

MOSHKO THE JEW AND HIS GAY FRIENDS:
SAME-SEX SEXUAL RELATIONS IN
OTTOMAN JEWISH SOCIETY

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ABSTRACT

This article investigates homosexual relations and the discourse about them among Ottoman Jews. Jewish sources reveal a substantial gap between ethical and moral demands and the life of the general public. They also attest to the visibility and prevalence of sexual relations between males, despite the explicit biblical prohibition and later interdictions. In Ottoman urban society, gender and sexual preference were not naturally given but were determined by status and a complex of social behaviors. The Jewish and general public had no interest in the individual's sexual practices and showed a certain degree of tolerance to the point of de-facto legitimization, as long as social order and norms were kept.

Then David son of Nissim came and testified how the previous summer he went to a certain village . . . and this Moshko was seen sodomized by a young man¹ and when they saw them, they fled, each one left his comrade and ran away with his trousers undone. . . . Then along came Hayim son of Matitya and testified . . . he saw the very same Moshko while a Turk was sodomizing him with his consent. . . . Later the young man Abraham de Mili appeared before us and testified that he [Moshko] used to pursue him to rape him, but he was unwilling. Then came Eli'ezer the son of Abraham and testified that . . . he heard gossip about Moshko, how he was being sodomized by a certain Turk, until he acquired a bad reputation, and they would abuse him with disgraceful epithets and this [testimony] was verified. Further at our [court] session etc. there appeared before us R. Ychudah Zori and testified . . . he was in Moshko's house with other young men, eating and drinking there . . . he saw the aforementioned Moshko being sodomized by Jacob Mazaltov. . . . When Abraham son of Mar David came he said that about one and a half years ago, he had been in Moshko's house and saw him sodomizing a certain young man. . . .²

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¹ The word *bahur* in Hebrew also means a bachelor. Hebrew names in this paper have been transliterated as pronounced.

² R. Shmuel de Medina, *Responsa, Even Ha'ezer* (Salonica, 1596), 50: 58b. I translated the Hebrew ריבע/ורבע as "sodomize" in both active and passive ways.

This series of fascinating accounts given by Jews in 1561 in the city of Arta in the Peloponese opens up a new vista onto one of the less known aspects of the life of Jewish men in the Ottoman Empire: homosexual relations. Studies written in the last decade have shed light upon the close connection between the culture of the Jews of the Ottoman Empire and that of the surrounding society, and have pointed out the deep involvement of Jews in the life of the Ottoman city and its culture. There are diverse expressions of this social interaction, including patterns of behavior and beliefs that did not always conform to the ideals of Jewish *halacha* (religious law) and morality, among them sexual behavior, which is always heavily influenced by the social and cultural environment. A sexual act or behavior is evaluated and labeled either normative or deviant in the light of perceptions that are relative to a time and place, to the social and cultural context, and to the individual's status. An examination of the sexual behaviors of Ottoman Jews and the reaction of Jewish society to these behaviors contributes an additional layer to our understanding of the connection between the Jewish minority and the Muslim majority, as well as Jewish life in the early modern period in general.

The discussion relates to the totality of Jewish communities in the Ottoman cities, with emphasis on the large urban centers in western Anatolia and the Balkans, from which most of our sources emanate. The period dealt with in this article is a lengthy one, extending from the late fifteenth century to the first half of the nineteenth century. This is certainly a "*longue durée*," justified both in relation to the history of the Ottoman Empire and that of Ottoman-Jewish society, which were stable and traditional societies. I believe no significant changes in the behavior, the lifestyle, or the mentality of Ottoman Jews occurred until the nineteenth century.

We shall first review Muslim Ottoman society and then turn to Jewish society.

Same-Sex Sexual Relations in Muslim Civilization and the Ottoman Empire

It was only in the last fifteen years that scholars began a thorough examination of homoeroticism and sexual relations between men in Muslim culture.³ From diverse studies of the pre-modern era, it emerges

³ For summaries, updated surveys, and references, see: *The Encyclopaedia of Islam*, 2nd

that there was a substantial discrepancy between the moral ideals set forth in theological works concerning the strict prohibition in the Quran⁴ and actual societal practice, and that love and sexual relationships between men were fairly prevalent phenomena in Muslim civilization. Mutual erotic attraction was perceived as a natural emotion and did not arouse feelings of guilt or shame in those involved. Nonetheless, it was not acceptable to discuss the subject in public, nor even to acknowledge the existence of such a phenomenon. These relations were generally non-egalitarian in terms of status and age, and were reflected primarily in men having relations with boys and slaves. In medieval Islam, a person's sexuality was determined by his role in the sexual act—by whether he demonstrated control or passivity. In fact, sexual role was pre-determined by a person's social status. The object of male penetration was of no import, and anyone was a suitable partner for this purpose: boy, woman, or man, slave or freeman. Since penetration was perceived as subjugating and humiliating the passive partner, this latter role was regarded with contempt, and a man who voluntarily chose anal passivity was considered a deviant.⁵ Boys whose beards had not yet sprouted (*emred* or *amrad*, *oğlan*) were considered to possess a feminine sexual identity and therefore were a legitimate—and at times even preferred (aesthetically)—object of male desire; their masculinity was not damaged by it and their name suffered no disrepute.

Muslim religious law does not deal with preferences, proclivities, or the structure of personality but only with deeds. According to this set

ed. (Leiden and Paris, 1986), 5:776-79, s.v. "Liwat"; A. Abu-Khalil, "A Note on the Study of Homosexuality in the Arab/Islamic Civilization," *Arab Studies Journal* 1, (1993): 32-34; M. Daniel, "Arab Civilization and Male Love," in *Reclaiming Sodomy*, ed. J. Goldberg (New York, 1994), 59-65; B.W. Dunne, "Homosexuality in the Middle East: An Agenda for Historical Research," *Arab Studies Quarterly* 12 (1990): 55-82; S.O. Murray and W. Roscoe, eds., *Islamic Homosexualities: Culture, History, and Literature* (New York, 1997), 14-54, 302-19; J.W. Wright and E.K. Rowson, eds., *Homoeroticism in Classical Arabic Literature* (New York, 1997). As for sexual relations between women, see S.O. Murray, "Women-Love in Islamic Societies," in *Islamic Homosexualities*, 97-104.

⁴ Al-Quran, Sura 7:79; Sura 26:165-66; Sura 27:55-56.

⁵ On this, see: S.M. Oberhelman, "Hierarchies of Gender, Ideology, and Power in Medieval Greek and Arabic Dream Literature," in *Homoeroticism*, 65; T. Monroe, "The Striptease That Was Blamed on Abu Bakr's Naughty Son," in *ibid.*, 119-20. In certain cultures, homosexual relations bolster the masculine status, and a man who has sexual relations with both men and women is thought to demonstrate great virility. On boasting about homosexual relations in a provincial city, see A.K. Rafeq, "Public Morality in 18th Century Ottoman Damascus," *Revue du monde Musulman et de la Méditerranée* 55-56 (1990-92): 187. On present-day Turkey, see H. Taping, "Masculinity, Femininity and Turkish Male Homosexuality," in *Modern Homosexualities*, ed. K. Plummer (London, 1992), 39-49.

of laws, a believer's attraction to members of his own sex is natural and understandable, but he is called upon to curb it nonetheless. The person who submits to this urge is a sinner and deserves a severe punishment. Notwithstanding this legal position, the conditions required to effect maximum punishment were strict and almost unrealistic. Thus, post factum, there was a considerable gap between theory and practice—between moral ideals as expressed in theological and moral works and the social norms as actually practiced in society. Furthermore, legislation did not differentiate between the partners of the act, though for the general public the role of the active partner was more highly regarded, since this role demonstrated virility and power.

