

Comparative Histories

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Comparative history is not new. As far back as 1928, the use of comparative techniques was advocated by Marc Bloch, one of the most eminent historians of his day.¹ Even before then, analysis of similar historical phenomena in different geographical settings was not rare. In the nineteenth century, for example, writers concerned with sexual matters researched how prostitution had been regulated in different countries across the centuries.² Yet over the last twenty years comparative, transnational, international, world and global histories have become far more common. As demonstrated in Mark Williams' chapter on 'Nations', these histories encompass a variety of approaches, and in some cases, even their practitioners do not agree on the scope and remit of each.³ Nevertheless, approaches that look beyond the nation as the unit of analysis are now considered on the cutting-edge of history.

Scholars have compared diverse aspects of historical change in different geographical settings, including the development of political and economic systems, the elaboration of artistic and scientific movements, religious sensibilities and moral codes. This chapter examines comparative history through case studies relating to the regulation of sexuality in England and Italy in the second half of the nineteenth century. In the early 1980s, George Mosse, a prominent cultural historian and a pioneer historian of sexuality, declared that scholars could no longer treat the histories of the nation and of sexuality as separate and autonomous. Instead, discourses of nationhood and sexuality should be considered as powerful and intertwined forces shaping contemporary notions of identity.⁴ Following Mosse's insight, other historians of sexuality demonstrated that the history of sexuality is part of national history, and then began to overcome the constraints of national borders to consider how sexual attitudes have changed across countries and continents.

There are a number of questions we can ask when examining similarities and differences in sexual attitudes and behaviour in different countries. These questions relate to key analytical categories and aspects of identity, such as gender, class, ethnicity, age, religion and urban versus rural, as well

as important elements of the social system, such as law, politics and science. So, for example, are the sexual attitudes of men and women different in two or more countries in a specific historical period? Have different classes developed different codes of moral and sexual behaviour in different countries? How do different religions affect gendered sexual conduct? Do people in rural areas manifest the same sexual behaviour as those in cities? How do different legal systems regulate sexuality? This chapter considers what elements may legitimately be compared within the history of sexuality, and how comparison challenges common assumptions. It uses the history of sexuality as a case study to illuminate the kinds of issues addressed in comparative history, and what comparison can reveal.

Comparative history: risks, challenges and rewards

Comparative history is the study of similar historical phenomena in different geographical and/or temporal settings. Comparative historians do not adopt a single nation-state as their main framework of analysis; they thus move away from national history. There is no single comparative historical approach or method, but broadly speaking, comparative historians choose at least two cases for detailed study, and then attempt to identify important similarities and differences between these cases. Historians have compared various phenomena such as the outbreak of revolutions, the advance of eugenics and the growth of nationalism, just to name a few, in different geographical contexts.⁵ Any historical period or geographical area can be used as a unit of comparison, and the method may involve rejecting the standard chronological or geographical focus of established national histories. As Marc Bloch wrote: 'Those who wish finally to drop the burden of artificial separations must find the appropriate geographical context for every aspect of European social life and for different periods; one that is defined not from the outside, but from the inside'.⁶ Bloch's comments can of course extend to other geographical areas.

Comparison invariably involves two fundamental aims: to discover *similar* causal conditions recurring in different geographical or temporal settings; and to reveal *different* historical contingencies that lead two or more cultural contexts to develop similar social, cultural or political conditions. Comparison can therefore help to identify regularities across time or in different geographical contexts. So Theda Skocpol, for example, sought correspondences between the French, Russian and Chinese revolutions.⁷ It also, however, illuminates differences within recurring social mechanisms and structures. For example Peters Stearns, who has studied the revolutions of 1848–9 in Europe, claims that 'each revolution must be assessed in its own context' and has highlighted how the revolutions across different countries

‘interacted to a limited extent’.⁸ Comparison can yield significant rewards, but it is as well to be aware of some of the potential pitfalls involved in practising comparative history.

