CHAPTER 3
Nineteenth-Century Gay America

When I peruse the conquer’d fame of heroes and the victories of mighty generals, I do not envy the generals,
Nor the President in his Presidency, nor the rich in his great house,
But when I hear of the brotherhood of lovers, how it was with them,
How together through life, through dangers, odium, unchanging long and long,
Through youth and through middle and old age, how unaltering, how affectionate and faithful they were,
Then I am pensive—I hastily walk away fill’d with the bitterest envy.¹
—Walt Whitman, 1860

Random Sightings
From the Pacific to the Atlantic and everywhere in between, America in the period before the Gilded Age was no stranger to same-sex sexuality. Although it was not until the end of the century that a homosexual identity was recognized, in large measure based upon German claims associated with Karl Heinrich Ulrichs and Richard von Krafft-Ebing, sexual activity between members of the same sex was frequently recorded. From the inception of the European colonial experience in the New World through the Revolutionary era and beyond until mid-nineteenth-century America, various forms of same-sex sexual contact between individual men and women were observed and commented upon even as they were condemned as sins against God and the “natural” order of the universe. Reports of same-sex sexual activity focused on what were construed as individual lapses of moral judgment “driven by the innate corruption of fallen humanity,”² and consisted of negative observations by explorers, settlers, clergy, or the courts, and were usually described as acts of “sodomy,” “unnatural filthiness,” or “buggery.” In 1642, for example, Governor William Bradford wrote in his history, Of Plymouth Plantation, that “Marvelous it may be to see and consider how some kind of wickedness did grow and break forth here . . . Not

J. Hatheway, The Gilded Age Construction of Modern American Homophobia
© Jay Hatheway 2003
only incontinency between persons unmarried, for which many both men and women have been punished sharply enough, but some married persons also. But that which is worse, even sodomy and buggery (things fearful to name), have broken forth in this land oftener than once.\textsuperscript{3} Descriptions of this sort were fairly common throughout the seventeenth century as was the presence of draconian sodomy statutes that frequently stipulated the death penalty if same-sex sexual activity could be proven.\textsuperscript{4} In so far as this attraction was perceived as a sin against God, no positive descriptions existed, and no records have been found in which individuals who expressed such feelings wrote favorably in support of their own behavior.

During the eighteenth century and well into the nineteenth, British colonial and later American thinking about same-sex sexual attraction mirrored that of the seventeenth century. Sexual contact between men, and less frequently between women, when reported, was quite hostile. In 1778–1779, for example, Thomas Jefferson wrote in section XIV of “A Bill for Proportioning Crimes and Punishments” that “Whosoever shall be guilty of rape, polygamy, or sodomy with man or woman, shall be punished; if a man, by castration, a woman, by boring through the cartilage of her nose a hole of one half inch in diameter at the least.”\textsuperscript{5} In a clarification note on the word sodomy, Jefferson goes on to state that “Buggery is twofold. 1. With mankind, 2. with beasts. Buggery is the Genus, of which Sodomy and Bestiality, are the species. 12. Co. 37. says, ‘note that Sodomy is with mankind.’ But Finch’s L.B. 3.c. 24. ‘Sodomiary [sic] is a carnal copulation against nature, to wit, of man or woman in the same sex, or of either of them with beasts.’”\textsuperscript{6}

In a similar negative vein comes a report from the period of 1824–1826 in which same-sex activity between men and boys in prison was observed and condemned, not because of issues related to the abuse of power between an adult and a minor, but rather as an example of unnatural behavior,

I have seen boys in Prison, of a very tender age, who had no natural deformity, who were among the most unnatural and deformed objects, which I ever saw. The peculiar skin, the strained and sunken eye, the distorted mouth and head, and the general expression of the countenance; as if God had impressed the mark of the beast upon them, for unnatural crime; were things, which I did not understand, till I learned, that the SIN OF SODOM IS THE VICE OF PRISONERS, AND BOYS ARE THE FAVORITE PROSTITUTES.\textsuperscript{7}

Native Americans, too, found their place in the extant literature on same-sex activity, and not surprisingly, descriptions by Europeans were