Ottoman society was a class-oriented society and the preservation of social boundaries was one of its most important principles. Life was dictated largely by the *shari'a*, religious Muslim law, based on the Quran and the *Hadith* (religious traditions ascribed to the prophet Mohammed) and the *Kanun* (codex of laws initiated by the Sultans). From the sixteenth century on, the Kanun included sections on transgressions of sexual morality. In theory, homosexual relations were strictly forbidden, but in practice, the official stance on this issue was not uniform. *Shari'a*, represented in compilations of religious law, and the rulings (*fetwas*) handed down by religious authorities in Sunni Islam (*muftis*), paid little attention to sexual transgressions which were not *zina* (namely, prostitution and adultery) and the treatment of this subject by religious leaders and jurists was not systematic. In theory, the Kanun considered same-sex sexual relations a criminal offence for which punishment would be determined according to the circumstances of the case—the specifics of the accusation (e.g. were the relations under consent or was it a rape) and the personal, social, and economic status of the accused. Punishment ranged between flogging and a fine, severe flogging and a fine, severe flogging followed by imprisonment until the culprit expressed sincere remorse, and, in case of pathological behavior, even the death penalty. The passive partner was also considered punishable.⁶ The stringent rules required under the *shari'a* to prove crimes of illicit sexual relations, such as adultery, almost entirely prevented such cases from coming to judgment, and it is not at all clear whether the punishments set forth in

⁶ Ottoman law mandates that the young boy is punishable for consenting to have relations with an older man, just as a woman who was raped is punished since the deed was ostensibly committed with her consent. Nonetheless, there is no evidence that the law was enforced: C. Imber, "Zina in Ottoman Law," in *Studies in Ottoman History and Law* (Istanbul, 1996), 187.

the *shari'a* and the Kanun were ever actually carried out.⁷ In the Sufi fraternities common in the Ottoman Empire, the beauty of young men was perceived as admirable, and the love of the elderly mystic for a young man was considered a parable of the love of the Creator as well as means of achieving spiritual elevation. Dervishes were often accused of homosexuality as well as other malpractices. This reality probably contributed toward creating a relatively high degree of tolerance toward the phenomenon of same-sex sexual relations, particularly among clerics who were linked to these circles. It is not surprising to find out that Deli Birader, the composer of one of the most popular catalogues of sexual practices, was a sheikh of a dervish lodge and belonged to the retinue of the Ottoman prince Korkud around 1500. His book includes detailed descriptions of sexual acts (anal sex with boys seems the most popular among them), as well as related stories and short poems. Once again, one is impressed by the constant gap between the religious law and everyday reality in which "sodomites fall for ass so much that the door of cunt is locked and deserted altogether."⁸

The attitude of the Ottoman state to same-sex sexual relations emerges from the empire's collections of laws which were written largely in the fifteenth and sixteenth centuries.⁹ The Kanun mitigated the severe penalties set forth by the *shari'a*, and at the same time, reduced the evidence needed to prove adultery or other sexual crimes, thus enabling the state to mete out punishment (including fines) even when the *shari'a* did not permit it.¹⁰ Despite this, the state was not anxious to supervise the moral behavior of its subjects, and its representatives tended to turn a blind eye to such phenomena, which in any case were hard to bring to court.

⁷ A certain picture of the attitude of the Ottoman religious law authorities of Sunni Islam towards offenses of same-sex sexual relations may be found in the collections of religious rulings (*fetwas* or *fatwas*) of those who fulfilled the role of the supreme legislator of religious law in the empire—Sheikh al-Islam. Most of them are still in manuscript, and only a small part has been published. Noteworthy are the *fetwas* of Ebu Su'ud Efendi (in office between 1545-1574), and of 'Ali Efendi, who fulfilled this function in the 1670s. For their rulings on this topic see Imber, "Zina," 177-80, 191-98; M.E. Düzdağ, *Şeyhülislam Ebusuud Efendi Fetvaları* (Istanbul, 1972), 159; I. Ural, *Şeyhülislam Fetvaları, Ali Efendi* (Istanbul, 1995), 121-22.

⁸ S.S. Kuru, "A Sixteenth Century Ottoman Scholar and his *Dāfi'ül-gumūm ve raḥi'ül-humūm*," unpublished Ph.D. dissertation, Harvard University, 2000, 214. For more on homoerotic and pornographic Ottoman writing see J. Schmidt, *The Joys of Philology*, vol. 1 (Istanbul, 2002).

⁹ On the *kanun* in this context and of an undated injunction prohibiting sexual relations among children, see Imber, "Zina," 180-81, 188; U. Heyd, *Studies in Old Ottoman Criminal Law* (Oxford, 1973), 102-3, 136, 262 n. 7, 278 n. 13.

¹⁰ Imber, "Zina," 177-82, 188-89.

The widespread nature of same-sex sexual relations among the military elite also contributed to a permissive norm of public behavior. The authorities were less tolerant regarding other offences, such as promiscuity, the drinking of wine, and criminal acts carried out within the city limits. This only highlights the extraordinary activity of Vani Efendi, the most important preacher in Istanbul, the capital city and seat of the sultanate during the sixth and seventh decades of the seventeenth century. Vani Efendi was an important member of a spiritual movement (the *kadizadeliler*) which sought to purify and reform Sunni Islam, and he acted vigorously to shape a more pious Muslim society. He wanted to abolish the huge discrepancy between the requirements of the *shari'a* and the way of life led by the public, headed by the elite, in a variety of areas. Among these ills were the imbibing of alcoholic drinks, sexual misconduct, and tolerant attitudes toward protected subjects (non-Muslims). One of the measures he initiated was the enactment of a prohibition against the deeply rooted practice of sending little boys and teenagers out to serve as the sexual toys of soldiers during military campaigns. Vani Efendi claimed that the soldiers' promiscuous behavior was one of the reasons for the frequent military defeats. As may be expected, this prohibition was not kept for long.¹¹

According to Colin Imber, the various collections of laws primarily present an ethical code and aspiration for an ideal society, and do not represent reality. The public was generally indifferent and reacted mainly when its image or property was hurt by illegal or immoral activity.¹² Thus, for example, in the eighteenth century the *kadi* of Damascus ordered a coffeehouse used for homosexual trysts to be closed only after the people of that neighborhood complained that it had turned into a center for crime.¹³ The presence of homoerotic motifs in literature and

¹¹ On Vani Efendi see M. Zilfi, "The Kadizadelis: Discordant Revivalism in Seventeenth-Century Istanbul," *Journal of Near Eastern Studies* 45 (1986): 264. Sending out young boys to accompany the soldiers was also described by an English traveler in the early eighteenth century: A. Hill, *A Full and Just Account of the Present State of the Ottoman Empire* . . . (London, 1733), 63.

¹² Imber, "Zina," 188-89. On the public attitude and the authorities' response to offenses against morality, see also E. Ginio, "Marginal People in the Ottoman City: The Case of Salonica in the 18th Century," unpublished Ph.D. dissertation, Hebrew University of Jerusalem, 1998, 76-77, 84-87 [Hebrew]. On enforcing the law in the city of Aleppo, see A. Marcus, *The Middle East on the Eve of Modernity* (New York, 1989), 110-20.

¹³ Rafeq, "Public Morality" (n. 5 above): 183. On Intisab relations as based either on blood relations, marriage, sexual relations, or friendship, see C.H. Fleischer, *Bureaucrat and Intellectual in the Ottoman Empire: The Historian Mustafa Ali (1541-1600)* (Princeton, 1986), 19.

the popularity of sex manuals, picture books, and guides for the interpretation of dreams that deal with same-sex sexual relations attest to the important place this phenomenon held in sexual life.

Even though partners in same-sex sexual activities must have acted with the utmost discretion, expressions of homoeroticism were an open secret. Indeed, European diplomats and travelers who came to the Levant noted with horror the prevalence of "sodomy" among the Turks. One such observer was Paul Rycaut, British consul at the important port city Izmir, who wrote a history of the Ottoman Empire. In describing the Sultan's court, he gives his readers some scandalous details:

The next lesson is the Persian Tongue . . . and endues them with a kind of Platonick love each to other . . . but for their Amours to Women the restraint and strictness of their Discipline makes them altogether strangers to that Sex for want of conversation with them, they burn in lust one towards another, . . . they call it a passion very laudable and virtuous, and a step to that perfect love of God . . . this is the colour of virtue they paint over the deformity of their depraved inclinations, but in reality this love is nothing but libidinous each to another . . . and this passion hath boiled sometimes to that heat that jealousies and rivalries have broken forth in their Chambers . . . Nor is this passion only amongst the young men each to other, but persons of eminent degree in the Seraglio become enveigled in this sort of love. . . . The Grand Signiors themselves have also been slaves to this inordinate passion.¹⁴

One must remember that exaggerations and generalizations on this subject were not necessarily drawn from first-hand experiences and, furthermore, were directed to the taste of the European readers, eagerly seeking erotic images of the Orient. Literature also served an ideological purpose—the Muslim (the "Turk") was perceived as a total stranger, representing everything that was different and "other" to the morally superior Christian-European culture. The stories of homoerotic relations in the exotic and sensual East identified Islam with corrupt sexuality and especially degenerate sodomy, thereby contributing to the delegitimization and demonization of the threatening, hated Muslim foe.¹⁵

¹⁴ P. Rycaut, *The Present State of the Ottoman Empire* (London, 1668), 61, 63-64.