The most important risk involved is the tendency towards over-generalization. In order to practice comparative history, scholars need to attain both a certain degree of abstraction, and a plausible level of generality. These qualities are not always fostered by historical training, which encourages historians to look for details and for what is unique to specific historical developments. Consequently, some within the profession believe that comparative history often leads to unjustified and excessive generalizations. Yet this criticism is perhaps unwarranted. To a certain extent, all historians have to provide synthesis and abstraction. Moreover, in assessing the significance of any historical event, there is always an element of implicit or explicit comparison to other times or places. This is an inevitable aspect of historians’ attempts to understand the influences between diverse countries and peoples, and the development of different cultures.

The main challenge in comparative history is to find appropriate terms of comparison. We cannot compare oranges with apples; for a comparison to be useful, there must be some similarities between two phenomena. The criteria which determine whether a unit of comparison is useful or not depend on the sources we analyse and on the questions we pose.⁹ We can compare, for example, the process of urbanization in two very different geographical settings, such as Europe and Asia, and in two different historical epochs, but it does not make sense to compare the process of urbanization in one country and the development of prostitution in another, even though prostitution has tended to expand with urbanization. At the outset of any comparative project, the terms of comparison must be clearly defined.

If there are dangers in using comparative history, there are also many rewards. Historians find can deploy all kinds of comparisons, including cross-cultural connections and transnational flows of individuals, ideas and movements, to challenge simplistic assumptions or received wisdom about causation and to understand the combinations of factors that determine changes in history. Each unique national and temporal case can also help to shed light on other national cases. Did industrialization, for example, follow the same patterns in all European countries? Was prostitution increasingly regulated in all Western countries in the modern period?

Comparative history can also be used to test hypotheses. Among other things, historians look for causes of historical phenomena. If a historian explains the appearance of phenomenon *x* in one society in terms of the existence of condition *y*, he or she can check this hypothesis by trying to find other societies where *x* occurs without *y* or vice versa.¹⁰ Comparative history is also helpful in formulating problems for historical research. For example, in the 1980s, many historians interested in the history of sexuality suggested that the formation of homosexual identity in the modern period

was dependent on the medicalization of same-sex desires in the late nineteenth-century Western world. According to a number of historians, men who desired other men started asserting membership in a community of individuals sharing the same sexual orientation at the end of the nineteenth century when medical doctors started to classify sexual behaviours. Medical knowledge therefore offered men who loved other men a language with which to speak about their desires.¹¹ Ancient and early modern historians then researched whether men or women who loved individuals of the same sex before the modern period expressed a sense of homosexual identity.¹² In doing so they forced modern historians to rethink certain categories they used to talk about sexuality and to provide more nuanced accounts.

History of sexuality

This example leads on to this chapter's two case studies, which illustrate some of the factors that must be taken into account in practising comparative history. In the last twenty years, historians of sexuality have been active in developing comparative, transnational and global approaches.¹³ The history of sexuality, like comparative, transnational, international, world and global history, can bring together work on cultural representations and economic, social and political phenomena. Historians of sexuality studying the modern period, like their colleagues in comparative and transnational history, have been committed to deconstructing the nation-state. Moreover, as we saw in the previous section, some historians of sexuality have provided new insights by comparing the pre-modern period with the modern period.¹⁴ The case studies scrutinized here consider how sexuality was regulated in England and Italy in the second half of the nineteenth century. To further limit the terms of comparison, the second part of this chapter will focus on how female prostitution and male homosexuality were regulated and controlled in these two countries.

First of all, it is worth asking whether we are comparing oranges with apples in this case. Is the proposed comparison meaningful? The answer is yes. England and Italy are two Western countries with a long history; we propose to study these two countries in the same historical period; and, by confining our analysis to two specific historical developments (the regulation of female prostitution and male homosexuality), we choose to analyse the same phenomena, and therefore avoid the risk of implausible comparison. There are also clearly identified points of difference between England and Italy: these European countries were traditionally dominated by different religious traditions, went through different political shifts in the late nineteenth century, and had two different legal systems. From the many analytical categories and aspects of social organization which could be used in comparisons between the history of sexuality in two geographical areas, in these case studies I focus on gender, religion and

the legal regulation of sexual behaviours. So identifying similarities and differences between these two countries will allow us to discern not only patterns of sexual regulation in modern Europe, but also which political and cultural factors shaped the attempts of two different governments to control sexual behaviour. We can also consider some questions which situate this comparison within wider debates on the history of sexuality in both nations. For example, which country was more tolerant towards non-reproductive sexual behaviour? Is it true, as is commonly believed, that Italy, traditionally associated with erotic freedom, was more liberal in regulating the sexual sphere than Victorian England, so often associated with sexual repression and control?

