867.

<sup>55</sup>AAMH, June 12, 1895.

<sup>56</sup>Hekma, *Homoseksualiteit*, pp. 228–30, and Gert Hekma, “Een reeks schandalen in Enkhuizen,” *Homologie* 12 (March/April 1990): 13–15, especially 14.

<sup>57</sup>AAMH, September 23, 1872.

<sup>58</sup>AAMH, April 30, 1847.

#### OTHER SOURCES

The archives of Dutch psychiatric institutions dating from the last decade of the nineteenth century contain fascinating material pertaining to homosexuality, suggesting that life in the army garrisons may well have created homosexual and gender anxieties for some soldiers. It is not uncommon to find stories of men who suffered from delusions relating to pederasty or sodomy. These delusions take two different forms: some patients are afraid of being sodomized, and others are afraid of being regarded as pederasts. In the psychopaths' asylum of Medemblik, founded in 1884, twenty-four case histories from the period 1884–95 refer to homosexual practices or delusions. Six of these case histories involve former soldiers, of whom five suffered from such delusions. In all five of the cases, they were afraid of being considered pederasts, and in one case the man also feared being sodomized.<sup>59</sup> These delusions indicate that homosexual conduct was becoming increasingly incompatible with the male gender role, probably most so for effeminate men with a predilection for passive sexual behavior, who had good reason to fear being regarded as pederasts. These case histories also suggest that Trumbach's queen model of the homosexual was indeed on the advance, compelling soldiers unsure about their sexual inclinations and living in an all-male environment to reflect on their sexual and gender identity. Nothing is revealed about the soldiers' actual conduct in these case histories. Such delusions, specifically among soldiers, are evidence that these anxieties concerned foremost the military and its sleeping quarters. Judging by the cases from the courts-martial, we can affirm that these fears were very real as far as the possibility of homosexuality in the barracks is concerned: some soldiers lost no opportunity to have sex with their bunk-mates.

This is confirmed by an autobiographical memoir of a navy officer. Having been discharged from the navy at the end of the century after being suspected of homosexual relations, this "Uranian" (his own term for a "born" homosexual, implying that he was familiar with the medical literature of the period) sent his life story to the first Dutch professor of psychiatry, Cornelis Winkler. One of Winkler's students published it as a case study in a psychiatric journal. It is a valuable document, because the officer relates how many sexual encounters he enjoyed in the navy, with Uranians as well as with heterosexuals—or so the officer claimed. During two and a half years in Indonesia, he had sex with forty-one Indonesians, and when he later served for twenty months on a naval vessel, he had sex with thirty European sailors, many of whom he saw several times. In the three following months, he stayed at the naval base in Hellevoetsluis, near Rotterdam, and he had sexual relations with six other sailors. On his next

<sup>59</sup>Hekma, *Homoseksualiteit*, pp. 230–31 and 254–57.

tour of duty aboard a vessel, he found a steady lover, but he was forced to resign from the navy when other sailors accused him of being a pederast. Given the number of sexual partners this officer was able to find, his autobiography indicates that homosexual behavior was quite widespread in the navy. It also indicates that most homosexual behavior was casual, with a few men being true Uranians, as the officer claimed. His awareness of his homosexual predilection in the all-male environs of the navy posed many problems for him, and it comes as no surprise that he had to leave the navy. Others no doubt did better at surviving in such a homoerotic situation.<sup>60</sup>

A similar account of sex life in the navy was written by a professor of public hygiene, a former naval doctor who, when discussing the regulation of prostitution, warned against the dangers of onanism and homosexuality. If we forbid prostitution, he claimed, many men will seek sexual fulfillment by themselves or with other men, as happened on board the naval vessels on which he had served. He stated: "Thousands of men and women do not want to restrain their sexual urge looking for natural satisfaction outside of marriage, contrary to the thousands who secretly satisfy themselves in solitude or with someone of the same sex."<sup>61</sup> The navy may have been a more totally segregated institution and may have produced more homosexual behavior than the army; it was, nevertheless, a comparable homosocial environment in which the same social and sexual mechanisms were at work.