¹⁵ On the image of Arabs and Turks as immersed in homosexuality in English and French travelers' literature, see at length: G. Poirier, "Masculinities and Homosexualities in French Renaissance Accounts of Travel to the Middle East and North Africa," in *Desire and Discipline*, ed. J. Murray and K. Eisenbichler (Toronto, Buffalo, and London, 1996), 155-67; N.I. Matar, "Sodomy and Conquest," in *Turks, Moors and Englishmen in the Age of Discovery* (New York, 1999), 112-27. On the erotic image of the Orient in European eyes, see A. Bray, *Homosexuality in Renaissance England* (New York, 1995), 75; B. Melman, *Women's Orient: English Women and the Middle East, 1718-1918*, 2nd ed. (Houndmills and London, 1995). On the "Turk" in travelers' literature as the personification of un-Christian behavior, including sexual permissiveness, see R. Kool, "French Travel

Same-Sex Sexual Relations among Ottoman Jews: Acts and Actors

Despite the intimate nature of the act, dozens of references have been preserved of homosexual acts among members of the Jewish community.

A broad spectrum of Hebrew sources, mainly responsa and moral literature, dating from the late fifteenth to the mid-nineteenth century, attest to a widespread phenomenon. The nature of the responsa literature allows us to hypothesize with some degree of probability that the many accounts we possess, even if some were false accusations, are only a minute percentage of the cases that actually took place. The multiplicity of accounts is of great significance and is doubly impressive in view of the intimate nature of the deed and in view of the absence of any quantitative parallel in any other Jewish community. Ethical treatises do tend to stress deviant behavior and to exaggerate, but still point nonetheless to real transgressions and to a reality that their readers were familiar with.

The difference between "Sephardi"/Islamic and Ashkenazi/European rabbinic discourse on the subject, and perhaps the difference in the visibility of homosexuality in the two worlds, is best demonstrated in a morals booklet that was written and printed in Istanbul in the 1820s by an east European rabbi residing there. The author claims that never before had he heard of homosexual acts between Jews, and that even Christians all over Europe abstain from this abominable transgression, which he describes as inhumane. On his arrival in Ottoman lands, he was shocked to learn that Jews were sinning in sodomy and later realized the dimensions of this phenomenon. Nonetheless, he was scandalized by the fact that local rabbis, in the past and in the present, refrained from rebuking their folk for such a major offense.¹⁶

The nature of our sources limits the analysis to the physical and social expressions of the phenomenon and prevents a discussion of its emotional and psychological aspects. In the eighteenth and nineteenth centuries, an increasing number of complaints were voiced regarding the prevalence of same-sex relations. Thus, the Salonican Rabbi Yitzhak Molkho (d. 1781) noted "that most young men violate the biblical pro-

Accounts to the Ottoman Empire on the Eve of Enlightenment (1640's-1720): Observation or Duplication," unpublished MA thesis, Hebrew University of Jerusalem, 1996, 44-46.

¹⁶ His book was intended to fill this lack. R. Efrayim Hayout, *Mikraey Kodesh* (Constantinople, 1829), 15a-25a, 27b. The author dedicated more than one fifth of the book to a rebuke of homosexuality.

hibition: 'Thou shalt not lie with a man as one lies with a woman.'"¹⁷ Similar statements were made by rabbis in the nineteenth century. R. Eli'ezer Papo (1785-1828), for example, addressed in his book *Pele Yo'etz* the religious climate of the Jewish communities in the cities of Turkey and the Balkans in the first quarter of the nineteenth century. In the entry "zenut" (prostitution), he writes:

And there is promiscuity in the house of the single man which comes as the result of a lack of information about the severity of the deed which is great, and due to wicked friends, who commit acts of mockery. . . .

In the entry "keri" (nocturnal pollution) he writes:

But who can be clean in these generations, whether he does not commit all manner of prohibitions, he commits some of them, for if he saves himself from adultery, and same-sex relations, and emission of seed in actual deed, he is not saved from impure thoughts by seeing forbidden sights, and he comes to nocturnal emissions in his dreams. . . .¹⁸

R. Hayim Palaggi (1788-1868) of Izmir, one of the preeminent rabbis of the Empire in the first half of the nineteenth century, also noted the frequency of offenses against morality, among them same-sex sexual relations. He demanded constant supervision of the behavior of members of the community, particularly boys and young men.¹⁹

These accounts are supplemented by Ottoman sources, which fill in much of the missing information on the subject. One of the most noteworthy (though not always reliable) sources is the travelogue of Evliya Çelebi, the famed Ottoman traveler of the seventeenth century. In describing Galata, a neighborhood of Istanbul, he added that not only do the Jews act as brokers for crimes in organizing lovers' trysts, but

¹⁷ R. Yitzhak Molkho, *Orhot Yosher* (Salonica, 1769), 145a. Other rabbis, however, claimed "that homosexual relations are not common in Israel [among Jews], God forbid" (R. Yosef David, *Beit David* [Salonica, 1746], Even Ha'ezer, 2:34:29b). R. Hayim Benbenesht, one of the eminent sages of the Ottoman Empire in the seventeenth century, forbids sending children to study with a Turk because "we see their deeds every day, that they prefer homosexual relations over relations with a woman" (R. Hayim Benbenesht, *Shyarei Knesset Hagdola, Toreh De'ah* [Salonica, 1757], 26a). On homosexual acts among Sabbatean believers, and in Sabbatean context see E. Shai, *Messiah of Incest* (Tel Aviv, 2002), 412-15 [Hebrew]. Reference to this specific act is also found in Lurianic penitence manuals such as those prescribed in R. Hayim Vital, *Sha'ar Ruah haKodesh* (Bnei Brak, 1963), 57-62.

¹⁸ R. Eli'ezer Papo, *Pele Yo'etz* (Constantinople, 1824), 68b-69a, 2:79b-80a, respectively.

¹⁹ R. Hayim Palaggi, *Tochehat Hayim, Shmot* (Salonica, 1853), 102a. See also there: 8b; 122b; *Tochehat Hayim, Bereshit* (Salonica, 1850), 51b-52a (partial quote below).

that Jewish boys are the most morally corrupt. More than once he notes in his writing the beauty of the red cheeked Jewish boys and their being a highly-desired object for same-sex relations.²⁰

Another important source for our subject is the writings of Fazil Beğ Enderuni, the grandson of Taher al-'Umar who was ruler of most of Palestine in the third quarter of the eighteenth century. Young Fazil was sent to Istanbul, the imperial capital, and was educated as one of the slaves in the Sultan's palace. He was exiled at a certain stage and died in 1810. In his books, Fazil Beğ describes one of the lesser-known aspects of street life in Istanbul. In *Çengināme* (the book of dancers), he refers to forty-three youths who were well-known dancers in the capital. He mentions the religion of sixteen of them, including three Jewish boys. One of them is the youth Shewki, whose dance movements excited the Istanbuli audience.²¹ His observations on Jewish boys and women as an easy prey must be related to a worsening economic situation for Jews of the capital. In any case, we have a fairly early account of Jewish female and male prostitution.

I previously mentioned that in the eighteenth and nineteenth centuries there was an increase in the frequency of reports of same-sex sexual activity. This is quite contrary to the suppression of discourse on these matters in nineteenth century Europe. Two possible explanations may be raised for this change. One is that we are confronting a genuine increase in the frequency of the cases, as part of a growing breakdown of the boundaries of Jewish law and morality. The other and more likely possibility is that reporting of such events intensified. The proliferation of reports must be seen as an expression of a public confrontation with the changes that began to take place in state and in society, and as a response to a growing sense of too much freedom and a breakdown of tradition. Thus it was an attempt to re-determine and redefine the limits of what was permitted and what was forbidden, a process that was taking place at the same time in the surrounding Ottoman society as well.²²

²⁰ He also wrote about young boys of other nations who caught his eye during his travels: Evliya Çelebi, *Seyahatnamesi* (Istanbul, 1314 [1896/97]), 1:434 [Ottoman Turkish]. On the beauty of Jewish boys in Mangup in Crimea, see there, (Istanbul, 1928), 7:584.

²¹ S. Erdoğan, *Sexual Life in Ottoman Society* (Istanbul, 1996), 76-77, 83-85. On the man and his essays, see also: Schmidt, *Joys of Philology* (n. 8 above), 35-45.

²² Compare with the increase in the number of petitions and suits on matters of morality in the Muslim courts of eighteenth-century Istanbul; F. Zarinebaf-Shahr, "Women and the Public Eye in Eighteenth Century Istanbul," in *Women in the Medieval Islamic World*, ed. G.R.G. Hambly (London, 1998), 315.