So, let us start by putting gender at the centre of our analysis. Throughout Western history men have enjoyed more power and privileges than women. The sexual conduct of men and women has also been appraised and controlled in different ways. In the case studies examined here, we could ask a number of questions about gender differences in relation to sexuality. For example, how were women and men's sexual behaviours regulated? Did both English and Italian legislators subscribe to the view that sexual behaviour should be subject to different formal constraints depending on gender? The short answer to the above questions is yes. But it is also necessary to identify key similarities and differences to contextualize our case studies. During the nineteenth century, both England and Italy passed several laws that increasingly regulated conjugal life, the family and the sexual conduct of men and women. For example, in 1837 England introduced the civil registration of marriage, and in 1857 the Matrimonial Causes Act made divorce more widely accessible. Under the latter, a husband could divorce his wife simply on the accusation of adultery, on the basis that an adulterous wife might bring a spurious child into the family. A woman, on the other hand, had to prove that her husband had been adulterous *and* that he had committed an additional 'matrimonial offence' such as cruelty, desertion, bigamy or incest. Despite this double standard, the Matrimonial Causes Act represented a blow to the ecclesiastical doctrine of the indissolubility of marriage in England, and it did grant women some rights in cases of intolerable unions. Moreover, under common law married women's legal rights and obligations were subsumed by those of her husband, but this Act gave divorced and legally separated women the status of 'femme sole', which enabled them to own property and sign contracts.¹⁵

Similarly, marital life was increasingly regulated in nineteenth-century Italy, but here laws that attempted to control sexual behaviour were inextricably linked to the political situation. The unification of Italy in 1861 meant that new, homogenous regulation was necessary. Italy remained without legislation on the dissolution of marriage until 1970,¹⁶ but marital life was regulated through the 1865 Italian Civil Code and the 1889 Zanardelli Penal Code. The 1865 Italian Civil Code, based on the Napoleonic Code, declared that the sexes were equal before the law.

However, in practice, women had fewer rights than men, and the Code reinforced their dependence on men. Women were still not allowed to practice liberal professions such as law and medicine, and did not have unrestricted access to higher education. Under provisions termed 'marital authorization', married women could engage in trade, inherit, own and manage property, and make wills and bequests only with the express permission of their husbands.¹⁷ A woman who owned property could not even give it to her own children without her husband's consent. This meant, for example, that a woman could not act independently of her husband to provide a dowry for her daughter, and so fathers had the legal power to determine whom their daughters married. The 1889 Zanardelli Penal Code established that an adulterous woman could be punished with three to thirty months in prison, while a man could be punished only if he brought his mistress to the house he shared with his wife.¹⁸

There are a number of similarities so far. In both England and Italy the laws mentioned above partially reflected the increasingly secularized regulation of moral conduct. Likewise, women did not have access to the same rights as men in England or in Italy, and in both countries, the family was the only legitimate sphere for sexual activities. Finally, the English and Italian legal systems shared ideas about the different sexual natures of men and women. Adultery by a woman was so horrendous that a single act justified her husband divorcing her. In a man, however, the offence was so trivial that it was not regarded as sufficient reason for a woman to terminate her marriage unless aggravated by some other offence. In different ways, then, both English and Italian nineteenth-century legislation asserted the inferiority of women within the family.

The laws regulating female prostitution and male homosexuality in these two countries show more plainly both similarities *and* differences. Female prostitution was widespread and visible in nineteenth-century English and Italian cities and both national governments passed a series of laws that aimed to control the conduct of women engaged in selling themselves.¹⁹ The earliest modern laws against prostitution-related activities in England were passed in the second decade of the nineteenth century. The 1824 Vagrancy Act introduced clauses that allowed police and night watchmen to arrest 'common prostitutes behaving in a riotous or indecent manner'; the 1839 Metropolitan Police Act included a clause prohibiting any 'common prostitute' from soliciting to the annoyance of residents or visitors; and a section in the 1847 Town Police Clauses Act enacted similar provisions outside London.²⁰ These laws were complemented by a series of Disorderly Houses Acts, which allowed local authorities to prosecute brothels (and other establishments) if they were disturbing the peace, and by the 1871 Prevention of Crimes Act which allowed police to search and close down brothels if they were found to be a resort for criminals and thieves.²¹ More controversial were the Contagious Diseases Acts, passed in 1864, 1866 and 1869. These acts, partially inspired by the French system of state regulation