Another source of material on sexual behavior in the army and the navy is the published jurisprudence, which includes several cases from courts-martial. The most interesting and earliest one, dating from 1838, concerns the captain of a naval ship who himself initiated a proceeding before the high military court to save his honor, probably after he had been summoned before a lower court. He had had sexual relations with several cabin boys and was observed by one of the other sailors through a small window of the captain's cabin. He was acquitted because his cabin was considered a private place, notwithstanding the fact that other personnel could see into it from the deck. Later, jurisprudence became more strict in this sort of case, condemning as public indecencies any such sexual activities observable from a public place. The captain did not deny having sex with the cabin boys, so it remains questionable whether his honor was indeed saved. Other cases of jurisprudence provide scant additional information on homosexual behavior in the army. One indicted soldier said he had been

<sup>60</sup>Pierre F. Spaink, "Bijdrage tot de casuïstiek der urningen," *Psychiatrische Bladen* 11 (1893): 143–65.

<sup>61</sup>Gillis van Overbeek de Meijer, review in *Nederlandsch Tijdschrift voor Geneeskunde* 36 (1892): 421–22; see also his "Geneeskundig toezicht op de prostitutie," in *Nederlandsch Tijdschrift voor Geneeskunde* 33 (1889): 60–63, especially 63. For the debate on the medical regulation of prostitution in the Netherlands and its importance for the discussion of the "perversions," see Hekma, *Homoseksualiteit*, pp. 149–64.

introduced to this kind of immorality in a youth prison, where—so he claimed—it was rampant.<sup>62</sup>

### CONCLUSIONS

At the age when young men join the army, they are in their most active sexual period. It therefore comes as little surprise that the soldiers described above were prone to sexual crimes; and because they were nearly all of the time living in an all-male environment, it is not surprising that most of their sex crimes were homosexual. Because of the prevailing negative attitudes toward homosexual behavior (the death penalty for sodomy was not abolished in the Netherlands until 1811), it is also understandable that acting out homosexual pleasures entailed many difficulties and fears. Some soldiers tried to entrap their mates who were indulging in such practices, and other soldiers went insane with delusions and anxieties connected with pederasty. The manliness of the soldiers was threatened by homosexual behavior, especially when they were forced into a “female” position, as the gender metaphors that appear in the archives indicate. But when soldiers took the male part in sodomy, problems with their masculinity did not have to arise—on the contrary, it seems to have affirmed their male standing. There was also a group of soldiers apparently unconcerned about either homosexual conduct or their masculinity: they could assume either role and enjoy it.

It is my claim that homosexual behavior was widespread in the army, but I know my proofs are not totally convincing. The base of evidence is too small, so additional research has to be done. A comparison with onanism may be illuminating. Homosexual behavior was despised somewhat more than masturbation was by officials and doctors in nineteenth-century Netherlands, but masturbation never came to the attention of the military courts, although it must have been quite general. The military authorities were very lax in implementing sexual discipline, which explains the low number of convictions for homosexual behavior in the army. Sodomy was a crime not to be named, which made it very difficult for the authorities to initiate prosecutions. Only in the more extreme cases, such as in prisons, could the wall of silence be broken down. But I have to admit that many questions remain unanswered for the moment.

What bearing does this material concerning the nineteenth-century Dutch military have on the debate over the “making of the modern homosexual”? There is precious little data about men identifying themselves as homosexuals or having clearly effeminate roles. The minister of war’s 1845

<sup>62</sup>Hekma, “Bewaar mij voor den waanzin van het recht” (n. 29 above), the cases being discussed on pp. 116 and 123.

order concerning unnatural fornication indicates that the authorities were concerned primarily about the problem of seduction, not about effeminacy or unmanliness. The naval officer's autobiography bespeaks a clear consciousness of a homosexual identity, but effeminacy is only mentioned perfunctorily. The officer claimed not to like "boys' games," a topos he may well have taken from the medical literature with which he was acquainted. The gender metaphors that appear sporadically in the archival sources probably refer to passive sexual behavior, not to any supposed homosexual identity of the soldiers. They do not appear to confirm the queen model of the homosexual. Only in the case studies from psychiatric asylums is there any indication that male effeminacy is becoming an issue in the military, but here less so for the authorities than for the soldiers themselves. Dating from the very last decade of the nineteenth century, the psychiatric material does offer some support for the queen model set forth by Trumbach. On the other hand, the overwhelming majority of the homosexual behavior in the military presented above clearly falls into the category of casual homosexuality, with indications of both friendship and effeminacy nearly altogether lacking. Thus the making of the modern homosexual properly ought to be regarded as a gradual process, with different developments among distinct social groups and social classes in distinct countries, and with a variety of individual forms. Gay history has been preoccupied with general trends, such as the making of the homosexual or the queen model, where specific historical and local trends are disregarded. The types of homosexuality that existed in the barracks differed from those in the urban centers of that era, and it is improbable that the sodomites' identity and subculture of the eighteenth century survived unchanged until 1900.<sup>63</sup>