Most sources devote their main attention to the active male, although he is attributed no distinguishing traits such as social standing. The passive partner described in most cases is a boy or a youth, frequently a pupil, an apprentice, or a slave of the active partner. The opening piece from de Medina describes a typical pattern of relationships: intra-religious encounters, youth gatherings as a social setting, young partners, mutual consent, or rape. Orphans without protectors and members of the lower class who earned their livelihood at menial and even despised jobs such as entertainers of all sorts, bathhouse attendants, and barbers, were apparently over-represented in the passive group. Their twofold weakness as young men and as members of an inferior social class made them a supposedly legitimate target for sexual exploitation, and particularly for anal penetration. We may guess that when this exploitation was profitable it was usually with the knowledge and mute consent of the passive partners' poor parents or guardians.

Moshko, our hero, acquired a bad reputation for being sodomized. Very few male adults wished to be the object of penetration, and in this society, as in ancient Mediterranean societies, they were the only ones who were considered unusual and deviant because they threatened the established male hierarchy. One group was an exception to this rule, and we may sense a connection between identity, life style, and sexual preference: the dancing boys (*köçek*). Several Jewish and mixed dance troupes were active in the imperial capital of Istanbul, and according to a contemporary writer they numbered in the 1630s many hundreds of young Jewish boys as well as boys of other religions (women did not dance in front of men!). Similar troupes of young boys were active throughout the cities of the empire until the early nineteenth century and appeared in private homes and in places of entertainment in front of large and diverse audiences. In his account of Egypt in the first third of the nineteenth century, the British Edward Lane noted the existence of a group of dancers, men and young boys, mostly Jews. Not only did they dance in women's attire, but their femininity was purposely accentuated. Lane's language seems to be alluding to their sideline occupation in homosexual prostitution. There is no reason to believe that things were different in earlier generations. They protected and refined the whiteness of their skin, dandified themselves with long hair, and during a performance they donned women's clothes and bedecked themselves with jewelry.²³

²³ On these troupes of young boys [*Kul*] in seventeenth-century Istanbul, see Evliya

The accounts described conform to the well-known asymmetric patterns of relations—an older man fulfilling the active role with a man or youth of inferior status, taking the passive role in anal relations. The feelings or pleasure of the latter were completely irrelevant to the case—either to the active partner or to the public. The Jewish legal discourse deals with the question of whether one is involved in this sort of relations and only rarely describes reciprocal behavior. In the worst case, the youth acted under duress and threats, and at best, in return for monetary or other gain.²⁴ Most of the information that we possess deals with sexual relations between Jews, but there are also additional accounts of homoerotic relations with non-Jews, among whom were Jannisaries, the foot soldiers of the Ottoman Empire.²⁵ Rendezvous took place in private homes, in nature, and, in particular, in places of entertainment for men of different religions in the Ottoman city: coffeehouses, public houses, and bathhouses.²⁶ Almost none of the sources that we found discuss the deed itself, but rather attempt to clarify the status of the participant—whether he is acceptable as a witness in court or for an appointment to public office—or the social ramifications of his act—whether a past involvement in it is a valid reason to cancel a betrothal,

Çelebi, *Seyahatname*, 1:646-49. See also M. Rozen, *A History of the Jewish Community in Istanbul: The Formative Years, 1453-1566* (Leiden and Boston, 2002), 270-73. For a brief study on these dancers, see E. Popescu-Judet, "Köçek and Çengi in Turkish Culture," *Dance Studies* 6 (1982): 46-58. The term "köçek" was extended to denote a passive boy who adopts feminine manners and appearance; see S.O. Murray, "The Will Not to Know: Islamic Accommodations of Male Homosexuality," in *Islamic Homosexualities*, 21. On the participation of young boys as actors in a celebration held at Aleppo in 1663, see, for example, the description of Jean de Thevenot, *The Travels of Monsieur de Thevenot into the Levant*, part 2, trans. A. Lovell (London, 1686), 36. According to le Bruyn, these boys used castanets and danced with great sensuality. They appeared before European ambassadors and even in the sultans' court; Cornille le Bruyn, *Voyage au Levant* (Rouen, 1725), 1:437. E.W. Lane, *An Account of the Manners and Customs of the Modern Egyptians*, 5th ed. (London, 1871), 2:92.

²⁴ See, for example, R. Hayim Avraham Istrosa, *Yerech Avraham*, (Salonica, 1811), Hoshen Mishpat 2:50:60c.

²⁵ R. Eliyah Kapsali, *Seder Eliyahu Zuta*, ed. A. Shmuelevitz, et al. (Jerusalem, 1976), 1:83, 129. The story was also brought in R. Yoseph Sambari, *Sefer Divrei Yosef*, ed. S. Shtober (Jerusalem, 1994), 249.

²⁶ On the bath houses in this context, see Erdoğan, *Sexual Life*, 94-107. On coffee houses as places of diversion, see at length R.S. Hattox, *Coffee and Coffeehouses: The Origins of a Social Beverage in the Medieval Near East* (Seattle and London, 1985), 92-111, esp. 109-10. For an account of beautiful youth as attracting customers, see George Sandys, *A Relation of a Journey Begun an. Dom. 1610* (London, 1621), 66. On the erotic attraction of beardless boys serving as waiters used by coffeehouse owners, see also A. Cohen, *The Guilds of Ottoman Jerusalem* (Leiden, Boston, and Köln, 2001), 55-56.

for instance, or what the law dictates regarding a person who calls another Jew 'נִרְבֵּעַ' (passive homosexual) and the like.

Jewish Religion, Ottoman Jewish Society, and Same-Sex Relations

The Jewish law (halacha) and the rabbinic establishment

The choice of the terms which denote sexual relations between men is significant, for it demonstrates a moral, value-based viewpoint or its absence. In the Hebrew sources (unlike modern Hebrew), the expressions used are "averat zachur, mishkav zachar," "lies with a man as one lies with a woman," and the use of the Hebrew root 'נִרְבֵּעַ' where the active form is 'נִרְבֵּעַ' and the passive form is 'נִרְבֵּעַ' (as in the original language of the quote at the beginning of this essay). This verb expresses an attitude of contempt since it also refers to relations with an animal. These expressions clearly refer to anal contact between men and are not used to denote any other male-male practices, not to mention homoerotic feelings, which are not documented at all. The words used in certain other languages also have a negative connotation as the comparison with the people of Sodom evinces—sodomy, the term "liwal" in Arabic and "amel-i kawmi lul" in Ottoman Turkish.²⁷

The brief Biblical references to same-sex sexual relations between men call it an abomination and make it punishable by death.²⁸ Nonetheless, same-sex sexual relations were not singled out for censure, and the *halacha* does not relate at all either to the personality or to the sexual identity of the offender. The accounts of same-sex relations are recorded along with information on a wide variety of moral and sexual offenses, such as sexual relations with gentle maidservants, pre-nuptial sexual relations, and adultery. A rare testimony or perhaps a slander about Damascene Jewry in the early seventeenth century enumerates a series of diverse criminal behaviors with no distinction between them:

²⁷ The last two both derive from the name of the biblical Lot. For a discussion of various designations see J. Boswell, *Christianity, Social Tolerance, and Homosexuality* (Chicago, 1980), 41-46. On the Arabic terminology, indicating the absence of such a category, see Monroe, "Striptease" (n. 5 above), 115-16. In the Hebrew sources the act is mentioned occasionally by allusion, and disapproval is expressed: "an ugly offence." See, for example, R. Moshe Mitrani, *Responsa* (Venice, 1630), 1:287:137b. The root word 'נִרְבֵּעַ' raises associations of cohabiting with an animal.

²⁸ Lev. 18:22; 20:13.