of prostitution,²² ruled that any unaccompanied woman in garrison towns and sea-ports could be required to submit to gynaecological examination to ascertain whether she carried a transmissible disease. If found to be suffering from venereal disease, she would be incarcerated in a lock hospital until 'clean', and thereafter would remain on a register of 'common prostitutes' and have to submit to regular inspections.²³ Finally, the 1885 Criminal Law Amendment Act made brothel-keeping a summary offence (an offence tried without a jury), raised the age of consent and made procuration for the purposes of prostitution illegal.²⁴ In effect, brothels were outlawed.

English feminists and social reformers immediately reacted strongly against the Contagious Diseases Acts, arguing that they legitimized men's sexual urges and restricted women's civil liberties; they also protested at the injustice of examining the prostitute but not the male client. Feminists objected to the assumption that prostitution was necessary because of the particular nature of male sexuality, arguing that the male sexual urge was socially rather than biologically determined, and that a single moral standard should be applied to both sexes. Women attacked the Contagious Diseases Acts while claiming the right to promote wider moral and social reforms. Under the inspired leadership of Josephine Butler (1828–1906), the Ladies' National Association for the Repeal of the Contagious Diseases Acts established a powerful national movement. Finally, thanks to public outcry, the Contagious Diseases Acts were repealed in 1886.²⁵

Before Italian unification, prostitution was regulated in a number of different ways on the Italian Peninsula. In Rome, Pope Pius IX (r.1846–78) did not accept prostitution at all; he considered it a sin and, consequently, a crime. Other parts of Italy were more tolerant. Several cities adopted the Napoleonic model.²⁶ For example, from 1823, the municipal government of Palermo allowed police to issue 'licences of toleration' (*patenti di tolleranza*) for brothels in the name of public order. In 1841, legislation emanating from Naples, the capital of the Kingdom of the Two Sicilies, strengthened regulation by requiring regular medical inspection of all prostitutes. In February 1860, the Cavour Regulation (Decreto Cavour), designed to halt an apparent increase in the number of cases of syphilis, was passed. It took effect first in Piedmont and those provinces already annexed: Lombardy, Tuscany, Modena, Parma and the Romagna. With the unification of Italy, this regulation was extended to the Kingdom of the Two Sicilies in 1861, Venice in 1866 and Rome in 1870.²⁷

The Cavour Regulation aimed to concentrate prostitution in closed houses and to limit the freedom of movement of registered prostitutes. It established that women over the age of sixteen who sold their bodies had to be registered as 'public prostitutes'. A special passport stating their profession was used to record and track their movements from one city to another. Public prostitutes had to reside in brothels and could not move from one brothel to another without police permission. Owners of brothels had to declare to the state all women working for them, and pay taxes to

the government. The fees for prostitutes' customers were fixed by law and prostitutes had to undergo medical examination twice a week (the lower ranks of soldiers also had to undergo periodic examination). If found to be infected with venereal disease, prostitutes were confined to so-called *sifilicomi*, venereal hospitals similar to English lock hospitals. Finally, from October to March, prostitutes were not allowed to walk the streets after 8pm, or after 10pm from March to October.²⁸ In 1888 the Crispi Law revised the Cavour Regulation. It prohibited the sale of food and drink, and parties, dancing and carousing, in brothels, and the opening of such premises near places of worship, schools and kindergartens. It also stipulated that the shutters of brothels must always remain closed, hence the name *case chiuse*, or 'closed houses'. In 1891, the Nicotera Law made a further amendment, which made prostitution fully legal in Italy if practised in private houses.²⁹