The dearth of sexual violence in this material is also remarkable. Modern studies of homosexuality in the military indicate that group violence and sexual humiliations are quite commonplace.<sup>64</sup> The nineteenth-century situation, with soldiers living for long tours of duty in crowded barracks, would seem to be especially conducive to acts of sexual violence and degradation, but they are not documented in the archives of the military courts in Haarlem during the period under consideration, neither among the sex crimes nor among the crimes of violence. Did the authorities tolerate such behavior even more than they do at present, or were the soldiers more disciplined and it simply did not occur? These possibilities seem implausible. Or could instances of sexual violence have been handled by superiors in the same manner with which they dealt with unproven cases of homosexual

<sup>63</sup>See John Marshall, "Pansies, Perverts, and Macho Men: Changing Conceptions of Male Homosexuality," in Plummer, ed. (n. 13 above), pp. 133–54, who takes the position that the modern homosexual became general only after World War II.

<sup>64</sup>Marcel Bullinga, *Het leger maakt een man van je: Homoseksualiteit, disciplineren en seksueel geweld* (Amsterdam, 1984).

behavior—assignment to the disciplinary classes? This is a puzzling matter that may be illuminated by further archival research.

An additional puzzle surrounds the strict surveillance of homosexual behavior in a different, even more segregated, institution in the same period, namely, in prisons. Beginning in the 1830s, Dutch prison authorities debated the best prison system. Many issues were raised, including the utility of forced labor, but especially the benefits of shared versus solitary confinement. Solitary confinement came to be considered preferable and was instituted from the 1850s on; confinement in the cell was meant to weigh on the conscience of the prisoners but also to prevent their social and sexual promiscuity. The unmentionable sin played an important role in the discussion. One prison reformer argued that the onanism occurring in single cells was less heinous than the homosexual behavior of prison dormitories.<sup>65</sup> Thus the disciplining of prisoners bore clear consequences for homosexual promiscuity. It is possible that the order of the minister of war of December 1845 was inspired by the debate on the prison system and on solitary confinement, but that is all we find for the army. Why did contemporary military authorities not concern themselves more with the issue of sexual discipline? The simplest answer has to do with the emergence of a prison reform movement at the beginning of the nineteenth century, whereas no such movement existed for the army. Moreover, the prison is a more segregated institution than the army, soldiers having more social and sexual freedoms than prisoners at that time. But it remains remarkable that the discussion on prison promiscuity was not also transferred to the military realm, in light of the similarity in both settings of more or less compulsory homosociality.

Thus the military authorities devoted scant attention to sexual discipline in the barracks. Sex crimes were brought up rarely—but then condemned fairly harshly. In the Dutch military courts of the nineteenth century, most cases involved minor thefts and insubordination. The charges had to do with infractions of the hierarchy and with breaches of property relations: between the army and the soldiers (for example, when the men sold their uniforms), but also between soldiers, who had very little private space and little possibility of locking away their possessions. But sexual discipline was imposed only in a haphazard way. The standards of the Dutch army cannot have been very strict in those times, given the slackness with which the authorities combated undisciplined sexual behavior as well as drunkenness. The Victorian age has recently lost its reputation as an age of sexual repression,<sup>66</sup> and the material from the courts-martial can only con-

<sup>65</sup>Hekma, *Homoseksualiteit*, pp. 112–20.

<sup>66</sup>See Foucault (n. 13 above); and Peter Gay, *The Education of the Senses*, vol. 1 of *The Bourgeois Experience: Victoria to Freud* (New York, 1984).

firm this view. Homosexuality may not have been rampant in the barracks, but neither was it extremely repressed or persecuted. Neither the authorities nor the soldiers were bothered too much about homosexual behavior so long as it was not too flagrant and did not subvert gender roles.

The situation in the military was conducive to homosexual behavior, but fairly few cases were prosecuted, and sexual discipline was not strictly implemented. To arrive at a more complete picture of the system of sexuality, violence, and discipline, and the structure of male homosociality and homosexuality in the military, more research must be done, not only for the Netherlands, but also for other countries. As it appears now, the army was not a paradise of pleasure for most soldiers, least of all for men aware of their unmasculine behaviors or same-sex preferences.