Their wives also go about shameless in provocative attire with indecent adornments . . . their breasts uncovered. . . . They apply varieties of perfumes to arouse the evil inclination in men in the marketplaces and street. . . . And there are forty-eight men [in town] who commit crimes with gentile women and married women and perform homosexual acts not to mention other offences. . . . the daughter of Kume'ri the apostate fornicates with Yehoshu'a Kureish and many other men, and Rabbi Ya'akov Monidas fucks [עו] Nathan Kuleyf, and he has given him his daughter, and yet still fornicates with him . . . and Raphael Kuleif and his son Michael commit [sexual] transgressions with Israelite and gentile women . . . and the wife of Meir Peretz and her daughter are thorough whores who lead many others into sin. And R. David Gavizon has sinned a lot . . . he commits transgressions with whores. . . . As for R. Israel Najara [the famous poet, c. 1555-1625] he made a festive meal in the days of mourning at the home of so and so and left his hat on the ground, and sang aloud and ate meat and drank wine. Even as he fled the plague, he lay with men in his drunkenness, and on the day of Sabbath he committed two transgressions . . . his young son, too, has lain with a gentile woman and he is thoroughly wicked. . . . There is much homosexuality in this country, also much vexation of the law and miscarriage of justice in this country.²⁹

The writer does not regard male homosexuality as a category by itself, and lists it together with other offenses—lack of modesty, profaning the Sabbath, prostitution, and even corruption in the system of autonomous Jewish jurisdiction. The lack of special treatment of the subject of same-sex relations between men conforms to Foucault's theory that until the modern age, various "acts of sodomy" were not considered abnormal or unnatural or even more serious than incest, adultery, rape, and the like. Same-sex relations were another behavior deviant from the sacred law, without special stigma. It was only in the nineteenth century that the category of homosexuality was defined as a tendency and a type of personhood. The homosexual was perceived as a criminal who belongs to a deviant and separate category of humanity that is distinguished by various characteristics.³⁰

²⁹ My translation from R. Hayim Vital, *Sefer hattezyonot*, ed. A.Z. Eshkoli (Jerusalem, 1954), 33-35. The book has recently been translated into English: *Book of Visions by Hayyim Vital*, ed. and trans. M.M. Fainerstein (New York, 1999). The story was later censored. Further on this subject see R. Lamdan, "Deviations of Moral Behavior in the Jewish Society of Eretz-Israel and Egypt in the 16th Century," in *Sexuality and the Family in History*, ed. I. Bartal and I. Gafni (Jerusalem, 1998), 119-20, 124, 127 [Hebrew].

³⁰ "The nineteenth-century homosexual became a personage. . . . It was everywhere present in him. . . . It was consubstantial with him, less a habitual sin than as a singular nature. . . . the machinery of power that focused on this whole alien strain did not aim to suppress it, but rather to give it an analytical, visible and permanent reality: it was implanted in bodies, slipped in beneath modes of conduct, made into a principle of classification and intelligibility, established as a *raison d'être* and a natural order of disorder. . . ." (M. Foucault, *History of Sexuality*, I: *The Will to Know*, trans. R. Hurley [New York, 1980], 43-44). David Halperin shows that Foucault does not rule out the existence of a homosexual identity prior to the nineteenth century but rather the category,

The *Shulhan 'Aruch* (Code of Jewish Law), which was composed in Safed in the third quarter of the sixteenth century, and within a short time became a binding canon for Jews all over the world, surprisingly makes only one obscure reference to the subject, more in the way of a laconic recommendation: "In these generations where licentiousness is rampant, one must avoid being alone with a male."³¹ These words seem to attest to the inability of the *halachic* legislators to act in the face of the permissive reality in Ottoman cities. It was clear to R. Joseph Karo and his followers in subsequent generations that there was a great discrepancy between the demand for sexual purity and the prevailing reality, just as there was in Islam and Christianity.³²

Those who condemned male homosexuality were pietist preachers and writers of ethical treatises who were keen on Kabbalistic values and familiar with practices of Kabbalist religiosity. They recognized the existence of strong sexual impulses during adolescence and were aware of the various possible avenues available to satisfy them. They, therefore, took two approaches: education and prevention. In their writings and sermons they emphasized the severity of the sin, and at the same time, demanded that fathers and teachers prevent young men from being alone together, a situation that might end committing one sin or another. Thus, for example, wrote R. Yitzhak Molkho, one of the renowned Salonican rabbis in the eighteenth century:

And he must be very careful not to allow his son to go and come unaccompanied at festive occasions and celebrations because most of the young men sin by committing the prohibited act "Thou shalt not lie with a man as with a woman" and especially in a group of comrades . . . for Satan dances amongst them. . . . Therefore the God-fearing man who sees his son reach the age of twelve must be vigilant and safeguard him lest he fall easy prey to temptation . . . for he is easily tempted [in contrast to young girls and women who are more cautious] . . . the lads who are always in one place are not ashamed to commune with one another, although Jews are not suspect of homosexual behavior. Further, they are light-minded boys and are easily tempted for they have no such shame. . . . I have seen much corruption, and the latest was very grave. Two or three pupils would go up to the

the labeling of the deed and the doers (as compared with other crimes) as a deviant minority. See D.M. Halperin, "Forgetting Foucault: Acts, Identities and the History of Sexuality," *Representations* 63 (1998): 93-120.

³¹ *Shulhan 'Aruch, Even Ha'ezer*, 24a. Awareness of the influence of life in the Muslim city in this context is evident in Maimonides, *Mishneh Torah, Laws of Forbidden Intercourse*, 22b.

³² Concerning Islam see Abu-Khalil (n. 3 above), 32-33, and in Christianity see J.A. Brundage, "Playing By the Rules: Sexual Behaviour and Legal Norms in Medieval Europe," in *Desire and Discipline* (n. 15 above), 23-41.

attic of one of them to study *Halacha*, and I later discovered that this *tikkun* [type of prayer and study] was in fact a corruption. . . .³³

Molkho condemned the deed, as did R. Hayim Vital and others, but it appears that they did not regard it as a distinct or particularly worrisome moral or social phenomenon. Their attitude to this transgression is not stricter than their attitude toward a broad spectrum of sexual or moral offenses (the boundary between them is not always clear), among them relations with non-Jews and with maids, prostitution, and masturbation, an offense Kabbalists repeatedly condemn. In many cases, these deeds are mentioned as part of an exhortation to sexual abstinence, or against sexual behavior that is not channeled to a positive direction, namely, procreation.³⁴ Among the circles of Kabbalists who feared the metaphysical implications of male homosexuality for the community, the threat emerged that the soul of the sinner involved in homosexual activity would be reborn in a rabbit.³⁵ There were also those who took pains to recommend ways of doing penance. In the encyclopedic commentary *Me'am Lo'ez*, written in Judezmo by several authors in Istanbul during the first half of the eighteenth century, it was suggested that the sinner fast 233 fast days, which add up to the numerical value of the Hebrew word "*zachur*" (male):

Since it is a despicable offense before the Almighty, blessed be He, and the punishment for this offense is stoning, therefore the amendment for whoever commits this offense is that he shall fast 233 days, equal to the numerological value of "*zachur*," if he wishes to reform his soul and not to lose it.³⁶

A different approach is presented in the book *Shevet Mussar*, written by R. Eliyah haCohen of Izmir in the early eighteenth century. In his discussion of the sin of prostitution and male homosexuality, the usual threatening rhetoric is absent and is replaced instead by an attempt at

³³ In Hebrew it makes a word play: *Orhot Yosher*, 145a-b. Most illuminating is the mild response of Moroccan Rabbi Ya'akov Sasportas to a similar occasion in 1674 Amsterdam: "the act of youths is vain, we should only flog them as perjurers"; see I. Tishbi, "New Information on the 'Converso' Community in London. . ." in *Exile and Diaspora*, ed. A. Mirsky, A. Grossman, and Y. Kaplan (Jerusalem, 1988), 495 [Hebrew].

³⁴ For example, in R. Eliyah de-Vidash's extensive lecture in his book *Reshit Hochma* (Venice, 1579).

³⁵ Or a hare, or, god forbid, even in a woman, for "punishment is meted out in like measure": R. Eli'ezer Azkari, *Sefer Haredim* (Venice, 1601), 41a-b; *Orhot Yosher*, 190a, citing R. Nathan Shapira, *Matzat Shimurim* (Venice, 1660), 9a.

³⁶ R. Ya'akov Magrisso, *Me'am Lo'ez*, *Vayikra* (Constantinople, 1753), Parshat Aharei Mot, 64a. On the symbolic meaning of this transgression and its penance see also *Sha'ar Ruah haKodesh* (see n. 17).

persuasion. It is based on a psychological argumentation that appeals to the aesthetic sense and the sense of social order supposedly imprinted upon everyone:

If he desires a woman for her beauty, let him consider that when she will grow old and her face will wrinkle like a monkey and her height will be bent, and she will become like a camel's hump, and her nostrils will also emit moisture, and her mouth will be fallen and twisted, without teeth so that when she eats, her mouth will fill with spittle. And if he lieth with her in her maidenhood, when he sees her in her old age, he will curse his day and despise his own life, How had he thought that his body would touch hers, and he would put his circumcised member in a water-skin full of excrement and its mouth full of blood. Let him also observe that the beauty of a woman is all the very thin skin of her face, and if her skin be peeled due to disease or bruises, the live flesh underneath may be seen. How disgusting to touch that moist flesh, which the hand sticks to for the moisture. Let him consider all of this when his inclination tempts for a woman and she shall be repulsive in his eyes and he will distance himself from her as an arrow shot from a bow. . . . And if his inclination tempts him to lie with a man as with a woman, let him consider how when the partner's beard is full, and especially if they meet when they are both grown old, how much shame and embarrassment and disgrace and dishonor as they remember that they had lain with each other. . . . For he recalls the act by which he was defiled, and his face is covered with shame, especially if the active partner is poor and the passive partner is wealthy. . . . and the wealthy man adds upon this hatred that this despicable creature had defiled him. And if to the contrary, the active partner is wealthy and the passive one poor, the wealthy man is disgusted with himself that he touched that diseased body. . . . For whenever this notion occurs to him, his blood will congeal and also when he thinks of the great ignominy, and disgust, and the strangeness of the act itself. . . .³⁷

According to the author, it made almost no difference whether the object of desire was a young lad or a woman, and the suppression of lust toward each was effected in the same manner.