In both England and Italy, regulation of female prostitution escalated between the 1860s and 1870s, with somewhat similar underlying causes: the influence of the French model in the regulation of prostitution, and fears of the effects of an apparent increase in venereal disease on military prowess and morale. In the Italian case, unification brought about uniform regulation of female prostitution, although parts of Italy had implemented measures like compulsory medical inspections for prostitutes and a legal system of brothels from at least the 1840s. This earlier development was in part caused by the Napoleonic influence in some parts of Italy. England was relatively late in adopting the French model and introducing medical inspections. Importantly, the Contagious Diseases Acts did not apply to the entire national territory, but only to areas in which there were barracks or sea-ports. Another difference was that whereas in both countries it was legal for women to sell sexual services, in England, there was no system of licensing or approving brothels; most prostitutes acted individually rather than being organized into a profession. This made it more difficult, but not impossible, to regulate their activities. In a sense, then, the English regulation of prostitution was more liberal than the Italian. Moreover, in Italy, there was no public outcry when the government introduced the Cavour Regulation. There were certainly feminists who campaigned against the Cavour Regulation, such as Anna Maria Mozzoni (1837–1920), but unlike the English campaign, the Italian feminist movement was not successful in obtaining abolition of the state regulation of prostitution.³⁰

There is also another striking similarity. Both the English Contagious Diseases Acts and the Italian Cavour Regulation responded to military concerns. The Contagious Diseases Acts attempted to stem the steady increase in venereal infection among men, in particular soldiers, since the 1820s. By the mid-nineteenth century, the massive expansion of British military and naval activities, the rapid growth of towns and new understandings of contagion led many to see prostitution as primarily a medical rather than a moral problem, its chief evil being, they supposed, its connection with venereal disease.³¹ Britain's imperial ambitions are

also important for understanding the implementation of the Contagious Diseases Acts. Crucially, they were passed in the aftermath of the Crimean War (1853–56), which had shown how sanitation was important for the health of the soldiers and therefore for the efficacy of the army itself.³² In Italy, the Cavour Regulation had its roots in the 1850s when Piedmont was preparing for war. Crucially, Camillo Benso di Cavour (1810–61), prime minister of Piedmont after 1852, needed a healthy army to unify Italy. Cavour's reforms, such as the extension of the railway network, the creation of an armaments industry and the establishment of banks, were designed to provide the transportation, weapons and capital necessary for unification.³³

It is possible to go even further and draw other parallels between the two countries. The regulation of prostitution in the last fifty years of the nineteenth century shows that both in Italy and England the state combined legal sanction of sexual practices with medical control of the human body and sexual behaviours.³⁴ Because it was believed that venereal diseases were caused by vice and promiscuity, prostitutes were usually blamed for the increase in such diseases. In both countries the adoption of medical measures to combat the spread of venereal diseases, such as the compulsory internment of infected women, furthered control over women's bodies. At the time scientific understanding of venereal disease was limited: the relationship of syphilis to its late manifestations as debility, paralysis and insanity had not yet been established and treatments were largely ineffectual, often severely debilitating, and sometimes even punitive, including cauterization and the application of caustic substances.

A cursory comparison of how prostitution was regulated in England and Italy might lead readers to think that England showed a more liberal attitude to sexual matters than Italy. However, if we compare how male homosexuality was regulated in these two geographical areas the picture is completely different. In England, ever since the 1533 Buggery Act it had been possible to punish men involved in acts of sodomy in England with death. This act remained the basis for legal treatment of homosexuality in England until 1967.³⁵ In the nineteenth century the death penalty was seldom enforced as punishment for sodomy, and in 1861, the law was modified so that sodomy was penalized with imprisonment for a period of ten years, and more lenient sentences for those conspiring to commit sodomy. However, during the eighteenth century, common law had made it possible to prosecute a number of relatively new offences under the label of 'unnatural crimes', including sodomy, bestiality, and any same-sex act or invitation to such an act, usually described as indecent assault or 'assault with intent to commit sodomy'.³⁶ In 1885, the Labouchère Amendment to the Criminal Law Amendment Act redefined which kinds of same-sex acts could be punished.³⁷ It made acts of 'gross indecency' between males, such as mutual masturbation and fellatio, misdemeanours liable to imprisonment for up to two years. This change expanded the definition of a homosexual act and, because it introduced a new and very broad category of homosexual

misdeemeanour, made prosecution easier and conviction more likely. This measure inaugurated an era of persecution of homosexuals by blackmailers and moral purity brigades such as the National Vigilance Association. Moreover, the clause also enabled punishment of same-sex acts performed in private. English legal regulation therefore contrasted starkly with that of Continental countries under the influence of the Napoleonic Code, where homosexual acts carried out between consenting adults in private did not fall under the jurisdiction of the law.³⁸