The individual vis à vis society

Marital life was seen as an obligation imposed on every healthy person, as the ideal and normal situation, and most of society in fact did

³⁷ *Shevet Mussar*, 12a-b. This widespread and influential work of ethics was written by R. Eliyah haCohen, a Kabbalist and a prominent orator and moralist living in Izmir (d. 1729). In the Yiddish translation the text was abridged and censored, apparently because of its irrelevance to the conditions of the time and place, at least for the translator: *Shevet Mussar* (Lublin, 1877), 21a. For a similar reasoning, see *Orhot Yosher*, 193b. From what is written it is clear that deeds of this nature, including anal penetration, were common in adolescence. Further in his writings (*Shevet Mussar*, 12c), the writer mentions additional options—relations with gentiles and copulation with animals. haCohen also proposes measures of penitence for atoning for these crimes and for the emission of semen in vain, which apparently were common offenses: *Shevet Mussar*, 61c-62a. The demand for sexual purity was primarily an ideal rather than a reality, just as one finds in the writings of Muslim religious law: Imber, "Zina," 189.

live within a family framework.³⁸ Marriage provided a tidy solution for the sexual urge and was perceived as a means for preventing temptation and deviant behavior; therefore, there was a trend to marry as early as possible. In truth, it was only for the woman that marriage was the only venue for realizing sexuality, since society did not measure the married man and the married women with the same yardstick. The woman's behavior and movements were restricted considerably, and she was obligated to maintain absolute fidelity to her husband.³⁹ The man, in contrast, was much freer—apart from his obligation to fulfill her minimal needs (food, shelter, and a minimum of marital relations), he enjoyed a much greater sexual freedom and was not limited in either his movements or his contacts.

Until the modern age, sexuality was not a constituting principle in individual identity.⁴⁰ No partner in a same-sex relationship thought that his sexuality was exceptional nor regarded himself as different from his fellows. The fact that we find no reference to “penitents” who wish to atone for their deeds alludes, perhaps, to the lack of feelings of guilt or sin, even though everyone knew that according to the *halacha*, anal penetration was a serious transgression.⁴¹

Already during the youth's adolescence he had experienced sexual contact with other boys, as part of a variety of (almost inevitable) sexual experiences and practices. These continued into adulthood for various reasons. Added to the fact that many of the young girls were wedded at a very young age, separation between the sexes and the rules of modesty made adultery or even pre-marital sex difficult. Jewish and non-Jewish bachelors who wished to have sexual liaisons had, therefore, two options. They would either seek out prostitutes (usually Christian), or they could vent their urges on young boys. Besides eighteenth- and nineteenth-century rabbinic regulations, there was no social or religious restriction on being seen with them, nor were they under any societal

³⁸ On the importance of marriage, in spite of the nuisance and difficulties it entails to the man, see, for example, R. Hayim Palaggi, *Tochehat Hayim, Bereshit*, 2a-b. On the Jewish family see Y. Ben-Nach, *The Jewish Society in the Urban Centers of the Ottoman Empire during the Seventeenth Century*, unpublished Ph.D. dissertation, The Hebrew University, Jerusalem, 1999, 321-27.

³⁹ R. Lamdan, *A Separate People: Jewish Women in Palestine, Syria, and Egypt in the Sixteenth Century* (Leiden, Boston, and Köln, 2000), 127-38.

⁴⁰ D.M. Halperin, *One Hundred Years of Homosexuality* (New York, 1990).

⁴¹ In contrast, in medieval Ashkenaz, people sought penitence for sexual offenses, apparently under the influence of Christianity. For evidence of the absence of a sense of sin among Levantine Jews in the sixteenth century, in reference to anal relations with a woman, see R. Eliyah de-Vidash, *Reshit Hokhma*, 298b-99a.

supervision. Young men of the middle and lower classes were forced to work and save to pay for their wedding, and therefore had to wait ten, fifteen, or even twenty years to wed.⁴² It was also common for a man to marry a minor and then wait many more years until he could consummate the marriage. As a result he was forced to find extra-marital release for his sexual urges. The fact that the sexual habits of young men were shaped during adolescence and in the years of bachelorhood made it hard for newly-wed husbands to manage with their young wives, merely girls, incapable of coping or competing with their husband's sexual experience, and so it is possible that many men may have led double sexual lives. Casual or regular relations between members of the same sex were thus a convenient outlet for satisfying the sexual needs of youths and adults, bachelors and married men.

Society's response was not uniform, and its expectations of a married man were different from its expectations of a bachelor. A betrothed or married man was supposed to find sexual gratification with his wife and not continue his youthful pursuits. That said, as long as he married and produced offspring, enjoying his sexual preferences discreetly, no one cared much. By publicizing deeds that were not in conformance with societal demands, however, a man brought disgrace upon himself and his family. In this Ottoman-Jewish society that attached great importance to values such as honor and shame, self-image was important to anyone who cared about his family's honor and reputation.⁴³ At the fringes of Jewish society were some who were not at all concerned with Jewish public opinion, did not trouble themselves with their self-image, and acted as they pleased. Thus, for example, in a case from early eighteenth-century Salonica, in which family members of a bride, the daughter of a Torah scholar, petitioned to release her from her betrothal agreement, and the rabbinic authority ruled that there was indeed a reason to end it:

⁴² It appears that in the eighteenth and nineteenth centuries, men's age of marriage was rising, and some married only in their thirties: see R. Ya'akov Khuli, *Me'am Lo'ez, Bereshit* (Constantinople, 1730), Parashat Bereshit, 20b-21a; *Orhot Yotser*, 128b; *Sefer Takanot veHaskamot uminhagim . . . Yerushalayim*, ed. R. Hayim Avraham Gagin (Jerusalem, 1842), 52: 40b [Hebrew]. For a reprimand for postponing marriage for economic reasons in the manner of the gentiles, see R. Hayim Palaggi, *Tochehat Hayim, Bereshit*, 9a. On age groups, the passage from one to the next, and the sexual threat embodied in bachelor males, see L.P. Peirce, “Seniority, Sexuality and Social Order: The Vocabulary of Gender in Early Modern Ottoman Society,” in *Women in the Ottoman Empire*, ed. M.C. Zilfi (Leiden, 1997), 177-81.

⁴³ See now Y. Ben-Naeh, “‘El onor no se merka kon paras’: Honor and Its Meaning among Ottoman Jews,” *Jewish Social Studies* 11 (2005).

About a betrothed bridegroom who said of himself that he was a transgressor, and also there is surely no greater disgrace than this, especially after the testimony was accepted in the rabbinic court, it was widely publicized, so that thereafter everyone would insult and abuse him in her presence on this subject and particularly since it was said that his house was a meeting place for prostitution and licentiousness which pay no heed and are not ashamed before the people of the city. . . .⁴⁴

The absence of appeals by the wife against the practice of a husband who shared his bed with members of his own sex⁴⁵ was similar to the lack of protest against his having a liaison with the maidservants, and even plain prostitution. The silence may be seen as a lack of faith in the rabbinical judges, or as avoidance of raising a sensitive subject for discussion. It might also be because having relations with a gentile slave or even a Jewish maidservant was not considered a significant intrusion into married life, or because in traditional Sephardic society, the wife was supposed to resign herself to her husband's sexual behavior.⁴⁶

Despite the separation between the sexes, the insistence on women's modesty, and the seclusion from the public gaze, the actual configurations of daily life made it difficult to maintain complete privacy. Neighbors and relatives were well aware of what was happening in the privacy of homes, and rumors of delinquent behavior spread as part of local gossip along with other mundane information. There was no small measure of meddling involved. It was part of everyday life and a natural result of public mentality. Ottoman society (and all of its religions) was a God-fearing and devout society that interpreted natural disasters, such as plagues and fires, as a divine punishment for disregarding religious commandments and for moral transgressions. Thus, for example, Paul Rycout relates that the inhabitants of Istanbul believed that the military defeats suffered by the Ottoman army on the European front in 1686 were divine punishment and they expressed remorse for their misdeeds, "and particularly to lament their Sins of drinking Wine and unnatural Lusts the common Wickedness and Vices of the People."⁴⁷

⁴⁴ R. Yosef David, *Beit David, Even Ha'ezer* 2:37:31b-c.

⁴⁵ This is particularly striking in comparison with the complaints about having sexual relations with a wife who is ritually impure or not in a "natural" way, or failing to have them at all. On a wife's complaint that her husband cohabited with her during her ritually unclean days, see, for example, R. El'azer Rephael Nahmias, *Hon Rau*, (Salonica, 1784), *Even Ha'ezer*, 2:49b.

⁴⁶ R. Lamdan, "Female Slaves in the Jewish Society of Palestine and Egypt in the Sixteenth Century," in *The Days of the Crescent*, ed. M. Rozen (Tel Aviv, 1996), 367 [Hebrew]; T. Alexander-Frizer, *The Beloved Friend-and-a-Half: Studies in Sephardic Folk Literature*, (Jerusalem and Beer-Sheba, 2000), 275 [Hebrew].

⁴⁷ P. Rycout and R. Knolles, *The History of the Turkish Empire* (London, 1700), 3: 221b.

Moreover, neighbors were regarded by the state law as guarantors and responsible for crimes within their neighborhood, and therefore they showed a personal interest in maintaining law and order. Despite this, it seems that in everyday life the public tended to ignore certain transgressions and was not quick to complain to the rabbinic judge (*dayyan*) or to the Muslim judge (*kadi*) so long as there was no scandal and no damage to their community's reputation. Sometimes the public's sympathy was with the offender, and neighbors knowingly covered up for him and concealed his misdeeds. Similar conduct is typical also of the Ottoman Muslim's attitude toward different moral offenses, such as prostitution and consuming alcoholic beverages.⁴⁸ It was only if another party was injured, or a problem arose related to the personality of the offender that the person's deviant sexual behavior or other delinquency was held against him, as proof of his licentiousness or criminal character. Transgressions of sexual morality were not considered more serious than others, and no one contemplated regarding the offender as having a different, abnormal personality.⁴⁹ Besides preachers and moral teachers who were interested in the cosmic effect of the sin, it seems other rabbis were not troubled by the sexual act itself, nor by any homoerotic feelings. Only those who were known to have willingly continued into adulthood to fulfill the passive role in male homosexual relations suffered a negative stigma. A person of this sort who was not in the "correct" position threatened the system and undermined social order. He forfeited his masculine honor and was therefore labeled a deviant and was despised. No wonder that the designation 'נרבע' was considered a grave insult.⁵⁰

In the third quarter of the fifteenth century, R. Eliyah Kapsali attributed the severe plague that carried off many victims in the capital to the sin of prostitution and homosexuality (see n. 23 above). For investigations and acts of penance by the entire public during periods of plague, see, for example, R. Shmuel Yitzhak, *Ne'eman Shmuel* (Salonica, 1723), 67:88c; R. Yitzhak haCohen Hassid, *Ohel Yitzhak* (Salonica, 1801), *Hoshen Mishpat*, 38:72d.

⁴⁸ See n. 10 above. On the attitude that what is not said and discussed does not exist, see Murray, "The Will Not to Know" (n. 23 above), 14-18.

⁴⁹ See on this very topic Foucault, *History of Sexuality*, 36-49.

⁵⁰ Thus, for example, during a quarrel over seating arrangements in the synagogue in Lepanto in the 1560s, the rivals called each other נרבע and this aroused serious discord: R. Yitzhak Adrabi, *Durei Rivot* (Salonica, 1582), 82d; *Responsa de Medina*, *Even Ha'ezer*, 122:121a. See also op. cit. 50:58a-b (cited above, opening section of the article).

In the Eyes of the Communal Establishment

The attitude of the community leadership regarding male homosexuality is expressed on two occasions—both from discussions of those who were accused of this offense, as well as in legislation whose vestiges have reached us. Many of the Hebrew sources that mention the sin of male homosexuality refer to functionaries in the communal leadership who were suspect of this transgression. Jewish society, at least certain strata of it, demanded that its delegates before God, among them those who led the community in prayer⁵¹ and those who taught their children, show a high moral standard. If it ever emerged that these people had sinned, or had even been suspected of sinning, there would be people who would demand that they be dismissed from their posts, or that they be barred from holding public office in the future. More than once it turned out that there were pretexts and false accusations, but it was sufficient to spread rumors and gossip about one's sexual habits or preferences in order to cause a person some difficulty. In most cases the *halakhic* decision makers were cautious, asking for unequivocal evidence and demanding from the accused an act of penitence as a condition for continuing to serve in a position or to take one up.⁵²

One of the most important tools wielded by the leadership of the Jewish community was the authority to enact bylaws, through which they shaped the community and the character of public life. Certain accords defined societal limits and set boundaries so that anyone violating these was subject to excommunication, ostracism, or a fine. The Jewish communities also had to deal with the relations between the sexes, and several bylaws were designed to prevent cases of male homosexual relations. The following are among these.

In 1749 some of Jerusalem's Jewish communal regulations were re-issued, among them one which prohibited single men from the age of twenty to sixty from living in the city. Another bylaw prohibited young

⁵¹ And not because the percentage of *hazzanim* (those who lead the public in prayer) was higher among this population, as might be assumed by the large number of cases in which *hazzanim* were involved. Thus, for example, R. Eliyah Ibn Hayim, *Mayim 'Amukim* (Venice, 1647), second pagination, 41:70b; R. Hayim Shabtay, *Torat Hayim* (Salonica, 1722), 3:1:1a; R. Yehosef Almoshnino, *Edut biYehosef* (Constantinople, 1711), 1:27:63c, and others.

⁵² There is a demand for remorse and penitence also among the Muslim religious legislators (see n. 6 above). Dismissing someone from a job was not common: *Ne'eman Shmuel*, 149a; and perhaps also R. Meir Melamed, *Mishpat Tzedek* (Salonica, 1799), 2:35:70a. On teachers, see also *Mayim 'Amukim*, second pagination, 41:70b; *Responsa de Medina, Yoreh De'ah* (Salonica, 1596), 141:92a.

men from going out at night unchaperoned by an adult relative, even for ceremonies of religious character, in order to protect their innocence:

We, too, renew the ancient ordinance in all its validity that no young man who is not married may attend any nocturnal study and even on [certain holidays]. . . . This means that unmarried young men may attend a nocturnal study [only] in the company of their father, so long as the father does not leave his son's hand. Someone who has no father but has an older brother may go in the company of his older brother, but he must not let go of his brother's hand at all, and peace on all.⁵³

Bylaws in a similar spirit were enacted in other important thriving communities, such as Salonica and Izmir. In these cities, we find more restrictions in accordance with economic circumstances: a bachelor craftsman, for instance, was forbidden to employ a young apprentice.

And therefore the rabbis of our city [Salonica] may God firmly establish it, Amen, made an ordinance that no unmarried student may go about at night to the house of study where householders study. Also in the craft of manufacturing woolen overcoats . . . no young man may be permitted to take a loom by himself, because if he takes a loom by himself, then he must take apprentices, and it is not proper that a master craftsman who is a bachelor would have an apprentice who is a bachelor, because Satan dances between them, and this may also be extrapolated to all other crafts. . . . And this is the language of the ordinance: [the following part was originally in Judezmo] . . . Thus someone who is unmarried is not permitted to go to sing, neither for a wedding party, nor in the Talmud Torah [the famous and main study-house in Salonica] on the Sabbath, nor in any congregational synagogue where there is a bridegroom or the father of a newborn son or of a circumcision until a full year has elapsed since his marriage, and they [bachelors and newlywed] may not go to the *Pizmonjis* [those chanting *Pizmonim*, religious songs] to sing on the night before a circumcision ceremony even if he is a relative, nor may a young man who is not married go to recite [*tikkunim* or to study] at night.⁵⁴

Izmir's bylaw of an unspecified date assumes that among the apprentice's functions he also must provide sexual favors to his employer. The bylaw explicitly makes note of the poverty that caused young boys to

⁵³ *Sefer Takanot* . . . (see n. 42), 52:40b-41a. R. Hayim Palaggi relates to his own city, Izmir: "And we saw that the rabbis who were before us would declare in their holy congregations that a young man who has not yet married shall not go to the study-house at night nor to the Selichot [special prayers said before the high holidays] at the night watch unless his father or older brother go with him" (*Tochehat Hayim, Shmot*, 67b).