As in the case of female prostitution, before unification different Italian states operated different standards for the punishment of male same-sex practices.³⁹ In the Papal States male same-sex acts were punished with life imprisonment.⁴⁰ In the Lombardo-Veneto region (current Trentino-Alto Adige, Friuli-Venezia-Giulia, Istria and Fiume), which was under Austrian domination, sodomy was punished with custodial sentences from six months to one year. In the kingdom of Sardinia, under the Savoy monarchy, male same-sex acts could land men in prison for up to ten years.⁴¹ The rest of Italy adopted the Napoleonic Code, which was silent on the issue of homosexuality. This meant there was no legal framework for the repression of same-sex acts, and in practice they were not criminalized. Formal repression increased from the mid-nineteenth century, but was not equally applied across the country. In 1861, the criminal code of the kingdom of Savoy was extended to the rest of the country. In southern Italy, however, the law against homosexual acts was not enforced. The government acknowledged that in Mediterranean culture it was considered normal for young boys to engage in same-sex practices, and that punishing same-sex acts in southern Italy would entail a complete transformation of the indigenous culture.⁴² Thus, government authorities conceded cultural differences between the country's northern and southern regions.

With the promulgation of the 1889 Zanardelli Penal Code, private homosexual behaviour between consenting adults ceased to be a punishable offence, except in cases that involved 'public scandal' or violence. The latter were subject to private prosecution under criminal law, for example, in cases of rape. Homosexuality was thus decriminalized throughout Italy and tolerated as long as it did not cause public disturbance. In the 1887 parliamentary debate that led to the decriminalization of male same-sex practices the Minister of Justice, Giuseppe Zanardelli (1826–1903), explained that in dealing with 'acts against nature', ignorance of the 'vice' was more useful than its advertisement through the law. This line of argument was informed by the legal doctrines of prominent authority Giovanni Carmignani (1768–1847) which argued that the most prudent way to confront the 'vice' of same-sex practices was to deny their existence. Political caution led Italian legislators to believe that unveiling sexual practices usually shrouded in silence was against the public interest, the effectiveness of the legal system, and especially against traditional customs.⁴³

Despite this, the Italian ruling classes were not prudish in discussing sexuality and so-called 'sexual perversions'. Following Italian unification

there was bitter conflict between the state and the Church, as the latter did not recognize the new Italian kingdom. The state sought to replace the Church's moral authority, and to take control of citizens' sexual morality. Doctors and criminal anthropologists played a critical role in this process and began to talk openly about sexuality, considering silence over sexual matters, the characteristic stance of the Catholic Church, to be a profoundly dangerous attitude towards a fundamental part of human life. They contributed to the creation of sexology, that is, the interdisciplinary study of human sexuality. Much of the sexological work of men like Cesare Lombroso (1835–1909) and Paolo Mantegazza (1831–1910) was directed at religious sexual tenets.⁴⁴

Why did English legislators feel the need to punish male same-sex practices for such a long time when their Italian counterparts did not? Why was the English government partially influenced by the Napoleonic code when it came to regulating female prostitution, but not with regard to male same-sex practices? Comparative history can shed light on these kinds of questions. Historians have debated why different parts of Europe adopted different legal approaches to male homosexuality from the early nineteenth century. Religion is important here: sexual behaviours are not only regulated by laws, but also by religion and other beliefs. We should therefore always consider how religion affected sexual conduct in given geographical areas. Predominantly Roman Catholic countries such as France, Belgium, Italy and Spain tended not to criminalize male homosexuality between consenting adults, while predominantly Protestant countries and mixed-confessional but Protestant-dominated countries, like England and Germany, criminalized male homosexuality until well into the twentieth century. As a result, some scholars have argued that Catholic countries were more superficially tolerant because the Church exerted a powerful influence on private moral issues and succeeded in suppressing deviant sexualities. These studies highlight the fact that, because religion had less influence on private affairs in Protestant countries, the sanctioning of sexual behaviour became the state's prerogative. According to these studies, tolerant Mediterranean legislators sought to cloak deviant sexualities in silence; their intention was to prevent the disorder being named.⁴⁵