⁵⁴ *Orhot Yusher*, 145b-46a. From another source it seems that the reform was in effect already in the seventeenth century: "Not to allow people to go to the bride's house on the night before the wedding nor to the groom's house on the night that he is requested because of several well-known [moral] obstacles, just as our old rabbis have instructed on this matter" (R. Joseph David, "Ma'aseh Hatzdaka," in *Yemei David* [Salonica, 1846], 133b, the 9th bylaw).

serve non-Jewish masters, all of whom were suspect of homosexual practice, despite the fact that the boys knew what awaited them:

A negative injunction that there be no male prostitute among the children of Israel: This does not exist, God forbid, in any place where there are Jews; however, it is a sore evil that poverty has corrupted good traits, and the sons of the poor are compelled to serve with gentile masters to learn the craft, and in this way mishaps occur because they [the gentile masters] are suspected of this [homosexual inclinations]. Therefore the rabbis of the city may God protect them have agreed and declared in public that from today onward, no Jew may leave his bachelor son with a gentile to learn any craft, and also the mother of the orphan or the guardian should beware of this. . . .⁵⁵

These accords, sanctions, and official tools for supervising and controlling the public morality were supplemented and reinforced by non-official means such as sermons and lectures in the synagogues, public opinion, familial and societal pressures to marry and lead a respectable life, and the constant fear of gossip and rumors.

The main purpose of the bylaws and moral guidance was to prevent encounters that were potentially sexual, with the understanding that the sexual tension between men and women, and between men and young boys, was inevitable, and its realization was predictable. Limiting the movement of young boys is in fact parallel to limiting the movement of women in the Muslim city. In both cases, the object of desire—or in another light, the potential victim—was called upon to conceal and suppress his or her sexuality and avoid stimulating the man whose passion is uncontrollable. Another common denominator was the role of the father, or of another male guardian, as being responsible and acting as guarantor to safeguard the innocence of those who were subordinate to him.⁵⁶

We possess several examples of instructions and warnings on this subject. R. Yitzhak Molkho advises

that a man should not let his son come and go unattended to festive events and celebrations where most of the young men transgress against a negative commandment "Thou shalt not lie with a man as with a woman," and the shame is upon the father . . . for how can chaff withstand the fire. . . . Therefore, the God-

⁵⁵ R. Hayim Palaggi, *Masa Hayim* (Izmir, 1872), 70; 21a. His words were left as a recommendation only, and the threat was of unspecified divine retribution.

⁵⁶ Putting the responsibility on the father is demonstrated for example in R. Elijah De Vidash, *Reshit Hochma*, Discourse 71. The shariate law also mandated male guardianship (father, brother, or other relative) as responsible and accountable for the morality of the women and children subject to him. If he was derelict, he was subject to punishment and his honor was impinged: *Heyd, Studies* (n. 9 above), 102; Imber, "Zina," 185.

fearing man who sees his son reach the age of twelve must be vigilant and safeguard him lest he fall easy prey to temptation. . . .⁵⁷

Thus, too, R. Eli'ezer Papo (d. 1828) who lived and worked in the Balkans, wrote:

Therefore in every city they must appoint guardians over the young boys, and the rabbi must watch over his pupils and the father over his children shall be very vigilant, especially in the middle of the night and dark, lest they commit evil, because this is a sore evil and grave impurity, causing evil to himself and to the entire community [!]. . . .⁵⁸

R. Hayim Palaggi asks fathers to prevent their sons from being alone with the maidservants in their homes "and even more so that they not isolate themselves with other males in one place, and especially when they are young [single] men. . . ."⁵⁹ In another place he wrote:

And therefore one must seek out and search diligently all over the city for theft and promiscuous behavior and forbidden foods, and especially homosexual relations, because they are an iniquity, and the community morals overseers must follow them to wherever are the habitations of young men and boys and single men, so that they do not sleep in one place. . . .⁶⁰

His tone demonstrates that the rabbis were well aware of the frequency of the phenomenon, and they themselves regarded it as an almost inevitable evil.

Because of the intimate nature of the transgression, most cases remained unknown to the authorities, and the offenders were not punished. This was exactly the case in the surrounding society and in other societies, even though in theory they prohibited same-sex relations between men. Even in the rare cases that were exposed and could be proven in court, the community found it hard to effectuate its threats due to the limitations of self-jurisdiction. Furthermore, it was not considered a cardinal or sinister offense and did not require handing over the offenders to the Muslim authorities. R. Yehudah Haleva who described the circumstances in Palestine in the 1550s laments the infeasibility of punishing the offenders: "Because the law is not in our own hands in this kingdom known as the kingdom of Turkey, there are some young men

⁵⁷ *Orhot Yosher*, 145a-b.

⁵⁸ Pele Yo'etz, entry: *zenut*, 69a.

⁵⁹ R. Hayim Palaggi, *Tochehat Hayim, Bereshit*, 52a. Palaggi was one of the most eminent sages of Izmir and a chief rabbi (Hakham Baš). The text was written before 1828 and the language clearly indicates that the fear of anal relations was even more relevant than cohabiting with a serving-woman or slave girl. See also the words of R. Eli'ezer Papo, above.

⁶⁰ R. Hayim Palaggi, *Tochehat Hayim, Shmot*, 102a.

who stumble and are tempted to follow their impulses, etc." Haleva saw in this widespread phenomenon a hallmark of permissiveness and religious and moral decline, whose roots lay in community's lack of power to enforce and punish.⁶¹

Conclusion

This article is a chapter in the history of sexual behaviors, and particularly in the discourse about them among the Jews of the Ottoman Empire. It shows how the meaning of same-sex sexual relations was structured in Jewish society in a defined cultural and chronological context.

Ottoman Jewish society was a traditional, patriarchal, and hierarchic society based on social class and was comprised of a diversified system of sexual behaviors; as such, it resembled other societies in the pre-modern age. In Ottoman society and in its local Jewish society, gender was not a natural given—masculine or feminine identity was determined by a complex of social behaviors, including sexual roles. Control and penetration were signs of masculinity, without any connection to the actual biological sex of the object of desire or penetration (the two were not necessarily identical), and no negative image attached itself to men who used the sexual favors of boys. The partners in the act probably did not see any serious offense in it. Modern-day binary division of heterosexual and homosexual, as separating normal sexuality from deviant sexuality, did not exist whatsoever.

An examination of the information on homosexual practices in urban Jewish society in the Ottoman Empire, and even more so about the attitude of Jewish communal leaders and sages to this phenomenon is most enlightening. The sources attest to the prevalence of homosexual relationships among Ottoman Jews, and between Jews and non-Jews—this despite the explicit Biblical command whose gravity was intensified in the writings of Kabbala and ethical masters. The various cases pre-

⁶¹ M. Idel, "R. Yehudah Haleva and his book *Tzofnat Pa'aneah*," *Shalem* 4 (1984): 122-23 [Hebrew]. In Safed, in those very years, a man who was "tainted with heresy and also doted on homosexuality" was seized and handed over to the city authorities, thrown into prison, and flogged (R. Moshe Mitrani, *Responsa* [Venice 1630], 1:22:9a). This is the only piece of information we have about physical punishment, and it is possible that it was easier to punish transgressors in a small and remote city. On the limits of self-government, see J.R. Hacker, "Jewish Autonomy in the Ottoman Empire: Its Scope and Limits—Jewish Courts from the Sixteenth to the Eighteenth Centuries," in *The Jews of the Ottoman Empire*, ed. A. Levy (Princeton, 1994), 153-202.

sent three models of "homosexual" behavior: (a) most common was the non-egalitarian model where there is a correspondence between age and social class and the sexual role; (b) egalitarian relations exclusively between members of the same sex and usually practiced among adolescents as part of their sexual maturation; (c) a "feminine" boy who willingly took a passive role.

By observing that same-sex sexual relations were common, one grasps the enormous gap between the ethical and moral code set forth by *halakhic* authorities and jurists, and daily reality. In the absence of actual coercive power, and with the realization that this would be a hopeless struggle, the rabbinic and communal establishments had to make do with education and preventative measures against meetings with a potential sexual partner, and even that mainly from the eighteenth century on. A similar discrepancy between the demands of *halakha* and norms of behavior existed in other areas of life. Not least surprising is the lax attitude of society at large. Its stance varied with the age, personal status, and social class of the man and the act he performed. Therefore, being well aware of the dissonance, society usually preferred to turn a blind eye and show a certain degree of tolerance to the point of de-facto legitimization, particularly regarding young boys and bachelors seeking sexual release. In these cases, same-sex attraction was perceived as inevitable and perhaps even natural.

Ottoman-Jewish society was influenced by the surrounding urban Muslim society in many spheres of life, and their attitudes toward the phenomenon of same-sex relations resemble one another. In a certain sense, we find among Ottoman Jews a continuity of the reality of sexual habits that had prevailed in the Iberian Peninsula, grounded in the long and continuous encounter between Jew and Muslim. This environmental influence might explain the lack of similar testimonies from European Jewish communities.