Conclusion

When comparing the history of sexuality, or any other cultural phenomena, in different geographical contexts, a number of factors must be considered. Attitudes towards gender, political contexts, legal frameworks, the cultural role of religion and national traditions and reactions to attempts to control sexual behaviour are of crucial importance. Class, age, ethnicity and differences between urban and rural settings, although not considered in this chapter, are also central to any sustained attempt to compare different

countries. Comparison does not yield easy answers, but it does illuminate the role of specific factors and help us to avoid simplistic moral judgements.

Comparison deepens historical analysis and challenges common assumptions. The above overview of the regulation of female prostitution and male homosexuality in England and Italy shows that it is difficult to decide which country was more tolerant towards non-reproductive sexual behaviour. If we look at female prostitution, England certainly had a more liberal approach to prostitution than Italy. While in both countries prostitution was legal, the English authorities never managed to regulate prostitution to the same extent as their Italian counterparts. In England, prostitutes enjoyed more freedom, the Contagious Diseases Acts applied only to limited areas, and they had a relatively short life. Conversely, attitudes towards male homosexuality were more liberal in Italy. It is not a coincidence that Oscar Wilde (1854–1900), convicted of acts of gross indecency with other men, went into exile in Italy following his release from prison in 1897. John Addington Symonds (1840–93), the eminent Victorian interpreter of classical thought and Renaissance history, and self-identified homosexual, considered the Zanardelli code well in advance of the English legal system, which still punished male-same sex practices carried out in private. He hoped that his own country would in time follow Italy's legal example in dealing with male same-sex acts.⁴⁶

As the Italian case has shown, specific political contexts are very important when comparing two countries. Laws such as the Cavour Regulation and the Zanardelli Penal Code responded to the perceived need for uniform regulation of sexual conduct on the Italian Peninsula. The implementation of these laws cannot be understood without considering the unification of Italy. Yet Italy was also influenced by the French model in regulating both female prostitution and male homosexuality, while England, if not completely immune to French influence, resisted the Continental model until the passing of the Contagious Diseases Acts in the 1860s, and eventually rejected it entirely. In both countries, laws such as the Contagious Diseases Acts and the Cavour Regulation were passed in response to military concerns. Despite the fact that different confessional allegiances might have played a central role in guiding individual sexual conduct in different ways in England and Italy, both countries went through a process of secularization in the regulation of sexual conduct, with the state increasingly taking on the role formerly played by the Church.

This chapter has dealt with two specific case studies on the regulation of sexuality in England and Italy, but in showing how comparative analysis can provide valid and rewarding insights into specific societies, it has aimed to illustrate the wider applicability of this approach to history. Comparative history helps to identify typologies of development, structures, differences, similarities and reciprocal influences. It is also crucial in helping to explain these differences. For example, systematic comparison of factors which shaped the legal regulation of sexual behaviour in England and Italy enables

historians to isolate the most important reasons for differences in these systems, such as religion. Above all, comparative approaches help historians to rethink accepted historical explanations, as in the argument that in some times and places, the strong influence of the Catholic Church on private life might actually have resulted in more liberal legislation regarding some aspects of sexual behaviour. While comparative history moves beyond the nation to elucidate broader political, cultural and social patterns, it also fosters original insights into national histories which could not be gained through focusing exclusively on single national contexts. In the twenty-first century, comparative history still has much to offer historians.

Study Questions

- Why do historians compare?
- What are the potential problems of using a comparative methodology?
- In what ways do comparative histories differ from national and transnational histories?

Notes

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- 7 Skocpol, *States and Social Revolutions*.
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- 23 The Act of 1864 stated that infected women could be interned in lock hospitals for up to three months. The period of incarceration was gradually extended until the 1869 Act increased the sentence to a year. Walkowitz, *Prostitution and Victorian Society*, pp. 67–148.
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Further Reading

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